



Development Assessment Commission

**Minutes of the 434th Meeting of the Development Assessment Commission
held on Thursday 10 February 2011 commencing at 9:30am
at the Mercure Grosvenor Hotel, North Terrace, Adelaide
and reconvening at 12:00 noon in 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	Rocío Barúa
A/Principal Planner	Simon Neldner
DPLG Staff	Tom Victory (Agenda Item 3.2), Simon Neldner (Agenda Item 9.1 for Daniel Hay), Anna Provatas (Agenda Item 9.2, 11.1), Yasmine Alliu (Agenda Item 9.3), Glenn Searle (Agenda Item 13.2)

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1. **APOLOGIES** – Commissioner Betty Douflias was not present for Agenda Item 13.2, but attended the remainder of the meeting from 12pm.
 2. **CONFIRMATION OF THE MINUTES**
 - 2.1. **RESOLVED** that the Minutes of the 433rd meeting held on 15 December 2010 be taken as read and confirmed.
 3. **DEFERRED APPLICATIONS**
 - 3.1. **Status of Deferred Applications**

RESOLVED that the Report be received and noted.

3.2 **Land Management Corporation – Land Division (1 into 123) and the removal of 1 significant tree – Meyer Oval, Largs North, Allotment 3, in DP21006 – Multi Function Polis (MFP) Zone – City of Port Adelaide (040/G153/09)**

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

Applicant(s)

- Paul Bond (LMC)
- Peter Jensen
- Helen King (LMC)

Environment Protection Authority

- Heather Treloar
- Lesley Cann
- Wendy Boyce
- Hayley Riggs

Coast Protection Board

- George Hadji
- Peter Allen

The Commission discussed the application.

RESOLVED

1. That the proposed development contained in Application No 040/G153/09 is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission recommend that the Minister for Urban Development and Planning APPROVE Development Application No. 040/G153/09 by the Land Management Corporation for a division of land (1 into 123) and the removal of one (1) significant tree subject to the following conditions, land division requirements 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 submitted in Development Application number 040/G153/09.
2. That prior to final lodgement of the Land Division Plan at the Lands Title Office the applicant shall:
 - 2.1 Construct a flood mitigation levee on George Robertson Drive by raising this road to 3.3m AHD at the particular location and to the design as previously outlined by LMC and agreed to by the Coast Protection Board, unless:

- a) evidence is provided to the satisfaction of the CPB and DAC that no flood mitigation works are required to protect the subject land, or
 - b) other suitable flood mitigation works are undertaken to the satisfaction of the CPB and DAC, or
 - c) the site of the development has a finished site level of not less than 3.0m AHD and finished floor levels of future buildings are not less than 3.25m AHD.
- 2.2 Have prepared an acoustic report from a suitably qualified acoustic consultant assessing the likely noise levels at allotments fronting the Mersey Road reserve and what acoustic treatments would be required to ensure compliance with relevant noise standards. If these requirements are related to subsequent buildings on the land the applicant shall provide details of noise attenuation measures to be adopted in future built form construction and legal advice as to how these measures can be implemented.
3. That the financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services (SA Water 90083 /09 Water/Sewer).
 4. That the augmentation requirements of SA Water shall be met.
 5. That the necessary easements shall be granted to the SA Water Corporation free of cost.

Conditions advised by the Environment Protection Authority

6. That all works and site activities must be undertaken in accordance with a Construction Environmental Management Plan (CEMP) prepared and submitted to the satisfaction of the Environment Protection Authority prior to the commencement of construction activities and must be implemented during the construction phase. The CEMP must be prepared in accordance with Appendix A: Environmental Management Plan of the Meyer Oval Site Audit Report dated 18 December 2008. The CEMP must also include measures that, at a minimum, address:
 - 6.1 A Soil Erosion Drainage Management Plan (SEDMP) developed in accordance with the EPA Stormwater Pollution Prevention Code of Practice for the Building & Construction Industry and the Handbook for Pollution Avoidance on Commercial & Residential Building Sites (Second Edition), including (but not limited to):
 - Minimising areas disturbed;
 - Installation of erosion control measures;
 - Maintenance of erosion control devices and sediment control measures;
 - Appropriate location of stockpiles to protect the stormwater system and watercourses;
 - Progressive rehabilitation and stabilisation (including revegetation of disturbed areas);
 - Pre-treatment measures;
 - Prevents pollutant and sediment inflow to the stormwater system or watercourses.

6.2 A Noise and Vibration Management Plan, including:

- Controlling noise at source;
- Scheduling noisy activities between 7am and 10pm and in accordance with the general environmental duty as described in section 25 of the Environment Protection Act 1993;
- Equipment maintenance and use of mufflers and silencers;
- Use of noise barriers.

6.3 An Air Quality Management Plan, including:

- Minimising the area disturbed and extent of earthworks required and ensuring disturbed areas are protected and revegetated in a timely manner;
- Specific measures to manage dust and limit emissions, including covered construction vehicles to prevent dust and loss of load.

7. Monitoring wells must be preserved and maintained to allow monitoring to occur until completion of the requirements of the Groundwater Monitoring and Management Plan dated 21 November 2008 as per the auditor's conditions contained within the Meyer Oval Site Audit Report dated 18 December 2008.

8. The detailed design of the stormwater management system must meet the following quality targets:

- Suspended solids (SS) 80% retention of the typical urban annual load with no treatment
- Total phosphorus (TP) 45% retention of the typical urban annual load with no treatment
- Total nitrogen (TN) 45% retention of the typical urban annual load with no treatment

9. All allotments that will be used for residential purposes must provide a useable outdoor area where noise from rail operations does not exceed the following criteria:

- Day (7am-10pm): 60LAeq, 15h and 80LAm_{ax}
- Night (10pm-7am): 55LAeq, 9h and 80LAm_{ax}

Requirements of the City of Port Adelaide Enfield

ROADS

10. Roads, water tables and kerbing to be constructed in accordance with Regulations 51 and 53 of the Development Regulations 2008 and the Real Property (Land Division) Regulations 1995.

