



Development Assessment Commission

**Minutes of the 567th Meeting of the
Development Assessment Commission
held on Thursday, 15 December 2016 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 David O'Loughlin Peter Dungey Dennis Mutton
A/Secretary	Sara Zuidland
DPTI Staff	Malcolm Govett (Agenda Item 2.1.1) Brett Miller (Agenda Item 2.1.1) Simon Neldner (Agenda Item 2.2.1 and 6.1) Jason Bailey (Agenda Item 3.1.1, 3.2.1, 3.2.2, 3.2.3) Ben Scholes (Agenda Item 3.2.1 and 3.2.3) Tom Victory (Agenda Item 3.2.1 and 3.2.3) Lauren Moore (Agenda Item 3.2.2) Chris Kwong (Agenda Item 2.2.1 and 3.1.1) Sally Smith (Agenda Item 2.2.1 and 3.1.1)

1.2. **COUNCIL REPRESENTATIVES** – Ruan Perera (Agenda Item 3.1.1 and 3.2.1), Colleen Dunn (Agenda Item 3.2.2), Jenny Newman (Agenda Item 110/M006/16)

1.3. **APOLOGIES** – Sue Crafter, David O'Loughlin (Agenda Items 2.1.1, 3.1.1), Chris Branford (Agenda Items 3.2.1, 3.2.2, 3.2.3), Helen Dyer (Agenda Items 3.1.1, 3.2.1, 3.2.2, 3.2.3).

2. DAC APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.1.1. City of Norwood, Payneham and St Peters C/- URPS

155/L010/16

Norwood Oval - 4 Woods Street, Norwood

City of Norwood, Payneham & St Peters

Proposal: Redevelopment of Norwood Oval – demolition of Boulderstone Stand and construction of new building.

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

Applicant

- Marcus Rolfe (URPS)
- James Fantasia (Norwood Football Club)
- Nick Tridente (Tridente Architects)
- Paul Simons (Tonkin)

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 objective of the Recreation Zone.
- 3) RESOLVE to grant Development Plan Consent to Development Application 155/L010/16 by the City of Norwood Payneham and St Peters for the redevelopment work at Norwood Oval involving demolition and alterations to the Boulderstone Stand, the Western Stand, and the Sir E T Smith Stand at 4 Woods Street, Norwood, 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. 155/L010/16.

Plans – Tridente Architects

Drawing Number	Drawing Title	Date	Rev
1605.B00.CD0001	Existing Context and Development Extent	2 August 2016	I
1605.B00.CD0002	Views	2 August 2016	I
1605.B00.CD0003	Views	2 August 2016	I
1605.B00.CD0202	Demolition Extent	2 August 2016	I
1605.B00.CD0301	Site Plan	2 August 2016	I
1605.B01.CD0501	Ground Floor Plan	2 August 2016	I
1605.B01.CD0502	First Floor Plan	2 August 2016	I
1605.B01.CD0701	Roof Plan & Overlay	2 August 2016	I
1605.B01.CD0801	Elevations & Sections	2 August 2016	I

Reports / Correspondence

- Planning Statement (2016-0068), prepared by URPS, dated 5 August 2016.
- Norwood Oval Car Park – Parking Surveys, prepared by Tonkin Consulting, dated 30 March 2016.
- Development Assessment Report, prepared by BBArchitects, dated 1 June 2016.

- Environmental Noise Assessment, prepared by Sonus, dated October 2016.
 - Letter to Department of Planning, Transport and Infrastructure, by URPS, dated 1 December 2016.
 - Letter to City of Norwood Payneham and St Peters, by Norwood Football Club, dated 17 November 2016.
2. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths, etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
 3. 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.
 4. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the Development Assessment Commission.
 5. Landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
 6. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
 7. All waste and rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
 8. 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.
 9. 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.
 10. Pedestrian access to the first floor level function room facility shall be available only from the main access way through the Sir E T Smith Stand. The only exception to this requirement shall be where a mobility impaired person will need to use the lift located adjacent to the Woods Street frontage in order to gain access to the function room.
 11. After 10.00pm the windows within the first floor level function room facility and the external and internal doors leading into the function room shall be closed in order to minimise disturbance.
 12. After 10.00pm, where amplified sound or music is used within the first floor function room facility, the windows within the function room and the external and internal doors leading into the function room shall be closed, and all speakers associated with the function room shall be located inside the room in order to minimise disturbance.

13. For evening events where amplified sound or music is used within the first floor level function room facility, the noise level shall not exceed 85dB(A) in order to minimise disturbance.
14. 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. noise
- c. sediment control and the pollution of the stormwater system
- d. traffic management in terms of the parking of vehicles owned by the workers on the building site and the movement of heavy vehicles involved with demolition works and construction activity
- e. occupational health and safety

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.

15. That the hours of operation of the premises shall be restricted to the following times:
 - Monday – Thursday: 7.00am to 11.00pm
 - Friday - Saturday: 7.00am to 12.00am (the following day)
 - Sunday: 7.00am to 10.00pm

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.
- 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 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.
- h. The applicant is reminded 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.
- i. The applicant is reminded that mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties in accordance with the relevant noise protection policy.

2.2. NEW APPLICATIONS

2.2.1 DPTI

020/L055/16 and 252/V027/16

War Memorial Drive North Adelaide and Park Terrace, Bowden

Adelaide City Council and Charles Sturt Council

Proposal: Torrens Rail Junction Project

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

Applicant

- Andrew McKeegan (CDO, DPTI)
- Michael Davis (AECOM)
- Adam Hannon (Cox Architecture)
- Lachlan Roberts (DPTI Project Delivery)
- Ana Glavinic (DPTI – Infrastructure)
- Spiros Tsakonas (Laing O'Rourke)

Agencies

- Alicia Davidge (Renewal SA)
- Michael Queale (State Heritage Unit)
- Kirsteen Mackay (Government Architect)
- Nick Tridente (Associate Government Architect)

Council

- Jared Barnes (ACC)
- Nick Pontikinas (ACC)

The Commission discussed the application.

RESOLVED

DA 020/L055/16

- 1) RESOLVE that the proposed development (DA 020/L055/16) is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE that the Development Assessment Commission is satisfied that the proposal generally meets the key objectives of the Park Lands Zone within the Adelaide (City) Development Plan for the installation of public infrastructure in association with a grade separated railway and associated facilities.

