



# *Development Assessment Commission*

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**Capital City Development Assessment Committee  
held on Thursday, 14 March 2013 commencing at 2.20 PM  
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

**1. OPENING**

**1.1 PRESENT**

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford Michael Llewellyn-Smith AM
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Simon Neldner (Agenda Item 3.1) Jeremy Wood (Agenda Item 3.2) Gabrielle McMahon (Agenda Item 3.3)

**1.2 APOLOGIES** – Damien Brown.

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**2. DEFERRED APPLICATIONS** – Nil.

**3. NEW APPLICATIONS**

**3.1 Commercial & General Flinders Office Pty Ltd**  
020/0003/13A  
**50 Flinders Street, Adelaide**

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

- Applicant(s)
- Jamie McClurg

- Alicia Davidge
- Kaare Krokene (JPE Design)
- Tom Vinall (JPE Design)

#### Agency

- Kirsteen McKay (ODASA)

#### Council

- Helen Dand (ACC)
- Trudy Angrave (ACC)
- Don Donaldson (ACC)

The Committee discussed the application.

### **RESOLVED**

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE that Development Plan consent be GRANTED for the staged demolition of all existing buildings and the construction of a new 15 level office building with ground level bank, crèche, café and shop tenancies with two levels of carparking above and associated site and civil works by Commercial & General Flinders Office Pty Ltd at 50-54 Flinders Street, Adelaide (Development Application No 020/0003/13A) subject to the following reserved matter, conditions and advisory notes:

#### **Reserved Matter:**

1. That 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:
  - final design details for the external carparking facade on Levels 1-2 to ensure that the proposed glazing scheme will effectively screen the carparking areas at all times (with particular emphasis on night time illumination and the level of transparency to these levels from the street) and meets the intent of PDC29 of Capital City Zone.

#### **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 plans submitted in Development Application No 020/0003/13A:

#### **Plans by JPE Design Studio - report dated 26 February 2013**

- Existing site plan and demolition plan SK00 dated 4.2.13
- Proposed site plan SK01 dated 4.2.13
- Flinders Street proposed and existing streetscape SK02 dated 4.2.13
- Gawler Place proposed and existing streetscape SK03 dated 4.2.13
- Ground Floor plan dated SK04 dated 26.2.13
- Level 1 & 2 Carpark plans SK05 dated 26.2.13
- Levels 3-12 and Levels 13-14 SK06 dated 4.2.13
- Roof Plan SK07 dated 4.2.13
- Elevations SK08 dated 4.2.13
- Elevations SK09 dated 4.2.13
- Sections 1 & 2 SK10 dated 26.2.13
- Façade details SK11 dated 4.2.13
- Perspective 1 / Perspective 2 / Materiality
- Proposed External Materials Board

## Reports

- Traffic Report – Proposed Commercial Development – 50 Flinders Street, Adelaide prepared by InfraPlan dated February 2013 (v3 issued 25 Feb 13)
- Planning Report: Mixed Use Development at 50 Flinders Street, Adelaide prepared by Marcus Rolfe (URPS) dated Feb 13.
- Golder and Associates - Limited Environmental Desktop Study - Draft - Reference no 137663008-001-L-RevA dated 8 February 2013
- 50 Flinders Street - Energy Efficiency Statement - not dated or attributed
- 50 Flinders Street - Waste Management Plan - not dated or attributed
- Environmental Noise Assessment - SONUS - Ref S4037C3 dated 24 Jan 13
- 50 Flinders Street - Environmental Wind Assessment - MEL Consultants PL dated 24 Jan 13
- 50 Flinders Street - Civil Works Design Philosophy - Kellogg Brown & Root Pty Ltd dated 24 Jan 13

