



# *Development Assessment Commission*

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**Inner Metropolitan Development Assessment Committee  
held on Thursday, 21 January 2016 commencing at 10.00 AM  
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
Council Members	ACC – John Hodgson
Secretary	Sara Zuidland
DPTI Staff	Connie Parisi (Agenda Item 2.1) Anita Allen (Agenda Item 3.1)

### **1.2 APOLOGIES** – Sue Crafter

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## **2. DEFERRED APPLICATIONS**

### **2.1 Adelaide City Council**

#### **One North Terrace (Aust) Pty Ltd**

DA 020/A081/15

#### **1 North Terrace, Adelaide**

Proposal: Partial demolition of a State Heritage place and conversion to a hotel; construction of a mixed use development comprising retail, consulting rooms and residential apartments, supported by basement carparking

*Simone Fogarty and Helen Dyer declared a conflict of interest and were not present for the hearing of this item. The Commission appointed Chris Branford as the acting Presiding Member for this item.*

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

Applicant(s)

- Robert Lee
- Jonathon Lee
- Michael Hegarty
- Tom Williams
- Mark Separovic

Agency

- Nick Tridente – Associate Govt Architect
- Di 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 that the Development Assessment Commission is satisfied that the proposal meets the key objectives of the Capital City Zone.
3. RESOLVE to grant Development Plan Consent to the proposal by One North Terrace (Australia) for Partial demolition of a State Heritage place and conversion to a hotel; construction of a mixed use development comprising retail, consulting rooms and residential apartments, supported by basement carparking subject to the following reserved matters and conditions of consent.

**RESERVED MATTERS**

Pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:

1. Approval by the Department of Infrastructure and Regional Development for the infringement into the Adelaide Airport Obstacle Limitation Surface and the Procedures for Air Navigation services – Aircraft Operations (PANS-OPS) surfaces.

**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 following plans submitted in Development Application No 020/A081/15:

Drawings/Plans by GHD Woodhead Architects:

<b>Plan Number</b>	<b>Date</b>
A100	4/11/2015
A101	4/1/2016
A102	15/1/2016
A103	4/1/2016
A104	4/1/2016
A120	15/1/2016
A121	15/1/2016
A122	15/1/2016

A123	15/1/2016
A130	15/1/2016
A131	15/1/2016
A132	15/1/2016
A150	4/11/2015
A151	4/1/2016
A152	4/1/2016
A160	4/11/2015
A901	4/11/2015
A909	15/1/2016
A911	4/1/2016

Reports/Correspondence:

- Planning Report by GHD Woodhead dated 4 November 2015
- Waste Management Plan by Rawtec dated November 2015
- Traffic Assessment Report by Wallbridge and Gilbert dated 3 November 2015
- Wind Impact Assessment Report by Vipac Engineers and Scientists dated 4 November 2015
- Heritage Impact Assessment report by DASH Architects dated 4 November 2015, Elevations dated 27/10/15 by DASH Architects and the itemised summary of Heritage Works in letter dated 4 January 2016.
- Aeronautical Impact Assessment report by Ambidji dated 3 November 2015
- Construction Methodology and Programme for PANS OPS Application prepared by ProBuild dated 30 October 2015 UNLESS where varied by the Reserved Matter
- Stormwater Management Plan prepared by Wallbridge and Gilbert dated 3 November 2015
- Sustainability Report by Lucid Consulting Australia dated November 2015
- Dilapidation Report prepared by Fyfe dated 7 September 2015
- Vertical Transport Report prepared by Lucid Consulting Australia dated October 2015
- Environmental Noise Assessment report by Sonus dated November 2015
- Land Management Agreement for Affordable Housing dated 2015
- Email dated 9 December 2015 by GHD Woodhead
- Apartment Area Schedule dated 23 December 2015

2. The applicant shall submit, for approval by the Development Assessment Commission, a final environmental noise assessment that ensures that there are no unreasonable impacts on the amenity of the apartments and that the development itself will not unreasonably interfere with other land uses in the vicinity. Such a report and its recommendations shall be lodged prior to substructure approval being granted.
3. The applicant, in consultation with the Government Architect, shall submit for approval by the Development Assessment Commission resolved detail of the facade and podium design and final details of materials, finishes and colours, prior to final Development Approval for substructure.
4. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
5. The proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including clearance to columns and space requirements at the end of blind aisles) for Off Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and designed to conform with Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.