- 3) RESOLVE that the final piling approach for the Park Terrace Bridge be amended to reflect the proposed single span bridge structure.
- 4) RESOLVE that further investigations are undertaken by the DPTI Project Team (in consultation with Council and Renewal SA) to determine the appropriate alignment of pedestrian paths across the rail corridor (and the locality more generally) so that they achieve good connectivity and wayfinding between North Adelaide, the recreational facilities of Bonython Park, the Biomedical Precinct, and commercial and residential development to the west of Park Terrace and Port Road (with particular consideration to the anticipated future land use and growth of these areas).
- 5) RESOLVE to delegate to the General Manager – Planning and Development the power to grant Development Plan consent for the development components of the Torrens Rail Junction Project (DA 020/L055/16) within the Adelaide Parklands (and adjoining roads) at War Memorial Drive, North Adelaide and Park Terrace, Bowden, in accordance with the following reserved matters, conditions and advisory notes:

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 (and in accordance with the staging requirements as outlined in the email from AECOM dated 12 December 2016) for the following elements of the development:

Stage 3

- (a) The final alignment of the Bonython Park shared use pedestrian / bicycle overpass structures (comprising the Park Terrace, Bonython Park and Junction pedestrian crossings);

Stage 5

- (b) The superstructure of the Bonython Park shared use pedestrian / bicycle overpass structures (comprising the Park Terrace and Bonython Park);

Stage 8

- (c) The urban design elements of the Bonython Park shared use pedestrian / bicycle overpass structures (comprising the Park Terrace and Bonython Park pedestrian crossings);

Stage 9

- (d) Hard and soft landscaping within Bonython Park (relating to reinstatement works from construction activities, compensatory plantings for the removal of regulated or significant trees and additional screen and amenity plantings). This plan must incorporate (where applicable) -
 - i. species schedule
 - ii. planting locations (including replacement plantings)
 - iii. irrigation systems
 - iv. street furniture
 - v. pedestrian and cycle paths
 - vi. wayfinding
 - vii. public lighting.
 - viii. fencing

Stage 9

- (e) Final specification of *new* shared use paths to provide enhanced connectivity within and to the Adelaide Park Lands, North Adelaide and the Bowden precinct.

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 accordance with the details and plans submitted in Development Application No 020/L055/16:

Plans:

- Torrens Rail Junction – Temporary Works – SK-001 Amended 8.12.16
- Outer Harbour Line – Precinct Masterplan 1:2000 Ref TJR-ACK-DG-P-900-10-00002 Rev C dated 6.12.16
- Outer Harbour Line – TRJ Grade Separation – Roll Plot Plan – Option 1 – Ref TRJ-ACK-DG-D-315-10-04003 dated 30.11.16
- Park Lands Precinct Landscape Plan - Ref – TRJ-ACK-DG-C-920-10-00001 dated 6.12.16 Ref D dated 12.12.16
- Park Lands Precinct Landscape Sections - Ref – TRJ-ACK-DG-C-920-10-00002 dated 3.11.16
- Park Lands Pedestrian Bridge – General Arrangement - Ref – TRJ-ACK-DG-F-410-10-05001
- Torrens River – Typical Sections Ref – TRJ-ACK-DG-D-315-10-10-03001 RevA dated 3.11.16
- Typical Cross Section - Ref – TRJ-ACK-DG-D-315-10-03006 RevA dated 3.11.16
- Torrens Junction Bridge – Section - Ref – TRJ-ACK-DG-B-410-10-02002 RevA dated 3.11.16
- Bowden Masterplan 1:750 - Ref – TRJ-ACK-DG-H-490-10-00001 RevB dated 6.12.16
- Tree Works - Civil General Arrangement - Ref – TRJ-ACK-DG-P-310-10-00001 to 00010 (10 Sheets – Rev B) dated 7.12.16
- Torrens Rail Junction Grade Separation – Plan and Profile - TRJ-ACK-DG-D-315-10-00010 dated 3.11.16
- Park Terrace Bridge – General Arrangement – Ref TRJ-ACK-DG-E-410-10-03001 (sheets 1-4)
- Licence to Occupy / Concept Access Tracks.

Documents

- Development Assessment Reports prepared by AECOM dated Oct 16
- Plans and specifications prepared by DPTI, AECOM, KBR and Cox.
- Treevolution Report - Torrens Junction Upgrade Project - dated 5 Dec 15
- DASH Architects - Torrens Rail Junction - State and Local Heritage Assessment DA 153199 - Revision 18.12.15
- DASH Architects - National Heritage Impact Assessment - DA153199 Rev A dated 9.12.15
- DASH Architects - Bowden Railway Station - Condition Survey and Heritage Risk Assessment - DA153199: Revision - Final Report 19.11.2015.
- EBS Heritage - Torrens Junction Cultural Heritage Desktop Assessment - Version 1 Rev 2 dated 23 June 2016
- Resonate Acoustics - Torrens Rail Junction: Reference Design Operational Vibration - dated 30 September 2015 Ref A15419RP3 Rev O
- Resonate Acoustics - Torrens Rail Junction: Construction Noise and Vibration Management Framework - dated 1 September 2015 Ref A15419RP1 Rev A
- Letter from Michael Davis (AECOM) to DAC dated 1 December 2016
- Response to Agency and Council Submissions dated 1 December 2016
- Letter from Michael Davis (AECOM) to DAC dated 8 December 2016.
- Project Green – Tree Report – 7 December 2016 Ref S14773
- Email from Michael Davis (AECOM) to DPTI dated 12 December 2016 (staging)
- Project Green – Tree Report – 12 December 2016 Ref S14773(b)
- Letter from Michael Davis (AECOM) to DAC dated 13 December 2016.

