



# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

## Minutes of the 26<sup>th</sup> Meeting of the State Commission Assessment Panel held on Thursday, 21 June 2018 commencing at 9.30 am 50 Flinders Street, Adelaide

### 1. OPENING

#### 1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Sue Crafter Peter Dungey Dennis Mutton
Secretary	Alison Gill
DPTI Staff	Ben Scholes (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.1) Yasmine Alliu (Agenda Item 2.2.2) Brett Miller (Agenda Item 2.2.2)

#### 1.2. APOLOGIES

David O'Loughlin

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### 2. SCAP APPLICATIONS

#### 2.1. DEFERRED APPLICATIONS - Nil

## 2.2. NEW APPLICATIONS

### 2.2.1 YHL Investments Pty Ltd C/- Future Urban Group

DA 020/A022/18

**13-21 Coglin Street, Adelaide**

City of Adelaide

Proposal: Construction of a 23 storey mixed use building with basement level, ground level café/bar and retail tenancy, 3 levels of car parking, 18 levels of apartments and a rooftop garden.

Peter Dungey declared a conflict of interest and left the meeting.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

#### Applicants

- Adrian Evans, JPE Design Studio (presented)
- Natasha Qiu, JPE Design Studio (presented)
- Milly Nott, Future Urban Group (presented)
- Tony Kelly, Future Urban Group

#### Agency

- Kirsteen Mackay, Government Architect
- Belinda Chan, ODASA

The State Commission Assessment Panel discussed the application.

### RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Adelaide (City) Development Plan Consolidated 20 June 2017 and as subsequently amended by amendments gazetted on 4 July and 19 December 2017. Having regard to all relevant policy in the development plan, the panel acknowledged that there was non-conformance with quantitative policy relating to height, however having regard to the qualitative design policy the application was considered to be of a very high standard in relation to:
  - The quality of external materials that complement the locality;
  - The architectural design and expression outcome presented particularly at the lower levels;
  - The key location of the site in proximity to Adelaide's Central Market precinct;
  - Positive contribution and activation to three sides of the building's ground level and improvement of adjacent public realm including the location of services to the basement level, car lift facility and car parking on upper floors including effective screening;
  - High level residential amenity including large sized apartments and a variety of common areas; and
  - Exceeding the minimum recommended provision of affordable housing outcomes within the residential offering.
3. To grant Development Plan Consent to the proposal by YHL Investments Pty Ltd C/- Future Urban Group for construction of a 23 storey mixed use building with basement level, ground level café/bar and retail tenancy, 3 levels of car parking, 18 levels of residential apartments and a rooftop garden at 13-21 Coglin Street, Adelaide subject to the following conditions of consent.

## PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 020/A022/18.

Plans by JPE Design Studio

Title	Drawing No.	Revision	Date
Existing Site Plan	SK-001	-	09.02.2018
Landscape Floor Plan	SK-002	A	18.05.2018
Basement & Ground Floor Plans	SK-003	A	18.05.2018
Level 1 & 2 Floor Plans	SK-004	-	09.02.2018
Level 3, 4 & 5 Floor Plan	SK-005	A	18.05.2018
Typical Apartment Plans	SK-006	A	18.05.2018
Level 13 & 19 Floor Plans	SK-007	A	18.05.2018
Roof Garden & Roof Plans	SK-008	-	09.02.2018
Apartment Layout	SK-009	-	09.02.2018
Sections	SK-010	-	09.02.2018
Section Details	SK-011	A	18.05.2018
East & North External Elevations	SK-020	A	18.05.2018
West & South External Elevations	SK-021	A	18.05.2018

### External Materials

2. Prior to Development Approval for superstructure works the applicant shall submit, in consultation with the Government Architect, and to the reasonable satisfaction of the State Commission Assessment Panel, a final detailed schedule of external materials and finishes, along with a physical materials board with documented performance to demonstrate material quality and design intent.

