



Development Assessment Commission

Minutes of the 583rd Meeting of the Development Assessment Commission held on Thursday, 27 July 2017 commencing at 9.30AM 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Dennis Mutton Jenny Newman (IMDAC)
Secretary	Alison Gill
DPTI Staff	Anna Provatas (Agenda Item 2.2.1) Simon Neldner (Agenda Item 2.2.1) Tom Victory (Agenda Item 3.2.1) Dylan Ashboth John Straccia Nicholas Kemsler James Moran
Guest	Tim Anderson, Chair State Planning Commission (Agenda Item 3.2.1)
1.2. APOLOGIES	Sue Crafter David O'Loughlin

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS - Nil

2.2. NEW APPLICATIONS

2.2.1 GIC Lightsview Pty Ltd

DA 040/L021/17

Lot 802 in DP 115993 Hampstead Rd, Lightsview

City of Port Adelaide Enfield

Proposal: Construction of a retail tenancy with drive through facilities, car parking, acoustic fencing, landscaping and removal of one regulated tree

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

Applicant

- Anthony Gatti (presented)
- Nick Pope
- Ian McPhillips
- Paul Morris (presented)
- Damien Ellis
- George Economou

Agency

- Matthew Henderson, DPTI - Transport

Representors

- Cr Mark Basham, Port Adelaide Enfield (presented)
 - Cr Matt Osborn, Port Adelaide Enfield (presented)
 - Cr Anne-Marie Hubycz, Port Adelaide Enfield (presented)
- On behalf of representors Judy Walker, Rodney Collins, Shayne Symons.

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 is satisfied that the proposal generally meets the key objectives and principles of development control of the Port Adelaide Enfield (City) Development Plan.
3. To grant Development Plan Consent to the proposal by GIC Lightsview for 'Construction of a fast food restaurant with drive through facilities, car parking, acoustic fence, landscaping and removal of one regulated tree' at Lot 802 in DP 115993 Hampstead Road, Lightsview, subject to the following reserved matters and conditions of consent:

RESERVED MATTERS

1. Pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - 1.1 Relocation of the pedestrian crossing to better align with the entrance to the restaurant and further reduce conflict between pedestrians and the reversing movements of service vehicles to the loading area.

- 1.2 The landscaping plan to include a mix of low to medium height plantings that are capable of reducing the impact of headlamp glare on adjacent residential properties. This shall apply to the landscaping strip in between the car parking area and Hampstead Road and also the landscaped area in front of the dual ordering area along David Campbell Way.

PLANNING CONDITIONS

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No. 040/L021/17:

MCA Studios

Floor Plans and Elevations	Dwg No. SK12	Rev 02	27/08/17
Site plan	Dwg No. SK10	Rev 02	27/06/17
Site Elevations	Dwg No. SK11	-	05/04/17

INTRO

Planning Statement, Hampstead Road, Lightsview
 Response to representations, 01/06/17
 Response to Request for Further Information, 07/07/17

Arborman Tree Solutions

Preliminary Tree Assessment, Ref. ATS3792-EasParPTA, 15/09/17

GTA Consultants

- Traffic Impact Assessment, dated 12/04/17
- Response to DPTI and Council Comments, 07/7/17

Southfront

Stormwater Management Advice, dated 07/04/17

Aspect Studios

Landscape Design, ref. A16043 REV C, dated 4/10/16 (undated)

SONUS

Environmental Noise Assessment, ref. S5032C4, April 2017
 Response to Council Comments, July 2017.

2. The acoustic attenuation measures recommended in the SONUS Acoustic report dated April 2017 shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.
3. The recommendations contained in the Southfront Stormwater Management Advice shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the Development Assessment Commission. These recommendations include:
 - i. the installation of a Gross Pollution Trap;
 - ii. connection to the detention basin for Stage 22A of the broader Lightsview development;
 - iii. installation of an underground drainage system; and
 - iv. provision of a 3m wide stormwater drainage easement along the western site boundary

Such stormwater management measures shall be made operational prior to the occupation or use of the development.