2. The following information shall be submitted for the further assessment and approval by the Development Assessment Commission (in consultation with the Adelaide City Council) prior to the commencement of construction works in accordance with the approved staging plan (refer to email from AECOM to DPTI dated 12 December 2016):

- (a) Construction and Environmental Management Plan (CEMP). The CEMP must incorporate measures and actions to address (but not be limited to) the following issues:
- Air quality, including odour and dust;
 - Vibration impacts - including the adoption of appropriate construction methodologies, monitoring and mitigation strategies for the protection and conservation of service infrastructure and built development, including state and local heritage places;
 - Surface water including erosion and sediment control;
 - Soils, including management of contaminated soil, stockpile management, fill importation and prevention of soil contamination;
 - Installation of erosion control measures for the construction phase;
 - Appropriate location and management of stockpiles to prevent runoff entering the Council stormwater system;
 - Appropriate management of sediment related to vehicle drag out;
 - Identification of tree protection zones and the strategies to be implemented to protect those regulated and significant trees to be retained.
 - Groundwater, including prevention of groundwater contamination.
 - Site security and public safety.
 - Use of temporary lighting (and the minimisation of light overspill).
 - Hours of operation - including night work protocols.
 - Control and eradication of environmental / declared weed species.
 - Establishment of temporary fencing
 - Landowner/resident communication and complaints management.
 - Waste minimisation and recovery.
 - Site servicing arrangements.
- (b) Traffic Management Plan (TMP). The TMP must incorporate measures and actions to address (but not be limited to) the following issues:
- haulage routes (including vehicles size and trip numbers), closures and temporary restrictions proposed during construction works;
 - signage and wayfinding information to alert road users of any change to local access and traffic conditions;
 - implementation of appropriate measures to minimise impacts and disruption to surrounding residents and business owners during the construction phase of the development
 - location, operation and management of temporary carparking areas for staff and/or workers during construction;
 - temporary arrangements for pedestrians and cyclists (with the closure and or re-routing of existing off-road paths during construction).
 - a communications strategy will also need to be prepared to ensure that local residents are informed of changes to traffic conditions in a timely manner.

The Traffic Management Plan shall be developed in consultation with DPTI Traffic Operations. All traffic movements associated with the project shall be in accordance with this plan.

- (c) Stormwater Management Plan (SMP) The SMP must incorporate measures and actions to address (but not be limited to) the following issues:
- how stormwater will be managed and water quality maintained during the construction and operation of the development.
 - further investigation and adoption of Water Sensitive Urban Design principles (WSUD) within the development.
 - final stormwater design plans (including, but not limited to, stormwater calculations to demonstrate that post-development flows do not exceed pre-development flows and how the development will be integrated with existing private utility, state and/or local government infrastructure and the maintenance of water quality to discharge points to inland waters).
3. All works shall be undertaken in accordance with the Construction and Environmental Management Plan (CEMP).
 4. 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, public reserve or public road.
 5. All earthworks shall be restricted to only those which are shown on the approved plans as required for building and/or access purposes.
 6. All hard building materials shall be secured and in such a manner so as to prevent any materials entering the stormwater system either by wind or water action during construction works.
 7. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council or state agency specifications. All costs associated with these works shall be met by the proponent.
 8. All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge.
 9. There must be a minimum distance of 20 metres between a watercourse or well and the fuelling site for machinery when used to undertake construction.
 10. That all canopy and root pruning shall be undertaken by a qualified arborist and in accordance with Australian Standard 4373-2007: Pruning of Amenity Trees.
 11. That a qualified arborist shall be present during excavation works affecting significant and regulated trees (to be retained) to determine the extent of existing tree roots in close proximity to impact zones, to undertake a visual inspection and initiate remedial works (where necessary) during construction work and to monitor the likely impacts on tree stability and health to ensure any disturbance issues are minimised.
 12. That semi-mature native and/or exotic tree species shall be planted on a 2 for 1 basis to compensate for the removal of each regulated tree and a

3 for 1 basis for each significant tree. The replacement tree planting shall be indicated on the approved landscaping plan and must occur within 3 months of the operational use of the lowered Outer Harbor Railway line.

13. That the critical root zones of regulated and significant trees to be retained shall be fenced and protected to prevent accidental damage and to ensure material stockpiling or vehicle movements do not impact these trees. Additional protection measures that comply with the Australian Standard for Protection of Trees on Development Sites (AS 4970-2009) must be implemented and complied with at all times.
14. All external public and security lighting shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no demonstrable nuisance or loss of amenity is caused to any person beyond the site. *Note: Public areas must be provided with sufficient lighting to ensure the safe and secure movement of people and vehicles in accordance with Australian Standard AS 1158 - Lighting for roads and public spaces and Australian Standard AS 4282 - Control of the obtrusive effects of outdoor lighting.*

State Heritage Unit

15. Construction vibration is to be monitored near the State Heritage Places in line with the recommendations of the Resonate Acoustics *Torrens Rail Junction Construction Noise and Vibration Management Framework Report (A15419RP1, Revision A)* and DASH Architects *Torrens Rail Junction State and Local Heritage Impact Assessment (DA153199 : Revision – : 18.12.15.)*.

Reason for condition: To ensure the integrity of fabric during construction.

Environment Protection Authority

16. Construction activities must not commence until a Dust Management Plan (DMP) has been prepared to the satisfaction of the EPA. The DMP must be developed to the reasonable satisfaction of the Environment Protection Authority and must incorporate, without being limited to, the following matters:
 - air quality controls, outlining dust prevention during earthworks and construction
 - how fill importation and stockpiles would be managed
 - occupational health and safety.
17. Construction activities must not commence until a Construction Noise and Vibration Management Plan has been prepared to the reasonable satisfaction of the Environment Protection Authority and in accordance with the recommendations of Section 4.2 of the Construction Noise and Vibration Management framework.
18. Night works must not commence until a Night Works Management Plan has been prepared to the reasonable satisfaction of the Environment Protection Authority and in accordance with Section 4.3 of the Construction Noise and Vibration Management Framework.
19. Construction activities must not commence until a Surface Water Management Plan (SWMP) has been prepared, in order to minimise the direct and indirect impact of the proposed railway operations on surface water. The SWMP must be prepared to the reasonable satisfaction of the Environment Protection Authority and must:
 1. identify potential impacts to surface water caused by erosion

2. outline the design of drainage infrastructure to be used at the site
3. describe mitigation measures that when implemented would minimise water quality impacts on surface water.

Advisory Notes:

- a. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- b. 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.
- c. 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).
- d. The development must be substantially commenced within twelve months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- e. The applicant also advised that any act or work authorised or required by this Notification must be completed within three (3) years of the date of the Notification unless this period is extended by the Commission.
- f. Any request for an extension of time must be lodged with the Assessment Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.
- g. The applicant and operators are reminded of their general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable 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.
- h. An environmental authorization in the form of a license is required for the construction and operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
- i. A license 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. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>
- k. That excavated materials and stockpiles must be appropriately classified and managed in accordance with the Environment Protection Authority (EPA) Guideline: *Standard for the production and use of Waste Derived Fill (October 2013)*.
- l. There is the potential for archaeological remains being encountered during excavation works. It is recommended that the proponent engage

an archaeologist experienced in indigenous and non-indigenous archaeology for pre-disturbance advice, and for specific advice during the progress of the works if the need arises.