6. 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.
7. 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 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.
8. 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 for both the hospital and car park.

9. The applicant shall submit, for approval by the Development Assessment Commission, a scale wind study undertaken in the detail design stage to verify the predictions and determine the optimal wind controls, where necessary. Such a report and its recommendations shall be lodged prior to substructure approval being granted.

### **Conditions from the Department of Environment, Water and Natural Resources**

10. A detailed photographic record of the side wing, yard wall and stables (structures to be demolished) shall be undertaken by a suitably qualified heritage architect and provided to the Department of Environment Water and Natural Resources for their records, prior to works commencing on site. Stonework is to be salvaged for reuse in conservation works to the main hotel building where appropriate.

The heritage listed structures to be demolished shall also be recorded by laser point cloud scanning internally and externally, and the data provided to the Department of Environment, Water and Natural Resources for their records. The laser scan and digital photographic record shall be capable of amalgamation into a 3D photographic model. Prior to photographic and laser recording, all accretions around and abutting the historic structures shall be removed.

*Reason for condition: A suitable archival record of the demolished structures allows for future interpretation and understanding of their contribution to the heritage values of the State heritage place.*

11. Internal refurbishment works, including general repairs, new joinery, colour schemes, services integration, new finishes, repairs to staircases, compliance upgrades, and mural exposure, shall be further detailed and to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to Development Approval being granted for any work to the retained State Heritage place. Works are to be informed by a suitably qualified heritage architect.

*Reason for condition: The detailed design of interior works is yet to be undertaken.*

12. The following proposed works to the Newmarket Hotel facades shall be detailed and documented to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to final Development Approval being granted to any of the proposed works to the Newmarket Hotel:

- façade cleaning methodology, composition of repointing mortar, and stone selection for façade reinstatement;
- proposed colour scheme of painted areas;
- details of interface and junctions of the new development to the southern and eastern walls of the Newmarket Hotel. In particular, the design and construction should minimise intervention into historic fabric and be reversible. Consideration should also be given to pitching the link glazed roof away from heritage building to reduce risk of stormwater damage to heritage fabric; and
- treatment of existing ground floor opening on the western side of the southern façade.

Works shall be informed by a suitably qualified heritage architect.

*Reason for condition: The detailed documentation of conservation works is yet to be prepared.*

13. Details of the proposed podium and entry link shall be documented to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to final Development Approval being granted. Particular consideration should be given to:

- establishing a compatible materials palette with the heritage building (noting replication is not being sought);
- the design and configuration of proposed louvres; and
- detailed studies of key alignments of horizontal features of the heritage building to inform the alignment of key features of the proposed podium.

*Reason for condition: The limited level of detailed design resolution at this planning application phase of the podium, and its materiality, means that several aspects of the design response important to the setting of the heritage place are yet to be resolved.*

14. A desktop site history for the land affected by this application shall be prepared by a suitably qualified archaeologist to determine the potential for site excavations to uncover archaeological artefacts of heritage significance.

In the absence of a desktop site history prepared by a suitably qualified archaeologist finding that the land affected by this application does not contain any potential for archaeological artefacts of heritage significance, a Work Method Statement shall to be submitted to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources outlining measures to monitor excavated material up to nominally 1.5m below ground level. This Work Method Statement should include these excavations being undertaken in the presence of a suitable qualified archaeologist and proceed with appropriate caution to enable the identification and salvage of any material of potential archaeological significance. The Archaeologist is to report to the Department of Environment, Water and Natural Resources on any findings of archaeological significance.

*Reason for condition: With reference to Note (i) below, the Heritage Places Act 1993 carries obligations in relation to archaeological artefacts of State significance.*

15. Prior to the commencement of work on site, detailed demolition drawings shall be prepared and submitted to the Development Assessment Commission for approval, in consultation with the Department of Environment, Water and Natural Resources.

*Reason for condition: The extent of demolition within the Newmarket Hotel is not yet documented for assessment of heritage impact.*

#### **ADVISORY NOTES**

- a. The development must be substantially commenced within 3 years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- b. The authorisation will lapse if not commenced within 3 years of the date of this Notification.
- c. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by the Commission.
- 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 0289).
- g. The applicant is asked to liaise with the Adelaide City Council on additional bicycle parking opportunities in the public realm.

