



Development Assessment Commission

**Minutes of the 446th Meeting of the
Development Assessment Commission
held on Thursday 11 August 2011 commencing at 1:20pm
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

PRESENT

Deputy Presiding Member	Betty Douflias
Members	Geoffrey Loveday Megan Leydon Damian Brown Carolyn Wigg
Secretary	Rocío Barúa
A/Principal Planner	Simon Neldner
DPLG Staff	Joe Federico (Agenda Item 19.1) Phil Turvey (Agenda Items 20.1 & 20.2) Nitsan Taylor (Agenda Items 22.1 & 23.1) Gabrielle McMahon (Agenda Items 8.1) Philippe Mortier Carol Smith

1. **APOLOGIES** John Dagas, Ted Byrt

The Commission extended a warm welcome to Mark Adcock who will commence in his new role as Principal Planner – DAC on 15 August 2011.

2. **CONFIRMATION OF THE MINUTES**

2.1 **RESOLVED** that the Minutes of the 445th meeting held on 23 July 2011 be taken as read and confirmed.

3. **DEFERRED APPLICATIONS**

3.1 **Status of Deferred Applications**

RESOLVED that the Report be received and noted.

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**

The A/Principal Planner provided an update on Court matters

RESOLVED that the Report be received and noted.

6. **ENFORCEMENT MATTERS**

6.1 **Status of Enforcement Matters**

John Paynter, Senior Investigations and Enforcement Officer (DPLG) provided an update to the Commission on the last six months (January to June 2011) with specific reference to Out of Councils compliance work.

RESOLVED that the Report be received and noted.

RESOLVED that the Commission extends its continued thanks and appreciation to the work undertaken by John Paynter, as compliance work often involves long distances and lengthy travel times to and from regional and remote areas of the state from Adelaide.

7. **PRESIDING MEMBER'S REPORT** – Nil.

8. **DETERMINATION OF CATEGORY 2 HEARINGS**

8.1 **China Australia Property Development Group Pty Ltd (c/ Connor Holmes Pty Ltd) – Variation to previous Development Plan Consent (020/0037/10) to demolish existing buildings and construction of a 16-level residential apartment with ground floor retail and associated car parking – Category 2 Notification – One representation received - Decision on whether to hear representor.**

The Commission discussed the application.

RESOLVED that Mr Sheridan not be heard.

9. **MINISTER'S DECISIONS – UPDATE** – Nil.

10. **MAJOR DEVELOPMENTS – UPDATE** – Nil.

11. **MATTERS DELEGATED BY THE GOVERNOR** – Nil.

12. **COMMITTEES REPORT**

12.1 **Building Fire Safety** – Nil.

12.2 **Building Rules Assessment** – Nil.

13. **DELEGATION REPORT**

13.1 **s33 & s49 Decisions**

RESOLVED that the report be received and noted.

13.2. **s48 Decisions determined by the Presiding Member**

RESOLVED that the report be received and noted.

14. **DEVELOPMENT APPLICATION STATISTICS**

RESOLVED that the report be received and noted.

15. **A/PRINCIPAL PLANNER'S REPORT**

15.1 **Delegation Changes**

RESOLVED

1. That the amended instrument of delegation dated 11 August 2011 be adopted by the Commission pursuant to Section 20 of the Development Act 1993.
2. That the revised delegations are operative from 15 August 2011.

15.2 **Guide to Delegations**

RESOLVED

1. That the Guide to Delegations dated 11 August 2011 be adopted by the Commission in the exercise of its instrument of delegation by the Principal Planner – DAC and DPLG staff.

15.3 **Draft iPad Protocol**

RESOLVED

1. That the draft protocol be received and noted. The protocol shall be reconsidered and finalised at an upcoming meeting.

15.4 **Draft Media & Communications Guidelines**

RESOLVED

1. That the draft protocol be received and noted. The protocol shall be reconsidered and finalised at an upcoming meeting.

16. **ANY OTHER BUSINESS**

16.1 **Briefing – Redevelopment and Expansion of the Adelaide Convention Centre (DA 020/V009/11)**

The Deputy Residing Member welcomed the following people to address the Commission:

- Gavin Kain (Woods Bagot)
- Stuart Moseley (Connor Holmes)
- Manuel Delgado (DTEI)

In attendance but did not speak:

- Jackie Bishop (DTEI)

The Deputy Presiding Member thanked the attendants for their presentation.

RESOLVED that the briefing be received and noted.

16.2 **Briefing – South Road Non-Stop Corridor**

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

- Leigh Dalwood (DTEI)

In attendance but did not speak:

- Desmond Khoo (DTEI)

The Deputy Presiding Member thanked the attendants for their presentation.

RESOLVED that the briefing be received and noted.

16.3 **Briefing – Tonsley Park Redevelopment**

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

- Bob Boorman (Consultant)
- Bob Burton (DFEEST)
- Adam Reid (DTED)
- Tony Materne (Architect)

In attendance but did not speak:

- Steve Woodrow (DTEI)
- Robin Murt (DFEEST)
- Michael Buchan (LMC)

The Deputy Presiding Member thanked the attendants for their presentation.

RESOLVED that the briefing be received and noted.

16.4 The Development Assessment Commission would like to thank Simon Neldner for his dedicated support, professionalism and advice as the Acting Principal Planner from September 2010 to August 2011. His willingness to provide such an excellent service to the Commission is recognised by members – including changes to the agenda and report formats, public notification of applications on the DAC website and the implementation of the new electronic agenda and iPad rollout. He has consistently demonstrated and reached the highest standards expected of the public service in his support of the Commission's work.

17. **DEFERRED APPLICATIONS** – Nil.

18. **MAJOR DEVELOPMENTS** – Nil.

19. **SCHEDULE 10 APPLICATIONS**

19.1 **K & A Ferber – Division of Land (1 into 2) - Louds Hill Road, Pages Flat (Pieces 2 & 3 in DP62086, CT 5393/743); Yankalilla and Alexandrina Councils (455/D071/10 and 260/D013/10)**

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

Applicant(s)

- Simon Tonkin

- Anne Ferber
- Fabian Barone

Representor

- Val Caddell

The Commission discussed the application.

RESOLVED

1. That the proposed development is **SERIOUSLY AT VARIANCE** with the policies in the Development Plan.
2. That the Development Assessment Commission **REFUSE** planning consent and land division consent for Development Applications 455/D071/10 & 260/D013/10 by Kerry Ferber to undertake a division of land (1 into 2) on an allotment comprising Pieces 2 & 3 in DP62086 [CT 5393/743] at Louds Hill Road, Pages Flat, as the proposal is not in accordance with the following policies contained in the Development Plans:

Yankalilla Council

Watershed Zone OB 1,2,3,4,5,6,7; PDCs 1,2,46,47

Council Wide OB1,32,34,35,37; PDCs 2,34,35,39

Alexandrina Council

Willunga District – OB12

Watershed Zone – OB 1,2,68,69; PDCs 1,2,4,5,6,254,259,282

20. SECTION 35 APPLICATIONS

20.1 I Vallis – Land division (1 into 2) – Christies Road, Pata, Section 397, Hundred of Pyap (CT 5957/703) – Dryland Farming Zone – District Council of Loxton Waikerie (551/D003/11)

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 **NOT CONCUR** with the decision of the Loxton Waikerie Council to grant development plan consent and land division consent to the application by Ian Vallis at Christie Road, Pata, Section 397, Plan 710800, CT 59570/703; Hundred of Pyap, as the proposal is not in accordance with the following policies contained in the Development Plan:

- Dryland Farming Zone: OB1, PDC1, 2
- Council Wide: OB 1,2

20.2 PJ & LM Mader – Land division (1 into 2) – Schober Road, Wappilka, Section 505, Hundred Of Moorook (CT 5980/830) – Dryland Farming Zone – District Council of Loxton Waikerie (551/D002/11)

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 NOT CONCUR with the decision of Council to grant development plan consent and land division consent to the application by PJ & LM Mader at Schober Road, Wappilka, Section 505, Plan 700900, CT 5980/830; Hundred of Moorook, as the proposal is not in accordance with the following policies contained in the Development Plan:
 - Dryland Farming Zone: OB1, PDC1, 2
 - Council Wide: OB 1,2

21. **SECTION 34 APPLICATIONS** – Nil.

22. **CROWN/PUBLIC INFRASTRUCTURE** – Nil.

22.1 **SA Metropolitan Fire Service – Demolition of the existing Fire Station and three houses; construction of a new 2-bay Fire Station with associated carport and LED signage – Lot 10 & 11 in FP15749, 582 Portrush Road, Glen Osmond - Residential Zone – Burnside Council (180/V001/10 V1)**

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

Applicant(s)

- Don Cranwell (SAMFS)
- Glenn Benham (SAMFS)
- Tim Brown (SAMFS)
- Denis Harrison, Principal Architect

State Agency:

- George Morias (DTEI)

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 recommends to the Minister of Urban Development, Planning and the City of Adelaide APPROVE Development Application No. 180/V001/10 V1 for a new MFS Fire Station with ancillary car port, demolition of the existing Fire Station and three dwellings, and removal of a significant tree at 580-582 Portrush Road and 1-3 Glebe Road, Glen Osmond subject to the following conditions and advisory notes:

Planning Conditions

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 180/V001/10 V1.

- Glen Osmond SAMFS Fire Station, Site Plan, 879 AR 2011
 - Glen Osmond SAMFS Fire Station, Floor Plan, 880 AR 2011
 - Glen Osmond SAMFS Fire Station, Elevations Section, 881 AR 2011
 - Glen Osmond SAMFS Fire Station, Elevations Section, 882 AR 2011
 - Precast Sign Panel, Scale 1:50
2. That the establishment of all landscaping shall be undertaken within six months of the substantial completion of the development and in any event prior to the occupation or use of the development. Such landscaping shall be maintained in good health and condition at all times. Any dead or diseased plants or trees shall be replaced.
 3. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards (including AS/NZ Part 1 2890.1:2004 and Part 6 AS/NZ 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.
 4. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
 5. That the car park entry/exit access shall be kept to a minimum 6.0 metres wide within the Council verge.
 6. That the existing footpath grade shall not be altered when constructing/modifying crossovers and driveways.
 7. 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.

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, Planning and the City of Adelaide.
- iii. 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 Minister for Urban Development, Planning and the City of Adelaide.
- iv. The applicant will require a fresh consent before commencing or continuing the development if 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/professionalinformation/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.

23. OTHER APPLICATIONS

23.1 **Lael Mayer – Request for extension of time on a 2-storey group dwelling – 141a Perry Barr Road, Hallett Cove – Residential (General) Zone, Southern Policy Area 18 – Marion Council (100/0151/05)**

The Deputy Presiding Member welcomed the applicant Mr Lael Mayer to address the Commission.

The Commission discussed the application.

RESOLVED

- 1. That the Development Assessment Commission GRANT a final 12 month extension of time for the applicant to substantially commence the development comprising the construction of a two-storey group dwelling, with associated driveway and landscaping at 141A Perry Barr Road, Hallett Cove (Development Application No. 100/0151/05).
- 2. That substantial commencement of the development is achieved by 22 June 2012 and the development completed by 22 June 2014.

24. NEXT MEETING – TIME/DATE

Thursday, 25 August 2011
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide.

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

Confirmed / /2011

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Betty Douflias
DEPUTY PRESIDING MEMBER

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Rocío Barúa
SECRETARY