



# *Development Assessment Commission*

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## **Minutes of the 543rd Meeting of the Development Assessment Commission held on Thursday, 17<sup>th</sup> March 2016, commencing at 9.00AM 28 Leigh Street, Adelaide**

### **1. OPENING**

#### **1.1. PRESENT**

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey David O'Loughlin John Hodgson (Agenda Item 3.2.1) David Cooke (Agenda Item 3.2.2)
Secretary	Cathryn Longdon
Development Assessment Rep	Mark Adcock
DPTI Staff	Damien Dawson (Agenda Item 3.2.2) Elysse Kuhar (Agenda Item 3.2.2) Daniel Pluck (Agenda Item 2.2.2 and 2.2.1) Ben Scholes (Agenda item 3.2.1)

#### **1.2. APOLOGIES**

Dennis Mutton  
Sue Crafter  
Peter Dungey (Item's 3.2.1 and 2.2.1)

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### **2. DEVELOPMENT ASSESSMENT COMMISSION APPLICATIONS**

#### **2.1. DEFERRED APPLICATIONS – Nil**

## 2.2. NEW APPLICATIONS

### 2.2.1 Peregrine Corporation

DA 660/E001/15

#### **Lot 2 Port Augusta Highway, Port Augusta**

City of Port Augusta

Proposal: Integrated service station complex, comprising petrol filling station, signage and retail.

Simone Fogarty declared a conflict of interest and left the meeting.

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

Applicant(s)

- Thuy Luu-Nugyen

Representor(s)

- Albert Whittle
- Surya Sannidi

The Commission discussed the application.

### **RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. To grant Development Plan Consent with the following planning conditions and notes attached:

### **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. 660/E001/15

#### Plans

ADS Architect Plans

02/12/2014 – 14/JN1211/sk02f – Site Plan

02/12/2014 – 14/JN1211/sk03/A – Part Site and Floor Plan

01/09/2014 – 14/JN1211/sk04 – Elevations

01/09/2014 – 14/JN1211/sk05 – Elevations

#### Other

GHD Plan – Port Augusta Concept Option 2 – job no. 33-14579 - Rev A

GHD Plan – Concept Layout – Turn Path – 19m Semi Trailer – job no. 33-17579 Rev A – Jan 2015

2. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
3. 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.

4. That all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
5. That the applicant shall submit a detailed landscaping plan including the incorporation of substantial trees where appropriate for approval by the Development Assessment Commission prior to the commencement of site works. The landscaping shown on that approved plan shall be established prior to the operation of the development and shall be maintained at all times
6. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
7. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
8. That the air conditioning and/or air extraction plant and/or ducting 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.
9. That 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.
10. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.

#### **Transport Conditions**

11. The Augusta Highway access points shall be designed and constructed to DPTI satisfaction in accordance with GHD plan, Peregrine Corporation Potential OTR Site, Port Augusta, Concept Option 2, job no. 33-17579, rev no. A, SK023, dated June 2015.
12. All costs associated with the design and construction of the Augusta Highway access points (including, but not limited to, project management and any necessary road lighting / drainage upgrades) shall be borne by the applicant. The applicant shall enter into a Developer Agreement with DPTI regarding these works and is required to contact DPTI, Traffic Operations, A/Project Liaison Engineer, Ms Christina Canatselis via 8226 8262, 0401 120 490 or [christina.canatselis@sa.gov.au](mailto:christina.canatselis@sa.gov.au) to progress this.

#### **EPA Conditions**

13. All fuel storage tanks (apart from diesel and LPG tanks) must be fitted with a Stage 1 vapour recovery system (which includes the underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tanker during filling.
14. The space between the walls of all double-walled fibreglass tanks must be filled with a gel that is monitored for any changes in colour. Any changes in colour must be promptly investigated and rectified.

15. All fuel lines between the tanks and dispensers must be fitted with pressure leak detection sensors. In the event of a fuel leak, the lines must lose pressure and immediately signal an alarm, which must be promptly investigated.
16. Following installation of the in-ground fuel tanks, all trafficked areas must be hard surfaced using either bitumen, concrete or other impervious material.
17. The forecourt canopy must be designed to extend beyond the bunded area by one metre for every three metres of canopy height to minimise the entry of clean stormwater.
18. All runoff from hard paved areas in the refuelling and fuel delivery area must be diverted to a 10,000 litre blind tank (with alarm), which is emptied as necessary by an EPA licensed waste transporter to an appropriate waste facility.
19. Any sludge and oily waste collected within the blind tank is considered waste and must be removed by an EPA licensed waste transporter to a licensed waste depot.