#### **Notes from the Department of Environment, Water and Natural Resources**

- h. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.

- i. To ensure a satisfactory heritage outcome, the Development Assessment Commission is requested to consult the Department of Environment, Water and Natural Resources in finalising any conditions or reserved matters above.
- j. The applicant is advised 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 is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water and Natural Resources.

- k. The applicant is advised of the following requirements of the Aboriginal Heritage Act 1988.
  - (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

### **Notes from Adelaide City Council**

#### Encroachments:

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

#### Stormwater:

- m. The proposed extension to the protuberance in West Terrace will require the installation of a new stormwater inlet pit on the West Terrace kerb at the newly created low point. Therefore the four proposed chequer plate drains along the West Terrace frontage should be combined into a single underground connection into the new inlet pit.
- n. An additional stormwater inlet pit will be required to service the low point created by the proposed protuberance in West Terrace adjacent to the southern boundary of the site. Stormwater discharge from the proposed grated strip drain can be disposed to this inlet pit.
- o. The discharge of stormwater runoff from the adjacent property (open air carpark) across the property boundary and through the property development to West Terrace is not acceptable. While this is a matter between the two property owners to resolve, Council encourages the separation of stormwater disposal for both properties and is confident that a practical solution can be found.

- p. Given that surface flows on the adjacent carpark fall to the north west corner of the property towards the existing easement (for underground electricity services), one such solution to the above matter which would be acceptable to Council, is the creation of an additional easement over the existing easement marked G (RTC 11318356) for the purpose of discharging collected stormwater runoff from the car park property through the easement to West Terrace.
- q. Council encourages the retention and reuse of stormwater runoff from the property for irrigation of landscaped areas, toilet flushing and other appropriate uses.

#### Lighting

- r. The proposed development works will impact on the public lighting within the proximity of the development site. The existing public lighting on North Terrace, Newmarket Street and Rose Street consists of stobie columns with o/h cabling and street lighting mounted to the columns. On Rose Street there are also street lights mounted the façade of the Empire Building that are owned and maintained by Adelaide City Council. The 2 off luminaires for floodlighting of the Empire signage are not owned by Adelaide City Council.
- s. If temporary hoarding or site works require modification of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- t. All modifications requiring temporary removal/relocation/provision of temporary lighting/reinstatement of existing Council and/or SA Power Network's public lighting (including associated infrastructure such as cabling etc) shall meet Councils' requirements. The works shall be carried out to meet Councils' requirements and all costs borne directly by the developer.
- u. All damage to ACC's infrastructure, including damage to public lighting and u/g ducting etc caused by projects works or loading of site crane onto pathways will be repaired to meet Councils requirements and the cost of the developer.
- v. If new canopies are to be constructed as part of these works, then lighting to meet ACC's under veranda requirements shall be installed.

#### Urban Elements

- w. Any urban elements assets created or existing assets affected (requiring relocation, removal or temporary storage) by this development requires the approval of the Asset Manager Urban Elements prior to any works commencing. ACC will provide an invoice for the works and it must be paid prior to any work commencing. Note the assets are the property of ACC and only ACC or its representatives can carry out the work.
- x. Please note that there is a street name plate on the corner of North Tce and West Tce.
- y. Any works that impact on the public street are to be to Adelaide Design Manual standard and consistent with the North Terrace Master Plan and approved by ACC. For example proposed checker plate drains will not be supported and stormwater must connected underground to stormwater system.
- z. The applicant is encouraged to apply the established North Terrace Master Plan paving palette to the exterior spaces to create a coordinated outcome on this important Civic Boulevard.

### 3. NEW APPLICATIONS

#### 3.1 Adelaide City Council

##### **Skycity Adelaide Pty Ltd C/- Masterplan**

DA 020/A084/15

##### **North Terrace, Adelaide**

Proposal: Expansion of the Skycity Casino: comprising the construction of an 11 level building (2 levels below plaza and 9 levels above), with new gaming areas, restaurants / cafes, hotel and associated works

*Peter Dungey declared a conflict of interest and was not present for the hearing of this item.*

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

##### Applicant(s)

- Will Hamilton - SKYCITY Project Director
- Scott Bell SKYCITY - Development Manager
- Simon Tonkin -Masterplan Planning Consultant
- David Forbes -The Buchan Group – Architect
- Paul Harrison - The Buchan Group – Architect
- Paul Kohne -Aurecon – Structure, Civil, Acoustic, Wind, Stormwater, Traffic Engineer