- m. The Adelaide Park Lands are a National Heritage listed place. Actions that may affect the heritage values of the place are managed through the *Environmental Protection and Biodiversity Conservation Act 1999* (Commonwealth). For further information please contact the Commonwealth Department of the Environment and Energy.
- n. The proponent's attention is drawn to the following legislative requirements:

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 State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960.

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

- o. Any changes to the proposal for which development authorisation 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 development authorisation or (b) building certification documentation that incorporates differences from the proposal as documented in the planning application. 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. Any enquiries in relation to this application should be directed to Simon Carter on 8124 4869 or e-mail simon.carter@sa.gov.au
- p. As significant / regulated trees are to be retained, the applicant is advised to consult Australian Standard AS 4970 – 2009 Protection of Trees on Development Sites to ensure the incorporation of protective fencing, mulch and appropriate remedial treatments. Requirements of this standard include:
- The establishment of Tree Protection Zones to restrict activities including the dumping of waste, machine excavation, storage and preparation of chemicals, and physical damage to trees;
 - The erection of protective fencing around a Tree Protection Zone prior to machinery or materials brought onto the site;
 - The use of approved signs to identify the Tree Protection Zone;

- Mulching, watering and weed removal recommendations to maintain the tree protection zone.

Regular monitoring of tree protection measures should be undertaken throughout the development and construction process to ensure that any trees to be retained on the site are carefully managed to ensure their long-term survival and growth.

DA 252/V027/16

- 6) RESOLVE to make a recommendation to the Minister for Planning.

3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

3.1. DEFERRED APPLICATIONS - Nil

3.1.1 Karidis Corporation Ltd

020/M043/16

322-340 King William Street, Adelaide

Adelaide City Council

Proposal: Demolition of existing structures and construction of a mixed use development comprising retail, office and residential uses together with associated car parking and landscaping

Helen Dyer 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

- Peter Karidis
- Brian Hayes
- John McElhinney
- Richard Dwyer
- Greg Maughan
- Romano Mihailovic
- Peter Petrou
- Scott Suter

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 (and Land Division Consent) to the proposal by the Karidis Corporation Ltd for the demolition of existing structures and construction of a mixed use development comprising retail, office and residential uses together with associated car parking and landscaping at 322-340 King William Street, 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, to the satisfaction of

the Development Assessment Commission, prior to the granting of Building Rules Consent for stage 3 of the development (the podium):

- 1.1 Correlation of the northern elevation with the ground floor plan (Drawing No 15128_DAC03)
- 1.2 The means of screening cars and direct headlight glare from view from outside the development, including provision of prototypes for each situation.
- 1.3 The design of the pergola above the level 29 pool to ensure integration of this into overall architectural expression.
- 1.4 The appropriate instrument or instruments to provide necessary rights of access over that part of the site to be added to the George Parade carriageway to provide access to the development.

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 020/M043/16:

Plans:

15128_DAC02	22 August 2016
15128_DAC03	2 December 2016
15128_DAC04	22 August 2016
15128_DAC05	2 December 2016
15128_DAC05A	2 December 2016
15128_DAC05B	2 December 2016
15128_DAC05C	2 December 2016
15128_DAC05D	2 December 2016
15128_DAC05E	22 August 2016
15128_DAC05F	22 August 2016
15128_DAC06	22 August 2016
15128_DAC07	22 August 2016
15128_DAC07A	2 December 2016
15128_DAC08	2 December 2016
15128_DAC09	2 December 2016
15128_DAC10	2 December 2016
15128_DAC11	22 August 2016
15128_DAC12	22 August 2016
15128_DAC12A	2 December 2016
15128_DAC12B	22 August 2016
15128_DAC13	22 August 2016
15128_DAC13A	22 August 2016
15128_DAC13B	22 August 2016
15128_DAC13D	22 August 2016
15128_DAC14	2 December 2016
15128_DAC16	2 December 2016
14154_DAC26	2 December 2016

2. Final details of the external materials for each component of the development, including the provision of a detailed materials schedule and samples board, shall be submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for the podium. This will include details of glare suppression measures to be employed.

3. Final details of baffles to be installed at the north-western corner of the podium top to ameliorate potentially adverse wind conditions shall be submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for either the northern or southern tower.
4. Final details of storage lockers shall be provided to the satisfaction of the Development Assessment Commission prior to Building Rules Consent being granted stage 3 (northern tower).
5. Car parking spaces within the development shall be used for purposes ancillary to the residential, retail and commercial activities within the development.

Note: a variation to this Development Plan Consent will be required to enable non-ancillary use of car parking spaces forming part of this development.

6. Final details of devices (such as warning signals and mirrors) to be used to ensure safe movement along George Parade shall be submitted to the satisfaction of the Development Assessment Commission, in consultation with Adelaide City Council, prior to occupation of the podium.
7. Final details of lighting of George Parade shall be submitted to the satisfaction of the Development Assessment Commission, in consultation with Adelaide City Council, prior to occupation of the podium.
8. 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.
9. All bicycle parks shall be designed and constructed in accordance with the relevant Australian Standards.
10. The finished floor level of the ground floor level entry shall match the existing footpath unless otherwise agreed to by the Development Assessment Commission.
11. The recommendations of the report dated July 2016 prepared by Sonus Pty Ltd shall be implemented in full.
12. A detailed assessment of noise likely to be generated by plant and equipment shall be submitted to the satisfaction of the Development Assessment Commission prior to Building Rules Consent for the northern or southern tower.
13. A way-finding signage strategy shall be submitted to the satisfaction the Development Assessment Commission prior to Buildings Rules Consent being granted for the northern tower. This strategy shall be implemented upon occupation of the northern tower.
14. 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.

15. The applicant shall submit to the Development Assessment Commission a definitive statement to demonstrate that the land is suitable for its intended use prior to commencement of construction of the podium. If required by an auditor, the applicant shall prepare a Phase 2 Site Assessment Report, prior to commencement of further works.
16. 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
- 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?'

