



## *Development Assessment Commission*

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Minutes of the 462nd Meeting of the  
Development Assessment Commission  
held on Thursday 24 May 2012 commencing at 12:40PM  
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 John Dagas
Secretary	Sara Zuidland
A/Principal Planner	Simon Neldner
DPLG Staff	Daniel Pluck (Agenda Item 3.2) Lee Webb (Agenda Item 3.2) John Paynter (Agenda Item 6.2) Gabrielle McMahon (Agenda Item 9.1) Damian Dawson (Agenda Items 11.2 & 11.3) Phil Turvey (Agenda Item 20.1)

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1. APOLOGIES – Nil.
2. CONFIRMATION OF THE MINUTES
  - 2.1. RESOLVED that the Minutes of the meeting held on 10 May 2012 be taken as read and confirmed.
3. DEFERRED APPLICATIONS
  - 3.1. Status of Deferred Applications – Nil
  - 3.2 Investec Bank (Australia) Ltd - Construct up to 105 wind turbines with a maximum overall installed capacity of 315 MW - Land (7500ha over

77 allotments) North of Jamestown - Primary Production Zone - Northern Areas Council (764/V001/11)

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

Applicant(s)

- Jim Trenerry (Investec)
- Mark Headland (Investec)
- Peter Boulton (DMITRE)
- Doug Wallace (Aurecon)
- Marcus Howard (Aurecon)

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposal contained in Development Application No. 764/V001/11 is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to recommend that the Minister for Planning APPROVE Development Application No. 764/V001/11 by Investec Bank (Australia) Ltd to Construct up to 105 wind turbines with a maximum overall installed capacity of 315 MW 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 No. 764/V001/11:
  - Aurecon Report - Hornsdale Wind Farm Application Report (including appendices) - Investec Bank (Australia) Limited - 26 October 2011, unless amended by
  - Aurecon Report - Hornsdale Wind Farm Development Application - Consolidated Response to Agency, Council and Public Submissions - 27 March 2012.
  - Letter from Aurecon to DPTI dated 15 May 2012.
2. Prior to the commencement of construction the final layout plan (and associated reporting) of wind turbines and ancillary infrastructure shall be approved by the Minister for Planning.
3. That clearance of or damage to native vegetation on the site or public roads for access during construction shall be minimised.
4. A Traffic and Access Management Plan, prepared in consultation with the Transport Services Division DPTI and Northern Areas Council, shall be submitted for approval by the Minister for Planning. As part of the plan, the applicant shall engage an accredited road safety auditor to undertake a safety audit of the local road network to be used by vehicles servicing the development. The Plan shall include the following:
  - a. definition of roads and routes to be used for vehicles during construction and for on-going maintenance purposes
  - b. load specifications of vehicles servicing the development

- c. identification of upgrade of roads required to accommodate all vehicles servicing the development
  - d. identification of intersection treatment that is required to facilitate heavy traffic turning movements
  - e. specification of engineering standards for pavement and drainage design and construction
  - f. a management schedule during the construction stage of the development to minimize impact on road users
  - g. a maintenance program for roads utilised by the vehicles servicing the development
  - h. an agreement with Northern Areas Council that all road upgrading (including drainage and water runoff measures), intersection treatment and on-going maintenance costs are to be borne by the developer of the wind farm.
5. That the wind farm shall be designed and operated in a manner so as to not interfere with existing telecommunication facilities. The implementation of off-site mitigation measures for affected receivers shall be at the cost of the developer.
  6. A Mining Management Plan, prepared in consultation with Flinders Mines Ltd, for the management of future access and exploration activities (in accordance with relevant state legislation) on the site shall be approved by the Minister for Planning prior to commencement of construction..
  7. A Rehabilitation Plan for the site, including options for environmental offsets and a management program (to be undertaken during the operational life of the project) and end-of-project decommissioning works (to outline the extent of reinstatement and restoration activities upon the removal of the wind-farm and associated infrastructure), shall be submitted for approval by the Minister for Planning prior to commencement of construction.
  8. An Environmental Management and Monitoring Plan (EMMP) for the construction and operational phases of the development shall be approved by the Minister for Planning prior to commencement of construction.
  9. Noise generated by the wind farm must not exceed\*:
    - a. 40 dB(A) for noise sensitive receivers\*\* in a primary production/general farming zone,
    - b. 35 dB(A) if receivers are situated in a rural living zone, or
    - c. the background noise (LA90,10) by more than 5 dB(A) at noise sensitive receivers.