##### Agency

- Margaret Heathcote – Heritage
- Sophie Clealand - ARM
- Di 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 that the Development Assessment Commission is satisfied that the proposal meets the key objectives of the Riverbank Zone and the Entertainment Policy Area with particular reference to development that will contribute to a vibrant mix of land uses around the Festival Plaza and support the regeneration of the existing Festival Plaza (Southern Plaza) and car park
- 3) RESOLVE to grant Development Plan Consent to the proposal by Skycity Adelaide Pty Ltd for the expansion of the Skycity Casino comprising the construction of an 11 level building, with new gaming areas, restaurants / cafes, hotel and associated works at Festival Drive, Adelaide subject to the following reserved matters and conditions of consent.

#### **RESERVED MATTERS**

1. Pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, in consultation with the Government Architect and be to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
  - 1.1 Detailed plans which illustrate the relationship between different canopy elements, particularly in relation to the Adelaide Railway Station.
  - 1.2 Detailed plans which demonstrate the quality of the arrival experience to the railway station and hotel entry relative to the adjacent public spaces,

including material palette, column location and detailing, sheer walls and lighting plan, particularly at concourse level below the plaza.

1.3 Final façade details that demonstrate relative levels of transparency at the ground level as it relates to the overall architectural expression.

2. Pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, in consultation with the Department of Environment, Water and Natural Resources and Government Architect and be to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:

2.1 Details of proposed "screen and gates" to Plaza Level western interface of new development with existing Station Concourse to be further detailed and documented. Particular consideration should be to be given to the following:

- a) the avoidance of direct fixings into the façade of the heritage listed railway station building;
- b) a design that is visually discrete and does not generally limit views to the heritage listed station building.

2.2 Details of atrium glazing and structure are to be further detailed and documented. In particular the following additional detail is to be provided:

- a) colour, transparency and framing of glazing material (including ETFE panels), noting atrium glazing to be contrasting to the glazing system of the 'main' new building;
- b) glass roof drainage system, ensuring historic façade is protected from potential water ingress;
- c) glazing interface details with historic fabric, including fixings;
- d) bridge and balustrade details to atrium interfaces; and
- e) structural systems.

2.3 Details of the extent of works to the platform level façade (including within loading bay). The following desired outcomes should be considered in the provision of further detail:

- a) original external finishes should be retained, preserved, and preferably exposed as part of any works;
- b) chasing of services, new service penetrations or fixings to original render finish should be avoided; and
- c) exposure of original sections of façade within platform level public foyer adjacent concourse.

2.4 Details of proposed works to Barossa Café outdoor dining, and its interface with the existing building on Station Road, are to be further detailed and documented.

## **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 following plans submitted in Development Application No 020/A084/15.

- Planning statement from Masterplan, dated November 2015

- Correspondence from Masterplan dated 13 November 2015, 9 December 2015, 11 December 2015, 8 January 2016
- Design Statement by Buchan Group
- Heritage Impact Statement by Dash Architect, Revision C, 10 November 2015
- Traffic Impact Statement by Aurecon (ref 245406), Revision 5, dated 5 November 2015
- Acoustic report by Aurecon (reference 245046), Revision 5, dated 4 November 2015
- Environmental Wind Assessment Aurecon (reference 245046), Revision 4, dated 6 October 2015
- Stormwater report by Aurecon (reference 245046), Revision 3, dated 6 October 2015
- Waste Management Overview by Hospitality Technical Services, dated 14 January 2015
- ESD correspondence from Lucid

