



# *Development Assessment Commission*

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**Inner Metropolitan Development Assessment Committee  
held on Thursday, 28 May 2015 commencing at 2.00PM  
Basement Level, 26-28 Leigh Street, Adelaide**

## **1. OPENING**

### **1.1 PRESENT**

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Sue Crafter
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Connie Parisi (Agenda Item 2.1)

### **1.2 APOLOGIES – Nil.**

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## **2. DEFERRED APPLICATIONS**

### **2.1 City of Adelaide**

#### **Intro Design Pty Ltd**

Hotel development with ground floor retail

**13 West Terrace, Adelaide**

DA 020/0019/14A

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

Applicant(s)

- Damien Ellis – Intro
- Nigel Howden – Intro
- Paul Morris - GTA

Agency

- Dianne Snape - ODASA

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 the proposal, subject to the following **conditions of consent**.

### **Planning Conditions:**

General

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, as submitted in Development Application 020/0019/14A including:

Drawings /Plans by Intro

Drawing No	Revision	Date
SK00	4	19.01.2015
SK01	1	19.01.2015
SK02	1	19.01.2015
SK09	1	-
SK10	5	19.01.2015
SK11	6	19.01.2015
SK12	1	19.01.2015
SK13	1	19.01.2015
SK14	5	19.01.2015
SK15	6	19.01.2015
SK16	5	19.01.2015
SK25	1	19.01.2015
SK26	1	19.01.2015
SK27	1	19.01.2015
SK28	1	19.01.2015
SK50	5	19.01.2015
SK51	5	19.01.2015
SK52	5	19.01.2015

Reports / Correspondence

- Email dated 19 May 2015, illustrating the proposed Rights of Way to be implemented as a result of the land division
- Transport Impact Assessment, prepared by GTA Consultants, dated 15 May 2015
- Ecologically Sustainable Design Statement, prepared by LUCID Consulting Engineers and dated 30 May 2014
- Desktop Wind Analysis, prepared by MLEI Consulting Engineers, dated 25 June 2014
- Preliminary Site History Report, prepared by Wallbridge and Gilbert Consulting Engineers, dated July 2013

- Planning Report prepared by Intro dated July 2014 and letter dated 27 January 2015, except where superseded by DAC Clarification Presentation, prepared by Intro, dated 7 May 2015

#### Acoustics

2. The acoustic attenuation measures recommended in the Sonus Report dated October 2014 forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the Inner Metropolitan Development Assessment Committee. Such acoustic measures shall be made operational prior to the occupation or use of the development.

#### Plant and equipment

3. Mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:
  - a. 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) at the most affected residence when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

#### Construction and site works

3. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publication “Environmental Management of On-site Remediation” - to minimise environmental harm and disturbance during construction.

The management plan must incorporate, without being limited to, the following matters:

- a. air quality, including odour and dust
- b. surface water including erosion and sediment control
- c. soils, including fill importation, stockpile management and prevention of soil contamination
- d. groundwater, including prevention of groundwater contamination
- e. noise
- f. occupational health and safety

For further information relating to what Site Contamination is, refer to the EPA Guideline: *'Site Contamination – what is site contamination?'*:  
[www.epa.sa.gov.au/pdfs/guide\\_sc\\_what.pdf](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf)

A copy of the CEMP shall be provided to the Development Assessment Commission prior to the commencement of site works.

4. All stormwater design and construction shall be in accordance with Australian Standards to ensure that stormwater does not adversely affect any adjoining property or public road.

### Access and Parking

5. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTRROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
6. Waste vehicle collection shall occur via the rights of way as depicted on Plan Reference 3072-PT001.v2 dated 14 May 2015.

### Airports

7. The proposed development will penetrate the Adelaide Airport Obstacle Limitation surface (OLS), which is in protected airspace for aircraft operations. The application will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 and has been forwarded to the Civil Aviation Safety Authority (CASA) for their comment. The development shall not commence until approval has been granted by the Department of Infrastructure and Regional Development.
8. Any associated lighting shall conform to the airport lighting restrictions and shielded from aircraft flight paths.

### Odours

9. Ventilation and extraction equipment for food preparation areas shall be installed in accordance with the relevant Australian Standards.

### Canopy lighting

10. Lighting to the canopies shall be installed in accordance with Adelaide City Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Development Assessment Commission and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times.

### **Advisory Notes:**

#### **General / Procedural**

- a) The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy the conditions and/or reserved matters as contained herein.
- b) The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. 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. 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 (Ph: 8204 0300)
- c) The development must be substantially commenced within three (3) years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- d) The applicant is also advised that any act or work authorised or required by this Notification must be completed within five (5) years of the date of the Notification unless this period is extended by the Commission.

- e) Any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.

### **Environmental Duty**

- f) 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, do not pollute the environment in a way which causes or may cause environmental harm.
- g) 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>
- h) The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements

### **Construction**

- i) The applicant must ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- j) As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- k) The applicant is reminded of the following requirements of the Heritage Places Act 1993:
  - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
  - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit under Section 27 of the Heritage Places Act 1993 is required prior to commencing excavation works.

For further information, please contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960 or [dewnr.stateheritageda@sa.gov.au](mailto:dewnr.stateheritageda@sa.gov.au).

### **Local authority requirements**

- l) An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular your attention is drawn to the following:
  - i. An annual fee may be charged in line with the Encroachment Policy.
  - ii. Permit renewals are issued on an annual basis for those encroachments that attract a fee.
  - iii. Unauthorised encroachments will be required to be removed.

Improvements to the adjacent public realm areas, including proposals to reconfigure the on street carparking spaces require the approval of the Adelaide City Council and are not part of this planning consent.

Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of each stage of the building work on the site. To notify Council, contact City Services on 8203 7332.

Airport

m) Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment by the Commonwealth Department of Infrastructure and Transport. Crane operations associated with construction shall be the subject of a separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction.

4. **NEW APPLICATIONS** – Nil.

5. **ANY OTHER BUSINESS** – Nil.

6. **CONFIRMATION OF THE MINUTES OF THE MEETING**

6.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

7. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 2.15PM.

Confirmed / /2015

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Simone Fogarty  
PRESIDING MEMBER