



Development Assessment Commission

**Inner Metropolitan Development Assessment Committee
held on Thursday, 3 December 2015 commencing at 1.00 PM
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 David O'Loughlin Dennis Mutton
Council Members	NPSP – Jenny Newman ACC – John Hodgson
Secretary	Sara Zuidland
DPTI Staff	Yasmine Alliu (Agenda Item 2.1) Laura Kerber (Agenda Item 3.1)

1.2 APOLOGIES – Nil.

2. DEFERRED APPLICATIONS

2.1 City of Norwood, Payneham & St Peters

Calidore Pty Ltd C/- Masterplan

DA 155/M007/15

236 – 238 The Parade, Norwood

Proposal: The demolition of existing shops to construct a staged mixed use commercial and residential development varying in height to 5 levels above ground level (comprising 55 apartments, 3 retail tenancies and associated car parking) plus minor alterations to the Bath Hotel.

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

Applicant(s)

- Graham Burns
- Andrew Steele
- Tony Zappia
- Warwick Savvas

Agency

- Diana 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

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 following plans submitted in Development Application No 155/M007/15 including:

Drawings by Studio Nine Architects:

Reference	Title	Date	Revision
901-234-SK124	Contextual Imagery	02.11.2015	-
901-234-SK125	Future Development	02.11.2015	-
901-234-SK126	Site analysis + Level G Plan	02.11.2015	-
901-234-SK127	Typical Floor Plans	02.11.2015	B
901-234-SK128	Typical Floor Plans	02.11.2015	B
901-234-SK129	Typical Floor Plans	02.11.2015	B
901-234-SK130	Roof Plan	02.11.2015	B
901-234-SK131	Boundary Set Backs	02.11.2015	-
901-234-SK132	Typical floor Plans	02.11.2015	-
901-234-SK133	Streetscape Elevations	02.11.2015	B
901-234-SK134	Streetscape Elevations	02.11.2015	B
901-234-SK135	Sections	02.11.2015	A
901-234-SK136	3D Views	02.11.2015	B
901-234-SK137	Street Perspectives	02.11.2015	-
901-234-SK138	Built Form	02.11.2015	-
901-234-SK139	Shadow Diagrams	02.11.2015	-
901-234-SK140	Shadow Diagrams	02.11.2015	-
901-234-SK141	Materiality & Precedents	02.11.2015	-
901-234-SK142	Podium & Boundary Details	16.11.2015	A
901-234-SK143	Service Entry Details	23.11.2015	-

Drawings by Aspect Studios

Drawing Nos	Revision
15027-SK01	Revision B
15027-SK02	Revision B
15027SK03	Revision B
15027-SK04	Revision B
15027-SK05	Revision B

15027-SK06	Revision B
15027-SK07	Revision B
15027-SK08	Revision B

Reports / Correspondence:

- Planning Report prepared by MasterPlan SA Pty Ltd dated July 2015
 - Studio Nine Design Statement
 - Environmental Noise Assessment Report prepared by Sonus dated July 2015 S4455C2 except where superseded by letter from Jason Turner dated 2 November 2015
 - Traffic and Parking Assessment Report prepared by Phil Weaver and Associates dated 7 July 2015
 - Preliminary Tree Survey prepared by Arborman Solutions dated 3 July 2015
 - Heritage Report prepared by Stevens Architects Pty Ltd dated 8 July 2015
 - Letter from MasterPlan SA Pty Ltd dated 18 August 2015 – Response to Representations
 - Letter from MasterPlan SA Pty Ltd dated 22 October 2015 - Further response to amendments – plus letter dated 17 November 2015 re amendments
 - Bath Hotel Redevelopment – Greenwall/Roof Management Program prepared by Aspect Studios and letter dated 16 November 2015 to Studio Nine
2. A documented landscaping design that details the following to the satisfaction of the Development Assessment Commission prior to demolition:
 - A. The landscaping infrastructure, species, planting medium, and irrigation system to be employed in all planter boxes and vertical garden elements.
 3. The inclusion of a vertical landscape screen between the roof of the level 1 car park and the top of the southern boundary wall.
 4. The development shall be landscaped, managed and maintained in accordance with the details set out in the *Landscape Concept Report* and *Greenwall/Roof Management Program* prepared by Aspect Studios.
 5. All landscaping shall be established and maintained and nurtured at all times with any diseased or dying plants being replaced to the satisfaction of the Development Assessment Commission.
 6. The recommendations of the Environmental Noise Assessment Report prepared by Sonus dated July 2015 S4455C2 shall be fully carried out and, where applicable, incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.
 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

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

9. The proposed car parking layout and ramps shall be designed and constructed to conform to the *Australian Standard 2890.1:2004 for Off-Street Parking Facilities*; *Australian Standard 2890.6-2009 Parking facilities*.
10. 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.
11. All external lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform with Australian Standards.
12. All vehicles shall enter and exit the site in a forward direction.
13. A Waste Management Plan must be prepared and submitted to the satisfaction of the Development Assessment Commission prior to the occupation of the site which identifies, but not limited to, how waste would be stored, transported and disposed of so as to minimise the potential for environmental harm.
14. The finished floor level of the ground floor of the development shall be the same as the level of the adjacent footpath to enable all access points to match the existing footpath level.
15. A stormwater management plan shall be submitted to the satisfaction of the Development Assessment Commission.
16. 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.
17. A payment of \$252.00 shall be made into the Planning and Development Fund (3 replacement trees @\$84 per tree) within three (3) months from the date of Development Approval being granted.

