



Development Assessment Commission

Minutes of the 491st Meeting of the Development Assessment Commission held on Thursday, 14 November 2013, commencing at 1:00 PM Conference Room 6.2, Level 6, 136 North Terrace, Adelaide

1. OPENING

1.1. PRESENT

| | |
|-------------------------|---|
| Presiding Member | Ted Byrt |
| Deputy Presiding Member | Megan Leydon |
| Members | Damien Brown Geoff Loveday Carolyn Wigg Simon Fogarty |
| Principal Planner | Mark Adcock |
| DPTI Staff | Elysse Kuhar Ryan Moyle (Agenda Item 3.3) Simon Neldner (Agenda Items 3.4 & 3.5) Nitsan Taylor (Agenda Item 6.1) |

APOLOGIES Andrew Ford

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

3.1. Minister for Recreation & Sport

DA 252/V009/13
55 Chapel Street, Hindmarsh
City of Charles Sturt (Mixed Use Zone)
Proposal: Storage shed

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE that the Minister be advised that the State Heritage Branch did not support the application
3. RESOLVE to recommend that the Minister for Planning approve the storage shed (Development Application No 252/V004/13) 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, including the amended plans as submitted in development application number 252/V009/13.

Plans:

Alpha Industries – Elevations and Sections – Aug 07

Site Plan – dated received 19 June 2013-10-16

Correspondence:

Email from Alpha Industries to Elysse Kuhar – dated 19 June 2013-10-16

Email from Doug Peak to Elysse Kuhar – dated 17 October 2013

2. That the shed shall be removed from the site by the Adelaide Entertainment Centre should it no longer manage the site and shall bear all costs of the removal.

Advisory Notes:

- a) A current list of Registered Private Certifiers in South Australia is available here:
<http://sa.gov.au/subject/Housing%2C+property+and+land/Building+and+development/Building+and+development+applications/Development+applications+with+a+building+component/List+of+registered+private+certifiers> (sa.gov.au website).
- 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 (Principal Engineer: Structural) Building Management, Department of Planning, Transport and Infrastructure (telephone 8226 5223) Level 2, 211 Victoria Square, Adelaide, 5000.
- d) Prior to the time periods specified above, any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, Level 5, 136 North Terrace, Adelaide or GPO Box 1815, Adelaide SA 5001.

3.2. Jim Cabot

DA 923/D011/12

Bratten Way, Yalumba Flat

General Farming Zone & Tod River Water Protection Zone

Proposal: Land Division

The Commission discussed the application.

RESOLVED

RESOLVE to CONCUR with the District Council of Tumby Bay Development Assessment Panel to grant Development Plan Consent to the application by Jim Cabot for a land division (boundary realignment) creating one additional piece 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, including the amended plans as submitted in development application number 923/D011/12.

Plans:

Pieces Schedule
Enlargement E1 & E2
Enlargement E3
Enlargement E4
Enlargement E5
Piece 68 Detail

2. That a final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division.

Requirements: Development Act 1993 & Development Regulations 2008

- i. The approved plan of division must be *deposited* with the Land Titles Office within 12 months and the final Certificate of Title(s) for all stages of the development must be issued (i.e. development completed) within three (3) years of the date of the Notification unless this period has been extended by the Minister for Planning.
- ii. You will require a fresh approval before commencing or continuing the development if you are unable to satisfy these requirements.

Advisory Notes:

- a) At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.
- b) Prior to the time periods specified above, any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, Level 5, 136 North Terrace, Adelaide or GPO Box 1815, Adelaide SA 5001.

3.3. OTR 97 Pty Ltd

DA 040/1924/12

107-115 Victoria Road, Birkenhead

Commercial Zone & Residential Zone (Restricted Residential Policy Area 65)

Proposal: Integrated service station complex

The Commission discussed the application and in particular noted the submission received from residents received on 8 November 2013.

RESOLVED

RESOLVE to CONCUR with the decision of the City of Port Adelaide Enfield to GRANT Development Plan Consent subject to thirty-five (35) conditions to

Development Application Number 040/1924/12 by OTR 97 Pty Ltd for the Integrated use shop and service station complex with ancillary vehicle/dog wash bays, at 107-115 Victoria Road, Birkenhead SA 5015 (CT 5826/630).