#### **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 this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- c) The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d) The 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 from the day of receiving this notice or such longer time as the Court may allow.
- f) 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).
- g) 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 practicable 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.
- h) EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>
- i) The property abuts a section of the Port Augusta - Port Wakefield Road (Augusta Highway) and a portion of Northern Power Station Road that

were proclaimed as controlled access road on 13 December 1979 pursuant to Part 2A of the Highways Act 1926. Departmental records show that there is a proclaimed means of access on Northern Power Station Road 20.0 metres wide centrally located at a point 183.0 metres south west of the north eastern corner by which persons and vehicles may directly enter or leave the controlled access road from/to this site.

Permits will be issued for the proposed access points to/from the Augusta Highway and Northern Power Station Road once constructed. The applicant should contact DPTI, Traffic Operations, Senior Planning Officer, Mr Marc Hryciuk via 8226 8395 or marc.hryciuk@sa.gov.au to arrange this.

- j) Signage should be designed in accordance with DPTI "Advertising Signs – Assessment Guidelines for Road Safety" (August 2014). The document is available via the following link:

[http://www.dpti.sa.gov.au/\\_data/assets/pdf\\_file/0019/145333/DPTI-Advertising-Signs-Assessment-Guidelines.pdf](http://www.dpti.sa.gov.au/_data/assets/pdf_file/0019/145333/DPTI-Advertising-Signs-Assessment-Guidelines.pdf)

- k) It is suggested that the applicant consult with the Arid Lands Botanic Gardens with respect to suitable landscaping species.  
[www.aalbg.sa.gov.au](http://www.aalbg.sa.gov.au)

#### 2.2.2 **Aldi Supermarkets**

145/R002/16

##### **209 Port Road, Aldinga**

Council: City of Onkaparinga

Proposal: Supermarket, four front retail shops, car parking, signage, landscaping, 2.4m fencing, 1.2m retaining walls and associated earthworks.

David O'Loughlin declared a conflict of interest and was not present for this item.

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

Council

- Ben Victory
- Renee Mitchell
- Kyle Tapscott
- Andrew Stevens (Heritage Advisor)

#### **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 sufficiently satisfies the key objectives and principles of the Township Zone in relation to land use, built form, heritage, traffic and general amenity.
3. To grant concurrence to the proposal by Nielsen Architects for Supermarket and four front retail shops with car parking, signage, landscaping, fence up to 2.4m in height, retaining walls up to 1.2m and earthworks at 209 Port Road, Aldinga.

### 3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

#### 3.1. DEFERRED APPLICATIONS – Nil

#### 3.2. NEW APPLICATIONS

##### 3.2.1 **Forme Projex**

DA 020/A050/15 V1

##### **34-40 Hurtle Square, Adelaide**

Adelaide City Council

Proposal: Demolition of existing buildings and staged construction of one seven-storey residential flat building and one five-storey residential flat building and associated car parking.

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

##### Applicant(s)

- Greg Vincent – Masterplan
- Andrew Hudson – Forme Projex
- Craig Holden – Forme Projex
- John Endersbee – Locus Architecture

##### Representor(s)

- Julia Palios

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 meets the key objectives of the City Frame Zone with particular reference to development achieving a quality urban design outcome.
3. To grant Development Plan Consent to the proposal by Forme Projex C/- Masterplan SA for variation to 020/A050/15 involving the construction of one additional building level (6 apartments) at 34-40 Hurtle Square, Adelaide subject to the following conditions of consent:

#### **Planning Conditions**

##### General

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 following details and plans submitted in Development Application 020/A050/15, other than where superseded by the varied plans and details submitted in Development Application 020/A050/15 V1:

<b>Drawing Title</b>	<b>Drawing No.</b>	<b>Rev.</b>	<b>Date</b>
Site Plan	DPC.01	3.3	12 October 2015
Combined Typical Floor Plan –	DPC.02	4.1	12 October 2015

