



Development Assessment Commission

Minutes of the 523rd Meeting of the Development Assessment Commission held on Thursday, 25 June 2015 commencing at 1.00PM Basement Level, 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey David O'Loughlin Dennis Mutton
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Simon Neldner (Agenda Item 3.1) Anna Provatas (Agenda Item 3.2) Nitsan Taylor (Agenda Item 3.3) Alex Mackenzie (Agenda Item 5.1)

1.2. APOLOGIES – Sue Crafter

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

- 3.1. **Boral Property Group**
DA 180/D026/14 & DA 473/D034/14
Penfolds Road, Stonyfell & McBeath Drive, Skye
Adelaide Hills Council & Burnside Council
Proposal: Land Division (13 into 13)

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

Applicant(s)

- Caroline Schar - Property Asset and Planning Manager, SA Boral Property Group.
- Matthew King - Director URP
- Jeremy Hill - Partner, Minter Ellison
- Andrew Davidson - Director, Andrew Davison Property and Development Consultants
- Stuart Heseltine – Hemisphere Design

Council

- Jason Cattonar - Burnside
- Tom Victory – Adelaide Hills

Agency

- Paul Thompson - DSD

The Commission discussed the application.

RESOLVED

1. RESOLVE to DEFER further consideration of the application.

- 3.2. **Gilardo La Serra**
DA 292/D037/15
536 Medlow Road, Uleybury
City of Playford
Proposal: Land Division 1 into 3

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

Applicant(s)

- Tom Hateley – Access Planning
- Gerald La Serra

The Commission discussed the application.

RESOLVED

1. RESOLVE that the proposed development is SERIOUSLY AT VARIANCE with the policies in the Development Plan.
2. RESOLVE that pursuant to Section 39(4)(d) of the *Development Act 1993* and Regulation 17(3)(a) of the *Development Regulations 2008*, to REFUSE Development Application No. 292/D037/15 without proceeding to make an assessment.

- 3.3. **SA Housing Trust C/- Renewal SA**
DA 100/L015/15
18 Carlton Street, Oaklands
City of Marion
Proposal: Respite Care Facility

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

Applicant(s)

- Michelle Burfield, Strategic Planner
- Simon Smith, Program Manager
- Kerry Beagley, Anglicare SA

Representor

- Sue Ramsay *also for Cathy Williams*

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 to grant Development Plan Consent to development application 100/L015/15 by Renewal SA on behalf of the SAHT for the construction of a Respite Care Facility with associated fencing, landscaping and site works at 18 Carlton Street, Oaklands Park, subject to the following conditions:
 - 1) That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 100/L015/15.
 - 2) That the Respite Care Facility herein approved shall provide accommodation for a maximum of five (5) children/young people at a time and for a maximum period of three (3) days at a time.
 - 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 prior to the occupation or use of the development.
 - 4) That an accessible car parking space shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428-2003.
 - 5) That where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
 - 6) That stormwater from the structure approved herein shall be collected and directed into a detention tank (or tanks) which are sized and installed in accordance with the specifications contained in Council's information guide titled "Stormwater Detention", to the reasonable satisfaction of the Council.

Note: A copy of the information guide can be viewed at the City of Marion webpage www.marion.sa.gov.au/page.aspx?u=181
 - 7) That the stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
 - 8) 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.
 - 9) That a fully engineered site works and drainage plan shall be provided to the City of Marion for consideration and approval prior to Development Approval being issued. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench

levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.

- 10) 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.

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 this Notification must be completed 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 from the day of receiving this notice or such longer time as the Court may allow.
- f. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
- g. Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.
- h. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).
- i. Measures to prevent silt and mud from vehicle tyres and machinery being transported onto the road shall be installed and maintained at all times during the construction phase of the development, to the reasonable satisfaction of the Council. (A suggested measure is to install a gravelled construction exit with wash down facilities).
- j. Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.
- k. The proposed crossover/access must be constructed a minimum of one (1) metre clear of all infrastructure, at its closest point, including but not limited to, street trees, stobie poles, SEP's, pram ramps etc.

- l. Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.
- m. 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 the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes being mindful of and minimising off site noise, dust and vibration impacts associated with development.
- n. Construction noise can cause nuisance to nearby residents and therefore activities which include the operation of machinery need to be restricted to between 7.00am and 7.00pm Monday to Saturday and if necessary on Sunday between 9.00am and 7.00pm to minimise potential for noise complaints.
- o. Construction must be undertaken in accordance with Division 1 of Part 6 of the Environment Protection (Noise) Policy 2007 at all times.

4. **INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE** – Nil.

5. **MAJOR DEVELOPMENTS**

5.1. **Wunda Projects Australia Pty Ltd
Adelphi Terrace, Glenelg**

Recommendation: Endorse level of assessment, draft guidelines and report to the Minister for Planning.

Helen Dyer and Peter Dungey declared conflicts of interest for this item and were not present for the hearing of this item.

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

Applicant(s)

- Bruno Marveggio - Applicant
- Stephen Holmes - Project Consultant
- Chris Watkins - Architect

The Commission discussed the application.

RESOLVED

1. Endorse a Development Report (DR) as the appropriate level of assessment for this proposal.
2. Endorse the draft Report to the Minister, with any amendments as agreed by the Commission.

6. **ANY OTHER BUSINESS**

7. **NEXT MEETING – TIME/DATE**

7.1. Thursday, 9 July 2015 in Basement Level 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 4.04 PM

Confirmed / /2015

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Simone Fogarty
PRESIDING MEMBER