## Correspondence

- Letter from Commercial and General to DAC dated 29 January 2013.
2. No additional signs shall be displayed upon the subject land other than those identifying service and parking areas or shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.
  3. Prior to the operational use of the carpark a copy of the electronic parking control plan shall be provided to the Development Assessment Commission. This plan shall incorporate a monitoring and operational protocol in respect to the breakdown of vehicles, equipment and/or operating software and how such events shall be identified and immediately resolved.
  4. The applicant shall submit a detailed landscape plan for the public realm (with an emphasis on high quality surface treatments, materials and finishes, street furniture, lighting, landscape plantings, public art etc) that complements the built form and integrates with adjoining land to ensure continuous treatment of the pavement beyond the subject land to the kerb line and across the right of way. Further details shall also be provided for the outdoor spaces forming part of the crèche.
  5. External materials, surface finishes and colours of the Development shall be consistent with the final details provided and shall be to the reasonable satisfaction of the Development Assessment Commission.
  6. 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:
    - a. 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; and  
  
in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
  7. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including

the EPA publication "Environmental Management of On-site Remediation" - to minimise environmental harm and disturbance during construction.

The management plan must incorporate, without being limited to, the following matters:

- a) air quality, including odour and dust
- b) surface water including erosion and sediment control
- c) soils, including fill importation, stockpile management and prevention of soil contamination
- d) groundwater, including prevention of groundwater contamination
- e) noise
- f) occupational health and safety

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

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

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

8. Prior to the operational use of the building a CCTV and lighting plan of the ground floor entry area and right of way shall be provided to the reasonable satisfaction of the Development Assessment Commission. All public lighting shall be installed in accordance with Council guidelines prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
9. The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' to the reasonable satisfaction of the Adelaide City Council.
10. The finished floor level of the ground floor level entry shall match the existing footpath unless otherwise agreed to by the Adelaide City Council.
11. Council or privately maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council or owners specifications. All costs associated with these works shall be met by the proponent.
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 and the Development Assessment Commission.
13. During construction all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
14. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
15. All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
16. The applicant shall undertake a Phase 2 Site (Contamination) Assessment of the subject land and provide a definitive statement that the land is suitable for its intended use prior to the commencement of superstructure

works. A copy of this assessment report and definitive statement shall be provided to the Development Assessment Commission prior to the commencement of construction.

17. A Waste Management Plan shall be developed and implemented that details the proposed waste management practices to be adopted for the use and operation of this development. The plan shall cover 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.

A copy of this plan shall be provided to the Adelaide City Council and the Development Assessment Commission prior to the commencement of superstructure works.

18. The proposed layout and vehicular entry points shall be designed and constructed to conform to the relevant Australian Standards (AS/NZ 2890.1: 2004) and that all traffic control devices shall conform to AS 1742 Manual of Uniform Traffic Control Devices (including the Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices Part 2: Code of Technical Requirements for the Legal Use of Traffic Control Devices).
19. The use of the carpark shall be restricted to the occupants and/or employees of the building tenancies (and those of the adjoining SANTOS building when required) and shall not be made available for public or casual use at any time.
20. A Traffic Management Plan (TMP) shall be prepared and implemented to ensure that access for delivery and service vehicles along Flinders Street and Gawler Place during construction work is maintained at all times to ensure that normal business operations are not interrupted.

#### **Advisory Notes:**

1. A separate assessment may be required if cranes are to be installed to enable the construction of the building as different marking and lighting requirements will apply to the crane operators.
2. The approval does not include any signage (other than directional), which would need to be the subject of a separate application to the relevant planning authority.
3. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
4. 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>
5. 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.

6. It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
7. Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
8. 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
9. 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.

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.

10. Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332.
11. 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.
12. You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
13. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
14. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
15. It is recommended that anti-graffiti coatings and/or resistant materials should be considered in the construction of the building at the ground level.

16. The development is to be undertaken in four stages: Stage 1 demolition of all existing buildings and structures; Stage 2 substructure construction; Stage 3 superstructure construction; Stage 4 internal fit out
17. The following requirements of the *Heritage Places Act 1993* should be noted:
  - 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 SA Heritage Unit (DEWNR) on 8214 4960.