(\*The above measured noise levels should be adjusted in accordance with the EPA Wind Farms: Environmental Noise Guidelines 2009 by the inclusion of a 5dB(A) penalty at a receiver where a tone is audible (Delta La,k >0 as measured in accordance with international standard IEC61400-11, Ed.2.1: Wind turbine generator systems- Part 11: Acoustic noise measurements techniques) at that particular noise sensitive receiver. \*\*A noise sensitive receiver is an occupied dwelling where the owners do not have an agreement with the wind farm developer.)

10. An independent acoustical consultant (other than the company that prepared the predictive acoustical report) must be appointed to monitor noise levels at least five residencies including: 5, 38, 39, 45 and 47 (as

shown on the maps in the "Addendum to Environmental Noise Assessment, Rev 3, 25 October 2011" acoustic report by Aurecon, dated 15 March 2012). Note: monitoring must be performed in accordance with the EPA "Wind Farms: Environmental Noise Guidelines, 2009" when all of the noise sources associated with the wind farm are in operating mode. The results of the monitoring must be submitted to the satisfaction of the Environment Protection Authority within two months from the date of the wind farm commissioning.

11. In order to determine whether a 5dB(A) penalty would be applicable at a receiver (in accordance with the EPA Wind Farms: Environmental Noise Guidelines 2009), a tonality test must be conducted in accordance with the international standard IEC61400-11, Ed.2.1: Wind turbine generator systems- Part 11: Acoustic noise measurements techniques. The presence or absence of the audible tones must be confirmed by post-construction tonality assessment at least residence 39 (as shown on the maps in the "Addendum to Environmental Noise Assessment, Rev 3, 25 October 2011" acoustic report by Aurecon, dated 15 March 2012). Results of the noise monitoring must be adjusted for tonality if necessary.
12. Prior to work commencing on site, a Construction Environment Management Plan (CEMP) must be submitted to the satisfaction of the EPA and the measures contained in the CEMP must be implemented during the construction and rehabilitation phases of the work. The CEMP must include, as a minimum:
  - a. Soil Erosion and Drainage Management Plan (SEDMP) prepared according to the EPA's Stormwater Pollution Prevention Code of Practice (for the Building and Construction Industry), March 1999; and
  - b. Measures to manage potential dust and noise emissions, solid and liquid wastes and concrete wastes from construction works.
13. The storage and use of hazardous materials must be managed so as to avoid the contamination of soil or receiving waters. Such materials must be stored in a bunded area with the capacity to contain 120% (or 133% in the case of flammable materials) of the volume of the largest container within the bund. Note: further guidance on bunding and spill management can be found in the EPA Guideline: Bunding and Spill Management. There shall be no on-site burial of waste materials.
14. Following the completion of construction works on-site, the tracks and disturbed areas (excluding those used for ongoing access and maintenance) must be rehabilitated and bare areas revegetated as soon as possible, taking advantage of natural rainfall, which is mostly between May and September. If bare areas are still present at the end of spring, they must be temporarily protected and stabilised by geotextile matting or other suitable methods, until they can be effectively revegetated.
15. That prior to the construction of the approved turbine layout (as required by Condition 2), a cultural heritage survey shall be undertaken to ensure that no sites of European or indigenous heritage are damaged through the installation of the wind farm and associated infrastructure (including associated earthworks and road construction).

#### OBLIGATIONS PURSUANT TO THE DEVELOPMENT ACT 1993 AND 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 3 years of the date of this Notification, unless this period has been extended by the Minister for Planning.
- iii. You are 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 Minister for Planning.
- 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 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. Any request for an extension of time must be lodged with the Planning and Assessment Branch prior to the time period specified above, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001.
- e. If, during construction or operation of the development, the proponent discovers evidence of an aboriginal site or any aboriginal objects or remains, the proponent is required, pursuant to the Aboriginal Heritage Act, 1988, to report particulars to of such discovery to the Minister for Aboriginal Affairs and Reconciliation and thereafter comply with any directions given by the Minister Aboriginal Affairs and Reconciliation.
- f. In relation to Condition 15, historical and anthropological evidence establishes that both the Ngadjuri and Nukunu have heritage interests in the project area, and as such it is recommended that both parties are consulted and engaged in the design and construction of the project.
- g. The applicant is reminded of the Civil Aviation Safety Authority requirements in respect of aircraft safety associated with the turbine structures.
- h. The applicant is reminded of the requirement under the Native Vegetation Act 1991 to obtain permission under that Act for any clearance of native vegetation or otherwise to bring itself within an exemption under that Act.
- i. The applicant is reminded of the requirement under the Environment Protection & Biodiversity Conservation Act 1999 to make a referral

pursuant to the Act if any activity is likely to affect any matters of National Environmental Significance, such as threatened communities or species of native vegetation and fauna.