Typical road reserves configurations shall be as follows;

- Local Street (without car parking)
- Property boundary to footpath 1.7
- Footpath to tree 1.0
- Tree to Kerb 1.3
- Carriageway width 7.0
- Kerb to tree 1.3
- Tree to footpath 1.0

- Footpath to property boundary 1.7
- Overall Width..... 15.0 m
- Rear Loaded Laneways
- Overall Width..... 10 m

Further discussion may be required with Council as to the above road reserve configurations.

11. Detailed designs of the road reserve configurations shall be submitted to Council in accordance with the approved plan of division.
12. Road reserve treatment regarding street tree locations, common service pit lids locations, bollard locations and street light locations shall be constructed and installed to meet Council's technical requirements.
13. The road verge for new roads is to be graded up at 2% from the top of kerb to the boundary. All road verges of new roads are to be finished with a minimum of 50mm of topsoil and with a raked finish and with no material greater than 10mm diameter.
14. All junctions created shall be designed using the Austroads large single unit vehicle (12.5 m radius), all turning movements to be contained within the road carriageway. Proposed overhang of vehicles must not conflict with any street furniture or proposed street trees.
15. Provide a pavement bar layout and associated line marking at bends in accordance with AS 1742.2 – Manual of uniform traffic devices – general requirements.
16. 'No Stopping' line marking shall be required 10 metres either side of bends and road junctions in accordance with AS 2890.1 - Parking Facilities.
17. The detailed design of traffic control devices is submitted to the satisfaction of Council.
18. Swept paths are required to be provided to demonstrate that Council's Acco-F series garbage truck can gain access along the laneways. Swept paths are also required for which demonstrate that Austroads Design Large Single Unit Vehicle (12.5 m radius) can gain access along the lane ways.
19. Access to driveways shall be determined using the Australian Standard AS 2890.1- Parking Facilities, B85 Template Swept Path with 300mm minimum clearances each side.
20. A car parking and driveway layout plan shall be provided for minor collector and local streets and must comply with AS 2890.1- Parking Facilities. A car parking plan shall be provided to Council and demonstrate the location of accessible on-street visitor car parking in accordance with the provisions of the Development Plan.
21. Road pavements to be designed to a 30 year design life, where traffic volumes are appropriate design to the Pavement Design for Light Traffic, a Supplement to Austroads Pavement Design Guide.

Design to consider the Department for Transport, Energy and Infrastructure (DTEI) – The Supplement to Austroads Guide to the Structural Design of Road Pavements.

22. All roads to be constructed with Department of Transport, Energy and Infrastructure approved quarry or recycled pavement material specification.
23. All roads are required to be surfaced with asphalt to a minimum thickness of 30mm. Roads to be primed or primer sealed prior to application of asphalt. All parking bays to be surfaced with a minimum of 30mm of asphalt.
24. Cross falls on Roads should be typically 3% otherwise approved by Technical Services. The minimum longitudinal grade on roads shall be 0.5% and the maximum longitudinal grade to be no greater than 12%.
25. Council to be notified by the proponent of the following stages of road construction:
 - Sub grade - inspection and proof rolling prior to application of sub base
 - Base course - inspection and proof rolling of any areas where deflection was identified during the proof roll of the sub-grade material. Visual inspection required prior to sealing.
 - Drainage – prior to backfilling trenches
26. A copy of compaction test results in accordance with AS 1289 – Methods of testing soils for engineering purposes, to be provided to Council by the proponent of the following:
 - 26.1 Roads
 - 4 tests per thousand square metres of each layer are required. Council may specify specific location of tests to be taken.
 - 26.2 Trenches in Roads
 - One test per each layer of each material every 30 metres of trenching. One test is required per trench to each service trench to each property.
27. Survey level check of the road base is required at 30 m intervals to check the level of the crown before the next layer can be constructed.
28. Common Service Trenches (CST) to be compacted to 90% modified compaction. Results of compaction test in accordance with AS 1289 – Methods of testing soils for engineering purposes, to be provided to Council by the proponent.
29. All Civil Engineering Construction detailed drawings to comply with Document SK1071 (Standard Civil Engineering Construction Drawings).
30. All public utility service excavations under the road pavement are to be completed at the time of road construction, prior to placement of any (road) pavement material. Public service trenches are to be backfilled and compacted in accordance with AS 1289 – Methods of testing soils for engineering purposes.

FOOTPATHS

31. Footpaths at a minimum width of 1.5 m are required to be provided on both sides of all streets. Pedestrian access in accordance with the DDA requirements and AS 1428.1 – Design for access and mobility, to be provided from footpaths within the development to the reserve area.
32. All footpaths within the development to be constructed of interlocking pavers, colour and type to be specified by Council.
33. Pedestrian ramps are to be provided at every road crossing where footpaths are to be provided and are to align with existing footpaths in accordance with the Disability Discrimination Act (DDA) requirements and AS 1428.1 – Design for access and mobility.

STORM WATER DRAINAGE

34. Allotment levels are required to have a minimum positive fall of 1% of stormwater from the rear of allotments to the street.
35. The stormwater system must be designed to the following requirements:
 - 36.1 20% blockage factor of pits for roads on grade and 50% blockage where there are allotments on the low side of a cul-de-sac.
 - 36.2 Where there are changes in direction of Overland Flow Paths, the capacity of the flow paths must allow for full energy conversion.
 - 36.3 Inlet capacities to be sufficient for designed flows, with deflectors installed where gutter grades exceed 2.0%.
 - 36.4 Gutter flow widths are not to exceed 2.5 metres for the 5 year ARI storm event.
36. Flood paths via the road network and reserves shall be provided to cater for stormwater between the 1 in 5 year storm event and the 1 in 100 year storm event. There shall be no inundation of any property for the 1 in 100 year storm event.
37. The pipe work is to be designed to Australian Rainfall and Runoff 1987 and ARRB Special Report No.34 standards to cater for a five year (minimum) average recurrence interval storm, with a minimum size of 375mm diameter reinforced concrete or similar approved by Council with rubber ring joints.
38. Pipe class design is to include consideration of construction loads on pipelines in accordance with manufacturers' specifications with a minimum size of 375mm diameter reinforced concrete or similar approved by Council.
39. All box culvert structures to have a concrete characteristic strength of 50 MPa and contain 30% fly ash (by weight). The minimum cover to the steel reinforcement is to be 50mm. Details of this to be provided in the engineering drawing that are to be provided to Council for Engineering Approval.
40. All stormwater sumps and associated works to be in accordance with Council's specification. All stormwater pipes to be constructed of

reinforced concrete to marine grade standard, and are to have rubber ringed joints conforming to AS 4058 Precast Concrete Pipes.