3.4. City of Onkaparinga

DA 145/1349/10

Gulf Parade, Maslin Beach

MOSS (Seascape) & Coastal Zones

Proposal: Landfill cap

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

Applicant(s)

- Debbie Rich (Council)
- Ashley Bowden
- Matt Buckell

Representor

- John Hunt (Nobletech)

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to grant Development Plan Consent to Development Application No. 145/1349/10 by the City of Onkaparinga to undertake remediation works at a former Council landfill site (including the excavation and filling of land to install a landfill cap, stormwater drainage, vegetation clearance, revegetation and landscaping and civil improvements) subject to the conditions and advisory notes listed below.

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 145/1349/10:

Frank Hilton Reserve - Plans

- Locality Plan and sheet index Drawing 2010-149 Sheet 1 of 23 Rev A 20.6.13
- General layout plan Drawing 2010-149 Sheet 2 of 23 Rev A 20.6.13
- General layout plan Drawing 2010-149 Sheet 3 of 23 Rev A 20.6.13
- Tree Removal and Demolition Plan Drawing 2010-149 Sheet 4 of 23 Rev A 20.6.13
- Existing Services and boreholes Plan Drawing 2010-149 Sheet 5 of 23 Rev A 20.6.13
- Sediment and erosion control plan Drawing 2010-149 Sheet 6 of 23 Rev A 20.6.13
- Civil Plan Earthworks Drawing 2010-149 Sheet 7 of 23 Rev A 20.6.13
- Civil Plan East of Pump station Drawing 2010-149 Sheet 8 of 23 Rev A 20.6.13
- Civil Plan Eating and Playground Area A - Drawing 2010-149 Sheet 9 of 23 Rev A 20.6.13

- Reserve Cross Sections Drawing 2010-149 Sheet 10 of 23 Rev A 20.6.13
- Reserve Cross Sections Drawing 2010-149 Sheet 11 of 23 Rev A 20.6.13
- Reserve Cross Sections Drawing 2010-149 Sheet 12 of 23 Rev A 20.6.13
- Reserve Cross Sections Drawing 2010-149 Sheet 13 of 23 Rev A 20.6.13
- Drainage Swale Longitudinal Section Drawing 2010-149 Sheet 14 of 23 Rev A 20.6.13
- Culvert Details at Beach Access Track Drawing 2010-149 Sheet 15 of 23 Rev A 20.6.13
- Culvert Details at Pump Station Access Track Drawing 2010-149 Sheet 16 of 23 Rev A 20.6.13
- Stormwater Drainage Plan and Longitudinal Section Drawing 2010-149 Sheet 17 of 23 Rev A 20.6.13
- Beach Access step details Drawing 2010-149 Sheet 18 of 23 Rev A 20.6.13
- Details Drawing 2010-149 Sheet 19 of 23 Rev A 20.6.13
- Details Drawing 2010-149 Sheet 20 of 23 Rev A 20.6.13
- Details Drawing 2010-149 Sheet 21 of 23 Rev A 20.6.13
- General set-out plan Drawing 2010-149 Sheet 22 of 23 Rev A 20.6.13
- General set-out plan Drawing 2010-149 Sheet 23 of 23 Rev A 20.6.13
- Extent of Buried Rubbish Dump -Drawing 2010-149 Sheet 1 dated 19.12.2011
- Planting Plan - Landscape Works - Drawing 2010-149 L03 of 6 Rev A

Correspondence, Reports, Documents:

- Addendum Report to the Closure and Post Closure Management Plan - Frank Hilton Reserve, Gulf Parade, Maslin Beach, South Australia prepared by Coffey Environments dated 9 February 2010
 - Addendum Report to the Closure and Post Closure Management Plan - Frank Hilton Reserve, Gulf Parade, Maslin Beach, South Australia prepared by AECOM – amendment date February 2012 (includes Appendix A: Landfill Gas Generation Potential and Appendix B Stormwater Management Options).
 - Email from Debbie Rich (City of Onkaparinga) to DPTI dated 21 June 2013
 - Email from Debbie Rich (City of Onkaparinga) to DPTI dated 17 October 2013
2. The final design of the stormwater outfall shall be constructed in accordance with the requirements of the Coast Protection Board.
 3. That an amended landscape plan be submitted to the reasonable satisfaction of the Development Assessment Commission that indicates additional detail for the staging of vegetation removal and the use of semi-mature plant species where possible.
 4. Landscaping shown on the amended landscape plans shall be established within four (4) months of the completion of the drainage infrastructure and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

5. An Environmental Management Plan and annual inspection protocol for the Frank Hilton Reserve shall be developed and implemented by the Council in accordance with the requirements of the Environment Protection Authority for the following components of the development:
 - a. Monitoring of gas levels around the perimeter of the landfill
 - b. Monitoring of gas levels within underground pipework through the landfill
 - c. Maintenance and replacement of landscaping with suitable species
 - d. Repair and maintenance of the stormwater swale and beach outfall
 - e. Monitoring, maintenance and repair of the landfill cap in accordance with the approved specification of works
 - f. Repair and maintenance of underground stormwater pipework
 - g. Weed management (control and/or eradication)

This plan must identify qualified officers within the Council (or duly appointed external consultants or contractors) whose responsibilities are to undertake the on-going inspection, monitoring and/or maintenance work. A copy of this plan shall be provided to the Development Assessment Commission.