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

17. The building must not exceed a maximum height of 159.5 metres AHD, inclusive of all lift over-runs, vents, chimneys, aerials, antennas, lightning rods, exhaust flues etc.
18. The building must be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS Part 139). Characteristics for medium intensity lights are stated in subsection 9.4.7 of MOS Part 139.
19. The proponent must ensure the obstacle lighting has a remote monitoring capability, or make a visual observation of the lighting each 24-hour period.
20. The proponent must monitor the obstacle lighting and ensure the obstacle lighting is maintained in a serviceable condition. Any outage is to be reported immediately to Adelaide Airport Limited.
21. The proponent must advise Airservices at least 3 business days prior to the controlled activity commencing by emailing pds.obs@airservicesaustralia.com and quoting “AD-CA-088”.
22. Separate approval must be sought under the Regulations for any cranes required to construction the building. Construction cranes may be required to operate at a height.

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. The authorisation will lapse if the development is not substantially commenced within 3 years of the date of this Notification.
- b. 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.
- c. 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).
- d. 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.
- e. Lead times for removal / relocation of stobie poles and other infrastructure can be significant. It is recommended that application for such works be made to the Adelaide City Council early to avoid delays to construction programming.

3.2. NEW APPLICATIONS – Nil

3.2.1 **Eclipse Capital c/- Planning Chambers**

020/A002/15 V1

11-23 Austin Street, Adelaide

Adelaide City Council

Proposal: Variation to Development Authorisation 020/A002/15 - deletion of basement car parking, inclusion of podium car parking, additional apartments, associated increase in building height and other ancillary amendments.

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

Applicant

- Damian Dawson (Planning Chambers)
- Jeremy Schluter (Elenberg Fraser)
- Anthony Pattinson (Myst Group)
- Marcello Tuteri (M Projects)

Agency

- Nick Tridente (Associate Government Architect)

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 generally accords with the relevant objectives and principles of development control of the Adelaide (City) Council Development Plan; and
- 3) RESOLVE to grant Development Plan Consent to the proposal by Eklispe Capital C/- Planning Chambers for a variation to Development Authorisation O20/A002/15 - deletion of basement car parking, inclusion of podium car parking, additional apartments, associated increase in building height and other ancillary amendments at 11-23 Austin Street, Adelaide subject to the following conditions of consent.

PLANNING CONDITIONS:

General

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 following details and plans submitted in Development Application O20/A002/15 V1:

Plans by Elenberg Fraser (Project Number 13026)

Drawing Title	Drawing No.	Rev.	Date
Site Plan	A001	F	29/09/2016
Site Title	A010	B	16/09/2016
Demolition Plan	A011	B	16/09/2016
Level B01 Plan	A100	K	29/09/2016
Ground Plan	A200	Q	29/09/2016
Level 01 Plan	A201	N	29/09/2016
Level 02-06 Plan (Typical)	A202	M	29/09/2016
Level 07 Plan	A207	G	29/09/2016
Level 08 Plan	A208	L	29/09/2016
Level 09-20 Plan (Typical)	A209	B	29/09/2016
Level 21 Plan	A221	A	29/09/2016
Level 22-29 Plan (Typical)	A222	L	29/09/2016
Level 30-36 Plan (Typical)	A230	M	29/09/2016
Level 37 Plan	A237	J	29/09/2016
Level 38 Plan	A238	E	29/09/2016
Level 39 Rooftop	A239	G	29/09/2016
Roof Plan	A240	D	29/09/2016
North Elevation	A400	H	29/09/2016
South Elevation	A401	G	29/09/2016
East Elevation	A402	D	16/09/2016
West Elevation	A403	C	16/09/2016
North Elevation – Austin Street Detail	A404	E	29/09/2016
Section A-A	A500	L	16/09/2016
Section B-B	A501	J	16/09/2016
Heritage Façade Sections	A521	E	29/09/2016
Arcade Glass Roof – Elemental Details	A600	C	16/09/2016
Elemental Details – Tower Façade	A610	-	16/09/2016
Elemental Detail – Tower Facade	A611	-	16/09/2016
Façade Details 3 of 3	A612	-	16/09/2016
Apartment Type A1.1	MK2501	B	06/09/2016
Apartment Type A1.2	MK2502	B	06/09/2016
Apartment Type A1.3	MK2503	E	25/08/2016
Apartment Type A1.4	MK2504	A	25/08/2016
Apartment Type A1.5	MK2505	A	25/08/2016
Apartment Type B1.1	MK2506	A	25/08/2016
Apartment Type B1.2	MK2507	A	25/08/2016
Apartment Type B2.1	MK2508	A	25/08/2016
Apartment Type B2.2	MK2509	A	25/08/2016
Apartment Type B2.3	MK2510	A	25/08/2016

Apartment Type B2.4	MK2511	A	25/08/2016
Apartment Type B2.5	MK2512	A	25/08/2016
Apartment Type B2.6	MK2513	A	25/08/2016
Apartment Type B2.7	MK2514	A	25/08/2016
Apartment Type B2.8	MK2515	A	25/08/2016
Apartment Type B2.9	MK2516	B	06/09/2016
Apartment Type B2.10	MK2517	B	06/09/2016
Apartment Type C1.1	MK2518	A	25/08/2016
Apartment Type D1.1	MK2519	A	25/08/2016
Apartment Type D1.2	MK2520	A	25/08/2016
Apartment Type B1.1P	MK2521	A	07/09/2016
Apartment Type B2.3P	MK2522	A	06/09/2016

Environmental

2. 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:

- 1) air quality, including odour and dust;
- 2) surface water including erosion and sediment control;
- 3) soils, including fill importation, stockpile management and prevention of soil contamination;
- 4) groundwater, including prevention of groundwater contamination;
- 5) noise
- 6) occupational health and safety

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

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

Stormwater

3. All stormwater design and construction shall be undertaken in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road to the satisfaction of the Development Assessment Commission.

Acoustics

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:
 - 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.

- 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 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.
5. The acoustic attenuation measures recommended in the Acoustic Logic Consultancy Pty Ltd Acoustic Planning Assessment (reference 20160950.1/1609A/R0/ET dated 16 September 2016) 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.

Lighting

6. External lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to the relevant Australian Standards. Such lighting shall be operational during the hours of darkness to the satisfaction of the Development Assessment Commission.

Vehicle Parking

7. The proposed car parking layout 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 – Off street commercial vehicle facilities*.
8. All bicycle facilities shall be designed and constructed in accordance with the *Cycling Aspects of Austroads Guides (2014)* and AS2890.3-1993.
9. Car parking space numbers 13, 14 and 23 over car parking levels 2 to 7 shall be reserved for use by small vehicles only.
10. A mirror and signage shall be installed at the top of the car park ramps, or other similar suitable measures implemented to facilitate sight lines for vehicles, to the reasonable satisfaction of the Development Assessment Commission prior to occupation of the building.