41. Rear of allotment drainage to be minimised, where required, rear of allotment drains are required to be 225 mm minimum diameter UPVC pipe. 3 metre wide minimum width easements to be provided for rear of allotment stormwater drains, 4.0 metres if sewer is also incorporated.
42. Where rear allotment drainage is to be provided, an amended Plan of Division which shows rear allotment easements must be submitted to the Development Assessment Commission (DAC).
43. Provide two 110mm UPVC sleeve per allotment either side of the driveway in the kerbing to each allotment for stormwater connections, unless detailed or directed otherwise. Sleeves shall be located 500mm from the edge of the driveway crossover layback
44. Testing of trench bedding and backfill material compaction to be at the rate of one test per layer at approximately 30 lineal metre intervals.
45. An as constructed survey shall be provided of all invert levels and pipe sizes before Practical Completion. Practical Completion will not be accepted until an as constructed survey has been received and approved by Council and the design drawings updated accordingly.
46. A Camera Inspection (CCTV) Video and report is required to be submitted to Council by the proponent, to allow for a proper assessment of the condition of stormwater pipes after construction of the final pavement, immediately prior to bitumen seal. The CCTV is required to be in CD-Rom or DVD format. Practical Completion will not be accepted until the CCTV has been received to Council's satisfaction.
47. Stormwater Detention/Retention on Public Open Space must comply with PAE Council Open Space Guidelines.

GENERAL REQUIREMENTS

48. Allotment filling soil to have engineering properties to the natural surface, finished site levels to be to Council's satisfaction.
49. The names of roads are to be in accordance with Council's policy for Street Naming.
50. All street names for new roads shall be etched in accordance with Council's policy for Street Naming and the location is to be approved by Council. The lettering is to be painted white on a black background.
51. Street signs are to be installed on a post at locations approved by Council. A plan is to be provided to Council which shows proposed locations of street signage.
52. Any modification to existing Service Authorities infrastructure as a result of this development will be at the developer's cost.
53. All Public Utility Service pits to be located are required to be located outside of the footpath within the road verge area.

54. All Public Utility Service lids are to conform to design levels specified by the Developer, a cross fall of 2% from the top of kerb to the property boundary. Any variance with levels between the footpath and pit lids is at the Developers cost. A survey of the finished level of public utility service lids must be submitted to Council at time of Practical Completion. Practical Completion will not be accepted until a survey has been provided to the satisfaction of Council.
55. Prior to construction of works, Engineering Approval by Council is required of the construction drawings to include; hydraulic and hydrological calculations with longitudinal drainage sections, detailed design of civil structures, the road layout and geometry (including traffic management measures), road pavement calculations, parking and driveway plan (including the location and width of splays in relation to driveway openings at the boundary of each allotment) and specifications. Designs of traffic management devices shall be submitted to Council for approval in principle prior to construction drawings. Council approval of these items is required prior to the issue of Engineering Approval.
56. Provide Council with a hard copy and an electronic copy of the final design plans formatted to Auto CAD DWG/DXF or Micro station DGN. The electronic design plans should be date protected and referenced to the hard copy of the plans. The datum and coordinate system is to be GDA94, MGA. In the case where original survey coordinates have been truncated reference to the original coordinate system must be provided.
57. All lighting of streetscapes, public spaces and open space should be in accordance with AS/NZ 1158. 3 – Lighting for Roads and Public Spaces. Street lighting is required to be installed in accordance with ETSA P4 category requirements. Poles and fittings to be standard ETSA items or an ETSA approved fitting subject to the applicant providing to Council's satisfaction a written confirmation from ETSA that they will accept all ongoing maintenance costs. Lamps are required to be 42 W Compact Florescent. Street lighting is to be kept 5m clear of street trees.
58. A copy of the ETSA Lighting Agreement document (NICC-451) is required to be submitted to Council to be signed. Following completion of the installation of the lighting a copy of the Form A document/s are then required to be submitted to be signed by Council. Practical Completion will not be accepted until a copy of the Practical Completion Certificate that all electrical works have been constructed and certified by ETSA has been received by Council from the proponent.
59. Once the works have reached Practical Completion, the proponent is to notify Council and a practical completion inspection is to be undertaken by the Contractor, the proponent and a Council Representative. A Practical Completion Certificate which states that all the works have been completed in accordance with the approved plans and specification along with a defects list which has been prepared by the proponent must be submitted to Council.
60. The developer is required to maintain the road, drainage and reserve infrastructure works for a 12 month defect liability period from the date of Practical Completion.
61. The applicants' street tree plantings are to comply with Council's approved planting schedule.

62. Public open space areas designated as Reserves shall be vested in Council pursuant to Section 50 of the Development Act. Reserve areas are required to be developed in accordance with Council's Open Space Plan (based on the approved concept plans) and the Urban Landscape Guidelines. A scaled contoured plan is required to be submitted to Council by the Developer to include; areas of drainage, paths, lighting, irrigation, fencing, park furniture, bollards, plantings, and any other infrastructure to be provided by the Open Space Group.
63. Each allotment must have enough street frontage to allow for the provision of 2 rubbish bins per dwelling. For group dwelling sites, shared bins or private waste contractors can be considered.
64. Where a land division requires remediation or part remediation of soil or groundwater due to site contamination, the site development must include the placement of a layer of certified clean fill around and below all in-ground infrastructures (services) that will come to Council. The depth and width of the clean fill 'buffer' will be to Council's requirements, as determined for the specific site. This includes underground drainage pipes, detention and retention basins, and other 'soft' infrastructure such as swales, which are associated with the development of stormwater drainage systems.
65. A copy of the approved Storm Water Management Plan shall be submitted to Council prior to the commencement of site works.