3.2 **Pruszinski Architects Pty Ltd**  
020/0008/13A  
**16-20 Surfle Street, Adelaide**

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

Applicant(s)

- Paul Pruszinski (Prus. Arch)
- Tom Jarret (Prus. Arch)
- Bing Chen
- Rick Harcourt
- Chris Vounassis (Connor Holmes)

Agency

- Kirsteen McKay (ODASA)

Council

- Matthew Field (ACC)

The Committee discussed the application.

**RESOLVED**

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE that Development Plan consent be GRANTED for the partial demolition of the existing building and construction of two 7 level residential apartment buildings with ancillary car parking at ground, first and second levels and communal open spaces by Pruszinski Architects at 16-20 Surfle Street, Adelaide (Development Application No 020/0008/13A) subject to the following reserved matters, conditions and advisory notes:

**Reserved Matters:**

That pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval:

1. A definitive statement shall be submitted from a suitably qualified environmental expert advising that the land is suitable for its intended purpose. If required by an auditor, the applicant shall prepare a Phase 2 Site Assessment Report.
2. Provision of details relating to the facade treatment Surfle Street Western Elevation that demonstrates consideration for:
  - a) Achieving a high quality, fine grain and cohesive facade appropriate for the pedestrian scale of this intimate side street, including the treatment of the driveway door, transformer and hydrant doors
  - b) Incorporating high quality permanent screening to the car parking on the first and second levels to support the climbing planting, given the timeline for plant growth and risk of incomplete coverage
  - c) A shading strategy to west facing windows and balconies.
3. Provision of further details of the bike storage areas to ensure they are practical and adequate in size to accommodate the number of bike parks proposed.
4. Provision of detailed drawings of the screening to AC Units proposed on the rooftops.
5. Provision of a stormwater management plan including a review of rainwater harvesting and re-use within the building.

**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 plans submitted in Development Application 020/0008/13A including:

**Plans by Pruszinski Architects, Project Number 12566**

	<b>Number</b>	<b>Revision</b>	<b>Date</b>
SITE ANALYSIS	D-12566-01-01	-	25 February 2013
SITE ANALYSIS	D-12566-01-02	-	25 February 2013
SITE ANALYSIS	D-12566-01-03	-	25 February 2013
ESD PRINCIPLES FLOOR PLAN	D-12566-01-04	-	25 February 2013
SUN SHADOWS - SHEET 1	D-12566-01-05-07	-	25 February 2013
SUN SHADOWS - SHEET 2	D-12566-01-05-07	-	25 February 2013
SUN SHADOWS - SHEET 3	D-12566-01-05-07	-	25 February 2013
GROUND FLOOR PLAN	D-12566-02-01	-	25 February 2013
LEVEL 1 FLOOR PLAN	D-12566-02-02	-	25 February 2013
LEVEL 1A FLOOR PLAN	D-12566-02-03	-	25 February 2013
LEVEL 2 FLOOR PLAN	D-12566-02-03	-	25 February 2013
LEVEL 3 FLOOR PLAN	D-12566-02-04	-	25 February 2013
LEVEL 4 FLOOR PLAN	D-12566-02-05	-	25 February 2013
LEVEL 5 FLOOR PLAN	D-12566-02-06	-	25 February 2013
LEVEL 6 FLOOR PLAN	D-12566-02-07	-	25 February 2013
ROOF PLAN	D-12566-02-08	-	25 February 2013
ELEVATIONS	D-12566-04-01	-	25 February 2013
PERSPECTIVES	D-12566-11-01	-	25 February 2013
SECTIONS	D-12566-05-01	-	25 February 2013

