



Development Assessment Commission

**Inner Metropolitan Development Assessment Committee
held on Thursday, 17 December 2015 commencing at 9.00 AM
28 Leigh Street, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Sue Crafter David O'Loughlin
Council Members	NPSP – Jenny Newman ACC – John Hodgson
Secretary	Sara Zuidland
DPTI Staff	Jason Bailey (Agenda Item 3.1) Ben Scholes (Agenda Item 3.2) Connie Parisi (Agenda Item 3.3)

1.2 APOLOGIES – Dennis Mutton

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

3.1 City of Norwood, Payneham & St Peters

Flagship Capital Holdings C/- Intro Design P/L

DA 155/M005/15

2-6 North Terrace, Kent Town

Proposal: Mixed use development comprising retail, residential, car parking and ancillary works; temporary sales office and display suite and associated advertising; alterations to existing hotel car park

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

Applicant(s)

- Steve Wise
- Damien Ellis
- Peter Miglis

Agency

- ODASA – Philippe Mortier
- ODASA – Nick Tridente

Representor

- Peter Castley
- George Manos *for Diota P/L*

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 Urban Corridor Zone and the associated Boulevard Policy Area.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Flagship Capital Holdings for a mixed use development comprising retail, residential, car parking and ancillary works; temporary sales office and display suite and associated advertising; alterations to existing hotel car park at 2-6 North Terrace, Kent Town 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, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:
 - 1.1 external glazing, screens and balustrades (more particularly, replacement of faceted façade elements with curved elements)
 - 1.2 the layout of the ground level incorporating increased activation of the publicly accessible space between the Royal Hotel and the mixed use building.

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 155/M005/15 including:

Plans and drawings prepared by Woods Bagot dated 25 September 2015 including:

- SK1001: SITE PLAN - PROPOSED
- SK1002: SITE PLAN - EXISTING
- SK1202: FLOOR PLAN (TP) – GROUND
- SK1203: FLOOR PLAN (TP) – LEVEL 01

SK1204: FLOOR PLAN (TP) – LEVEL 02
SK1205: FLOOR PLAN (TP) – LEVEL 03
SK1206: FLOOR PLAN (TP) – TYPICAL LEVELS 04-10
SK1207: FLOOR PLAN (TP) – LEVEL 11
SK1208: FLOOR PLAN (TP) – LEVEL 12
SK1209: FLOOR PLAN (TP) – ROOF PLAN & PLANT
SK3001: ELEVATION (TP) – NORTH
SK3002: ELEVATION (TP) – SOUTH
SK3003: ELEVATION (TP) – EAST
SK3004: ELEVATION (TP) – WEST
SK3101: SECTION (TP) A – A
SK3102: SECTION (TP) B – B
SK4001: FAÇADE DETAILS (TP)
SK4002: FAÇADE DETAILS (TP)
SK6001: DEVELOPMENT SUMMARY
SK7001: SHADOW ANALYSIS – JUNE 22 & SEPT 22 9AM-3PM
SK8001: MATERIAL BOARD

Display suite plans and drawings prepared by Woods Bagot dated 8 September 2015 including:

A1001: DEMOLITION PLAN
A1002: LOCATION PLAN (dated 8 October 2015)
A2201: FLOOR PLAN
A2202: ROOF PLAN
A3202: ELEVATIONS – HOARDING
A3203: SECTION A

Level 3 Landscape Plan prepared by Tract dated 22 July 2015 (drawing number 0315-0159-00 WD-002)

Reports / Correspondence:

Planning Statement – Intro (November 2015)
Development Proposal (Design Statement) – Woods Bagot (September 2015)
Heritage Impact Statement – Hosking Willis (May 2015)
Transport Impact Statements – GTA Consultants (23 September 2015)
Waste Management Plan – Rawtec (September 2015)
Acoustic Assessment – AECOM (16 September 2015)
Wind Effect Statement – VIPAC (23 April 2015)
Sustainability Statement – AECOM (25 September 2015)
Response to representations dated 12 November 2015 comprising:
 letter from GTA Consultants dated 9 November 2015
 the following drawings by Woods Bagot:
SK0159: SKETCH – PLANNING DESIGN RESPONSE – ELEVATION (6 November 2015)
SK0159: SKETCH - PLANNING DESIGN RESPONSE – PLANS (11 November 2015)
SK0159: SKETCH – PLANNING DESIGN RESPONSE – SECTIONS (6 November 2015)
Response to DPTI and Council Comments Regarding Traffic Matters - GTA Consultants (26 November 2015)
Additional information prepared by Woods Bagot received 7 December 2015