Obligations Pursuant to the Development Act 1993 And Development Regulations 2008

- i. The development must be substantially commenced within 12 months or plan deposited with the Lands Titles Office of the date of this Approval unless this period has been extended by the Minister for Urban Development and Planning.
- ii. Any act or work authorised or required by this Approval must be completed within 3 years of the date of the Approval unless this period is extended by the Minister for Urban Development and Planning.
- iii. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.

Advisory Notes

- a. Any request for an extension of time must be lodged with the Development Assessment Commission prior to the time periods specified above.
- b. The SA Water Corporation advises that approximately 260 metres of 150mm pumping main is to be re-located into Wandilla Street.
- c. Based upon current knowledge and information, the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing this application.

Accordingly neither the Minister for Urban Development and Planning nor any of its servants, agents or officers accepts any responsibility for any loss of life and property that may occur as a result of such circumstances.

Environment Protection Authority Advisory Notes

- d. 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.
- e. A copy of the Executive Summary of the Site Audit Report dated 18 December 2008 should be provided by the applicant to subsequent land owners.
- f. 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>
- g. Corrosion resistant construction materials should be used to safeguard the suitability of below ground infrastructure services and construction or subsurface structures. Site developers should seek advice with respect to the choice of subsurface construction materials. (Protection of buildings and structures is associated with naturally occurring elevated total dissolved solids (TDS) in the shallow groundwater system.)
- h. The following conditions were specified by the auditor in the Meyer Oval Site Audit Report dated 18 December 2008:
 - h.1 Groundwater contamination beneath the site potentially precludes the use of the groundwater with regard to the beneficial use 'Buildings and structures' because groundwater salinity and, in particular, sulphate contamination levels exceed adopted criteria. Accordingly site developers and future site owner/occupants should seek advice with respect to the choice of subsurface materials.
 - h.2 The Taperoo/Largs North Exclusion Zone established in 2002 is administered by the Department for Water and is used to control the issuing of new groundwater well permits on the Meyer Oval site and in the area of the Meyer Oval (the area of Taperoo/Largs North Exclusion Zone is shown in Figure 8 of the Site Audit Report dated 18 December 2008). In order to ensure future residents of land comprising the Meyer Oval are properly informed of groundwater issues which may affect their use of the land, information regarding the quality of the groundwater and any controls and restrictions on the installation of groundwater wells and/or use of groundwater that may affect their land, should be provided to future owners and residents of the Meyer Oval site.
 - h.3 The auditor recommends that iron in groundwater should be assessed in line with Professor Ravi Naidu's (Managing Director, Cooperative Research Centre for Contaminated Assessment and Remediation of the Environment (CRC Care) arranged by LMC to provide an opinion) recommendations that the iron in groundwater be assessed due to a consistent trend between iron and arsenic.

"It is recommended that the concentration of Fe in groundwater is assessed and should Fe be present in groundwater, as speciation is conducted to estimate the presence of arsenate" (CRC Care 2008), see Appendix C, (REM, dated 21 November 2008) for analysis and a plan is provided to assess arsenic concentrations in groundwater against the groundwater management objectives and/or land use. Note: Fe is the scientific symbol for iron.

- h.4 The EMP for the site (Appendix A of the Meyer Oval Site Audit Report dated 18 December 2008) provides advice to site users with respect to existing contamination at the site, ongoing management of the service easements and precautions for future maintenance or other action which results in intrusive earthworks or disturbance of the contaminated fill. Fill material within the easements should preferably be removed at the commencement of any site development works (in accordance with the EMP) to a depth of 0.5 metres and replaced with clean fill to a minimum depth of 0.5 metres or alternatively covered with permanent pavement material. Note any such works would need to be presence of the high pressure gas and sewer pipelines present in within the respective easements.
- h.5 All works (construction and maintenance) undertaken during both the construction phase and subsequent occupation of the site should be conducted in accordance with the Environmental Management Plan (EMP), located in Appendix A of the EMP. Any Health and Safety Plans developed for the site must also address issues outlined in the EMP. Note that the EMP addresses dust control measure during site works.
- h.6 Should any significant changes to land/groundwater uses occur within the vicinity of the Meyer Oval site in the future, such changes should be assessed by an appropriately qualified and experienced person or organisation with respect to the potential for any such changes to impact adversely on the beneficial uses of the site.

4. **OUTSTANDING MATTERS**

4.1. **Status of Outstanding Matters**

RESOLVED that the Report be received and noted.

5. **COURT MATTERS**

5.1. **Status of Court Matters**

RESOLVED that the Report be received and noted.

5.2 **Section 85 Proceedings – Unlawful development with the River Murray Flood Zone**

An update of proceedings was provided for the Commission by John Paynter, Senior Planning Officer (Investigations) in relation to the unlawful development of a storage shed at Old Murbko Road, Cadell (24, FP130578, CT 5239/494, Hundred of Cadell).

RESOLVED that the Report be received and noted.

That the Crown Solicitor's Office be instructed to initiate prosecution proceedings under Section 85 of the Development Act 1993 to remedy this breach of the Development Act 1993.

6. **ENFORCEMENT MATTERS**

6.1. **Status of Enforcement Matters**

RESOLVED that the Report be received and noted.

6.2 **Investigations and Enforcement Update - 2010**

An update on Investigations and Enforcement issues for 2010 was provided to the Commission by John Paynter, Senior Planning Officer (Investigations).

RESOLVED that the Report be received and noted.