6. A Construction and Environmental Management Plan (CEMP) shall be prepared and implemented to manage site and construction works, and shall address - but not be limited to - the following:
 - Air quality controls: including for dust and odour.
 - Stormwater management: including erosion and sediment control to ensure water quality is maintained and overland stormwater flows minimise the transfer of contaminants from the site and to the marine environment.
 - Soils: including fill importation, stockpile management and prevention of soil contamination (and minimisation of vehicle drag out);
 - Groundwater: including prevention of groundwater contamination;
 - Noise: to minimise construction impacts to adjoining owners and occupiers
 - Occupational health and safety.
 - Use of temporary lighting (and the minimisation of light overspill).
 - Hours of operation - including night work protocols - to minimise amenity loss / level of disturbance to residents.
 - Establishment and maintenance of temporary fencing and hoardings.
 - Waste minimisation, recovery and disposal.
 - Site servicing and security arrangements.
 - Storage of chemicals and fuel.
 - Protection of existing street and amenity trees (if retained).
7. 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, beach area or public road.
8. Excavated materials and stockpiles shall be appropriately classified and managed in accordance with the Environment Protection Authority (EPA) Guideline: Standard for the production and use of Waste Derived Fill (October 2013).

9. All excess stockpiles of sand, soil, fill and/or other organic material must be removed from the site within three (3) months of the completion of works.
10. All earthworks shall be restricted to only those which are shown on the approved plan as required for building and/or access purposes.
11. Geotextile cloth included in the seawall design is to wrap around the whole of the toe stone at the base of the structure to maintain its structural integrity should lower beach levels be experienced.

Advisory Notes:

- a) The applicant is advised that sites or objects may exist in the proposed development area, even though the register of Aboriginal Sites and Objects does not identify them. All Aboriginal sites and objects are protected under the Aboriginal Heritage Act 1988. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister).
- b) 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.
- c) 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>
- d) The development must be substantially completed within 12 months from the date of this Notification, with any act or work authorised or required completed within 3 years of the date of the Notification unless this period has been extended by the Development Assessment Commission
- e) The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which receiving this notice or such longer time as the Court may allow. 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).
- f) Prior to the commencement of works, the Council should consult with Crown Lands(DEWNR) regarding the location of any infrastructure on the coastal reserve.
- g) After the completion of the landfill cap and associated stormwater works, it is recommended that the condition of the existing seawall be independently monitored and assessed by a qualified geotechnical engineer every 12 months. Any erosion and/or instability detected that would affect the structural integrity of the seawall should be immediately reported to the Coast Protection Board and remedial

**3.5. Yorke Peninsula Wind Farm Project Pty Ltd (REpower)
DA 544/V001/13**

Yorke Peninsula and Parafield Gardens West

Various Zones

Proposal: Wind Farm and associated infrastructure

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

Applicant(s)

- Peter Sgardelis
- Terry Kallis
- Deane Smith
- Chris Judd (CEO)
- Marcus Rolfe and Alan Rumsby (URPS)
- Kyra Reznikov (Finlaysons)
- Ian Llewelyn (DPTI)
- John McFarlane

The Commission discussed the application.

RESOLVED

RESOLVE that the application be deferred for further consideration.

4. ADJOURN TO CAPITAL CITY DEVELOPMENT ASSESSMENT COMMITTEE

5. MAJOR DEVELOPMENTS – Nil.

6. OTHER BUSINESS

6.1. Lightsview land division – stages 16/17

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

Applicant:

Michael Osborn – Fyfe
Peter Gotsios - CIC

7. NEXT MEETING – TIME/DATE

- 7.1.** Thursday, 28 November 2013 in Conference Room 6.2, Level 6, 136 North Terrace, Adelaide SA

8. CONFIRMATION OF THE MINUTES OF THE MEETING

9. MEETING CLOSE

The meeting closed at 4.55pm.