Both Sites			
Level 5	DPC.02A	A	30 November 2015
Combined Typical Floor Plan – Both Sites – <b>SUPERSEDED</b>	DPC.02B	4.1	12 October 2015
Level 6	DPC.02B	A	30 November 2015
Combined Typical Floor Plan – Both Sites – <b>SUPERSEDED</b>	DPC.02C	3.0	1 October 2015
Level 7	DPC.02C	A	30 November 2015
Combined Roof Plan– <b>SUPERSEDED</b>	DPC.03	4.0	9 October 2015
Combined Roof Plan	DPC.03	A	30 November 2015
West Elevation – <b>SUPERSEDED</b>	DPC.04	6.0	21 October 2015
West Elevation	DPC.04	A	30 November 2015
South Elevation– <b>SUPERSEDED</b>	DPC.05	6.0	21 October 2015
South Elevation	DPC.05	A	30 November 2015
North Elevation– <b>SUPERSEDED</b>	DPC.06	6.0	21 October 2015
North Elevation	DPC.06	A	30 November 2015
East Elevation– <b>SUPERSEDED</b>	DPC.07	6.0	21 October 2015
East Elevation	DPC.07	A	30 November 2015
Section– <b>SUPERSEDED</b>	DPC.08	4.0	9 October 2015
Section	DPC.08	A	30 November 2015
Section Car Stackers	DPC.08B	2.1	27 June 2015
Perspective View Looking North/East – <b>SUPERSEDED</b>	DPC.09	6.0	21 October 2015
Perspective View Looking North/East	DPC.09	A	21 January 2016
Perspective View Looking North/West – <b>SUPERSEDED</b>	DPC.10	6.0	21 October 2015
Perspective View Looking North/West	DPC.10	A	21 January 2016
Materials Board (photograph)	DPC.11	2.0	25 June 2015

Lot Plan	DPC.21	3.1	12 October 2015
Lot Plan	DPC.22	3.0	1 October 2015
Lot Plan	DPC.23	3.0	1 October 2015
Lot Plan	DPC.24	3.0	1 October 2015
Lot Plan	DPC.25	3.0	1 October 2015
Lot Plan – <b>SUPERSEDED</b>	DPC.26	3.0	1 October 2015
Lot Plan	DPC.26	A	30 November 2016
Lot Plan	DPC.27	3.0	1 October 2015
Lot Plan	DPC.27B	3.0	1 October 2015
Lot Plan	DPC.31B	3.1	12 October 2015
Lot Plan	DPC.32	3.1	12 October 2015
Lot Plan	DPC.34	3.1	12 October 2015
Lot Plan	DPC.35	3.1	12 October 2015
West Elevation Coloured – <b>SUPERSEDED</b>	DPC.101	5.0	21 October 2015
West Elevation Coloured	DPC.101	A	30 November 2016
South Elevation Coloured – <b>SUPERSEDED</b>	DPC.102	5.0	21 October 2015
South Elevation Coloured	DPC.102	A	30 November 2016
East Elevation Coloured – <b>SUPERSEDED</b>	DPC.103	5.0	21 October 2015
East Elevation Coloured	DPC.103	A	30 November 2016
Sketch Plan	SK-01	1.0	15 October 2015
Sketch Plan	SK-02	1.0	15 October 2015
Sketch Plan	SK-03	1.0	15 October 2015
Sketch Plan	SK-04	1.1	15 October 2015
Sketch Plan	SK-05	1.0	15 October 2015
Sketch Plan	SK-06	1.0	15 October 2015



## Reports / Correspondence

- Planning Report Reference 14505REP01 Revision 3 dated August 2015 undertaken by Masterplan SA Pty Ltd;
  - Parking and Access Assessment Reference BNW/15-0112 dated 24 June 2015 undertaken by MFY Pty Ltd;
  - Preliminary Environmental Site History Assessment Report Revision O Dated 1 June 2015 undertaken by Mott MacDonald Australia Pty Ltd;
  - Resonate Acoustics Report Reference A15304RP1 Revision O dated 16 June 2015;
  - Services Assessment Reports Reference MES:SRE 54882/2/3 and MPcL:SRE 54882/0/3 dated 24 June 2015 undertaken by BESTEC;
  - Letter from Masterplan SA Pty Ltd dated 29 July 2015 and email dated 6 August 2015;
  - Emails from Locus Architecture dated 31 August 2015, 1 September 2015 and 15 October 2015;
  - Emails with attachments from Masterplan SA Pty Ltd dated 17 September 2015 and 16 February 2016;
  - Correspondence from Masterplan SA Pty Ltd dated 2 October 2015;
  - Emails with attachments from Forme Projex dated 14 October 2015, 15 October 2015 and 16 October 2015.
2. The applicant shall submit a final detailed schedule of external materials and finishes for review to the reasonable satisfaction of the Development Assessment Commission.
  3. A statement from a suitably qualified person (who may, if required, be a Site Contamination Auditor accredited by the Environment Protection Authority) that the land is suitable for its intended use shall be submitted to the satisfaction of the Development Assessment Commission prior to any substructure works.
  4. A second vehicle crossover be constructed on Pope Street in accordance with Adelaide City Council requirements to accommodate the entry and exit of scooters/mopeds into and from the Stage 2 building.
  5. The overhead canopy proposed at the frontages of Pope Street, Hurtle Square and Halifax Street shall incorporate and operate lighting designed in accordance with under-verandah lighting requirements set out in the Adelaide City Council Lighting Policy and Operating Guidelines.
  6. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publication “Environmental Management of On-site Remediation” - to minimise environmental harm and disturbance during construction.