7. **PRESIDING MEMBER'S REPORT**

8. **DETERMINATION OF CATEGORY 2 HEARINGS – Nil.**

9. **SCHEDULE 10 APPLICATIONS**

9.1 **Philip Martin – Extension to existing recycling centre - Allotments 34 in DP 44711, 35 & 36 in DP 65150, Hundred of Willunga, Seaford Road, Seaford, CT 5364/293, 5922/709 & 708 – Industry Zone – City of Onkaparinga (145/2494/10)**

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

Representors

- John Warnock
- Bryson Fredericks

Environment Protection Authority

- Hayley Riggs

Applicant(s)

- George Manos (BL)
- Philip Martin

The Commission discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission grant Development Plan Consent for Development Application 145/2494/10 by Philip Martin to expand an existing waste recycling centre at Allotment 34-36 Seaford Road, Seaford, subject to the following conditions:

Reserved Matter:

1. That pursuant to Section 33 (3) of the Development Act 1993, the following matter shall be reserved for further assessment, to the

satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:

- a. Provision of elevational plans for the proposed pay booth

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 145/2494/10:
 - Plans by Blu-Built Constructions, File No: ERC/SED/35
 - Site Plan as amended dated 10/12/2010
 - Site Plan Enlargement as amended dated 10/12/2010
2. That the 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.
3. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
4. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road (Note: Stormwater drainage disposal to the street should not exceed 20 litres per second).
5. That all process wastes are to be stored and disposed of in such a manner as not to create insanitary conditions, unreasonable nuisance in the opinion of the Commission, or pollution of the environment.
6. That an oil, silt and trash trap shall be installed to ensure that stormwater collected from the internal roads, surfaces and car park areas of the development is free of rubbish and other pollutants prior to discharge to the Council's stormwater drainage system. This trap shall be regularly cleaned and maintained in good working order by the property owner for the life of the development.
7. That sediment run-off from the compacted rubble surface shall be managed within the site.
8. That the loading and unloading of all commercial vehicles associated with the development shall, at all times, be restricted to the confines of the subject site.
9. That the area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.

10. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
 - 10.1 Prevent silt run-off from the land to adjoining properties, roads and drains;
 - 10.2 Control dust arising from the construction and other activities, so as not to, in the opinion of the Commission, be a nuisance to residents or occupiers on adjacent or nearby land;
 - 10.3 Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - 10.4 Ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure.

Environment Protection Authority Directed Conditions

11. That no fuels, oils, greases, coolants, chemicals, solvents, and/or cleaning agents shall be collected and stored on-site.
12. That putrescible waste shall not be received or stored on site.
13. That building and/or demolition waste shall not be received or stored on site.
14. That waste stored shall not contain material (either in liquid, solid or gaseous form) which may leach, or leak, or be transported onto the ground, or migrate off the site.
15. That no wash down of waste materials and/or vehicles shall occur at the site and no wash down facilities are to be provided at the site.
16. That bottles and cans shall not be crushed on the expanded site (comprising Allotment 35, DP65150, CT 5922/709 & Allotment 36, DP65150, CT 5922/708). *Note: The existing recycling centre has an existing and lawful development right to undertake the receipt, crushing and storage of cans and bottles..*
17. That processing (baling) of paper, cardboard and plastic materials shall be undertaken within the enclosed undercover building.

Advisory Notes

- a. 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.
- b. 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.

- c. 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.
- d. 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>
- e. 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.
- f. 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
- g. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements
- h. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval
- i. 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
- j. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- k. The provisions of the Public and Environmental Health Act, 1987 apply, particularly in relation to the potential for creation of offensive odours.
- l. The proponent is reminded of Clause 23 under Part 6 of the Environment Protection (Noise) Policy 2007. The clause states that construction activity must not occur on a Sunday or other public holiday; and on any other day except between 7:00 am and 7:00 pm. Exceptions to this requirement are prescribed in Clause 23(1) b of the Environment Protection (Noise) Policy 2007.
- m. The applicant's attention is drawn to the EPA Code of Practise for "Storm water pollution prevention" which provides for site management practises during the construction process.
- n. Any proposed advertising signage associated with the development shall be subject to a subsequent application pursuant to the Development Act 1993.

9.2 Gordana Sich - Land Division (2 into 2) - Lot 233, Wissell St Bridgewater – Watershed (Primary Production) – Adelaide Hills Council (473/D011/10)

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

Applicant(s)

- Geoff van Senden (for the applicant)

Adelaide Hills Council

- Joel Taggart

The Commission discussed the application.

RESOLVED

1. That the proposed development IS NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission Grant Development Approval to the application by Gordana Sich for land division by boundary realignment of Allotments 93 in Filed Plan 15356 and 233 in Deposited Plan 4087, Wissell Street, Bridgewater subject to the following conditions, land division requirements 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 submitted in development application number 473/D011/10.
2. That the financial requirements of SA Water shall be met for the provision of water supply and sewerage services (SA 10/03062).
3. That the necessary easements shall be vested to SA Water free of cost.
4. That two copies of a certified survey plan shall be lodged for 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 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.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day of receiving this notice or such longer time as the Court may allow.
- f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

- g. The applicant is reminded of their 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.
- h. The applicant is advised that any fencing required to identify the new boundary line between the allotments 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.
- i. The applicant is advised that any proposal to clear native vegetation on the land, unless the proposed clearance is subject to an exemption under the regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council.

Note that 'clearance' includes any activity that could cause any substantial damage to native plants such as cutting down and removing plants, burning, poisoning, slashing of understorey, removal of branches, drainage and reclamation of wetlands, and in some circumstances, grazing by animals. The applicant should contact the Native Vegetation Council to ascertain relevant requirements on 8303 9777 or email nvc@sa.gov.au

9.3 Eco Waste Solutions Pty Ltd – Waste Transfer Station – Allotment 101, Kellys Road, Willaston – General Industry Zone, Special Uses Zone, Gawler River Flood Plain Policy Area- Gawler City Council (490/0426/10)

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

Representor(s)

- Frank McIntyre

Environment Protection Authority

- Hayley Riggs
- Courtney Brooks

Applicant(s)

- Julie Blackmore (Master Plan)
- Mark Rawson (Rawtec)

The Commission discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the Development Assessment Commission grant Development Plan Consent to Development Application No 490/426/2010 for a waste transfer station for the purpose of sorting construction and demolition waste together with the storage of skip bins and to construct an office and amenities building at Allotment 101, Kelly's Road, Willaston subject

to the following conditions and the concurrence of the Town of Gawler and the Minister for Urban Development and Planning:

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 submitted in development application number No 490/426/2010:
 - Site Plan Nov 2010 VG:12876_1.3
 - Floor Plan Nov 2010 VG:12876_1.3
 - Landscape Plan 2010 VG:12876_1.3
2. That the hours of operation of the premises shall be restricted to the following times:
 - 7:00 am to 6:00 pm Monday to Friday.
 - 7:00 am to 4:00 pm Saturday
 - 9:00 am to 1:00 pm Sunday
3. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering practices to ensure that stormwater does not adversely affect any adjoining property or public road.
4. That the applicant shall submit a detailed landscaping plan prior to the commencement of site works. This plan shall identify species selections and mature height levels to improve the overall amenity of the subject land and to provide a more prominent vegetative buffer along the western boundary of the site.
5. That all landscaping shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any or diseased or dying plants being replaced.
6. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
7. That all car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times.
8. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards and be constructed, drained and paved with bitumen, concrete, paving bricks or crushed gravel in accordance with sound engineering practice to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.

EPA Directed Conditions

9. The development must be undertaken in accordance with the plans and specifications contained in the Development Application No 490/0426/10
10. All construction and demolition (mixed and inert) waste must be sorted within a building.

11. All construction and demolition (mixed and inert) waste must be stored undercover.
12. Only construction and demolition (mixed and inert) waste must be received at the site.

Advisory Notes

- a. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by the Notification must be completed within 3 years of the date of the Notification unless the period is extended by the Commission.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Provisional Development Plan Consent or Development Approval.
- e. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day of receiving this notice or such longer time as the Court may allow.
- f. The applicant should contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, 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.
- 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.
- 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. 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>
- k. Noise generated during the hours of operation of the proposed facility must not exceed levels as prescribed by the Environment Protection (Noise) Policy 2007.

10. SECTION 34 APPLICATIONS – Nil.

11. SECTION 35 APPLICATIONS

11.1 Brekedo Pty Ltd – New Dwelling - Wairoa State Heritage Listed Site - Lot 9 in Community Plan 23887, Mount Barker Road, Aldgate – Public Purpose Zone / Public Lands Policy Area – Adelaide Hills Council (473/1251/09)

The Presiding Member welcomed Richard Bray to address the Commission.

The Commission discussed the application.

RESOLVED

1. That the proposed development IS AT VARIANCE with the policies in the Development Plan.
2. That the Development Assessment Commission NOT CONCUR with the decision of the Adelaide Hills Council Development Assessment Panel to grant Development Plan Consent to the application by Brekedo Pty Ltd for a single-storey dwelling at an allotment comprising pieces 9 & 11 in Community Plan 23887, Mount Barker Road, Aldgate because it is contrary to the following provisions of the Development Plan in that it:
 - 2.1 Does not meet the core policy provisions for new development within Public Lands Policy Area and the Public Purpose Zone:
 - Public Lands Policy Area: OB1, PDC1
 - Public Purpose Zone: OB1, PDC1, PDC3(i)
 - 2.2 Proposes an additional private dwelling on a single title which will contribute to the overall residential use of the land being of a scale and function that is not envisaged within the Public Purpose Zone and Public Lands Policy Area:
 - Council-Wide: Form of Development: OB2, PDC3, PDC9, PDC 16
 - 2.3 Does not represent orderly and economic development
 - Council-Wide: Form of Development: OB1, PDC2

12. OTHER APPLICATIONS – Nil.

13. CROWN/INFRASTRUCTURE APPLICATIONS

13.1 Report on Minister's Decisions

13.2 Australian Rail Track Corporation (endorsed by the Department for Transport, Energy and Infrastructure) – Construction of a new two-kilometre rail crossing loop at Ambleside – Rail reserve located between the Beaumont Road bridge and the Spoehr Road level crossing at Ambleside – Watershed (Primary Production) Zone and the Onkaparinga Slopes Policy Area – Adelaide Hills Council (473/V015/10)

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

Representor(s)

- Diana Anderson
- Anthony Gallasch

- Andrew McNaughton
- Greg Beaumont
- Robyn Butler

Environment Protection Authority

- Nathan Ward
- Ruth Ward
- Hayley Riggs

Adelaide Hills Council

- Deryn Atkinson
- Bill Spragg

Applicant(s)

- Richard Coombs
- Angelo Demetrisis

The Commission discussed the application.

RESOLVED¹

1. That the proposed development contained in Application No 473/V015/10 is NOT SERIOUSLY AT VARIANCE with the policies in the Development Plan and to advise the Minister for Urban Development and Planning of this pursuant to Section 49.8(a) of the Development Act 1993.
2. That the Development Assessment Commission recommend that the Minister for Urban Development and Planning APPROVE Development Application No. 473/V015/10 by the Australian Rail Track Corporation for the construction of a new 2km rail crossing loop at Ambleside 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 submitted in development application number 473/V015/10.
 - Volume 1: Development Application and associated working papers dated 29 July 2010
 - Volume 2: Drawings dated 29 July 2010 – including:
 - AET900.008-C-DWG-001
 - AET900.008-C-DWG-100
 - AET900.008-C-DWG-101
 - AET900.008-C-DWG-102
 - AET900.008-C-DWG-103
 - AET900.008-C-DWG-104
 - AET900.008-C-DWG-105

¹ At its meeting of 10 March 2011, the Development Assessment Commission formally withdrew its previous recommendation made on 10 February 2011 to the Minister for Urban Development, Planning and the City of Adelaide for this application. This followed an administrative oversight by the Department of Planning and Local Government where one representor – who had submitted a written representation and indicated a wish to be heard – was not invited to be heard by the Commission. This representor was heard by the Commission on 10 March 2011. Please refer to the minutes of the 10 March 2011 meeting for the final resolution and recommendation to the Minister for Urban Development, Planning and the City of Adelaide in accordance with the requirements of Section 49 of the *Development Act 1993*.