External Materials

11. Prior to commencement of superstructure works, the applicant shall submit a final detailed schedule of external materials and finishes associated with the residential tower, upgrade of Renaissance Arcade and the adaptation works to Assay House for review in consultation with the Associate Government Architect to the satisfaction of the Development Assessment Commission.

Infrastructure

12. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths, street lighting etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

Waste Management

13. A single waste management contractor / service provider shall be engaged to schedule collection of waste generated by both the residential and commercial land uses (excluding hard waste/E-waste) using the same waste removal vehicle in order to minimise required vehicle movements, in accordance with the Waste Management Plan prepared for the development application by Rawtec Pty Ltd dated 20 September 2016.

Existing Structures

14. Prior to the commencement of demolition works, 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.
15. Prior to Development Approval for superstructure works, the applicant will provide written confirmation from a suitably qualified structural engineer or building surveyor confirming that the area left to support the footings of the retained façade of Assay House are appropriate to ensure its retention in accordance with the plans proposed, to the satisfaction of the Development Assessment Commission.

Wind Impacts

16. The wind mitigation measures recommended in the Windtech Consultants Pty Ltd Pedestrian Wind Environment Statement (reference WD191-01F03(rev1)- WS Report dated 15 September 2016) shall be fully incorporated into the building rules documentation to the satisfaction of the Development Assessment Commission. Such measures shall be made operational prior to the occupation or use of the development.

State Heritage

17. Prior to Development Approval being issued for demolition works, any works to Ruthven Mansions associated with the removal of existing affixed structures are to be detailed and documented for review in consultation with the Department of Environment, Water and Natural Resources to the satisfaction of the Development Assessment Commission. The scope and detail of such works are to be informed by a suitably qualified heritage architect.
18. Prior to Development Approval being issued for demolition works, a dilapidation survey recording the condition of the State heritage place shall be prepared to the satisfaction of Development Assessment Commission. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the place that might be affected by the proposed excavation and construction works.
19. The structural condition of the fabric of the State heritage place shall be monitored during the course of ground works and construction to identify any adverse impacts. Immediate action shall be taken to identify and address any structural distress that becomes evident during the ground works and construction stages.
20. During ground works, the short term vibration levels at the State heritage-listed structure shall be monitored, and shall not exceed the

velocity limits for structural vibration in buildings established for Group 3 structures in the German Standard DIN 4150 Part 3.

21. Prior to Development Approval being issued for superstructure works, the approach to repairing and refinishing the section of the western wall of the State heritage place exposed by the demolition of the adjoining two-storey brick building on Austin Street shall be documented for review in consultation with the Department of Environment, Water and Natural Resources to the satisfaction of the Development Assessment Commission.
22. Prior to Development Approval being issued for superstructure works, final details of the following elements shall be developed and documented for review consultation with the Department of Environment, Water and Natural Resources to the satisfaction of the Development Assessment Commission:
 - a) The proposed relocation of services and installation of new services on the west elevation of Ruthven Mansions (including lighting);
 - b) Floor finishes and details of junctions between the new floor structure and the west elevation of Ruthven Mansions;
 - c) Design and detail of the gas meter enclosure and ramp at the northern end of the atrium and their junctions with the west elevation of Ruthven Mansions; and
 - d) Any other associated or incidental works to the west elevation of Ruthven Mansions.

ADVISORY NOTES:

State Heritage

- a. Approval for proposed building height and construction methodology is required by the Commonwealth Secretary for the Department of Transport and Regional Services in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.
- b. 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.
- c. 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.
- d. 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.
- e. 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

- 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. 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>
- g. 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.

General

- h. 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. 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.
- i. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.

- j. 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 0300).

- k. 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.
- l. 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.

3.2.2 PRD Project Management Pty Ltd c/- Intro Design

211/M014/16

79 Port Road, Thebarton

City of West Torrens

Proposal: Demolition of existing buildings and construction of three (3) mixed use, multi-level buildings comprising residential apartments, offices, hotel accommodation, commercial tenancies and ancillary car parking and landscaping.

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

Applicant

- Damien Ellis (Intro Design)
- Anthony Gatti (Intro Design)
- Mr Sing Tek

Council

- Frank Siow

Agency

- Mark Hryciuk (DPTI Transport)
- Matthew Henderson (DPTI – Transport)
- Peter Wells (DEWNR – Heritage)
- Nick Tridente (Associate Government Architect)

Representor

- Kuba Kabacinski

The Commission discussed the application.

RESOLVED

- 1) That the proposed development is NOT seriously at variance with the relevant policies in the Development Plan.
- 2) That the proposed development generally accords with the relevant objectives and principles of development control of the West Torrens Council Development Plan.
- 3) That the matter be deferred for further consideration of:
 - a. Loading and unloading facilitates, and increasing the capacity thereof.

- b. Stepless waste management journeys.
- c. Proximity of end of trip facilities to the bicycle store.
- d. Improved arrangements for hotel patron drop off and pick up.
- e. Exploration of a suitable response to the concerns that the Safety and Services Division of DPTI have raised in respect of potential impacts on the road network.

The deferral gives the Safety and Services Division of DPTI the opportunity to make an offer to the land owner to acquire any required land.

3.2.3 **8 South Esplanade Pty Ltd c/- Future Urban Group**

110/M006/16

7-8 South Esplanade, Glenelg

City of Holdfast Bay

Proposal: Demolition of non-heritage structures, construction of a 12 storey residential flat building with rooftop garden above level 1, basement and at-grade car parking and restoration works to the southern portion of Seafield Towers.