2. The applicant shall submit to the satisfaction of the Development Assessment Commission final details of materials, finishes and colours of both the mixed use building and the publicly accessible space to the rear of the Royal Hotel prior to final Development Approval being granted.
3. The applicant shall submit to the satisfaction of the Development Assessment Commission a detailed landscaping plan prior to final Development Approval

being granted. This shall encompass both the communal open space on top of the podium and spaces accessible to the public at ground level.

4. The entirety of the ground level storage area of the mixed use building shall be setback 1.2 metres from the Little King William Street boundary of the subject site.
5. The North Terrace access shall be limited to left turn in and left turn out movements only. A seagull island shall be installed within the access and appropriate signage and line marking shall be provided to reinforce the desired traffic flow.
6. The proposed taxi bay shall be designed and constructed to comply with Austroads Guides and Australian Standards and to the satisfaction of the Department of Planning, Transport and Infrastructure, with all costs borne by the applicant. This includes reimbursing the Department all reasonable costs actually and necessarily incurred by the Department as a consequence of the project, but is not limited to costs of administration, design checks, site inspections, seeking approvals, technical advice, general liaison and construction surveillance. All road works shall be completed prior to the commencement of operation of the development.

Prior to undertaking any detailed design the applicant shall contact the Department , Network Integrity Engineer, Ms Teresa Xavier on telephone (08) 8226 8389 (or email Teresa.Xavier@sa.gov.au) to obtain approval and discuss any technical issues regarding the required works.

As the taxi bay will utilise portion of the existing footpath, sufficient land to provide a suitable DDA compliant footpath shall be vested to road at no cost to DPTI and the City of Norwood, Payneham and St Peters.

7. All vehicles shall enter and exit the site in a forward direction.
8. All service vehicle movements to the site via Little King William Street shall be undertaken between 5am and 7am Mondays to Saturdays and between 8.00am and 10.00am on Sundays and Public Holidays.
9. All car parking and internal manoeuvring areas shall be in accordance with AS/NZS 2890.1:2004 and 2890.6:2009.
10. All commercial vehicle facilities shall be designed in accordance with AS 2890.2-2002.
11. The applicant shall provide a traffic management plan for the construction period of the second stage of the development to the satisfaction of the Development Assessment Commission prior to commencement of construction of the second stage of the development. All construction movements shall be in accordance with the traffic management plan.
12. Materials and finishes shall not result in glare or other effects that will result in the impairment of road users.
13. Signage that is viewable from the adjacent or nearby roads shall not utilise any element of LED/LCD display (the use of LED lighting for the internal illumination of a sign box is permissible).
14. Signage on the site shall not contain any element that flashes, scrolls, moves or changes.
15. Illuminated signage on the site shall be limited to a low level of illumination (<200 cd/m²) so as to minimise distraction to motorists.

16. A detailed stormwater management plan shall be submitted to the satisfaction of the Development Assessment Commission. The 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. Stormwater shall not be discharged on-surface to Dequetteville Terrace or North Terrace and the pre-development flow of the First Creek culvert running beneath the subject site shall be maintained.
17. Any alterations to road drainage required as a result of the development (including for the taxi bay) shall be at the expense of the applicant.
18. The applicant shall engage a suitably qualified environmental expert to undertake an Environmental Site Assessment. A site remediation management plan shall be developed and implemented to eliminate any unreasonable environmental and health risk posed by contaminants on the site. Final advice by the environmental consultant shall be provided to the Development Assessment Commission advising that the land is suitable for its intended use, prior to certificate of occupancy.
19. 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 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

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

ADVISORY NOTES

- a. The development must be substantially commenced within 12 months 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 12 months 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 3 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).