AET900.008-C-DWG-106
AET900.008-C-DWG-107
AET900.008-C-DWG-108
AET900.008-C-DWG-109
AET900.008-C-DWG-110
AET900.008-C-DWG-111
AET900.008-C-DWG-112
AET900.008-C-DWG-113
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AET900.008-C-DWG-128
AET900.008-C-DWG-201
AET900.008-C-DWG-202
AET900.008-C-DWG-203
AET900.008-C-DWG-204
AET900.008-C-DWG-205
AET900.008-C-DWG-206
AET900.008-C-DWG-207
AET900.008-C-DWG-208
AET900.008-C-DWG-209
AET900.008-C-DWG-210
AET900.008-C-DWG-301
AET900.008-C-DWG-302
AET900.008-C-DWG-304
AET900.008-C-DWG-306

- Supplementary information letters (AET900.008-C1-S0325 & AET900.008-C1-S0337) dated 29 November
2. That all works shall be undertaken in accordance with a final Soil Erosion and Drainage Management Plan (SEDMP). A copy of this plan shall be submitted to the satisfaction of the Environment Protection Authority prior to work commencing. The SEDMP must be in accordance with Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry and include measures that at a minimum address:
- Minimising areas disturbed;
 - Installation of erosion control measures;
 - Maintenance of erosion control devices and sediment control measures;
 - Appropriate location of stockpiles to protect drainage lines
 - Progressive rehabilitation and stabilisation (including re-vegetation) of disturbed areas
 - Pre-treatment measures
 - Preventing pollutant and sediment inflow to the Onkaparinga River

- How results of the monitoring program will be reported, and if exceedences are identified what actions and changes to the SEDMP will be implemented.
3. That all chemicals and liquids shall be stored in a bunded area not subject to flooding, to prevent escape of any spill. Note: Bunds must comply with the requirements of EPA Guideline 080/07 – Bunding and spill management June 2007.
 4. That a suitable spill kit for chemicals (including fuels) shall be available at all times.
 5. That prior to construction a contingency plan shall be prepared and implemented to the satisfaction of the Environment Protection Authority that:
 - a. Specifies procedures for safe storage and handling of materials and;
 - b. Addresses spill management and the steps to be taken so that such spillages are contained, managed and disposed to an appropriate facility
 6. The Monitoring Program outlined in the Soil Erosion and Drainage Management Plan Ambleside Rail Crossing Loop, dated 9 December 2010 shall be implemented. This includes weekly (and after rain events) site environmental inspections which would be undertaken throughout the construction period by the construction contractor's environmental representative. Table 3.3 of the applicant's report provides water quality parameters, frequency and locations for sampling.
 7. That drainage from the enclosed bridge deck shall be collected and treated to appropriate quality before discharge to the receiving environment.
 8. That the treatment system shall incorporate a bypass oil/water class 1 separator with alarm.

Note: Class 1 separators are designed to achieve a concentration of less than 5mg of oil under standard test condition (as outlined in European standard BSEN 858-1. By pass separators are designed to fully treat all flows generated by rainfall rates of up to 5mm/hour. Flows above this rate are allowed to by pass the separator.

9. That a Construction Environmental Management Plan (CEMP) shall be submitted to the satisfaction of the Environment Protection Authority 14 days (or greater) prior to any works commencing on the site.

The CEMP must address the following environmental aspects, as a minimum:

- Noise and Vibration Management;
- Waste Management;
- Sediment, Erosion and Drainage Management;
- Remediation Management; and
- Fire Prevention and Management

10. That the applicant shall provide a definitive statement in the form of an environmental assessment report (report) that:
 - 10.1. Has been prepared by a site contamination consultant in accordance with Schedules A and B of the National Environment Protection (Assessment of Site Contamination) Measure 1999 and relevant guidelines issued by the EPA; and
 - 10.2. In regard to site contamination the site(s) does/do not pose unacceptable risks to human health and the environment taking into account the proposed use(s). Statements by site contamination consultants in relation to site contamination must be clearly qualified as to the existence of site contamination at the site by specifying the land uses that were taken into account in forming that opinion as required by Section 103ZA of the Environment Protection Act 1993.

11. That the following documentation and design details shall be provided to the satisfaction of the Minister for Urban Development and Planning – in consultation with the Heritage Adviser (DENR) - before the commencement of construction:
 - 11.1. Detailed explanation of the process of dismantling the brick section of the flue, repairs to the bluestone base and details of the proposed reconstruction of the brick section of the flue;
 - 11.2. Detailed explanation of the proposed temporary restraint works to the chimney base prior to commencement of works;
 - 11.3. Proposed methodology to retain the chimney – either face stone cliff or new sandstone wall, with flue revealed within walling;
 - 11.4. Details of the underpins or shores to the base of the chimney, as decided once excavation works commence on site.

12. That noise / acoustic façade treatments - as described in the acoustic report (Section 5.3, Sonus Pty Ltd, June 2010) – shall be installed to dwellings (with the prior agreement of the property owner) located within a 300m radius of the locomotive(s) standing location. These works shall be fully completed prior to the operation of the new crossing loop and certified by an acoustic engineer as compliant with the Environment Protection (Noise) Policy 2007 (see below) so as to minimise low frequency noise propagation at the side of the dwelling facing the noise source.

Design of the crossing loop should ensure that noise from the rail corridor operations does not exceed limits* at the relevant noise sensitive receivers:

- LAeq,15hr of 65dB(A) and LAmax of 85dB(A) between 7a.m.and 10a.m. on the same day;
- LAeq, 9hr of 60dB(A) and LAmax of 85dB(A) between 10p.m.and 7a.m. on the following day.

* The values are specified using “Fast” time weighting.

13. That a bushfire protection management plan – developed in consultation with the SA Country Fire Service and the Adelaide Hills Council – shall be prepared and implemented as an on-going strategy to ensure that the risk of fire (in a high bushfire risk) area is minimised along the rail corridor. This includes (but is not limited to) the operation and maintenance of locomotives and railcars, access to the rail corridor for emergency vehicles (including the provision of keys to locked gates) and the clearance and management of native vegetation. The bushfire protection management plan shall be reviewed on an annual basis. A copy of the bushfire management plan (including subsequent amendments) shall be provided to the SA Country Fire Service and the local Council.