Plans by Buchan Group , Drawing number SCA-TBG-ZA-00-DR-ATP

<p>Design Concept</p> <p>ATP - 00007A, Revision 00</p> <p>ATP - 00008, Revision 00</p> <p>ATP - 00009, Revision 00</p> <p>ATP - 00010, Revision 01</p> <p>ATP - 00011, Revision 01</p> <p>ATP - 00011A, Revision 01</p> <p>ATP - 00013, Revision 02</p> <p>ATP - 00014, Revision 02</p> <p>ATP - 00015, Revision 00</p> <p>ATP - 00017, Revision 00</p> <p>ATP - 00018, Revision 00</p> <p>ATP - 00019, Revision 00</p> <p>ATP - 00021, Revision 00</p> <p>ATP - 00022, Revision 00</p> <p>ATP - 00023, Revision 00</p> <p>ATP - 00024, Revision 00</p> <p>ATP - 00027, Revision 00</p> <p>ATP - 00027A, Revision 00</p> <p>ATP - 00028, Revision 00</p> <p>ATP - 00029, Revision 00</p> <p>ATP - 00030, Revision 00</p> <p>ATP - 00031, Revision 00</p> <p>ATP - 00032, Revision 00</p> <p>ATP - 00033, Revision 00</p> <p>Design Response</p> <p>ATP - 00042, Revision 00</p> <p>ATP - 00042B, Revision 00</p> <p>ATP - 00044, Revision PO1</p> <p>ATP - 00044A, Revision 00</p> <p>ATP - 00044B, Revision 00</p> <p>ATP - 00044C, Revision 02</p> <p>ATP - 00044D, Revision 00</p> <p>ATP - 00045, Revision 00</p>	<p>Design Response Cont.</p> <p>ATP - 00045A, Revision 00</p> <p>ATP - 00045B, Revision 00</p> <p>ATP - 00045C, Revision 00</p> <p>ATP - 00046, Revision 00</p> <p>ATP - 00047, Revision 00</p> <p>Appendix</p> <p>ATP - 00060, Revision 00</p> <p>ATP - 00061, Revision 00</p> <p>ATP - 00062, Revision 00</p> <p>ATP - 00110, Revision PO1</p> <p>ATP - 00111, Revision PO1</p> <p>ATP - 00112</p> <p>ATP - 00113</p> <p>ATP - 00114</p> <p>ATP - 00115</p> <p>ATP - 00116</p> <p>ATP - 00117</p> <p>ATP - 00118</p> <p>ATP - 00119</p> <p>ATP - 00120</p> <p>Perspectives</p> <p>GV127, C01</p> <p>GV127, C02</p> <p>GV127, C03</p> <p>GV127, C04</p> <p>GV127, C05</p> <p>GV128, C01</p> <p>GV128, C02</p> <p>GV128, C03</p> <p>GV128, C02</p> <p>GV128, C04</p> <p>GV128, C05</p> <p>GV128, C06</p>
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2. The applicant shall submit, for approval by the Development Assessment Commission, final details of the lighting strategy to any public areas, prior to final Development Approval for any site works being granted. The lighting shall be designed and operated with crime prevention through urban design methods

in mind in order to maximise pedestrian amenity and safety 24 hours, 7 days a week.

3. External lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards. Such lighting shall be operational during the hours of darkness to the reasonable satisfaction of the Development Assessment Commission.
4. The applicant shall submit for the approval of the Development Assessment Commission, a plan showing the location and 15 bicycles provided for visitors to the site on the concourse level, which shall be located in a safe and convenient location, and be well lit during the hours of darkness, prior to final Development Approval for any super structure works being granted.
5. The acoustic attenuation measures recommended in the Aurecon report dated 4 November 2015, forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission.
6. A noise monitoring survey shall be undertaken, as identified in the Acoustic report by Aurecon dated 4 November 2015, to determine the existing background noise level in the vicinity of the site and the design criteria applicable for music noise impact on the Intercontinental Hotel. Such acoustic measures shall be implemented and made operational prior to the occupation or use of the development.
7. The recommendations within the Stormwater Management Plan, by Aurecon, dated 6 October 2015, shall be undertaken with further investigations to test and validate certain assumptions and conditions within the site..
8. 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:
  - 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. A wind assessment shall be undertaken on the final details of the development (after completion of design development) and a copy provided for the approval of the Development Assessment Commission, to ensure there are no detrimental wind impacts as a result of the development.
10. 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.
11. A Waste Management Plan shall be developed and implemented that details the proposed waste management practices to be adopted for the use and operation of this development. The plan shall cover three phases of the development, namely:
  - resource recovery during demolition;
  - waste minimisation and resource recovery during construction; and
  - resource recovery during occupation or use of the Development including proposed methods of recycling of all recyclable materials.

A copy of this plan shall be provided to the Adelaide City Council and the Development Assessment Commission prior to the commencement of superstructure works.