Note: Cheques to be made payable and marked "Not Negotiable" to the Development Assessment Commission and payment made on the 5th Floor, Roma Mitchell House, 136 North Terrace, Adelaide or sent to GPO Box 1815 Adelaide 5001. Payment may also be made over the phone with Credit Card (Mastercard or Visa) by calling our Customer Service Officer on 7109 7040. All payments must be accompanied by reference to the Development Application number and the reason for the payment.

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.

City of Norwood Payneham and St Peters

- k) Prior to construction, an Application for Authorisation pursuant to Section 221 of the Local Government Act, will need to be lodged and approved by the Council for any encroachments.

3. NEW APPLICATIONS

3.1 City of Adelaide

Urbanest Pty Ltd C/- Masterplan

DA 020/A085/15

228-231 North Terrace, Adelaide

Proposal: Demolition of two existing buildings and construction of a 21 storey student accommodation with ground floor retail tenancies

Chris Branford was not present for the hearing of this item.

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

Applicant(s)

- Jeremy Baker – Urbanest, Regional Director, Development (Applicant)
- Matt Carolan – Urbanest, Executive Director, Development (Applicant)
- Bub Nickel – Urbanest – CEO (Applicant)
- Simon Joseph – Urbanest, Assistant Development Manager (Applicant)
- Anthony Vavayis – AVA – Principal (Architect)
- David Cullen – AVA - Architect (Architect)
- Greg Vincent – MasterPlan (Consultant Planner)
- Fabian Barone - MasterPlan (Consultant Planner)
- Sam Adams – GTA (Traffic Engineer)
- Douglas Alexander – FlightPath (Heritage Consultant)

Agency

- Nick Tridente - 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 Urbanest Pty Ltd for the demolition of two existing buildings and construction of a 21 storey student accommodation with ground floor retail tenancies at 228-231 North Terrace, Adelaide subject to the following conditions of consent.

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/A085/15.

Plans by Anthony Vavayis & Associates:

DA0000C - Cover Sheet - Nov 2015

DA0001C - Locality Plan - Nov 2015

DA0100A - Existing/Demolition Plan - Nov 2015

DA0200A - Site Context Photos and Streetscape - Nov 2015

DA0500A - Micro Context Plan - Nov 2015

DA1000C - Ground Level and Mezzanine Floor Plan - Nov 2015

DA1001B - Level 1 and Level 2 Floor Plan - Nov 2015

DA1002C - Typical Level 2-17 Floor Plan and Exploded Axonometric Floor - Nov 2015

DA1003B - Typical Room Layout and Internal Images - Nov 2015
DA1004A - Level 18 and Roof Terrace Floor Plan - Nov 2015
DA1005A - Roof Level Plan - Nov 2015
DA2000C - Section and Axonometric Sectional View - Nov 2015
DA3000C - North and West Elevations - Nov 2015
DA3001C - South and East Elevations - Nov 2015
DA4000A - Indicative Construction Details - Nov 2015
DA6000A - Shadows June 21 - Nov 2015
DA6001A - Shadows December 22 - Nov 2015
DA7000C - North Terrace Streetscape Elevation and Perspective Views - Nov 2015
DA7001B - Austin Street Streetscape and Perspective Views - Nov 2015
DA7002B - CGI Views 1 - Nov 2015
DA7003A - CGI Views 2 - Nov 2015
DA7004A - CGI Views 3 - Nov 2015
DA7500A - Materials and Finishes Palette - Nov 2015
DA8000B - Signage - Nov 2015

Reports:

Masterplan - Planning Report – 13 November 2015
Urbanest - Operational and Security Management Plan and Student House Rules
Flightpath - Heritage Impact Assessment – 13 November 2015
GTA Consultants - Traffic Impact Assessment – 10 November 2015
Rawtec - Waste Management Plan – 11 November 2015
MLEI - Stormwater Management Plan – 9 November 2015
BESTEC - Acoustic Report – 9 November 2015
BESTEC - Infrastructure Report – 6 November 2015
GTWS -Desktop Pedestrian Level Wind Report – 5 November 2015

Other:

Letter from Greg Vincent, Masterplan, to Laura Kerber, DPTI, dated 19 November 2015 – further information
Email from Greg Vincent, Masterplan, to Laura Kerber, DPTI, dated 24 November 2015 – further information (Austin Street swept path diagram)
Wilde and Woollard - DA Cost Estimate - 13 November 2015

2. The applicant shall submit final details regarding the internal arcade design including design elements to minimise the wind tunnel effect to the satisfaction of the Development Assessment Commission prior to commencement of substructure works.
3. 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.
4. 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 Development Assessment Commission.
5. All external lighting of the site shall be designed, located, shielded and constructed to conform with Australian Standards.
6. The entrances to the building, including the Austin Street bike store entrance, shall be well lit to provide safe entrances to the building.
7. 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 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.
9. 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.

10. 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) in or adjacent to a Residential Zone or the Park Lands Zone when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
11. Collection of waste and servicing of the site shall only occur between 7am and 10pm Monday to Saturday and 9am and 10pm Sunday and Public Holidays.
12. The acoustic attenuation measures recommended in the BESTEC Acoustic Services Report dated 9 November 2015, forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.
13. The waste management practices recommended in the Rawtec Waste Management Plan report dated November 2015, forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission.

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. 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, (telephone number 8204 0289).

Environmental

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

Construction

- h. The applicant should 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.
- i. 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.
- j. If required an Encroachment Permit will need to 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:
 - 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.
- k. 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.
- l. The proponent may need to obtain approval under the regulations for any equipment or cranes to be used on site that will intrude into prescribed airspace before entering into a commitment to construct any building at the site.

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 2.25PM.

Confirmed / /2015

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Simone Fogarty
PRESIDING MEMBER