j. For the purposes of Condition 6 the EMMP shall include the following:

- Soil Erosion and Drainage Management Plan (SEDMP), prepared to the reasonable satisfaction of the EPA
- Traffic and Access Management Plan
- Remediation Plan for all construction works, prepared in consultation with the Northern Areas Council
- Rehabilitation Plan
- A Mining Management Plan
- Bushfire Risk Management Plan, prepared to the reasonable satisfaction of the Country Fire Service (CFS)
- Native Vegetation Management Plan, prepared to the reasonable satisfaction of the Native Vegetation Council
- Pest Plant and Animal Management Plan, prepared to the reasonable satisfaction of the Natural Resources Management (NRM) Board
- Cultural Heritage Survey, prepared to the reasonable satisfaction of the Department of the Premier & Cabinet (Aboriginal Affairs & Reconciliation).

4. OUTSTANDING MATTERS

4.1. Status of Outstanding Matters - Nil

5. COURT MATTERS

5.1. Status of Court Matters - Nil

6. ENFORCEMENT MATTERS

6.1. Status of Enforcement Matters - Nil

6.1 Building Inspection Policy

RESOLVED that the Report be received and noted.

7. PRESIDING MEMBER'S REPORT - Nil

8. DETERMINATION OF CATEGORY 2 HEARINGS - Nil

9. SCHEDULE 10 APPLICATIONS

9.1 Adelaide Development Holdings Pty Ltd - Proposed works affecting a State Heritage Place (Gawler Chambers), including the conservation of the façade, and the construction of a 15 level office building (not including basement) and with ground floor retail - 186-189 North Terrace, Adelaide - Central Businesses Area Zone: North Terrace Policy Area 13 – Adelaide City Council (O20/0007/11)

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

Applicant(s)

- Ian Marker (ADC)
- Lael Mayer (ADC)
- Phil Brunning (Phil Brunning & Associates)
- Gerald Matthews and/or Rod Matthews (Matthews Architects)

Representors:

- Mrs. Glynis Hannell (Queen Adelaide Club)
- Mr. David Bills (Masterplan for Queen Adelaide Club)

Agencies:

- Peter Wells (DENR – Heritage)

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 the application by Adelaide Development Holdings Pty Ltd for proposed works affecting a State Heritage Place (Gawler Chambers), including the conservation of the façade, and the construction of a 15 level office building (not including basement) and with ground floor retail - 186-189 North Terrace, Adelaide subject to the following reserved matters and conditions:

#### RESERVED MATTERS

1. That 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 in consultation with the Department of Environment and Natural Resources, prior to the granting of Development Approval.
  - 1.1 Design detail and construction methodology for the conservation of the heritage fabric of those elements of the original building to be retained.
  - 1.2 Design detail and construction methodology for the insertion of new construction elements in that fabric, specifically glazing at ground level.

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 020/0007/11.

Plans by: Mathews Architects, dated October 2011, numbered SK245, SK 240, SK220B, SK206B, SK221A, SK222A, SK207B, SK223A, SK224A, SK208B, SK225A,SK229, SK230, SK231, SK227A, SK233, SK235, SK238A, SK239, SK241.