### Traffic and Vehicle Access

3. The recommendations detailed in the Traffic Impact Statement, dated 13 February 2018 by of James Edwards of InfraPlan (Aust) Pty Ltd, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Commission Assessment Panel. Such measures shall be made operational prior to the occupation or use of the development.
4. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked in accordance with AS2890.1 and AS1742 to the reasonable satisfaction of the State Commission Assessment Panel prior to the occupation or use of the development.
5. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
6. The hours for waste collection vehicles (operated by private contractor) to enter and exit the site shall be restricted to Monday to Friday, between 7:00am to 9:00am and 3:00pm to 5:00pm with no collection on a Saturday or Sunday

### Environmental

7. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

8. Levels of any proposed stormwater grated inlet pits or openings within the property boundary must be designed with an adequate freeboard to the 1 percent Annual Exceedance Probability (AEP) flood level assumed to be top of kerb level adjacent to each stormwater discharge point to Coglein Street.
9. All external lighting on the site shall be designed, constructed and installed to conform to Australian Standard – AS 4282-1997 (Control of the obtrusive effects of outdoor lighting).
10. Lighting to the overhead canopy over Coglein Street (east) shall be installed in accordance with City of Adelaide’s guideline entitled “Under Verandah/Awning Lighting Guidelines” at all times to the reasonable satisfaction of the State Commission Assessment Panel and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times.
11. A detailed landscaping plan shall be submitted to the reasonable satisfaction of the State Commission Assessment Panel, in consultation with the Government Architect, prior to development approval for superstructure works. This shall identify planting medium depths, irrigation methods and other features of the landscaping schemes proposed for common areas over levels 7, 10, 14 and 18, greenwall planting and the rooftop garden area to demonstrate viability of all plantings. Updated detailed landscaping plans shall be reflected, as necessary, in all other relevant plans and drawings (including, for example, sectional drawings).
12. Landscaping shown on the approved plans 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.
13. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and, where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.

Copies of the CEMP shall be provided to the City of Adelaide (Council) and the State Commission Assessment Panel prior to commencement of site works.

14. 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.

#### **Acoustics**

15. The acoustic attenuation measures recommended in the Acoustic Services Preliminary Report, dated 14 February 2018 by Saksham Garg of BESTEC Pty Ltd, shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the State Commission Assessment Panel. Such acoustic measures shall be made operational prior to the occupation or use of the development.
16. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the State Commission Assessment Panel.

#### **ADVISORY NOTES**

- a. All new crossovers or alterations to existing crossovers incorporated in the development will require approval by the City of Adelaide in accordance with the relevant standards and specifications detailed in the Council’s City Works Guidelines.

- b. The finished floor level of the ground floor level at the entry points to the development including the car park entry and exit points shall match the existing footpath unless otherwise agreed to in writing by the City of Adelaide.
- c. An Encroachment Permit will be separately issued for the proposed encroachment into the public realm when Development Approval is granted. In particular, your attention is drawn to the following:
- An annual fee may be charged in line with the Encroachment Policy;
  - Permit renewals are issued on an annual basis for those encroachments that attract a fee; and
  - Unauthorised encroachments will be required to be removed.
- d. Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity. The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at [www.cityofadelaide.com.au](http://www.cityofadelaide.com.au). When applying for a City Works Permit you will be required to supply the following information with the completed application form:
- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
  - Description of equipment to be used;
  - A copy of the relevant Public Liability Insurance Certificate (minimum cover of \$20 Million required); and
  - Copies of consultation with any affected stakeholders including businesses or residents.

Upfront payment is required for all City Works applications, which can be received by Council via the following:

- Email: [cityworks@cityofadelaide.com.au](mailto:cityworks@cityofadelaide.com.au)
  - Fax: 8203 7674
  - In Person: 25 Pirie Street, Adelaide
- e. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Commission Assessment Panel.
- f. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- g. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. 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).
- h. The applicant should ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- i. As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- j. 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.

- k. You are advised of the following requirements of the *Heritage Places Act 1993*:
- (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified; and
  - (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.
- l. 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*.

