



Development Assessment Commission

**Capital City Development Assessment Committee
held on Thursday,. 26 September 2013 commencing at 1.00 PM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford Sue Clearihan, proxy to Dr Michael Llewellyn-Smith AM
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Simon Neldner (Agenda Item 3.1) Jeremy Wood (Agenda Item 3.2)

1.2 APOLOGIES – Damien Brown.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

**3.1 Aspen Group, C/- Studio Nine Architect
DA 020/0016/12A V1
131-137 King William Street, Adelaide**

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

Applicant(s)

- Andrew Vorrasi – Studio Nine
- Tony Zappia – Studio Nine

Agency

- Peter Wells – DEWNR Heritage
- Kirsteen Mackay - ODASA

Council

- Matthew Field

The Committee discussed the application.

RESOLVED

- 1) RESOLVE to DEFER for further consideration.

3.2 **Common Ground Adelaide Ltd**

DA 020/0023/13A

45-47 Mellor Street, Adelaide

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

Applicant(s)

- Simon Tonkin – Masterplan
- Richard Little – Synergy
- Craig Holden – Common Ground
- Fran Bonato - Tectvs

Agency

- Kirsteen Mackay – Government Architect

Council

- Janaki Benson

The Committee 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 No. 020/0023/13A the proposal by Common Ground Adelaide Ltd to construct a 7 level residential flat building containing 52 affordable dwelling units and associated facilities at 45 – 47 Mellor Street, Adelaide, subject to the following reserved matters and conditions:

RESERVED MATTERS

1. 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:
 - 1.1 The provision of a Site History Report to demonstrate that the land is suitable for its intended use. If warranted, further investigation (Phase 2) should be undertaken and remediation works carried out if necessary in accordance with the EPA's endorsement of an Environmental Auditors Report, prior to commencement of the use.

- 1.2 The provision of revised elevations for the northern and southern facades detailing the additional window treatment as per Masterplan's advice of 20 September 2013.

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 020/0023/13A

Plans by TECTVS (unless superseded by approved plans)

- Location Plan 24072 v1.0 - received 9 August 2013
- Site Plan - Dwg No. P01 Rev 1.0 - received 9 August 2013
- Ground Floor Plan - Dwg No. P02 Rev 1.0 - received 9 August 2013
- Levels 1-6 Typical Floor Plan - Dwg No. P03 Rev 1.0 - received 9 August 2013
- Elevations Sheet 1 - Dwg No. P04 Rev 1.0 - received 9 August 2013
- Elevations Sheet 2 - Dwg No. P05 Rev 1.0 - received 9 August 2013
- Sections - Dwg No. P06 Rev 1.0 - received 9 August 2013

Reports/Correspondence

- Development Application Planning Report by Masterplan dated 13 August 2013
 - Design Statement by tectvs dated 12 August 2013
 - Design Elements by tectvs dated 12 August 2013
 - Wind Effects Statement by Vipac dated 14 August 2013
 - Acoustic Report by Resonate – Ref A13068RP1, Rev A, dated 13 August 2013 and Report Addendum dated 23 August 2013 – re Mechanical Plant
 - Letter from Masterplan, additional information dated 26 August 2013
2. The acoustic attenuation measures recommended in the Resonate Report, dated 13 August 2013 and amended 23 August 2013, forming part of this consent shall be fully incorporated into the building rules documentation and such acoustic measures shall be made operational prior to the occupation or use of the Development to the reasonable satisfaction of the Development Assessment Commission.
 3. External materials, surface finishes and colours of the Development shall be consistent with the final details provided to and approved by the Development Assessment Commission.
 4. 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:
 - 4.1 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.
 5. 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

6. Lighting shall be installed in accordance with Council's guideline entitled "Under Verandah/Awning Lighting Guidelines" at all times to the reasonable satisfaction of the Adelaide City Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
- 7 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.
- 8 The connection of any stormwater discharge from the Land to any part of the 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.
- 9 Waste collection by contractors shall not occur before 7.00am on any day.
- 10 The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Adelaide City Council.
- 11 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.
- 12 Council maintained infrastructure that is removed or damaged during construction works (including modifications to existing public lighting) shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
- 13 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 Adelaide City Council and the Development Assessment Commission.
- 14 Final details of waste management practices shall be prepared in consultation with the Adelaide City Council. These details shall include a Waste Management Plan which covers the two phases of the development.

- Waste minimisation and resource recovery during construction; and
- Resource recovery during use (commercial and residential waste recycling facilities).

A copy of this plan shall be provided to the Council and the Development Assessment Commission prior to commencement of construction.

- 15 The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
- 16 All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.

Advisory Notes:

- a) The approval does not include any signage (other than directional), which would need to be the subject of a separate application to the relevant planning authority.
- b) 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.
- c) 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>
- 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) An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted.
- f) It is recommended that 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.
- g) If temporary hoarding or site works require modification of existing Council infrastructure, the works will be carried out to meet Councils requirements and costs borne directly by the developer.
- h) All damage to Adelaide City Council's infrastructure, including damage to public lighting and underground ducting caused by projects works or loading of site crane onto pathways will be repaired to meet Councils requirements and the cost of the developer.
- i) 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
- j) 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.
- k) 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.
- l) You are 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.
- m) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- n) 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).

4. **ANY OTHER BUSINESS**

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 3.30PM.

Confirmed / /2013

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 Ted Byrt
 PRESIDING MEMBER