



Development Assessment Commission

Minutes of the 558th Meeting of the
Development Assessment Commission
held on Thursday, 22 September 2016 commencing at 9.30 AM
28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Sue Crafter David O'Loughlin Peter Dungey Dennis Mutton
Secretary	Penny Pearce
Unit Manager	Robert Kleeman
DPTI Staff	Lee Webb (Agenda Item 5.1) Jeremy Wood (Agenda Item 5.1) Tom Victory (Agenda Item 3.2.1) Lauren Moore (Agenda Item 3.2.1)

1.2. COUNCIL REPRESENTATION John Hodgson (ACC),
Brenton Burman (Unley)
Rita Excell (Port Adelaide)

1.3. APOLOGIES - Nil

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS - Nil

2.2. NEW APPLICATIONS

2.2.1 Alexander Brown Architects
520/0115/14
North Cape, Kangaroo Island
Proposal: Tourist Accommodation – holiday home rentals

Applicants(s)

- Madeline Dobbin

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. To grant Development Plan Consent to the proposal by Alexander Brown Architects for the construction of a tourist accommodation facility at Lot 2, North Cape Road (Hundred of Menzies) on Kangaroo Island subject to the following reserved matters and 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 plans, including the following amended plans and documents as submitted in development application number 0520/0041/14:

Plans and Elevations

- Plan Titled 'Site Plan: Lot 2, North Cape, Kangaroo Island', dated 3.05.2016, prepared by URPS.
- Drawing Titled 'North Cape Holiday Home – Floor Plan', dated 12 September 2014, prepared by Alexander Brown Architects.
- Drawing Titled 'North Cape Holiday Home – Elevations', dated 12 September 2014, prepared by Alexander Brown Architects.

Reports / Correspondence

- Planning Statement for Development Application 0520/0041/14 – Tourist Accommodation at Lot 2, North Cape, Kangaroo Island. Prepared by URPS, dated 11 May 2015.
2. Management Plan confirming the ongoing management and operation of the facility (including fencing, signage, controlling the movement of guests, provision of educational/interpretive materials for guests, undertaking maintenance works etc.) so as to minimise the impact upon sensitive avifauna and habitat within the locality.

The Plan shall incorporate, but not be limited to:

- A. Restriction of building and construction activity to outside the breeding season of the Sea-Eagle from May to December.
- B. Information be provided to all visitors to the subject land regarding important flora and fauna, including the White-bellied Sea Eagle and the Hooded Plover, including how impacts on them can be minimised.
- C. Formalised access paths for pedestrians and vehicles.

The Plan shall be prepared in consultation with Natural Resources Kangaroo Island.

3. Landscaping and Revegetation Plan, including the extent of revegetation of the land and plantings to soften the visual appearance of the building. The Plan shall be prepared in consultation with Natural Resources Kangaroo Island.
4. That all car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
5. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not result in adverse erosion or impacts upon the land.
6. That all exposed cut and fill shall be rounded off to follow and blend with the natural contours of the land, covered with approximately 100mm of top soil immediately after excavation and seeded with ground covers and screened with trees and shrubs to avoid erosion and visual concerns within 6(six) months of the site being excavated.

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 authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- d. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- e. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- f. 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.
- g. 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 0300).
- h. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- i. The emission of noise from the premises is subject to control under the Environment Protection Act 1993 and Regulations, and the applicant (or person with the benefit of this consent) should comply with those requirements
- j. Your attention is drawn to the provisions of the Native Vegetation Act 1991 in respect to approvals required for the clearance of native vegetation.

- k. Your attention is drawn to the environmental assessment and approval requirements of the Commonwealth's Environment Protection and Biodiversity Act 1999. The Act regulates proponents directly and civil and criminal penalties apply for breaches of the Act. The proponent should contact the Commonwealth Environment Minister through Environment Australia to seek a further determination for this proposal if required.
- l. The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil

3.2. NEW APPLICATIONS

- 3.2.1 Austecvs Pty Ltd
090/M004/16
179 Greenhill Road, Parkside
City of Unley
Proposal: Mixed use development

Peter Dungey declared a conflict of interest and left the room.

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

Applicants(s)

- Dennis Chung
- Greg Molfetas
- John Genimahaiotis
- Tom Vinall
- Jason Pruszinski
- Ben Wilson

Council

- David Brown

Agency(s)

- Peter Wells (Heritage)
- Jody Davy (Affordable Housing)
- Nick Tridente (ODASA)
- Belinda Chan (ODASA)

Representor(s)

- Chris Wilson

The Commission discussed the application.

RESOLVED

1. To defer Development Plan Consent to seek additional information.

4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

4.1. DEFERRED APPLICATIONS – Nil

4.2. NEW APPLICATIONS – Nil

5. MAJOR DEVELOPMENTS

5.1. DEFERRED APPLICATIONS

5.1.1 Peregrine Major Development

5.1.2 American River Major Development

5.1.3 Narnu Waterways Major Development

5.2. NEW APPLICATIONS - Nil

6. REPORTING

6.1. DAC - Nil

6.2. IMDAC - Nil

6.3. PADAC - Nil

6.4. BRAC – Nil

7. ANY OTHER BUSINESS – Nil.

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 29th September 2016 in Leigh Street, Adelaide SA.

9. CONFIRMATION OF THE MINUTES OF THE MEETING

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

10. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 3.40 PM

Confirmed 22/09/2016



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Simone Fogarty
PRESIDING MEMBER