#### 2.2.2 Loucas Zahos Architects

DA 020/0023/14A V1

##### **261-263 Pulteney Street, Adelaide**

City of Adelaide

Proposal: Variation to DA 020/0023/14 for increase in overall height of development by 3.4 metres, internal floor and layout changes, 66 residential apartments over 18 levels, additional studio space, two basement levels and reduced car parking.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

#### Applicants

- Michael Loucas, Loucas Zahos Architects (presented)
- Louis Petridis, Loucas Zahos Architects
- Jeff Bugeja, Loucas Zahos Architects

#### Agency

- Kirsteen Mackay, Government Architect
- Aya Shirai-Doull, ODASA

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the City of Adelaide Development Plan.
3. To grant Development Plan Consent to the proposal by Loucas Zahos Architects for a Variation to DA 020/0023/14 demolition of an existing building and construction of a 23 level building comprising 66 residential apartments over 18 levels, a retail tenancy on the ground floor, studio space on levels 1 through to 4 and plus associated parking and two basement levels at 261-263 Pulteney Street Adelaide subject to the following reserved matters and 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 plans, including the amended plans as submitted in development application number 020/0023/14A V1.

#### Drawings by Loucas Zahos Architects

Title	Date	Drawing Number	Revision
Location	21/05/18	A001	P14
Streetscape Elevations	21/05/18	A002	P14
Planning	21/05/18	A003	P14
Section & ECO Standards	21/05/18	A004	P14
Vignettes	21/05/18	A005	P14
Floor Plans	21/05/18	A006	P14
Floor Plans	21/05/18	A007	P14
Floor Plans	21/05/18	A007A	P14
Podium Vignettes	21/05/18	A008	P14
Podium Views	21/05/18	A009	P14
Elevations	21/05/18	A010	P14
Roof-Roof Garden & Massing	21/05/18	A011	P14
Street Level Perspectives	21/05/18	A012	P14
Sun Studies	21/05/18	A013	P14
Outdoor Dining	21/05/18	A014	P14
Sky Apartments – .....	10 April 2018		
Section AA with Basement	12 June 2018		

#### Reports / Correspondence

- GHD (03 June 2014) Planning Statement for Sky Apartments, 261-263 Pulteney Street, Adelaide, Rev 2, 3317402.
  - Vipac Engineers & Scientists Ltd (03 June 2014) Wind Impact Assessment 50B-13-0158-TNT-346423-1.
  - Vipac Engineers & Scientists Ltd (02 June 2014) Acoustic Report, 50B-13-0158-GCO-792936-1.
  - Phil Weaver & Associates (11 April 2018) Traffic and Parking Assessment; Proposed Mixed Use Development 261-263 Pulteney Street, Adelaide; File: 175-17
  - Veolia Environmental Services (April 2018) Submission for Waste Collection Services 261-263 Pulteney Street, Adelaide.
  - Lucid Consulting Engineers Pty Ltd (03 June 2014) ESD Statement, Proposed Residential Development Ecologically Sustainable Design (ESD), LF: 8113-007a.
  - Letter re amended development application – variation to original DA ref 020/0023/14A – dated 20 December 2017 - prepared by Loucas Zahos Architects
  - Letter re clarifications - dated 28 May 2018 – prepared by Loucas Zahos Architects
  - Email dated 12 June 2018 from Louis Petridis regarding PDC21
2. Prior to Development Approval being granted the applicant shall provide a final schedule of external materials and colours for the development to the satisfaction of the State Commission Assessment Panel.
  3. Prior to Development Approval being granted a final waste management plan including supporting documentation and design details shall be provided to the satisfaction of the State Commission Assessment Panel.
  4. The proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including clearance to columns and space requirements at the end of blind aisles) for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and designed to conform with Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.
  5. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
  6. The strategies recommended in the traffic assessment report by Phil Weaver and Associates, dated, forming part of this consent shall be undertaken within the Development to the

reasonable satisfaction of the State Commission Assessment Panel. Such measures shall be made operational prior to the occupation or use of the Development.

