



# *Development Assessment Commission*

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## **Minutes of the 574<sup>th</sup> Meeting of the Development Assessment Commission held on Thursday, 13<sup>th</sup> April 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 David O'Loughlin Peter Dungey Dennis Mutton
Secretary	Cathryn Longdon
DPTI Staff	Simon Neldner (Agenda Item 2.1.1, 2.2.1, 2.2.2, and 2.2.3) Brett Miller (Agenda Item 2.2.1, and 2.2.3) Troy Fountain (Agenda Item 2.2.2) John Stimson (Agenda Item 2.2.2) Dan Pluck (Agenda Item 2.1.1 and 2.2.3)

#### **1.2. APOLOGIES** – Sue Crafter

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### **2. DAC APPLICATIONS**

#### **2.1. DEFERRED APPLICATIONS**

- 2.1.1 Shannon Watson, C/- Outhred English**  
711/L010/16  
**Section 693 and 789 Martin Road, Wall Flat**  
Mid Murray Council  
Proposal: Construction of storage shed and maintenance of existing private race track

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

Applicants(s)

- Shannon Watson (Presented)
- John Outhred (Presented)

The Commission discussed the application.

### **RESOLVED**

1. Based on the evidence provided by the applicant, the Commission is reasonably satisfied that a storage use has existed on the land associated with an off road race track, recreational use and ancillary storage prior to and following the commencement of the *Development Act 1993*.
2. To Delegate to staff the further consideration of the specifics of the application to ensure the proposed storage shed is a reasonable expansion to the previous use of a storage container on the site and can then be assessed on its merits against the relevant provisions of the local Development Plan.

## **2.2. NEW APPLICATIONS**

### **2.2.1 Northern Adelaide Waste Management Authority**

361/L004/17

**701-75 Woomera Avenue, Edinburgh**

City of Salisbury

Proposal: change of use of the existing building to Material Recovery Facility

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

Applicants(s)

- Brian Cunningham
- Danial Dunn (presented)
- Gavin Leydon (presented)
- Phil Weaver
- Grazio Maiorano (presented)
- Noel Whitcher

Council

- Aaron Curtis (Presented)

Representor(s)

- George Manos (presented) (On behalf of Alan Steele, Bev Ahrens and Des Ahrens)
- Stuart Henry (presented) (On behalf of Delpar Pty Ltd)
- Syd McDonald
- Ben Alberton
- Jon Bronner

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 related Objectives and Principles of Development Control of the City of Salisbury Development Plan.
3. To grant Development Plan Consent to the proposal by Northern Adelaide Waste Management Authority for the change of use of the existing building to a Material Recovery Facility at 71-75 Woomera Avenue, EDINBURGH 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 stamped plans relating to Development Application No 361/L004/17.
2. The hours of operation of the facility shall be limited to Monday to Friday 6:00am to 6:00pm and Saturdays 7:00am to 12:00pm.
3. The Material Recovery Facility shall not receive, handle or sort green waste matter or putrescible waste at any time (except such material that is received as contaminants of recyclable waste).
4. Materials likely to be windblown shall not be handled or stored outside of the building.
5. The waste compactors and the associated conveyors shall be fully enclosed.
6. All doors around the perimeter of the Material Recovery Facility shall be kept closed during operations, except where otherwise required to facilitate the movement of baled materials by forklift or during the entry and exit of trucks.
7. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or manoeuvring areas at any time.
8. All recommendations and commitments contained under the approved stormwater management plan, odour assessment, traffic parking assessment and URPS planning report shall be completed, prior to commencement of use and met at all times.
9. Stormwater systems shall be designed and constructed to cater for minor storm flows (Industrial/Commercial ARI = 10 years). The design of the stormwater system shall ensure that no stormwater is discharged onto any adjoining land. Surface stormwater is to be managed in a manner that ensures no ponding of water against buildings and structures, no creation of any insanitary condition, and no runoff into neighbouring property for the major storm event ARI = 100 years.
10. All driveways and parking areas shall be constructed with either brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Individual car parking bays shall be clearly line marked. Driveways and car parking areas shall be established prior to the approved use commencing and shall be maintained at all times to the satisfaction of Council.

## **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 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 0289).
- 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. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: [http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence)
- i. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- j. 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>.

### **2.2.2 Pembroke School Inc c/- URPS**

155/E017/16

#### **3 Shipsters Road and 342 The Parade, Kensington**

City of Norwood Payneham and St Peters / City of Burnside

Proposal: Demolition of existing buildings including contributory item, construction of new middle school building and enclosed pedestrian footbridge, removal of 1 regulated tree

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

#### Applicants(s)

- Grazio Maiorano (Presented)
- Peter Sulicich (Presented)

- Dimitty Anderson (Presented)
- Jamie Botten
- Melissa Mellen
- Bruce Harry
- Wendy Wills

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 related Objectives and Principles of Development Control of the Norwood Payneham and St Peters (City) Development Plan and the Burnside (City) Development Plan.
3. To grant Development Plan Consent to the proposal by Pembroke School Incorporated for demolition of existing buildings including contributory item, construction of new middle school building, enclosed pedestrian footbridge and removal of 1 regulated tree at 3 Shipsters Road and 342 The Parade Kensington subject to the following reserved 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 Development Approval for Stage 2:
  - 1.1 Final design and details of the footbridge and how it interfaces with the Wright and John Moody buildings, the internal courtyard near the significant oak tree that is to be retained and the Shipsters Road footpath.

### **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 155/E017/16:

<b>Drawing No.</b>	<b>Sheet Title</b>	<b>Revision</b>	<b>Date</b>
DA01	Location Plan/Existing Site Plan	-	17/10/16
DA10	SAPN Demolition Plan (underground power location)	-	17/10/16
DA11	Demolition Plan	-	17/10/16
DA12	Service Infrastructure Site Plan	-	17/10/16
DA21	Ground Floor Plan	-	16/10/16
DA22	First Floor Plan	-	17/10/16
DA23	Second Floor Plan	-	16/09/16
DA24	Roof Plan	-	17/10/16
DA31	Elevations & Material Palette	-	17/10/16
DA41	Sections	-	17/10/16
DA51	Perspective Images	-	16/09/16
DA61	Shadow Diagrams	-	XX/XX/16
DA01	Street Elevations 1 of 2	A	22/03/17
DA02	Street Elevations 2 of 2	A	22/03/17

<b>Reports &amp; Correspondence</b>
15015_Pembroke Middle School – Design Statement
Tract Consultants – Landscape Design Report – 13 <sup>th</sup> December 2016
GTA Consultants – Transport Impact Assessment – 4/10/2016
Bruce Harry – Heritage Review – November 2015
Bruce Harry – Heritage Impacts Assessment – September 2016
Arborman Tree Solutions – Development Impact Report – 10 October 2016
Arborman Tree Solutions – Gary Moran – Tree Report
Wallbridge & Gilbert – Stormwater Management Plan – WAD150677 – Rev B – 20 October 2016
Resonate Acoustics – Environmental Noise Impact Assessment – 9 October 2016 – Revision A
Pembroke School Waste Management Strategy – 12 October 2016
URPS – Planning Statement – 7 November 2016
URPS – Response to Council referral and comments – 23 March 2017

2. All vehicle driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009) 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.
3. 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.
4. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
5. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).
6. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.
7. 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, where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.
8. A payment of \$171.00 shall be made into the Planning and Development Fund (\$85.50 per regulated tree being removed) within three (3) months from the date of Development Approval being granted.

Note: Cheques to be made payable and marked "Not Negotiable" to the Development Assessment Commission and payment made at 101 Grenfell Street, Adelaide or sent to GPO Box 1815 Adelaide 5001. Payment may also be made over the phone with Credit Card (MasterCard or Visa) by calling our Customer Service Officer on 7109 7040. All payments must be accompanied by reference to the Development Application number and the reason for the payment.

9. The acoustic attenuation measures recommended in the Resonate report dated 9th October 2016 by Deb James, shall be fully incorporated into the

building rules documentation to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.

10. 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 (with the exception of those services to be undergrounded). All costs associated with these works shall be met by the proponent.
11. Prior to the construction of the school building (excluding demolition of existing structures on the development site), the applicant shall submit a final detailed schedule of external materials and finishes to the reasonable satisfaction of the Development Assessment Commission.
12. The development is to be undertaken in two stages: Stage 1 - demolition and Stage 2 - construction of entire building, including footbridge and landscaping.

#### **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 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 0289).
- g. Pursuant to s.34 (2)(d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either the City of Norwood Payneham and St Peters, the City of Burnside or by a private certifier. When all relevant consents have been issued, development approval will be granted by the City of City of Norwood Payneham and St Peters, the City of Burnside.
- h. 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.

- i. The applicant should 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.
- j. As work is being undertaken 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.
- k. Any proposed works with the public realm adjacent to the site, including the installation of street furniture, bicycle parking infrastructure and planting of street trees shall be undertaken in consultation with the Norwood Payneham and St Peters Council and Burnside Council.
- l. The Norwood Payneham and St Peters Council and Burnside Council has advised that an authorisation may be required under Section 221 of the Local Government Act 1999 for the encroachment of your structure or building in, on, across, under or over the public road. Please note that the council may charge an annual fee and that the authorisation may be issued on an annual basis for any encroachment that attracts such a fee. The council may also require any unauthorised encroachments to be removed.

### 2.2.3 **Ronald and Lynette Van Den Brink**

580/D027/16

#### **1 Ambleside Road, Hahndorf**

District Council of Mount Barker

Proposal: land division (re-alignment of boundaries)

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

Applicants(s)

- Ronald Van Der Brink (Presented)

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 meets the key objectives of the Watershed Protection (Mount Lofty Ranges) Zone within the District Council of Mount Barker Development Plan.
3. To grant Development Plan Consent, Land Division Consent and Development Approval to the proposal by RP & LM Van Den Brink for Land Division (Boundary Realignment) at 137 Ambleside Road, Hahndorf subject to the following conditions of consent.

### **PLANNING CONDITIONS**

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 580/D027/16.

Plans

Fyfe Pty Ltd – Reference 25325/1/1 Dwg No. 25325DU1-R0 – Dated 31/05/2016 (Sheets 1 to 3)



2. All access to/from Allotment 210 shall be gained via Ambleside Road only. No vehicular access to/from Onkaparinga Valley Road shall be permitted.

### **LAND DIVISION REQUIREMENTS**

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

### **ADVISORY NOTES**

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- 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 0289).

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

3.1. **DEFERRED APPLICATIONS** - Nil

3.2. **NEW APPLICATIONS** - Nil

### **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 - DATE**

7.1. Thursday, 27 April 2017 in Leigh Street, Adelaide SA

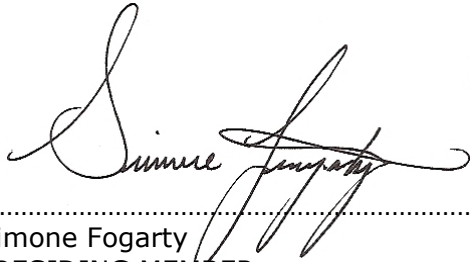
### **8. CONFIRMATION OF THE MINUTES OF THE MEETING**

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 3.00 PM

Confirmed 13/4/2017

A handwritten signature in cursive script, appearing to read 'Simone Fogarty', written over a horizontal dotted line.

Simone Fogarty  
PRESIDING MEMBER