4. All vehicle access points shall be signed/line marked to encourage the desired traffic flow through each access.
5. All servicing of the site by service vehicles shall be undertaken outside of the peak trading periods and between the hours of 7am to 10pm any day, in order to minimise the potential for vehicular conflict.
6. The access points shall be angled 70° to the road to promote the desired flow of traffic through the accesses.
7. Any redundant sections of crossover shall be reinstated with Council standard kerb and gutter at the applicant's cost.
8. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
9. Designated car parking spaces for disabled persons shall be provided in accordance with the relevant Australian Standards.
10. The landscaping shown on the final approved landscaping plan 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.
11. Air extraction plant shall be screened such that no nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the Development Assessment Commission.
12. All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
13. 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.
14. An appropriate Construction Environment Management Plan (CEMP) which addresses the mitigation or minimisation of impacts (especially from noise and dust) during the construction phase shall be prepared and implemented prior to the commencement of site works. Dust generated by machinery and vehicular movement during site works, and any open stockpiling of soil or building materials at the site, must be suppressed to ensure that dust generation does not become a nuisance off-site. Site development machinery should generally not be operated outside the hours of 7 AM to 6 PM daily.
15. An appropriate Soil Erosion and Drainage Management Plan (SEDMP) (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government") shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of

the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

16. Semi-mature native tree species (>1m in height) indigenous to the local area shall be planted on a 2 for 1 basis to compensate for the removal of the regulated tree. The replacement tree planting shall occur within three months of a tree's removal.
17. Prior to development approval being granted the applicant shall provide details of light and noise attenuation treatment to the eastern boundary, north of the drive through tunnel, to the satisfaction of the Development Assessment Commission. These works shall be undertaken prior to the operation of the development.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).
- d. The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- e. The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).

The policy also creates offences that can result in on-the spot fines or legal proceedings. The following information is provided to assist with compliance with this legislation:

- i Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry" (EPA, 1999). Specifically, the applicant must ensure:
During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways. A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.

- ii Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
- iii All building and construction wastewaters are listed pollutants under the *Environment Protection (Water Quality) Policy 2003* and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

- f. The applicant is encouraged to select native tree species of local provenance that are considered suitable replacements for the tree(s) to be removed (i.e. amenity / shade trees, provision of habitat etc). For information on appropriate species to be planted, contact your local Council or State Flora within Belair National Park on telephone 8278 7777, at Murray Bridge on telephone 8539 2105, or visit www.stateflora.sa.gov.au. Replacement trees should also be selected on the basis of their intended location and longer-term growth / maturity level (i.e. suitability for a school playground or activity area, not close to buildings or other infrastructure etc).
- g. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil

3.2. NEW APPLICATIONS

3.2.1 Taplin Group

DA 110/M009/16

Corner Jetty Road and Colley Terrace, Glenelg (13-23 Jetty Road and 1-3 Colley Terrace)

City of Holdfast Bay

Proposal: Demolition of existing retail tenancies and construction of seven level mixed use building comprising ground floor retail, residential apartments and ancillary car parking

Chris Branford declared a conflict of interest and left the meeting.

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

Applicants

- Andrew Taplin, Taplin Group
- Matthew King, URPS (presented)
- Alex Brown, ABA (presented)
- Phil Weaver, Phil Weaver & Associates

Agencies

- Nick Tridente, ODASA
- Aya Shirai-Doull, ODASA
- Michael Queale, DEWNR

Council

- Henry Beesley, Holdfast Bay

Representor

- Brent Humphries (presented)

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 is satisfied that the proposal generally accords with the relevant Objectives and Principles of Development Control of the City of Holdfast Bay Development Plan.
3. To grant Development Plan Consent to the proposal by Taplin Group for the demolition of existing retail tenancies and construction of seven level mixed use building comprising ground floor retail, residential apartments and ancillary car parking at 13-23 Jetty Road and 1-3 Colley Terrace, Glenelg subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 110/M009/16.

Plans by Alexander Brown Architects

Drawing Title	Drawing No.	Revision
Location Plan	16-040 – PL01	D
Existing Demolition Plan	16-040 – PL02	C
Level 1 Floor Plan- Ground	16-040 – PL03	K
Level 2 Floor Plan	16-040 – PL04	K
Level 3 Floor Plan	16-040 – PL05	J
Level 4 Floor Plan	16-040 – PL06	H
Level 5 Floor Plan	16-040 – PL07	J
Level 6 Floor Plan	16-040 – PL08	H
Level 7 Floor Plan	16-040 – PL09	H
Streetscape Elevations	16-040 – PL10	J
Streetscape Elevations	16-040 – PL11	F
Sections and Signage	16-040 – PL12	J
West Elevation	16-040 – PL13	D
East Elevation	16-040 – PL14	D
South Elevation	16-040 – PL15	D
North Elevation	16-040 – PL16	D
Apartment Layouts	16-040 – PL17 to 16-040 – PL22	D
Apartment Layouts	16-040 – PL23	C