7. The acoustic attenuation measures recommended in the Vipac Engineers & Scientists Ltd (June 2014): 262 -263 Pulteney St (Sky Apartments) – Acoustics forming part of this consent shall be undertaken within the Development to the reasonable satisfaction of the State Commission Assessment Panel. Such acoustic measures shall be made operational prior to the occupation or use of the Development and any additional measures implemented as required when plant and equipment details are finalised.
8. Mechanical plant or equipment, shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:

50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) at the most affected residence when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

9. 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:

- air quality, including odour and dust
- surface water including erosion and sediment control
- soils, including fill importation, stockpile management and prevention of soil contamination
- groundwater, including prevention of groundwater contamination
- noise
- occupational health and safety

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

[www.epa.sa.gov.au/pdfs/guide\\_sc\\_what.pdf](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf)

A copy of the CEMP shall be provided to Adelaide City Council prior to construction.

10. The final details of the proposed waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent during the construction of the Development, shall be submitted to Adelaide City Council prior to the granting of development approval to the Development. Such details shall include a Waste Management Plan which shall cover the three phases of the Development, namely:
  - resource recovery during demolition
  - waste minimisation and resource recovery during construction; and
  - resource recovery during occupation or use of the Development including proposed methods of recycling of all recyclable materials.
11. The connection of any storm water discharge from the Land to any part of the Adelaide City Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' and be to the reasonable satisfaction of the Adelaide City.
12. Prior to the commencement of construction a dilapidation report (i.e. condition survey) shall be prepared by a qualified engineer to ensure the stability and protection of adjoining buildings, structures and Council assets. A copy of this report shall be provided to the Adelaide City Council.



- During construction, all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
  - The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
  - All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
13. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times to the satisfaction of the Adelaide City Council.

**Advisory Notes:**

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Commission Assessment Panel.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. 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. The proponent may need to obtain approval under the regulations for any equipment or cranes to be used on site that will intrude into prescribed airspace before entering into a commitment to construct any building at the site.
- e. Council maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
- 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 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.
- h. 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.
- i. If temporary hoarding or site works require modification of existing Council infrastructure, the works will be carried out to meet Councils requirements and costs borne directly by the developer.

- j. A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:
- Work in the Public Realm
  - Street Occupation
  - Hoarding
  - Site Amenities
  - Traffic Requirements
  - Servicing Site
  - Adjoining Buildings
  - Reinstatement of Infrastructure
- k. Insecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate to contact the Adelaide Local Service Area Community Programs Section on 8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.
- l. Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of each stage of the building work on the site. To notify Council, contact City Services on 8203 7332.
- m. 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>

- n. 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.
- o. The development must be substantially commenced within one (1) year of the date of this Notification, unless this period has been extended by the State Commission Assessment Panel.
- p. The applicant will need to provide further information regarding the treatment/materials used on the underside to Adelaide City Council.

### **3. MAJOR DEVELOPMENTS**

3.1. **DEFERRED APPLICATIONS** – Nil

3.2. **NEW APPLICATIONS** - Nil

### **4. ANY OTHER BUSINESS**

### **5. NEXT MEETING – TIME/DATE**

5.1. Thursday, 28 June 2018 at 50 Flinders Street, Adelaide SA 5000

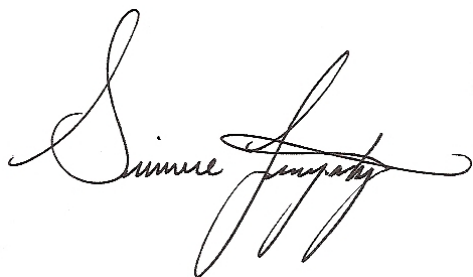
6. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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

7. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 1.00pm.

Confirmed 21/06/2018

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

.....  
Simone Fogarty  
PRESIDING MEMBER