- Document entitled, Gawler Chambers The Next Century, dated December 2011
  - Assessment Matrix
  - Heritage Impact Assessment from Adelaide development Company, dated 27 April 2012
  - Letter from Adelaide development Company, dated 13 April 2012
  - Traffic report by MFY, dated 25 February 2011
2. That a dilapidation study recording the condition of the affected heritage places externally and internally prior to the commencement of demolition

works shall be submitted and be to the reasonable satisfaction of the Development Assessment Commission, in consultation with the Department of Environment and Natural Resources, with specific reference to the following:

- 2.1 During the course of excavation, substructure and superstructure works, the heritage places shall be monitored for evidence of structural movement (including movements resulting from loss of support, footing distortion or ground vibration), and remedial action immediately taken to prevent further damage.
- 2.2 At the completion of each stage (excavation, substructure and superstructure) the dilapidation study shall be updated to record any change in condition.
- 2.3 Damage to the heritage places identified in the updated dilapidation study and resulting from the construction works shall be made good.
3. That an engineering report confirming that the proposed construction methodology for demolition of the existing Gawler Chambers and conservation methodology to avoid damage to the fabric and structure of the heritage place shall be submitted to the reasonable satisfaction of the Development Assessment Commission in consultation with the Department of Environment and Natural Resources, prior to the commencement of demolition works.
4. That samples and schedules of materials, finishes and colours shall be submitted to the reasonable satisfaction of the Development Assessment Commission, prior to the granting of Development Approval
5. That further details shall be provided to the Development Assessment Commission on the adequate provision of rainwater storage collection for the use of toilet flushing throughout the development, prior to the granting of Development Approval.
6. That final details of goods delivery and waste management practices shall be submitted to the Adelaide City Council prior to Development Approval being issued for the construction of the superstructure for the mixed-use tower. These details shall include a Waste Management Plan which covers the three phases of the development.
  - a. Resource recovery during demolition;
  - b. waste minimisation and resource recovery during construction; and
  - c. resource recovery during use (office paper and staff kitchen recycling facilities).
  - d. A subsequent Waste Management Plan shall be undertaken in accordance with the approved plan.
7. That 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. A copy of the CEMP shall be provided to the Development Assessment Commission prior to the commencement of site works.

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



- a. air quality, including odour and dust,
- b. surface water including erosion and sediment control,
- c. soils, including fill importation, stockpile management and prevention of soil contamination,
- d. groundwater, including prevention of groundwater contamination,
- e. noise,
- f. occupational health and safety.

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)

8. That lighting to the underside of the encroachment over Gawler Place shall be installed in accordance with Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
9. That the connection of any storm water discharge from the land to any part of the Adelaide City Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' to the reasonable satisfaction of the Development Assessment Commission.
10. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
11. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
12. That that the proposal shall be capable of achieving a minimum of a 5 Star green star and a 4.5 Star NABERS Energy and water rating.

#### Advisory Notes:

- a. Archaeological artefacts of heritage significance are considered likely to be encountered within the site of the proposed development. Under Section 27(1)(b) of the Heritage Places Act 1993, a permit will therefore be required to excavate or disturb the land.
- b. The permit is likely to require a trained archaeologist being engaged to conduct a watching brief of the site as excavations proceed, and to record information including:
  - documenting (photographically, or by drawing if necessary) all archaeological evidence as it is revealed during the work;
  - plotting the location of archaeological material (middens, notable soil disturbance areas, notable artefacts, structural remains etc) on a plan/s of the development site; and
  - producing measured plan view drawings of structural remains.
- c. The developer should ensure construction crews work with the archaeologist to ensure he/she has the time and opportunity to investigate and record cultural evidence properly.

- d. The developer has the option to engage a trained archaeologist to undertake an archaeological assessment prior to commencement of site works, to clarify the extent of their obligations under the Act.
- e. Any changes to the proposal on which this report is based may give rise to heritage impacts requiring further consultation with the Department of Environment and Natural Resources, or an additional referral to the Minister for Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that differs from the planning documentation.
- f. You are informed of the following requirements of the Heritage Places Act 1993.
  - (i) 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.
  - (ii) 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.
- g. Crane operations associated with construction shall be the subject of a separate application. Adelaide Airport Limited requires 28 days prior notice of any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA). If you require any additional information contact Brett Eaton, Airside Safety manager from Adelaide Airport on 8308 9245.
- h. Adelaide Airport Limited advise that restrictions may apply to lighting illumination. Any lighting proposed shall confirm to airport lighting restrictions and shall be shielded from aircraft light paths.
- i. It is recommended that as the applicant is undertaking work 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.
- j. Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- k. An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:
  - An annual fee may be charged in line with the Encroachment Policy.
  - Permit renewals are issued on an annual basis for those encroachments that attract a fee.
  - Unauthorised encroachments will be required to be removed.
  - Please contact the Approvals Section on 8203 7421 for further information
- l. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
  - Work in the Public Realm