Apartment Layouts	16-040 – PL24	D
Apartment Layouts	16-040 – PL25	C
Apartment Layouts	16-040 – PL26	C
Apartment Layouts	16-040 – PL27	B
Apartment Layouts	16-040 – PL28	B
Exterior Finishes Schedule	Pages 1 to 5 - DPC (16 May 2017)	D

Reports and correspondence

- Traffic and Parking Assessment by Phil Weaver and Associates dated 15 February 2017, File 188-16
 - Response to Council Traffic and Parking Assessment by Phil Weaver and Associates dated 17 May 2017, File 188-16
 - Veolia Waste Management Plan, February 2017
 - Waste Management System Design Report by Alexander Brown Architects dated 23 Dec 2016
 - Acoustic Advice Report, Letter Reference A17102LT1 by Resonate Acoustics dated 11 April 2017
2. Prior to Development Approval for superstructure works, the applicant shall submit a final detailed schedule of external materials and finishes in consultation with the Government Architect to the satisfaction of the Development Assessment Commission.
 3. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
 4. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
 5. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
 6. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the Development Assessment Commission.
 7. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).
 8. A plan of the proposed stormwater disposal system shall be submitted in consultation with Holdfast Bay Council, to the satisfaction of the Development Assessment Commission. It shall cater for a 10 year rainfall event with post-development flow not to exceed pre-development flow, with the excess flow being retained on site.
 9. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.
 10. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards –

including the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction.

11. Prior to Development Approval for superstructure works, the applicant shall submit a final detailed schedule of external materials and finishes in consultation with the Government Architect to the reasonable satisfaction of the Development Assessment Commission.
12. Details of perforated metal carpark screening opposite the State heritage place (colour, patterns, perforations) shall be resolved in consultation with the Department of Environment, Water and Natural Resources to the reasonable satisfaction of the Development Assessment Commission.
13. The finished floor level of the ground floor level entry shall match that of the existing footpath unless otherwise agreed to by the Development Assessment Commission.
14. The acoustic attenuation measures recommended in the Resonate Acoustics report dated 11 April 2017 (Letter reference A17102LT1) shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.
15. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
16. That a low height fence (1.0m or less) be installed along the northern site boundary to satisfy pedestrian sight line requirements of AS/NZS 2890.1.2004.
17. That two of the spaces on the first floor car park shall be designated for use by service vehicles of the commercial tenancies and shared with visitor parking of the apartments.
18. The finished floor level of the crossovers at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS2890.1, and the maximum gradient of the driveway shall not be greater than 5% across the footpath, with the invert profile conforming with AS2876. The footpaths on either side shall be appropriately graded to the driveway preventing tripping hazards at this junction, without any steep grades along the footpath.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.

- c. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).
- d. No additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.
- e. The applicant should 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.
- f. As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- g. Activation of the public realm adjacent to the site is supported, including the installation of street furniture, bicycle parking infrastructure and planting of street trees shall be undertaken in consultation with the City of Holdfast Bay. Improvements to the adjacent public realm areas are not part of this planning consent. Additional visitor bicycle parks are encouraged to be explored within the public realm areas in consultation with Council.
- h. The City of Holdfast Bay has advised that an authorisation is required under Section 221 of the *Local Government Act 1999* for the encroachment of your structure or building in, on, across, under or over the public road. Please note that the council may charge an annual fee and that the authorisation may be issued on an annual basis for any encroachment that attracts such a fee.
- i. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- j. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- k. You are advised of the following requirements of the *Heritage Places Act 1993*.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water and Natural Resources.

5. The Commission is requested to inform the applicant of the following requirements of the *Aboriginal Heritage Act 1988*.

(a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

4.1. **DEFERRED APPLICATIONS** - Nil

4.2. **NEW APPLICATIONS** - Nil

5. MAJOR DEVELOPMENTS

5.1. **DEFERRED APPLICATIONS** - Nil

5.2. **NEW APPLICATIONS** - Nil

6. ANY OTHER BUSINESS

7. NEXT MEETING - TIME/DATE

7.1. Thursday, 10 August 2017 in Leigh Street, Adelaide SA 5000

8. CONFIRMATION OF THE MINUTES OF THE MEETING

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

9. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 3.05pm.

Confirmed 27/07/2017



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Simone Fogarty
PRESIDING MEMBER