## Reports / Correspondence

- Planning Report: Surfle Street Residential Development prepared by Chris Vounasis - Connor Holmes, (V1 12/2/13)
  - Traffic Impact Statement: Proposed Residential Development 16-24 Surfle Street, Adelaide, prepared by Andrew Pine – GTA consultants, (Issue B 12/02/13)
  - Sustainability Report: Surfle Street Apartment Development, prepared by Lucid Consulting Australia, (5/2/2013)
  - Acoustics: 16-20 Surfle Street, Residential Development, (1/3/13)
  - Arborist: 16-20 Surfle Street Arborist Report, prepared by Shane Selway – Arborman Tree Solutions (Ref No. L1680-SurStPlaPit – 26/2/2013)
3. The applicant shall submit a detailed landscape plan (with an emphasis on high quality surface treatments, materials and finishes, furniture, lighting, landscape plantings, public art etc) that complements the built form and creates a high degree of amenity.
  4. The landscaping approved herein shall be established prior to occupation of the building and maintained at all times in accordance with the approved landscape plan.
  5. 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:
    - a) 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; and  
  
in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.
  6. The recommended acoustic measures contained within the Acoustic Report prepared by Aurecon dated 1 March 2013, and agreed to by the applicant, be incorporated into the design documentation.

A copy of the amended details shall be provided to the Development Assessment Commission for endorsement prior to Development Approval being issued.

7. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publication “Environmental Management of On-site Remediation” - to minimise environmental harm and disturbance during construction.

The management plan must incorporate, without being limited to, the following matters:

- a) air quality, including odour and dust
- b) surface water including erosion and sediment control
- c) soils, including fill importation, stockpile management and prevention of soil contamination
- d) groundwater, including prevention of groundwater contamination

- e) noise
- f) occupational health and safety

For further information relating to what Site Contamination is, refer to the EPA Guideline: '*Site Contamination – what is site contamination?*':  
[www.epa.sa.gov.au/pdfs/guide\\_sc\\_what.pdf](http://www.epa.sa.gov.au/pdfs/guide_sc_what.pdf)

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

8. Prior to the operational use of the building a CCTV and lighting plan of the ground floor entry area shall be provided to the reasonable satisfaction of the Development Assessment Commission. All public lighting shall be installed in accordance with Council guidelines prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
9. The connection of any storm water discharge from the Land to any part of the Council's underground drainage system shall be undertaken in accordance with the Council Policy entitled 'Adelaide City Council Storm Water Requirements' to the reasonable satisfaction of the Adelaide City Council.
10. The finished floor level of the ground floor level entry shall match the existing footpath unless otherwise agreed to by the Adelaide City Council.
11. Council or privately maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council or owners specifications. All costs associated with these works shall be met by the proponent.
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 and the Development Assessment Commission.
13. All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
14. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
15. A Waste Management Plan shall be developed and implemented that details the proposed waste management practices to be adopted for the use and operation of this development. The plan shall cover the following phases of the development, namely:
  - resource recovery during demolition;
  - waste minimisation and resource recovery during construction;
  - 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 Adelaide City Council and the Development Assessment Commission prior to Development Approval.

16. The proposed layout of the car park and vehicular entry points shall be designed and constructed to conform to the relevant Australian Standards (AS/NZ 2890.1: 2004).

17. The materials and finishes of the building shall be established in accordance with the materials board submitted with the application Drawing Number D125 66-11-02.

**Advisory Notes:**

1. A separate assessment may be required if cranes are to be installed to enable the construction of the building as different marking and lighting requirements will apply to the crane operators.
2. The approval does not include any signage (other than directional), which would need to be the subject of a separate application to the relevant planning authority.
3. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
4. 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>
5. 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.
6. It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
7. Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
8. 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
9. 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.

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.

10. Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332.
11. 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.
12. You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
13. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
14. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).
15. It is recommended that anti-graffiti coatings and/or resistant materials should be considered in the construction of the building at the ground level.
16. The development is to be undertaken in four stages: Stage 1 demolition of all existing buildings and structures; Stage 2 substructure construction; Stage 3 superstructure construction; Stage 4 internal fitout
17. The following requirements of the *Heritage Places Act 1993* should be noted:
  - 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 SA Heritage Unit (DEWNR) on 8214 4960.