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

Applicant

- Chris Vounasis (Future Urban Group)
- Milly Nott (Future Urban Group)
- Louis Kanellos (Chasecrowne)
- Paul Froggatt (GTA Consultants)

Agency

- Nick Tridente (Associate Government Architect)

Council

- Alexander Stamatopoulos

Representors

- Judd Stapleton
- Natasha Kay
- Anne & Rod Venn

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 proposed development generally accords with the relevant objectives and principles of development control of the Holdfast Bay Council Development Plan; and
- 3) RESOLVE to grant Development Plan Consent to the proposal by 8 South Esplanade Pty Ltd C/- Future Urban Group for demolition of non-heritage structures, construction of a 12 storey residential flat building with rooftop garden above level 1, basement and at-grade car parking and restoration works to the southern portion of Seafield Towers at 7-8 South Esplanade, Glenelg 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 110/M006/16:

Project Title	Drawing Title	Drawing No	Issue	Print Date
Multi Residential Development	Cover Sheet & Locality Plan	000	B	7 September 2016
Multi Residential Development	Site Plan	001	C	21 November 2016
Multi Residential Development	Basement Car Park 2	100	B	7 September 2016
Multi Residential Development	Basement Car Park 1	101	B	7 September 2016
Multi Residential Development	Ground Floor Plan	102	C	1 November 2016
Multi Residential Development	First Floor Plan	103	C	7 September 2016
Multi Residential Development	Second Floor Plan	104	B	7 September 2016
Multi Residential Development	Third Floor Plan	105	B	7 September 2016
Multi Residential Development	Fourth Floor Plan	106	B	7 September 2016
Multi Residential Development	Fifth Floor Plan	107	C	7 December 2016
Multi Residential Development	Sixth Floor Plan	108	B	7 September 2016
Multi Residential Development	Seventh Floor Plan	109	B	7 September 2016
Multi Residential Development	Eighth Floor Plan	110	B	7 September 2016
Multi Residential Development	Ninth Floor Plan	111	B	7 September 2016
Multi Residential Development	Tenth Floor Plan	112	B	7 September 2016
Multi Residential Development	Eleventh Floor Plan	113	B	7 September 2016
Multi Residential Development	Section	300	B	7 September 2016
Multi Residential Development	Elevations	200	D	7 December 2016
Multi Residential Development	Elevations	201	B	7 September 2016
Multi Residential Development	Heritage Relationship	400	B	7 September 2016
Multi Residential Development	Heritage Relationship	401	B	7 September 2016
Multi Residential Development	Heritage Relationship	402	B	7 September 2016
Multi Residential Development	Perspectives	403	B	7 September 2016
Multi Residential Development	Perspectives	404	B	7 September 2016
Multi Residential Development	Perspectives	405	B	7 September 2016
Multi Residential Development	Shadow Diagrams	406	A	7 September 2016
Seafield Tower Upgrade	Cover Sheet & Locality Plan	000	C	27 October 2016
Seafield Tower Upgrade	Ground Floor Demolition Plan	100	B	27 October 2016

Seafield Tower Upgrade	First Floor Demolition Plan	101	B	27 October 2016
Seafield Tower Upgrade	Ground Floor Proposed Plan	102	B	27 October 2016
Seafield Tower Upgrade	First Floor Proposed Plan	103	B	27 October 2016
Seafield Tower Upgrade	Reflected Ceiling Plans	200	A	27 October 2016
Seafield Tower Upgrade	Existing Elevations	300	B	27 October 2016
Seafield Tower Upgrade	Existing Elevations	301	B	27 October 2016
Seafield Tower Upgrade	Elevations Proposed	302	B	27 October 2016
Seafield Tower Upgrade	Proposed Elevations	303	C	27 October 2016

2. South facing windows between level 1 and 5, excluding hallway windows, shall be fitted with fixed, obscure glass to a minimum height of 1.7 metres above finished floor level.

State Heritage

3. Prior to Development Approval, the final design resolution of the angled columns within the public realm between Seafield Tower and the multi-residential development is to be provided in consultation with the State Heritage Unit of the Department of Environment Water and Natural Resources (DEWNR) to the satisfaction of the Development Assessment Commission. Particular consideration should be given to maintaining the slenderness and general configuration as presented in the planning application.
4. Prior to Development Approval, a Heritage Management Plan and Construction Vibration Management Plan shall be prepared for the project in consultation with the State Heritage Unit of DEWNR to the satisfaction of the Development Assessment Commission. The Heritage Management Plan shall be informed by a suitably qualified heritage architect, and shall clearly identify:
 - a) what parts of the place are important and why;
 - b) potential risks to the place arising from the works, including those arising from the construction process (footing support, vibration, accidental damage);
 - c) mitigation measures employed to avoid identified risks;
 - d) identification of persons responsible for managing and reviewing ongoing risks; and
 - e) contractor inductions (refer to attached DEWNR Site Induction Notes for State Heritage Places).

The Construction Vibration Management Plan shall be prepared by a suitably qualified engineer and shall set clear limits of vibration adjacent to the heritage building so as to avoid potential damage to the place.

5. Prior to Development Approval, detailed documentation of all internal and external conservation, restoration and reconstruction works to the Seafield Tower State heritage place (including outbuildings, fences and boundary walls) shall be provided in consultation with the State Heritage Unit of DEWNR to the satisfaction of the Development Assessment Commission.

The detailed documentation shall have regard to the DASH Architects *Heritage Impact Assessment* and shall include (without being limited to) the following issues:

- a) Retention and conservation of original fabric to southern portico;
 - b) Audit of existing door and window hardware;
 - c) Front (western) fence;
 - d) Balcony reinstatement and façade conservation works;
 - e) Repair and upgrade of the southern portico steps and landing;
 - f) Roofing, guttering and rainwater goods;
 - g) External conservation works not covered under other items, including paint colours;
 - h) Reinstatement works including reconstruction of the entrance joinery to the southern portico; and
 - i) Internal conservation works including repairs to original fabric and repainting.
6. Prior to Development Approval, detailed documentation of all internal and external fit-out and adaptation works to the Seafield Tower State Heritage Place (including outbuildings, fences and boundary walls) shall be provided in consultation with the State Heritage Unit of DEWNR, to the satisfaction of the Development Assessment Commission.

The detailed documentation shall have regard to the DASH Architects *Heritage Impact Assessment* and shall include (without being limited to) the following issues:

- a) Basement stair enclosure;
- b) First floor stair between the lower rear level and the higher front level, with the aim of maximum retention of original fabric;
- c) Salvage and re-use of original internal doors, windows and architraves;
- d) New services;
- e) Window protective measures;
- f) Floor level changes within the outbuilding;
- g) Internal alterations including changes to original openings and joinery; and
- h) Internal fitout works including partitions, bathrooms and kitchens.

Fit-out and adaptation works shall be conceived and detailed for ease of reversal in the future with minimal residual impact on the original fabric of the place.