- e. Pursuant to s.34 (2)(d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either the City of Norwood, Payneham and St Peters or by a private certifier. When all relevant consents have been issued, development approval will be granted by the City of Norwood, Payneham and St Peters.
- f. Any changes to the proposal on which this report is based 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 described in the planning documentation.
- g. 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.
- h. 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.
- i. 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*.
- j. The applicant is 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.
- k. Actions that have a significant impact on a matter of national environmental significance are controlled under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act). It is the responsibility of the proponent of any such action to determine, through consultation with Department of Sustainability, Environment, Water, Population and Communities, whether an action is controlled and whether approval under the EPBC Act is required.
- l. The Metropolitan Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the North Terrace and Dequetteville Terrace frontages of the site for future upgrading of the North Terrace / Dequetteville Terrace intersection, together with additional land at the North Terrace / Dequetteville Terrace corner. The consent of the Commissioner of Highways under the Metropolitan Road Widening Plan Act is required for all development located on or within 6.0 metres of the possible requirement.

As the development encroaches within the 4.5 metre wide strip requirement, the applicant will need to apply for consent for these under the Metropolitan Adelaide Road Widening Plan Act. The applicant will need to complete a consent form and return this to the Department of Planning, Transport and Infrastructure with 3 copies of the approved plans and a copy of the Decision Notification Form.

3.2 **City of Adelaide**

Australian Central Point Construction and Development C/- Future Urban Group

DA 020/0008/13A

16-20 Surfle Street Adelaide

Proposal: Variation to Development Application 020/0008/13A involving the construction of one additional building level (9 apartments)

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

Applicant(s)

- Chris Vounasis – Future Urban Group
- Tom Jarrett

Agency

- ODASA – Nick Tridente

Representor

- Stuart Boyd
- John White
- Kveta Jackson

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 REFUSE Development Plan Consent to Development Application 020/0008/13A (v3) for construction of an additional building level comprising 9 apartments within an approved development at 16-20 Surfle Street, Adelaide for the reasons listed below:
 - The proposal is inconsistent with the intent of Capital City Zone Principal of Development Control 21 which seeks development that manages the interface with the City Living Zone in relation to massing, building proportions and intensity of land uses that would adversely affect residential amenity; and
 - The development is considered likely to further constrain the already limited capacity of Surfle Street with regard to the intensity of pedestrian and vehicular traffic, with consequential impacts on the amenity of the locality.

3.3 **City of Adelaide**

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.

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

Applicant(s)

- Robert Lee
- Jonathon Lee
- Michael Hegarty

- Tom Williams
- Mark Separovic
- Jason Schultz (via telephone)

Agency

- Nick Tridente - ODASA
- Peter Wells - Heritage

The Commission discussed the application.

RESOLVED

1) RESOLVE to DEFER for further consideration.

Reason: The Commission supports the height, mass and bulk of the proposal in principle, together with the project’s ambition to undertake conservation works to the State Heritage Place. The project team’s positive response to the Pre Lodgement process and Design Review is also to be commended. However, the Commission is of the view that the following are required:

- *redesign of the proposed podium elements*
- *further details of the material palette and expression of the proposed tower elements (including samples and photos of existing installations of the louvres and glazing proposed as well as detailed studies that illustrate concealment of air-conditioner units)*
- *further details of the extent of works to be carried out on the State heritage place*
- *greater alignment of apartment sizes and private open space areas with relevant Development Plan policy*

4. **ANY OTHER BUSINESS** – Nil.

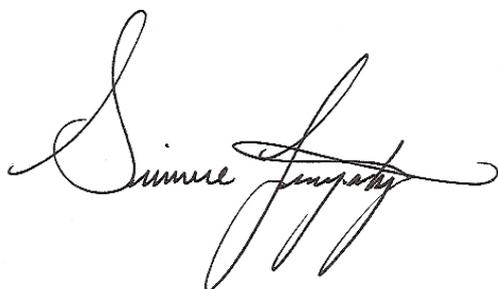
5. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 6.00PM.

Confirmed / /2015



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 Simone Fogarty
 PRESIDING MEMBER