3.3 **DPTI, C/- Masterplan**  
020/0004/13A  
**Adelaide Festival Centre, the Torrens Lake and Tardanya Womma (Park 26)**

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

Applicant(s)

- David Bills (Masterplan)
- Manuel Delgado (DPTI)

Agency

- Ben Hewett (ODASA)

The Committee discussed the application.

## **RESOLVED**

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE to grant Development Plan Consent to the proposal by the Department of Planning, Transport and Infrastructure for the construction of a new pedestrian and cyclist footbridge over the Torrens Lake between the Adelaide Festival Centre and the Adelaide Oval/Memorial Drive sporting precinct, comprising associated works on the northern and southern banks of the River Torrens to facilitate access to the footbridge and an improvement to the public realm (including public plazas, stairs and ramps, water features, pedestrian and cycling paths, new bistro and offices) and the removal of one significant tree, seven regulated trees and the pruning of two significant trees and associated new landscaping, subject to the following conditions of consent.

### **Planning Conditions:**

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, as submitted in Development Application 020/0004/13A including:

#### **Architectural and landscape drawings as follows:**

##### Architectural Plans

AUR-DRG-AR-0011 SITE PLAN 1:1000 Rev B.  
AUR-DRG-AR-0020 SITE PLAN Rev B.  
AUR-DRG-AR-0040 DEMOLITION PLAN Rev B.  
AUR-DRG-AR-2000 PLAN Rev C.  
AUR-DRG-AR-2010 ELEVATIONS Rev B.  
AUR-DRG-AR-2020 ELEVATIONS AND SECTION (CHAINAGE) Rev B.  
AUR-DRG-AR-2040 SECTIONS 1 Rev C.  
AUR-DRG-AR-2041 SECTIONS 2 Rev C.  
AUR-DRG-AR-2060 REFLECTED SOFFIT, SUPPORT AND ABUTMENTS PLAN Rev C.  
AUR-DRG-AR-2070 DETAILED SOFFIT PLANS 1 (PANEL INDEX PLAN) Rev B.  
AUR-DRG-AR-2071 DETAILED SOFFIT PLANS 2 (PANEL INDEX PLAN) Rev B.  
AUR-DRG-AR-2072 DETAILED SOFFIT PLANS 3 (PANEL INDEX PLAN) Rev B.  
AUR-DRG-AR-2080 ABUTMENT ELEVATIONS Rev B.  
AUR-DRG-AR-2100 MID-SPAN SUPPORT ELEVATIONS Rev B.  
AUR-DRG-AR-3000 DEMOLITION PLAN RL 26 Rev C.  
AUR-DRG-AR-3001 DEMOLITION PLAN RL 30 Rev C.  
AUR-DRG-AR-3010 RL 26 SETOUT PLAN Rev B.  
AUR-DRG-AR-3011 RL 30 SETOUT PLAN Rev B.  
AUR-DRG-AR-3020 RL 26 FLOOR PLAN Rev G.  
AUR-DRG-AR-3021 RL 30 FLOOR PLAN Rev H.  
AUR-DRG-AR-2023 FITOUT PLAN BISTRO KITCHEN RL 26 Rev B.  
AUR-DRG-AR-3050 ELEVATIONS Rev D.  
AUR-DRG-AR-3060 SECTIONS 1 Rev E.  
AUR-DRG-AR-3200 ADELAIDE RAILWAY STATION ENTRY AND FESTIVAL DRIVE WORKS PLAN Rev G.  
AUR-DRG-AR-3201 ADELAIDE RAILWAY STATION ENTRY AND FESTIVAL DRIVE ELEVATIONS Rev D.  
AUR-DRG-LS-2001 LANDSCAPE-GENERAL LAYOUT PLAN Rev E.  
AUR-DRG-LS-2002 LANDSCAPE PLANTING Rev A.  
AUR-DRG-LS-3000 LANDSCAPE – SOUTH PLAN Rev D.  
AUR-DRG-LS-3001 LANDSCAPE SETOUT PLAN – SOUTH LANDING Rev A.  
AUR-DRG-LS-3002 LANDSCAPE SOUTH SURFACES PLAN Rev C.  
AUR-DRG-LS-3003 LANDSCAPE SOUTH LANDING PEDESTRIAN BRIDGE Rev B.  
AUR-DRG-LS-3100 LANDSCAPE SECTIONS SOUTH GENERAL SECTIONS Rev A.  
AUR-DRG-LS-3101 LANDSCAPE SOUTH DETAILS PAVING Rev A.  
AUR-DRG-LS-3151 LANDSCAPE SOUTH WATER FEATURE – TYPE 1 Rev A.  
AUR-DRG-LS-3152 LANDSCAPE SOUTH WATER FEATURE: TYPE 2 – SAND FLATS Rev A.