7. Prior to Development Approval, the public realm works adjacent to the Seafield Tower State Heritage Place shall be detailed to avoid moisture-related impacts to the heritage building and its footings (eg from garden beds), in consultation with the State Heritage Unit of DEWNR to the satisfaction of the Development Assessment Commission.
8. Further investigation shall be undertaken into the provenance of the slate terrace to the west of the original entrance portico. Approval for proposed demolition of the slate terrace shall be in consultation with the State Heritage Unit of DEWNR to the satisfaction of the Development Assessment Commission.
9. Where masonry walls of the former stables outbuilding are to be demolished, 300mm nibs shall be retained.

10. The new pedestrian gate to be installed in the reconstructed front fence shall include cast gate posts of a pattern appropriate to the fence panel pattern in consultation with the State Heritage Unit of DEWNR to the satisfaction of the Development Assessment Commission.

External Materials and Appearance

11. Prior to commencement of superstructure works, the applicant shall submit a final detailed schedule of external materials and finishes suitable for a coastal environment for review in consultation with the Associate Government Architect to the reasonable satisfaction of the Development Assessment Commission.
12. Prior to Development Approval the final design resolution of the geometry of the roof and the angular balconies on level 6 and 11 is to be provided in consultation with the Associate Government Architect to the reasonable satisfaction of the Development Assessment Commission.

Wind Impacts

13. The cantilevered canopy at the north elevation shall incorporate a minimum width of two (2) metres from the adjacent wall in proximity to the main entry.
14. Evergreen vegetation with a minimum height of three (3) metres and of an appropriate species shall be planted at the south west corner of the subject land to ameliorate westerly winds approaching the corridor along the southern boundary.
15. Any gate or door constructed at the southern boundary corridor shall be setback a minimum distance of 2 metres from the corridor's western extent.
16. West-facing balustrades (including penthouse apartment balustrades) shall be designed and constructed to enable their overall height to be increased to between 1.2 metres and 1.5 metres via retrofit extension as required to mitigate potential wind impacts.

Access

17. 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.
18. Appropriate shared use signage shall be erected at the eastern and western extents of the proposed east-west thoroughfare.

Acoustics

19. 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 52 dB(A) between 7.00am to 10.00pm and 45 dB(A) between 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.

20. The acoustic attenuation measures recommended in the BESTEC Pty Ltd Acoustic Services Report (reference 55152/7/1 dated 7 April 2016) 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.

Landscaping

21. Landscaping shown on the plans forming part of the application shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

Lighting

22. 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.

Stormwater

23. 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.
24. The design of the stormwater system shall ensure post-development stormwater flows do not exceed pre-development stormwater flows, and that the system can cater for a ten (10) year rainfall event. Detailed stormwater plans and calculations of pre-and post-development stormwater flows shall be submitted for review in consultation with the City of Holdfast Bay to the reasonable satisfaction of the Development Assessment Commission prior to the commencement of substructure works.

Waste Management

25. A final Waste Management Plan shall be developed and implemented detailing the practices to be adopted (through the engagement of a private contractor) for the use and operation of both the proposed residential flat building and the refurbished Seafield Tower tourist accommodation. The plan shall cover three phases of the development, namely:
 - 1) Resource recovery during demolition;
 - 2) Waste minimisation and resource recovery during construction; and
 - 3) 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 Development Assessment Commission for approval prior to the commencement of superstructure works.

Environmental

26. 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:

- 1) Air quality, including odour and dust;
- 2) Surface water including erosion and sediment control;
- 3) Soils, including fill importation, stockpile management and prevention of soil contamination;
- 4) Groundwater, including prevention of groundwater contamination;
- 5) Noise;
- 6) Construction traffic; and
- 7) Occupational health and safety.

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

Infrastructure

27. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths, street lighting etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

ADVISORY NOTES

State Heritage

- a. 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:
 - 1) An application to vary the planning consent; or
 - 2) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- b. If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease immediately and the SA Heritage Council shall be notified.
- c. 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 on (08) 8124 4960 or e-mail DEWNR.StateHeritageDA@sa.gov.au

- d. 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) shall be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Maritime Heritage

- e. There is potential for remains of historic shipwrecks protected under the *South Australian Historic Shipwrecks Act 1981* (the Act) existing in the vicinity of the subject land. Damage, destruction, interference, disposal or removal of a historic shipwreck without a permit is prohibited under Section 13 of the Act.
- f. Any discovery of shipwreck remains should be reported to the Minister administering the *South Australian Historic Shipwrecks Act 1981* in accordance with notification requirements established under Section 17. Further works in relation to such a discovery may require a permit to proceed.
- g. Contravention of either Section 13 or Section 17 of the *South Australian Historic Shipwrecks Act 1981* may attract penalties.

Environmental

- h. 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.
- i. 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
- j. 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.
- k. 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).
- l. 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 applicant is advised to 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.

Local Authority Requirements

- m. Modifications to the adjacent public realm areas, including the proposed reconfiguration of on-street parking to provide a restricted loading area for refuse collection, require the approval of the City of Holdfast Bay and are not part of this planning consent.
- n. Stormwater shall not be disposed over a vehicle crossing place and any connection to the street water table, including remedial works to footpaths, verges or other Council infrastructure will be subject to any necessary Council approvals and will be at the applicant's cost.
- o. The finished level of crossovers at the property boundary shall be a minimum of 75mm above the top of kerb in accordance with AS 2890.1 and the maximum gradient of the driveway shall not be greater than five (5) percent across the footpath, with the invert profile conforming to AS 2876.
- p. Footpaths on either side of the proposed driveways shall be graded to the driveway to prevent tripping hazards at the junction, without any steep grades along the footpath. Provisions for vehicle crossovers and inverts, and reinstatement of existing crossovers not required by the development are to be constructed at the applicant's expense.

General

- q. 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. The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- r. 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.
- s. 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 (08) 8204 0289).

4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

4.1. DEFERRED APPLICATIONS – Nil

4.2. NEW APPLICATIONS – Nil

5. MAJOR DEVELOPMENTS

5.1. DEFERRED APPLICATIONS – Nil

5.2. NEW APPLICATIONS - Nil

6. REPORTING - Nil

7. ANY OTHER BUSINESS – Nil.

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 19 January 2017 at 28 Leigh Street, Adelaide SA

9. CONFIRMATION OF THE MINUTES OF THE MEETING

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

10. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 5.37 PM

Confirmed 16/12/2016

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style.

.....
Simone Fogarty
PRESIDING MEMBER