12. That an appropriate *Soil Erosion and Drainage Management Plan (SEDMP)* (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government") shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website:  
<http://www.epa.sa.gov.au>.

13. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction.

The CEMP 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

For further information relating to what Site Contamination is, refer to the EPA Guideline: 'Site Contamination – what is site contamination?'.

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

14. That all vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the Development Assessment Commission prior to the occupation or use of the development.
15. That all bicycle parks shall be designed and constructed in accordance with the relevant Australian Standards.
16. That all car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
17. All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface and must be maintained in a good condition at all times.
18. That details of any air conditioning or air extraction plant or ducting to be placed on the exterior of the building in association with this development shall be submitted to and approved by the Development Assessment Commission.
19. That the air conditioning or air extraction plant or ducting shall be screened such that no nuisance or loss of amenity is caused to residents and users of

properties in the locality to the reasonable satisfaction of the Development Assessment Commission.

20. Prior to the commencement of construction a dilapidation report (i.e. condition survey) shall be prepared by a qualified engineer to ensure the stability and protection of adjoining buildings, structures and Council assets. A copy of this report shall be provided to the Development Assessment Commission.
21. The development, inclusive of the outdoor dining, at the north-west corner at plaza level, shall be setback a minimum of 15 metres from the building line of the Dunstan Theatre.

### **Heritage**

22. Original window fabric removed to accommodate new open doorways to the northern façade shall be salvaged and reused where later door openings are reverting to windows.

*Reason for condition: The significant fabric of a heritage place should be preserved.*

23. The proposed internal works at the platform concourse level and platform mezzanine level shall be reviewed with the aim of retaining existing fabric, such that the fit-out works are reversible. Particular regard shall be given to retaining the terrazzo stair, terrazzo flooring, marble & tile wall finishes, lightwell windows and the concourse cafeteria skylight. The final extent of proposed demolition of original fabric shall be confirmed and documented to the satisfaction of the Development Assessment Commission in consultation with the Department of Environment Water and Natural Resources.

*Reason for condition: To minimise incremental loss of original fabric, and facilitate the current and future reversible adaptation of the spaces.*

24. The internal works on the second floor of the Adelaide Railway Station building shall be undertaken with no damage to or removal of original fabric.

*Reason for condition: To protect the integrity of original fabric and facilitate the reversibility of sequential fit-out works.*

### **ADVISORY NOTES**

#### **Heritage**

- a) The State Heritage unit of DEWNR advise 'Precinct Wayfinding and Placemaking' as outlined on drawing ATP-00043 does not form part of the approved works. Any approvals for this work will require a separate application.
- b) The applicant is reminded of the following requirements of the *Heritage Places Act 1993*:
  - 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.
  - 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 contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960.

- c) The Applicant is reminded of the following requirements of the *Aboriginal Heritage Act 1988*.
- If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

### **Environmental**

- d) 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.
- e) 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
- f) If, in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment or potential harm to the health or safety of human beings or the environment that is not trivial (taking land use into account), the applicant may need to remediate the site in accordance with EPA guidelines.
- g) If, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to Section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA.
- h) An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- i) A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- j) The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).

The policy also creates offences that can result in on-the spot fines or legal proceedings. The following information is provided to assist with compliance with this legislation:

- i. Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry" (EPA, 1999). Specifically, the applicant must ensure:
- During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways.
  - A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.

- ii. Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
- iii. All building and construction wastewaters are listed pollutants under the *Environment Protection (Water Quality) Policy 2003* and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

- k) EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

### **Waste**

- l) Demolition waste and excavated materials (including soil) shall be appropriately classified, managed and stored for on-site use or transported off-site for re-use and/or disposal in accordance with the Environment Protection Authority (EPA) Guideline: Standard for the production and use of Waste Derived Fill (October 2013).

### **Airports**

- 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.

### **Signs**

- n) That no additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.

### **General**

- o) The development must be substantially commenced within 1 year of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- p) The authorisation will lapse if not commenced within 1 year of the date of this Notification.
- q) The applicant is also advised that any act or work authorised or required by this Notification must be completed within 5 years of the date of the Notification unless this period is extended by the Commission.
- r) The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.

- s) 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.
- t) 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 0289).

4. **ANY OTHER BUSINESS** – Nil.

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 4.26PM.

Confirmed                      22/01/2016



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Simone Fogarty  
PRESIDING MEMBER