AUR-DRG-LS-3153 SOUTH WATER FEATURE TYPE 3 – WATER PLAY Rev A.  
AUR-DRG-LS-4000 LANDSCAPE – NORTH PLAN Rev E.  
AUR-DRG-LS-4004 NORTH LANDING SURFACES PLAN 1 OF 3 Rev D.  
AUR-DRG-LS-4005 NORTH LANDING SURFACES PLAN 2 OF 3 Rev D.  
AUR-DRG-LS-4006 NORTH LANDING SURFACES PLAN 3 OF 3 Rev D.  
AUR-DRG-LS-4200 LANDSCAPE – NORTH SECTIONS Rev B.  
AUR-DRG-LS-4201 LANDSCAPE – NORTH STAIR SECTIONAL ELEVATIONS Rev B.

Landscape Plans

AUR-SKT-LS-1000[A] LANDSCAPE - SKETCH DESIGN PLAN.  
AUR-SKT-LS-1002[A] LANDSCAPE - SOUTH LANDING PLAN.  
AUR-SKT-LS-1004[A] LANDSCAPE - NORTH LANDING PLAN.  
AUR-SKT-LS-1006[A] VIEW OF SOUTH LANDING FROM THE BRIDGE.  
AUR-SKT-LS-1007[A] VIEW OF ADELAIDE OVAL FROM THE BRIDGE PLAZA.  
AUR-SKT-LS-1007[A] VIEW OF NORTH LANDING AND ADELAIDE OVAL FROM THE BRIDGE.  
DPTI-DRG-ENV-0001 SIGNIFICANT/REGULATED TREES VEGETATION REMOVAL PLAN

Masterplan Development Application titled *Planning Report – Riverbank Bridge* ref 13776REP02 dated 29/1/2013

Masterplan letter dated 12 February 2013 and 4 March 2013 and accompanying Construction Environmental Management Plan (CEMP) by McConnell Dowell Constructors Pty Ltd (025-Y002-252) and the following plans by McConnell Dowell:

MDSR-AOP-0202-10  
MDSR-AOP-0202-11  
MDSR-AOP-0202-14  
MDSR-AOP-0202-17  
MDSR-AOP-0202-18  
MDSR-AOP-0202-30

2. The details of junctions between existing and new fabric at the interface with the Adelaide Festival Centre shall be submitted to, and approved by the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to construction of the works associated with the plaza and bridge.

*Reason for condition: Detailed information not available at this stage of the project. Some inconsistencies exist within the current documentation (eg extent of salvaged balustrade to be reinstated).*

3. The details of the paving design and layout in the vicinity of the Dunstan Playhouse shall be submitted to, and approved by the Development Assessment Commission in consultation with the Department of Environment, Water and Natural Resources prior to the construction of the works associated with the plaza and bridge.