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 12 months of the date of this Notification, unless this period has been extended by the Minister for Urban Development and Planning.
- iii. You are 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 Minister for Urban Development and 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 from the Planning SA web site <http://www.planning.sa.gov.au/go/building/professional-information/register-of-private-certifiers> Advisory Notices.
- 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, Building Management, Department for Transport, Energy 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 Development Assessment Commission prior to the time periods specified above.
- e. 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, not to pollute the environment in a way which causes or may cause environmental harm.

- f. An environmental authorisation in the form of a licence is required for the operation of this development with reference to Schedule 1 of the Environment Protection Act 1993 - Prescribed activities of environmental significance - 7(2) Railway Operations.
- g. The EPA will require the operator (the person(s) undertaken the construction activity) to obtain an EPA licence prior to any works commencing - Prescribed activities of environmental significance. Schedule 1 of the Environment Protection Act 1993 - 7(2) Railway Operations.
- h. 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.
- i. 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>.
- j. All creosote treated timber sleepers (and any other wastes which cannot be utilised) must be transported to an appropriately licensed facility for the receipt and/or disposal of that particular waste.
- k. The applicant is reminded of their duty to act reasonably in relation to the management of natural resources within the State, in accordance within Section 9 of the Natural Resources Management Act 2004.
- l. It is important to note that the following legislation applies to the subject land:
- l.1 The Prescription of the Water Resources in the Western Mount Lofty Ranges, which require those that are or are proposing to use surface, watercourse and/or underground water for any purpose – other than stock and domestic use from dams less than 5 megalitres – at any time in the future, to apply for a water licence with the Department for Water.
- l.2 The Notice of Prohibition on Taking Surface Water, Water from Watercourses and Wells in the Western Mount Lofty Ranges Area, which prohibits:
- New or additional use of surface, watercourse and/or underground water for any purpose other than stock and domestic use;
 - New taking of water from dams 5 megalitres or greater for any purpose (including stock and domestic use);
 - New taking of water from watercourse describes as a swamp of the Fleurieu Peninsula, that are listed as a critically endangered ecological community under the Environment Protection and Biodiversity Conservation Act 1999 (Cth), for any purpose (including stock and domestic use);

Until the expiry of the current Notice of Prohibition on 12 July 2012 (and any subsequent Notices of Prohibition).

- m. If there is any intention to take surface, watercourse or underground water, or if there are any existing water uses that may be impacted by the development, the proponent should contact the Department for Water to ensure compliance with the Prescription of Water Resources in the Western Mount Lofty Ranges and the related Notice of Prohibition on Taking Surface Water, Water from Watercourses and Wells. Please note that 'take' may include the diversion of watercourse and floodwater flows, accessing groundwater and dewatering deep holes. For further information contact the Department for Water on telephone 8339 9803.
- n. Any water affecting activities (including but not limited to the construction of bridges, crossing points and culverts) should be undertaken in accord with the Adelaide and Mount Lofty Ranges Natural Resources Management Board Regional NRM Board. For further information visit: <http://www.amlrnm.sa.gov.au>.
- o. This approval does not obviate any considerations that may apply to the Environment Protection and Biodiversity Conservation Act 1999 (Commonwealth). For further information visit: <http://www.environment.gov.au/epbc>
- p. The applicant must advise DTEI Traffic Management Centre on telephone 1800 013 313 of any construction works that may impact on traffic flows along Onkaparinga Valley Road prior to any works being undertaken.

14. MAJOR DEVELOPMENTS

14.1 Major Developments Update – December 2010

RESOLVED that the Report be received and noted.

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 – December 2010

RESOLVED that the Report be received and noted.

17.2. Section 48 Major Development Decisions determined by the Presiding Member – December 2010

RESOLVED that the Report be received and noted.

18. DEVELOPMENT APPLICATION STATISTICS

18.1 Monthly Update – December 2010

RESOLVED that the Report be received and noted.

19. **PRINCIPAL PLANNER'S REPORT**

RESOLVED that the report be received and noted.

20. **ANY OTHER BUSINESS**

20.1 **Briefing from the Integrated Design Commissioner (IDC) and the Government Architect (GA) on their respective roles and future working relationship with the Development Assessment Commission.**

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

- Tim Horton
- Ben Hewitt

RESOLVED that the briefing be received and noted.

20.2 **Briefing and update on the current application for the new Royal Adelaide Hospital (DA 020/0060/10)**

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

- David Pantor
- John Williams
- Dieter Lim
- Alistair Loomes
- Heath Bladzer

Also in attendance:

- Tim Horton
- Ben Hewitt
- Phil Cooper
- Philippe Mortier

RESOLVED that the briefing be received and noted.

20.3 **Trevor Kranz – Land Division – Allotment comprising pieces 99 & 100 in DP 74579 (Murbko Road, Murbko) – Flood, Fringe, Dryland Farming Zones – Loxton Waikerie Council (551/D001/10)**

RESOLVED to delegate a decision on the amended plan (prepared by Andrew Davidson – Property Development Consultants – Ref 2546-PT001.v.2 – dated 18 November 2010) to the Principal Planner.

20.4 **Mawson Lakes Corporation – Town Centre Development – Stage 2 briefing (DA 361/0183/11)**

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

- George Waller (City of Salisbury)
- George Pantelos (City of Salisbury)

RESOLVED

1. That the briefing be received and noted.
2. That the Development Assessment Commission revoke the delegation of Mr Greg Waller, Director - Development and Environmental Services (City of Salisbury) for DA 361/0183/11 and for the Commission to determine the application.
3. That the design of the proposal should be discussed with the applicant to ensure that the development is in accordance with general planning principles and the developed character of the existing town centre as envisaged by the Salisbury (City) Development Plan.
4. That a detailed planning report will then be prepared on the development application by Salisbury Council for the Commission's consideration.

21. NEXT MEETING – TIME/DATE

Thursday 24 February 2011 in Conference Room 6.2, Level 6, 136 North Terrace, Adelaide SA

The Presiding Member thanked all in attendance and closed the meeting at 5:00 PM

Confirmed / /2011

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Ted Byrt
PRESIDING MEMBER

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Rocío Barúa
SECRETARY