



Development Assessment Commission

Minutes of the 570th Meeting of the Development Assessment Commission held on Thursday, 9 February 2017 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 Peter Dungey Dennis Mutton
Secretary	Cathryn Longdon
DPTI Staff	Brett Miller (Agenda Items 2.2.2, 2.2.4, 2.2.3) Simon Neldner (Agenda Item 3.2.2) Nitsan Taylor (Agenda Item (2.2.4) Daniel Sladic (Agenda item 2.2.2) Tom Victory (Agenda Item 3.2.1) Jason Bailey (Agenda Item 3.2.1 and 3.2.2) Chris Kwong (Agenda Item 3.2.2)

1.2. **APOLOGIES** – Sue Crafter, David O'Loughlin

1.3. **COUNCIL ATTENDANCE** – John Hodgson (Agenda Item 3.2.2), Terry Mosel (Agenda Item 3.2.1)

2. DAC APPLICATIONS

2.1. **DEFERRED APPLICATIONS** – Nil

2.2. NEW APPLICATIONS

2.2.2 NuSkope Internet

170/R007/16

21 Orbona Street, Rostrevor

City of Campbelltown

Proposal: Construction of a telecommunications tower

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

Council

- Nick Legoe
- Darren Adams

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies of the Development Plan
2. To concur with Campbelltown City Council recommendations to grant Development Plan consent for Development Application 170/R007/16 (Council ID 170/0340/16) by NuSkope Internet for construction of a telecommunications tower at 21 Orbona Street, Rostrevor.

2.2.3 Liebich Vineyards Pty Ltd

711/D012/15

1 Smyth Road, Cadell

Mid Murray Council

Proposal: Land Division (3 into 3)

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally meets the key objectives and principles of the Mid Murray Council's Development Plan.
3. To grant Development Plan Consent and Land Division Consent to Development Application 711/D012/15 by Liebich Vineyards Pty Ltd for land division to create one additional allotment at 1 Smyth Road, Cadell subject to the conditions of consent listed below.
4. To seek the concurrences of the Mid Murray Council and the Minister for Planning to the decision to grant Development Plan Consent.

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 711/D012/15.

Condition directed to be applied by the Minister responsible for administering the River Murray Act 2003:

2. During any works or construction activities associated with the land division, the subject land must be managed to prevent erosion and pollution of the site and the environment, including keeping the area in a tidy state and ensuring any waste materials are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray system.

LAND DIVISION REQUIREMENTS

3. A final plan complying with the requirements for plans asset 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 Certificate purposes.

ADVISORY NOTES

- a. The development must be substantially commenced or application for certificate made 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 the final land division certificate must be obtained from the Development Assessment Commission to complete the development within 3 years of the date of the Notification unless this period is extended by the Commission.
- d. The applicant is advised of their general duty of care to take all reasonable measures to prevent any harm to the River Murray through their actions or activities.
- e. If there is any use of water from the River Murray Prescribed Watercourse or wells that may be affected by the land division, or if it is intended to use water from these resources to service the new allotments, the interested parties should contact the Department of Environment, Water and Natural Resources to ensure relevant requirements under the *Natural Resources Management Act 2004* are met. Further, a permit is required from the Department for any work to be carried out on a well or for new wells to be drilled. For further information contact the Department on 8595 2053 or visit: <http://www.environment.sa.gov.au/licences-and-permits/water-licence-and-permit-forms>.
- f. Any fencing required to identify allotment boundaries should avoid the unnecessary removal of native vegetation and disturbance of soil, to minimise the risk of soil erosion and subsequent impacts on water quality through increases in siltation, nutrient loading and turbidity.
- g. If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the *Native Vegetation Act 1991* and its

Regulations, which may include the provision of a Significant Environmental Benefit. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9777 or visit: <http://www.nvc.sa.gov.au>.