*Reason for condition: To finalise the line of interface between existing and new plaza paving, and the design and geometric relationship of new paving in relation to the Dunstan Playhouse.*

4. Appropriate signage shall be included to help assist pedestrians with way-finding. Any additional signs that constitute development under the Development Act, 1993 shall be the subject of a separate application.
5. The final details of the railing or other safety structure associated with the boardwalk on the northern bank shall be provided to, and approved by the Development Assessment Commission, prior to final approval being granted by Council for this section of the development.
6. The crime prevention measures shall be incorporated into the development, such as appropriate lighting of the footbridge, plaza areas and pedestrian thoroughfares and the use of CCTV cameras. Such lighting

shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.

7. The stormwater from the hard surface areas shall be appropriately treated to the satisfaction of the Adelaide City Council.
8. The development should be constructed in accordance with the staged consents, as described below:

Stage	Package Name	Activity
1A		Removal of significant trees
1	BR2	Footings for belvedere
2	BR3B	Belvedere
3	S2	Architectural finished and services for S1
4	S1	Southern landing demolition, structure, bistro and office structures
5	S4	Railway station glass door modification, bin enclosure and gate removal
6	BR4	Structure for non-span component of bridge
7	N1	Civil works, amphitheatre and road on Northern side of River Torrens
8	N2	Urban design finishes and works for Northern side of River Torrens
9	BR5	Cladding for bridge facade
10	BR6	Finishes to the bridge deck including paving, handrails and balustrades
11	S3	Office and bistro fitout
12	BR2A	Bridge footings between Chainage 55 and 130
13	BR3A	Bridge concrete superstructure

9. Final configuration and design detail of the southern plaza, adjacent the Intercontinental loading dock, and access to the railway concourse shall be submitted to, and approved by the Development Assessment Commission prior to commencement of stage 5.

#### **Conditions directed by the Environment Protection Authority**

10. Construction of the development herein approved must be undertaken in accordance with the final version of the Construction Environment Management Plan (CEMP). The final version of the CEMP must include the following revisions, sub-plans and environmental protection instructions (EPIs) as identified in the CEMP (but not limited to):
  - a) include reference to the Environment Protection (Water Quality) Policy 2003 in Table 3: Summary of Environmental Legislation
  - b) include stop-work response for immediate attention when a potential environmental impact is identified. It must create a response mechanism where an immediate cessation of work can be triggered, and return to the work that caused the original incident only occurs after sustainable rectification.
  - c) Table 5 'Air Quality' states: 'Air quality monitoring to satisfy EPA requirements including PM10 Continuous Particulate Matter'. This should include detail of what is being proposed, including the standards against which they will be assessed.
  - d) a Soil Erosion and Drainage Management Plan (SEDMP), incorporating a water quality monitoring program that clearly outlines how soil and sediment transport from the construction site will be prevented. The SEDMP must be prepared and implemented in accordance with the EPA's Code of Practice for the building and construction industry (available at:

[http://www.epa.sa.gov.au/xstd\\_files/Water/Code%20of%20practice/bccop1.pdf](http://www.epa.sa.gov.au/xstd_files/Water/Code%20of%20practice/bccop1.pdf)) and must include:

- i) prevention of sediment transport off site via vehicular traffic
  - ii) prevention of sediment transport off site through runoff and wind
  - iii) appropriate management of soil stockpiles to prevent sediment leaving the site through runoff and entering the stormwater system
  - iv) immediate rehabilitation and stabilisation of land as the development progresses
  - v) instructions on how to manage any sediment dams established during construction and how they will be removed once the development is completed
  - vi) consider how dewatering activities affect the known groundwater contamination in the vicinity of the site and any potential for this to cause further site contamination.
- e) Site Contamination Management Plan
  - f) Noise and Vibration Management Plan
  - g) Water Quality Protection/Erosion and Sediment Control EPI
  - h) