



Development Assessment Commission

Minutes of the 532nd Meeting of the Development Assessment Commission held on Thursday, 22 October 2015 commencing at 11.23 AM 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Presiding Member) Peter Dungey Sue Crafter Dennis Mutton
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Simon Neldner (Agenda Item 3.1) Damian Dawson (Agenda Item 3.2) Elysse Kuhar (Agenda Item 3.4) Malcolm Govett (Agenda Item 3.5)

1.2. APOLOGIES – David O’Loughlin, Chris Branford.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

- 3.1. SA Health**
DA 080/V013/15
Flinders Drive, Bedford Park
City of Mitcham
Proposal: Construction of three new buildings with associated works

Dennis Mutton was not present for the hearing of this item.

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

Applicant(s)

- James Sage – Cheesman Architects
- Tim Packer – SA Health
- Peter Swift – SA Health
- Roland Greiner – DPTI
- Rob Bremert – Tonkin Consulting

Council

- Brett Miller

The Commission discussed the application.

RESOLVED

1. RESOLVE to make a recommendation to the Minister for Planning.

3.2 D Arnold C/- Mosel Steed

DA 711/D030/10

Pieces 500 & 501 in DP 84322, Caurnamont

Mid Murray Council

Proposal: Land Division – 1 into 4

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Mid Murray Development Plan Consolidated – 29 April 2010.
2. RESOLVE to GRANT Development Plan Consent and Land Division Consent to Development Application 711/D030/10 for a land division of 1 into 4 at Section 313 Mannum-Purnong Road, Caurnamont subject to the following conditions:

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 711/D030/10 including the Proposed Plan of Division- 10026P1.1 - Dated 10/02/15.
2. The applicant fully funds an upgrade of the Caurnamont CWMS to accommodate the additional allotments approved herein with all works to be carried out and all costs paid to the satisfaction of the Development Assessment Commission prior to the granting of Section 51 Clearance.
3. All existing dwellings and the proposed vacant allotment shown on the plan of division lodged with Development Application 711/D030/10 must seek approval for, and be connected to, the upgraded community wastewater management system prior to the granting of Section 51 clearance.

DEWNR – River Murray Condition

4. During any works or construction activities associated with the land division, the subject land must be managed to prevent erosion and pollution of the site and the environment, including keeping the area in a tidy state and ensuring

any waste materials are appropriately contained, to ensure no pollutants (including excavation or fill material) enter the River Murray system. The preparation of a Soil Erosion and Drainage Management Plan or similar document may assist in complying with this condition.

5. The proponent entering into an approved Land Management Agreement with the relevant planning body over the subject land (as recommended by the Native Vegetation Council in their response to the referral, uploaded onto EDALA 16 March 2015), and which specifically:
 - Defines building envelopes that are located at least 3 m from the outer canopy of existing native vegetation (red gums up to 50 years old adjacent a lagoon); and
 - Provides for the protection trees outside of the building envelopes that may otherwise be cleared under Native Vegetation Regulations 5(1)(k) and 6(1).

Land Division Requirements

8. Payment of \$8,040 into the Planning and Development Fund (3 allotments @ \$2,680 per allotment).

Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (8303 0724), by cheque payable to the Development Assessment Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at Level 5, 136 North Terrace, Adelaide.

9. 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.

Notes

1. In determining the extent of the CWMS upgrade works required the applicant should have regard to the recommendations of the Aquatec - Maxcon Caurnamont WWTP technical Report March 2011 as well as advice from Council and the operators of the existing facility.
2. The applicant is advised of their general duty of care to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.
3. The applicant is encouraged to incorporate locally indigenous plant species into any landscaping, screen planting or revegetation activities at the site to enhance the natural character of the locality, stabilise soils and provide habitat for native species. For information on appropriate species to be planted, please contact State Flora at Bremer Road, Murray Bridge on telephone 8539 2105, or within Belair National Park on telephone 8278 7777 or visit: <http://www.stateflora.com.au>.
4. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or artefacts may be present on the subject land (eg. scarred trees, campsites, burial sites, middens, etc). Under section 20 of the Aboriginal Heritage Act 1988 (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any

Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.

5. This approval does not obviate any considerations that may apply to the Environment Protection and Biodiversity Conservation Act 1999 (Cth). For further information visit: <http://www.environment.gov.au/epbc/about>.
6. 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.
7. 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>
8. If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine whether the proposed clearance requires formal approval under the *Native Vegetation Act 1991*. Note that "clearance" means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing of roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9741 or visit: <http://www.nvc.sa.gov.au>.
9. If there is any use of water from the River Murray Prescribed Watercourse or wells that may be affected by the land division, or if it is intended to use water from these resources to service the new allotments, the interested parties should contact the Department for Water to ensure relevant requirements under the *Natural Resources Management Act 2004* are met. Further, a permit is required from the Department for Water for any work to be carried out on a well or for new wells to be drilled. For further information contact the Department on 8595 2053 or visit: <http://www.sa.gov.au/subject/Water%2C+energy+and+environment/Water/Water+use+for+irrigators/Water+licences+and+permits>.

3.3 Inspire Design

DA 361/1146/2015/2A

32 Broadwater Crescent, Mawson Lakes

City of Salisbury

Proposal: Two, two storey dwellings on one allotment

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is not seriously at variance with the Salisbury (City) Development Plan – Consolidated 18 December 2015.
2. RESOLVE that pursuant to Section 33 of the Development Act 1993, Development Plan Consent is **GRANTED** to application number 361/563/2015/2A for construction of two (2) two storey dwellings at 28 (Allotment 646) Northcote Walk, Mawson Lakes subject to the following conditions:

Planning Conditions:

- (1) The proposal shall be developed in accordance with the approved plans and details submitted with the application relating to Development Application Number 361/1146/2015/2A, except where varied by the following conditions of consent.

Reason: To ensure the proposal is established in accordance with the plans submitted.

- (2) Upper storey windows on the north eastern facade of residence one shall be screened with obscured glazing to a height of 1.7 metres above the upper storey finished floor level at all times.

Reasons: To maintain visual privacy and reduce the potential for overlooking to occur.

- (3) An engineered Site Works and Drainage Plan shall be submitted to Council for approval prior to Development Approval being issued. The plan shall detail:

- Existing ground levels, proposed ground and bench levels, top of kerb and water table levels and the proposed finished floor levels of the dwellings;
- Vehicle access arrangements, including the location and dimension of proposed vehicle access points and driveway gradients;
- The location of road and street infrastructure, such as public lighting, street trees and side entry pits; and
- On-site management and disposal of stormwater runoff from roofs and impervious surfaces.

Reason: To ensure the land is developed in an orderly manner

- (4) The development shall be carried out in accordance with the Approved Site Works and Drainage Plan, approved by Council under condition 3.

Reason: To ensure the proposal is established in accordance with the approved plans.

- (5) Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions at any time.

Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

- (6) The Developer shall employ measures to eliminate silt, mud and dust emission from the site during the construction period so as not to cause nuisance to adjoining residents at any time.

Reason: To preserve the amenity of the locality during construction work.

- (7) Should the development require the relocation of any public infrastructure or services, all such works shall be the responsibility of the developer and at no cost to Council. Such works may include, but are not limited to, street trees, light poles and stormwater entry pits.

Reason: To ensure orderly development.

- (8) All mechanical services to the building shall be designed, installed and operated in such a manner that any person or persons living within or

adjacent to the site should not be subjected to any nuisance or inconvenience from noise or fumes.

Reason: To ensure orderly development.

- (9) Any air-conditioning units or external pipework or exhaust system mounted on the roofs or walls of the buildings shall be of Colorbond material to match the principal building.

Reason: To preserve the amenity of the locality

3.4 George Mocatta

DA 455/L009/15

137 Taverner Road, Currency Creek

Alexandrina Council

Proposal: Dwelling and workers accommodation

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed non-complying development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to proceed with the assessment of the proposal (DA 455/L009/15) by George Mocatta for the construction of a two-storey dwelling including ground level workers accommodation at Taverner Road, Currency Creek.

3.5 Heather Curnow

DA 312/D001/15

Corner of Port Wakefield Road & Dublin Road, Dublin.

Mallala Council

Proposal: Land Division – realignment of boundaries – no additional allotments – two into two

Dennis Mutton was not present for the hearing of this item.

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE that the Development Assessment Commission CONCURS with the decision of the District Council of Mallala to grant development approval to Development Application 312/D001/15 by Heather Curnow for land division of Allotments 1000 and 1001 DP47003 at Dublin Road, Dublin.
3. RESOLVE that the District Council of Mallala be required to attach the following Advisory Note to the Development Approval it issues on Development Application 312/D001/15:

“The Applicant is advised that this Development Approval should not be considered as a precedent for the creation of further rural living size allotments within the Primary Production Zone. This decision is founded on the particular physical characteristics and configuration pertaining to proposed Allotment 49 and the minimal impacts on the efficient and sustainable use of the adjacent land for primary production purposes.”

4. **ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE**
5. **MAJOR DEVELOPMENTS – Nil.**
6. **ANY OTHER BUSINESS**
7. **NEXT MEETING – TIME/DATE**

7.1. Thursday, 12 November 2015 at 28 Leigh Street, Adelaide SA

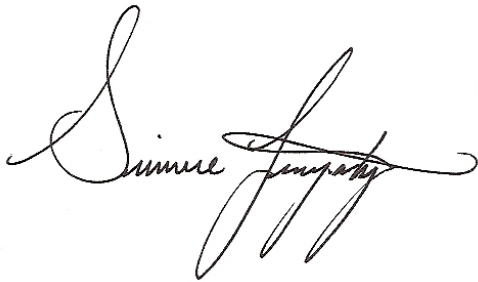
8. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 3.26 PM

Confirmed 22 / 10 /2015

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style.

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Simone Fogarty
PRESIDING MEMBER