- h. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or remains may be present on the subject land (e.g. scarred trees, campsites, burial sites, middens, etc.). Under section 20 of the *Aboriginal Heritage Act 1988* (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. 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). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.
- i. The applicant is advised the *Environmental Protection (Water Quality) Policy 2015* came into effect on the 1 January 2016. Therefore, all reasonable and practicable measures must be put in place to prevent or minimise environmental harm. The Environment Protection Policy can be found at: [https://www.legislation.ssa.gov.au/L7/C/POL/Environment%20Protection%20\(Water%20Quality\)i620Poticy%202015.aspx](https://www.legislation.ssa.gov.au/L7/C/POL/Environment%20Protection%20(Water%20Quality)i620Poticy%202015.aspx)

2.2.4 Andrew Taplin

08/L016/16

123 Belair Road and 10 Newark Street, Torrens Park

City of Mitcham

Proposal: alterations and additions to an existing shopping centre (Mitcham Shopping Centre)

Applicants(s)

- Andrew Taplin
- Matt King (URPS)
- Phil Weaver (Phil Weaver and Associates)
- Alex Dundpon (Resonate Acoustics)

Agency

- George Morias (DPTI)

Verbal Representor(s)

- Mark Stone-Wigg
- Carolyn Harry

Representors in attendance

- Ann Whitehouse
- Beth Mahony
- Michael Mahony

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

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally meets the key objectives and principles of development control of the Mitcham (City) Development Plan.
3. To grant Development Plan Consent to the proposal by A Taplin for alterations and additions to an existing shopping centre (Mitcham Square), including demolition of existing motor repair station, relocation of an existing petrol filling station, expansion of an existing supermarket (Woolworths), expansion of the existing shopping centre, new car parking area at 10 Newark Road, removal of two (2) regulated trees, construction of a 2.4m high blockwork wall, and associated site works and landscaping, at 123 Belair Road and 10 Newark Road, Torrens Park, subject to the following conditions of consent and the concurrence of the Minister for Planning:

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. 080/L016/16.

Lucas Zahos Architects

Location Plan	Dwg No. A102	Rev P2	22/03/16
Existing site plan	Dwg No. A103	Rev P7	1/09/16
Proposed site plan	Dwg No. A104	Rev P11	18/01/17
Elevations	Dwg No. A105	Rev P3	14/12/16
Perspectives	Dwg No. A106	Rev P3	14/12/16
Elevations 2	Dwg No. A107	Rev P1	22/12/16
Proposed driveway	Dwg No. A107	Rev P9	1/09/16
Fencing Plan	-	-	18/01/17

URPS

Statement of Effect, Mitcham Square Shopping Centre Redevelopment, ref. 2015-0297, October 2016

Response to representations and referrals, ref. 2015-0297, 16/12/16

Resonate Acoustics

Planning Stage Acoustic Report, Ref. A16607RP1, Revision C, dated 16/12/16

Phil Weaver & Associates

- Traffic and Parking Assessment, File: 079-15, dated 30/09/16
- Request for Further Information, File: 079-15, dated 20/12/16
- Email and attachments from Phil Weaver to Nitsan Taylor (DPTI) on 22 December
- 2016, further information re. servicing of the existing petrol filling station by fuel delivery tankers.
- Email from Phil Weaver to Nitsan Taylor (DPTI) on 11 January 2017 – response to DPTI SSD comments.

Tree Environs Pty Ltd

Mitcham Shopping Centre Car Park Development Tree Report, dated 16/03/16

Tonkin Consulting

Flood Impact Assessment, ref. 20160265L1B/KSS, dated 4/10/16

LCS Landscapes

Proposed Carpark Landscape Concept, Dwg No. LS 014 16 001, dated 18/05/16

Proposed Carpark Landscape Planting+Elements, Dwg No. LS 014 16 002, dated 18/05/16

Schneider Electric

Proposed Car Park Lighting Design Layout, Dwg No. OP-160805-5121465-L01-A, undated.

2. The 'Type B' tubular fence to be located along the northern end of the new car park area at 10 Newark Road shall be of 'spear top' design to improve security and shall include a lockable access gate to enable maintenance of the creek to occur.
3. The hours of operation of the car parking area at 10 Newark Road shall be restricted to 7am to 10pm on any day through the installation of a chain, retractable bollards or similar to prevent access to the car park outside of these hours and by erecting signposts alerting users to the hours of operation.
4. The lighting within the car parking area at 10 Newark Road shall be turned off at 10pm every night in order to minimise nuisance to adjacent land owners.
5. All vehicle access points shall be signed/line marked to encourage the desired traffic flow through each access.
6. The largest vehicle permitted to access the petrol filling station site shall be restricted to a 19.0 metre articulated vehicle as per AS2890.2-2002, with all entry movements to be via the northern Belair Road access and all exit movements via the southern Belair Road access.
7. The northern Belair Road access shall cater for left turn in movements only and a 'no exit' sign shall be located at this access facing internal traffic to prohibit exit to Belair Road.
8. All commercial vehicle facilities shall be designed in accordance with AS2890.2-2002.
9. All obsolete crossovers (and any portion thereof) shall be reinstated to upright kerb and gutter to the satisfaction of Council/DPTI prior to operation of the development.
10. All servicing of the site by heavy vehicles shall be undertaken outside of the peak trading periods and peak traffic periods in order to minimise the potential for vehicular conflict.
11. 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.
12. Designated car parking spaces for disabled persons shall be provided in accordance with the relevant Australian Standards.