- Street Occupation
  - Hoarding
  - Site Amenities
  - Traffic Requirements
  - Servicing Site
  - Adjoining Buildings
  - Reinstatement of Infrastructure
- m. 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.
- n. 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>
- o. 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.
- p. Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332. For further clarification or additional information, please contact the Adelaide City Council Customer Service Centre on 8203 7203.
- q. The emission of noise from the premises is subject to control under the Environment Protection Act 1993 and Environment Protection Regulations 2009 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- r. The development must be substantially commenced within 3 of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- s. You are 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. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- u. You have 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 you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

#### 10. SECTION 34 APPLICATIONS - Nil.

#### 11. SECTION 35 APPLICATIONS

##### 11.1 R&C Touati - Care Farm - Community Zone - Coonalpyn Terrace, Coonalpyn Terrace - Coorong District Council (571/0065/10)

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 NOT CONCUR with the Coorong District Council to grant Development Plan Consent to Development Application No 571/0065/10 for the establishment of a care farm at Gibbs Street, Coonalpyn [s84, HP7020300; CT 6058/187] as the proposal is not in accordance with the following provisions of the Development Plan:

Community Zone: OB1, PDC7  
Council-Wide: Form of development: OB1, OB2.  
No Premature Development: PDC255(c)

- 11.2 Marne Valley Turf - Two freestanding signs - Lot 114 of FP 216234 & Lot 282 of FP 170031 Ridley Road, Cambrai - Rural Zone – Marne Watercourse Policy Area - Mid Murray Council (711/0349/11)

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 CONCUR with the decision of the Mid Murray Council to grant Development Plan Consent for the installation of two freestanding signs at Lot 114 of FP 216234 & Lot 282 of FP 170031 Ridley Road, Cambrai in Development Application No 711/0349/11 by Marne Valley Turf, subject to the conditions and advisory notes recommended by the Council.

- 11.3 Mr G Bruce - Land division (2 into 2): Boundary re-alignment - 46 and 48 Blewitt Springs Road, McLaren Flat - Rural Zone – McLaren Vale Protection District - Onkaparinga City Council (145/D224/11)

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 NOT CONCUR with the decision of the Onkaparinga Council to grant Development Plan Consent and Land Division Consent to the proposal by Mr G Bruce to undertake a division of land (2 into 2) in Development Application 145/D224/11 at 46 and 48 Blewitt Springs Road, McLaren Flat for the following reasons:
  - a) The proposed development does not ensure the efficient use of rural land and will result in the fragmentation of productive primary production land.
  - b) The proposal does not display a sufficient level of compliance with the relevant provisions of the Development Plan, in particular Rural Zone PDC 6 and Council Wide Land Division Objective 4 and PDCs 19 and 20.

12. OTHER APPLICATIONS – Nil.
13. CROWN/INFRASTRUCTURE APPLICATIONS
  - 13.1 Report on Minister’s Decisions - Nil.
14. MAJOR DEVELOPMENTS
  - 14.1 Major Developments update - Nil
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 -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 - Nil
20. ANY OTHER BUSINESS –
  - 20.1 Briefing on development applications made by Fisherman’s Bay Management PL 344/D007/10 (Land Division) & 344/0071/11 (Seawall)

Megan Leydon advised of a conflict of interest on the matter and left the meeting for all discussion and resolutions.

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

- Simone Fogarty (GHD)
- Aaron Broom (DENR)
- Murray Townsend (DENR)
- Richard Fox (DENR)

#### RESOLVED

1. That the Commission note the briefing and attached documents in relation to the Development Applications for the division of land (DA 344/D007/10) and construction of a seawall or levee (DA 344/0071/11).
2. That Fisherman’s Bay Management Pty Ltd (FBM Pty Ltd) be advised that the design of the coastal levee and the availability of the land for its construction (including the confirmation and resolution of any native title issue) be clarified prior to the notification of DA 344/0071/11, and further consideration is given to DA 344/D007/10.

21. NEXT MEETING – TIME/DATE

Thursday, 14 June 2012  
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide.

22. CONFIRMATION OF THE MINUTES

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

The Presiding Member thanked all in attendance and closed the meeting at 4:15PM

Confirmed                    /                    /2012

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Ted Byrt  
PRESIDING MEMBER