



Development Assessment Commission

**Inner Metropolitan Development Assessment Committee
held on Thursday, 8 May 2014 commencing at 2.00 PM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Ted Byrt
Members	Megan Leydon (Deputy Presiding Member) Damien Brown Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford <i>Council Representative</i> ACC - Sue Clearihan
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Gabrielle McMahon (Agenda Item 3.1) Connie Parisi (Agenda Item 4.1 & 4.2)

1.2 APOLOGIES – Dr Michael Llewellyn-Smith AM.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

- 3.1 Light Square Investments**
020/0005/12A V1
69-71 Light Square, Adelaide

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

Applicant(s)

- Nigel Howden
- Mark Pivovarov
- Nick Dean

Agency:

- Peter Wells - Heritage
- Philippe Mortier – 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 for Development Application 020/0005/12A Variation 1 by Light Square Investments Pty Ltd for a variation to DA 020/0005/12A for the construction of a nineteen level mixed use development incorporating a State Heritage Place at 69 – 71 Light Square, Adelaide, subject to the following Reserved Matters, conditions and advisory notes :

DEVELOPMENT APPLICATION – 020/0005/12A Variation 1

RESERVED MATTERS

1. Pursuant to Section 33(3) of the *Development Act 1993*, the applicant shall submit detailed proposals for the following reserved matters requiring further assessment and approval by the Development Assessment Commission prior to Development Approval of any superstructure stage:
 - 1.1 An acoustic report that considers the potential for noise disturbance upon apartments from plant and equipment venting into the proposed light well.
 - 1.2 Final design and location of the fire booster
 - 1.3 The detailed design of the architectural column/blade elements above the roof plane of the heritage building.
2. The following reserved matters require further assessment and approval by the Development Assessment Commission prior to Development Approval for any demolition works:
 - 2.1 Plans, external elevations and internal elevations of the heritage building showing proposed conservation and adaptation works.

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 as submitted in development application number 020/0005/12A Variation 1, including the amended plans by Intro titled:

Plan	Revision	Date
A200	1	Jan 2014
DA01	1	14/10/13
DA02		14/10/13

DA03	1	14/10/13
DA04		14/10/13
DA05		14/10/13
DA06		14/10/13
DA07		14/10/13
DA08		14/10/13
DD05		March 2014
DA10B		2/4/14
DA10A		2/4/14
DA10C		2/4/14
DA11		2/4/14
DA12		15/4/14
DA13		14/4/14

Intro Letter dated 31 October 2013

Traffic report by GTA, dated 31 October 2013 (ref 12A1084000)

Emails from Intro (Nigel Howden), dated 3 April 2014 and 1 May 2014

Note: Plans and conditions for Development Application 020/005/12A are still applicable, except where varied by this application and the amended plans and the conditions below.

2. That a dilapidation survey recording the condition of the historic building, adjoining buildings and adjacent Council infrastructure shall be prepared by a qualified engineer prior to the commencement of construction works, to the satisfaction of the Development Assessment Commission. The structural condition of the fabric shall be monitored during the course of construction to identify any adverse impacts. A copy of this report shall be provided to the Adelaide City Council.
3. That the extent of historic fabric shall be determined by careful investigation and opening-up prior to the commencement of demolition works. Decisions about fabric to be retained, removed and re-used shall be made in conjunction with the Department of Environment, Water and Natural Resources.
4. That non-original doors, windows, sashes and frames in the northern, eastern and southern walls shall be replaced to appropriate historic detail, to the satisfaction of the Development Assessment Commission.
5. That non-original roof vents shall be replaced to appropriate historic detail, to the satisfaction of the Development Assessment Commission.
6. That final details shall be provided to the satisfaction of the Commission prior to the issuing of Development Approval for any superstructure works in regards to:
 - the glazed gates to be located on either side of the front façade of the building,
 - the roller doors and steel mesh at the car parking area and car stacking system at rear of the site, and
 - landscaping of the front setback and side walkways (including paving treatments and fencing).
7. That the acoustic attenuation measures recommended in the Sonus report, dated April 2012, shall be undertaken within the development to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be operational prior to the occupation or use of the Development.

8. That 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. 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
9. That the proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 for Off-Street Parking Facilities and Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.
10. That bicycle parks shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
11. That the proposal shall be in accordance with the samples and schedules of materials, finishes and colours shall submitted to the Development Assessment Commission.
12. That a Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
 - Work in the Public Realm
 - Street Occupation
 - Hoarding
 - Site Amenities
 - Traffic Requirements
 - Servicing Site
 - Adjoining Buildings
 - Reinstatement of Infrastructure
13. That 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. A copy of the CEMP shall be provided to the Development Assessment Commission prior to the commencement of site works.

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

14. That final details of lighting to the public spaces (including the rear, the front setback and along both sides of the building) shall be provided to the satisfaction of the Development Assessment Commission and prior to the

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

15. That Council maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
16. That the connection of any storm water discharge from the land to any part of the Adelaide City Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' to the reasonable satisfaction of the Development Assessment Commission.

Advisory Notes:

- a) As the applicant is undertaking work 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.
- b) Development Approval will not be granted until Building Rules Consent has been obtained from the Adelaide City Council. A separate application must be submitted for such consent. No building work or change of classification is permitted until the Development Approval has been obtained.
- c) You are 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.
- d) 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.
- e) Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332. For further clarification or additional information, please contact the Adelaide City Council Customer Service Centre on 8203 7203.
- f) The emission of noise from the premises is subject to control under the Environment Protection Act 1993 and Environment Protection Regulations 2009 and the applicant (or person with the benefit of this consent) should comply with those requirements.
- g) Adelaide Airport Limited advise that crane operations are required to be the subject of a separate application, as these are likely to penetrate the OLS. Adelaide Airport Limited will require 60 days notice prior to any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Authority (CASA).
- h) Adelaide Airport Limited advise that restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft light paths.
- i) You have 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 of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0300).

- j) The development must be substantially commenced within 12 months of the date of the original approval for Development Application 020/0005/12A, unless this period has been extended by the Development Assessment Commission.
- k) 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 original approval for Development Application 020/0005/12A, unless this period is extended by the Commission.
- l) The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.

4. ANY OTHER BUSINESS

4.1. Pre-Lodgement Briefing

RESOLVED that the Verbal Report be received and noted.

4.2. Pre-Lodgement Briefing

Megan Leydon declared a conflict of interest and left the room.

RESOLVED that the Verbal Report be received and noted.

5. CONFIRMATION OF THE MINUTES OF THE MEETING

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

6. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 3.45PM.

Confirmed / /2014

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Ted Byrt
PRESIDING MEMBER