13. Any seating and/or tables provided in the new car parking area shall be secured to the ground to ensure they cannot be moved by floodwaters.
14. The applicant shall submit a detailed landscaping plan to 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 and nurtured at all times with any diseased or dying plants being replaced.
15. Any air conditioning or air extraction plant 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.
16. 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.
17. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices and the Brown Hill Keswick Creek Catchment Stormwater Management Plan to ensure that stormwater does not adversely affect any adjoining property, public road or Brownhill Creek.
18. A proprietary stormwater treatment device (i.e. Gross Pollutant Trap) shall be installed to the car park in accordance with Council and EPA Water Quality Guidelines. This system shall be regularly inspected, cleaned and maintained in good working order, with gross pollutants, sediments, oil and grease removed by the facility operator (at regular intervals) for the life of the development.
19. 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.
20. 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.
21. 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 each regulated tree and on a 3 for 1 basis for each significant tree. The replacement tree planting shall occur within three months of a tree's removal.
22. The southern access point on Belair Road shall be reduced in width to 4.5m with roll over kerbing and chevrons up to the existing driveway width to enable tanker egress from the site and improve pedestrian safety.

23. The Newark Road egress point shall be modified to 4.5m in width and be angled 70 degrees to the road to increase the separation distance from the Belair Road intersection and limit right turns to Newark Road and improve pedestrian safety.

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 has no right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. The applicant should provide an after-hours contact number to adjoining residents, for security purposes.
- f. The applicant is reminded of the following requirements of the *Heritage Places Act 1993*:
 - 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.
 - Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit under Section 27 of the Heritage Places Act 1993 is required prior to commencing excavation works.
 - For further information contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960.
- g. The Applicant is reminded of the following requirements of the *Aboriginal Heritage Act 1988*:
 - 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.
- 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 and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements
- j. 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>.

- k. If regulated or significant trees are to be retained, the applicant is advised to consult Australian Standard AS 4970 – 2009 Protection of Trees on Development Sites to ensure the incorporation of protective fencing, mulch and appropriate remedial treatments.

Requirements of the standard include:

- The establishment of Tree Protection Zones to restrict activities including the dumping of waste, machine excavation, storage and preparation of chemicals, and physical damage to trees;
- The erection of protective fencing around a Tree Protection Zone prior to machinery or materials brought onto the site;
- The use of approved signs to identify the Tree Protection Zone;
- Mulching, watering and weed removal recommendations to maintain the tree protection zone.

Regular monitoring of tree protection measures should be undertaken throughout the development and construction process to ensure that any trees to be retained on the site are carefully managed to ensure their long-term survival and growth.

- l. 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).

- m. 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.
- n. The applicant is advised to contact the Adelaide & Mount Lofty Ranges Natural Resource Management Board prior to undertaking any work within Brown Hill Creek as such works may require a permit under the *Natural Resources Management Act 2004*.
- o. The applicant is advised that Trailer Mounted Variable Message Displays constitute development and therefore are not permitted on the land unless Development Approval has first been obtained from the relevant planning authority.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil

3.2. NEW APPLICATIONS

3.2.1 Buildtech Pty Ltd

155/M009/16

99 King William Street, Kent Town

City of Norwood Payneham and St Peters

Proposal: Demolition of portion of existing warehouse and construction of residential apartment building with associated basement car parking and ancillary works

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

Applicants(s)

- Anthony Carrocci (Buildtec)
- Graham Burns (Masterplan)
- Tony Zappia (Studio 9)
- Andrew Steele (Studio 9)

Agency(s)

- Nick Tridente (ODASA)
- Aya Shirai-Doull (ODASA)

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally accords with the relevant Objectives and Principles of

Development Control of the City of Norwood, Payneham and St. Peters Development Plan.

3. To grant Development Plan Consent to the proposal by Buildtec Pty Ltd for the demolition of portion of existing warehouse and construction of residential apartment building with associated basement car parking and ancillary works at 99 King William Street, Kent Town subject to the following conditions of consent.

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 155/M009/16.

Plans by Studio Nine Architects

Drawing Title	Drawing No.	Revision	Date
Aerial Perspective	901-287-DA01	B	-
Context Imagery	901-287-DA02	A	-
Design Basis	901-287-DA03	B	-
Plans	901-287-DA04	C	-
Streetscapes and Materiality	901-287-DA05	B	-
Elevations and Sections	901-287-DA06	B	-
3D Perspectives	901-287-DA07	B	-
3D Perspectives	901-287-DA08	B	-
Shadow Diagrams	901-287-DA09	A	-
Landscape	901-287-DA10	B	-

Reports and correspondence

- Correspondence from Mr Graham Burns of Masterplan dated 9 January 2017 regarding waste collection methodology
 - Waste Management Strategy by Lucid Consulting Australia Project No: LCE12137 (except where superseded by the correspondence from Mr Graham Burns above).
2. The provision of a minimum of 2 staff and 3 visitor bicycle parking spaces to service the existing office land use shall be provided in the development to the satisfaction of the Development Assessment Commission.
 3. The allocation of at least 2 visitor bicycle parking spaces for the residential apartment use shall be provided in the development to the satisfaction of the Development Assessment Commission.
 4. A statement from a suitably qualified site contamination or environmental professional that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be provided to the Development Assessment Commission prior to commencement of construction.
 5. Final details of the decorative artistic treatments of the Fibre Cement Sheet cladding in line with the application shall be provided in consultation with the Development Assessment Commission prior to being implemented on site.
 6. Final details of planting selections shall be provided to the reasonable satisfaction of the Development Assessment Commission prior to occupation.

7. Landscaping shown on the plans forming part of the application 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.
8. Mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:

50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) at the most affected residence when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
9. The acoustic attenuation measures in the Resonate Acoustics Report, Reference: A16183RP1, or similar measures to achieve the relevant provisions of the Minister's Specification SA 78B shall be fully incorporated into the building rules documentation. Such acoustic measures shall be made operational prior to the occupation or use of the development.
10. 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.
11. 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.
12. 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.
13. 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.
14. The connection of any storm water discharge from the land to any part of the Council's drainage system shall be undertaken in accordance with the relevant Council standards.

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. 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
- 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 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).

3.2.2 Karidis Corporation

020/M043/16 V1

322-340 King William Street, Adelaide

City of Adelaide

Proposal: Variation of previous authorisation granted DA 020/M043/16 – amendment to condition 5 regarding non-ancillary car parking

Helen Dyer declared a conflict of interest and left the meeting.

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

Applicants(s)

- Peter Karidis
- Brian Hayes
- John McElhinney
- Greg Maughan
- Richard Dwyer

The Commission discussed the application.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Inner Metropolitan Development Assessment Committee is satisfied that the proposal generally accords with the relevant Objectives and Principles of Development Control of the Adelaide City Development Plan.
3. To grant Development Plan Consent to the proposal by Karidis Corporation Pty Ltd to vary the authorisation previously granted Development Application 020/M043/16 subject to the following reserve 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 Building Rules Consent for stage 3 of the development (the podium):

- i. correlation of the northern elevation with the ground floor plan (Drawing No 15128_DAC03)
- ii. the means of screening cars and direct headlight glare from view from outside the development, including provision of prototypes for each situation
- iii. the design of the pergola above the level 29 pool to ensure integration of this into overall architectural expression
- iv. the appropriate instrument or instruments to provide necessary rights of access over that part of the site to be added to the George Parade carriageway to provide access to the development.

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 020/M043/16.

15128_DAC02	22 August 2016
15128_DAC03	2 December 2016
15128_DAC04	22 August 2016
15128_DAC05	2 December 2016
15128_DAC05A	2 December 2016
15128_DAC05B	2 December 2016
15128_DAC05C	2 December 2016
15128_DAC05D	2 December 2016
15128_DAC05E	22 August 2016
15128_DAC05F	22 August 2016
15128_DAC06	22 August 2016
15128_DAC07	22 August 2016
15128_DAC07A	2 December 2016
15128_DAC08	2 December 2016
15128_DAC09	2 December 2016
15128_DAC10	2 December 2016
15128_DAC11	22 August 2016
15128_DAC12	22 August 2016
15128_DAC12A	2 December 2016
15128_DAC12B	22 August 2016
15128_DAC13	22 August 2016
15128_DAC13A	22 August 2016
15128_DAC13B	22 August 2016
15128_DAC13D	22 August 2016
15128_DAC14	2 December 2016
15128_DAC16	2 December 2016
14154_DAC26	2 December 2016

2. Final details of the external materials for each component of the development, including the provision of a detailed materials schedule and samples board, shall be submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for the podium. This will include details of glare suppression measures to be employed.
3. Final details of baffles to be installed at the north-western corner of the podium top to ameliorate potentially adverse wind conditions shall be

submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for either the northern or southern tower.

4. Final details of storage lockers shall be provided to the satisfaction of the Development Assessment Commission prior to Building Rules Consent being granted stage 3 (northern tower).
5. The majority of car parking spaces within the development shall, subject to condition 6, be used for purposes ancillary to the residential, retail and commercial activities within the development in accordance with the details of the application.
6. Prior to practical completion of construction, car parking spaces within the development may be used on a temporary basis by persons on the site for the purposes of management, construction and other site works and any spaces not used for those purposes may be used by the public.
7. Final details of devices (such as warning signals and mirrors) to be used to ensure safe movement along George Parade shall be submitted to the satisfaction of the Development Assessment Commission, in consultation with Adelaide City Council, prior to occupation of the podium.
8. Final details of lighting of George Parade shall be submitted to the satisfaction of the Development Assessment Commission, in consultation with Adelaide City Council, prior to occupation of the podium.
9. 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.
10. All bicycle parks shall be designed and constructed in accordance with the relevant Australian Standards.
11. The finished floor level of the ground floor level entry shall match the existing footpath unless otherwise agreed to by the Development Assessment Commission.
12. The recommendations of the report dated July 2016 prepared by Sonus Pty Ltd shall be implemented in full.
13. A detailed assessment of noise likely to be generated by plant and equipment shall be submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for the northern or southern tower.
14. A way-finding signage strategy shall be submitted to the satisfaction the Development Assessment Commission prior to Buildings Rules Consent being granted for the northern tower. This strategy shall be implemented upon occupation of the northern tower.
15. Prior to the commencement of construction a dilapidation report (i.e. condition survey) shall be prepared by a qualified engineer to ensure the stability and protection of adjoining buildings, structures and Council assets. A copy of this report shall be provided to the Development Assessment Commission.

16. The applicant shall submit to the Development Assessment Commission a definitive statement to demonstrate that the land is suitable for its intended use prior to commencement of construction of the podium. If required by an auditor, the applicant shall prepare a Phase 2 Site Assessment Report, prior to commencement of further works.
17. 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 “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:

- 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?'.

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

18. The building must not exceed a maximum height of 159.5 metres AHD, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, exhaust flues etc.
19. The building must be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 139.
20. The proponent must ensure the obstacle lighting has a remote monitoring capability, or make a visual observation of the lighting each 24-hour period.
21. The proponent must monitor the obstacle lighting and ensure the obstacle lighting is maintained in a serviceable condition. Any outage is to be reported immediately to Adelaide Airport Limited.
22. The proponent must advise Airservices at least 3 business days prior to the controlled activity commencing by emailing pds.obs@airservicesaustralia.com and quoting “AD-CA-088”.
23. Separate approval must be sought under the Regulations for any cranes required to construction the building. Construction cranes may be required to operate at a height.

ADVISORY NOTES

- a. The development must be substantially commenced within 3 years of the date of this Notification, unless this period has been extended by the Development Assessment Commission. The authorisation will lapse if the

development is not substantially commenced within 3 years of the date of this Notification.

- b. 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.
- c. 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 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. Lead times for removal / relocation of stobie poles and other infrastructure can be significant. It is recommended that application for such works be made to the Adelaide City Council early to avoid delays to construction programming.

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, 23 February 2016 in Leigh Street, Adelaide SA

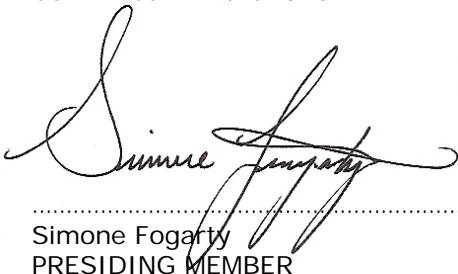
8. CONFIRMATION OF THE MINUTES OF THE MEETING

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 4.35 PM

Confirmed 9/2/2016


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Simone Fogarty
PRESIDING MEMBER