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

- 1) air quality, including odour and dust;
- 2) surface water including erosion and sediment control;
- 3) soils, including fill importation, stockpile management and prevention of soil contamination;
- 4) groundwater, including prevention of groundwater contamination;
- 5) noise;
- 6) occupational health and safety; and
- 7) confirmation that the site is fit for purpose in relation to potential soil and ground water contamination.

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

For further information relating to what Site Contamination is, refer to the EPA Guideline: '*Site Contamination – what is site contamination?*': [www.epa.sa.gov.au/pdfs/guide\\_sc\\_what.pdf](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf)

7. All stormwater design and construction shall be undertaken in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road to the satisfaction of the Development Assessment Commission
8. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths, street lighting 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.

### **Advisory Notes**

- a. Any work proposed within the public realm adjacent to the subject land, including (but not limited to) closure of existing driveway crossovers, reinstatement of footpath and kerb water table levels, installation of a kerb protuberance and relocation of on-street car parking spaces should be undertaken in consultation with the Adelaide City Council and, subject to Council approval, should be completed to the satisfaction of the Council.
- b. 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.

- c. Encroachment Consent will be required for the following proposed components of the development:
  - i) Overhead canopy at the frontages of Pope Street, Hurtle Square and Halifax Street; and
  - ii) Balconies projecting forward of the proposed building alignment / boundary line.

A separate application will need to be submitted to the Adelaide City Council for such consents.

- d. 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. 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.
- e. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- f. 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 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 0300).

3.2.2 **VR Hotels P/L**  
050/A050/15 V1  
**62-68 Main North Road, Prospect**  
City of Prospect

Proposal: Demolition of existing buildings and staged construction of one seven-storey residential flat building and one five-storey residential flat building and associated car parking.

David O'Loughlin declared a conflict of interest and was not present for this item.

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

Applicant(s)

- David Hutchison – Access Planning
- James Hayter – Oxygen
- Tom Vartzokas – Vartzokas Architects

Council

- Scott McLuskey

Agency

- Nick Tridente
- Aya Shirai-Doull (ODASA)

Representor

- Theo Giannacopolous (via phone)

The Commission discussed the application.

**RESOLVED**

That a decision on Development Application 050/M003/15 be deferred to enable the applicant to consider the following:

- refinement of the architectural expression (including materiality) to achieve the desire for a high standard, notable building within this prominent gateway location.
- detail the relationship with, and impact of, future road widening requirements on the ground floor uses, landscaping and public realm.
- engage a suitably qualified person to undertake an acoustic assessment of the development and demonstrate protection of occupants from external noise and mitigation of potential noise impacts (including from plant and equipment, traffic and waste management) upon adjoining land uses.
- confirm the level of waste likely to be generated, demonstrate sufficient waste storage capacity and detail the frequency and timing of collection.
- further detail the means of servicing the commercial tenancies and serviced apartments and managing potential impacts upon occupants and adjoining uses
- provide co-ordinated drawings and information.

**4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE**

4.1. **DEFERRED APPLICATIONS** - Nil

4.2. **NEW APPLICATIONS** - Nil

**5. MAJOR DEVELOPMENTS**

**6. ANY OTHER BUSINESS**

**7. NEXT MEETING – TIME/DATE**

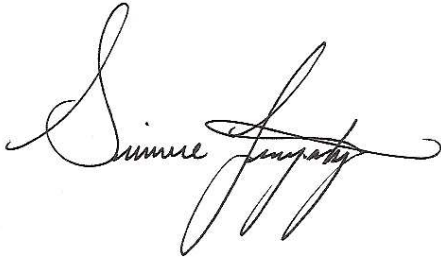
7.1. Thursday, 31<sup>st</sup> March 2016 at 9.00am, at 28 Leigh Street, Adelaide

**8. CONFIRMATION OF THE MINUTES OF THE MEETING**

**9. MEETING CLOSE** 2.27pm

Confirmed

17/03/2016

A handwritten signature in black ink, appearing to read 'Simone Fogarty', with a large, stylized flourish extending from the end of the name.

.....  
Simone Fogarty

PRESIDING MEMBER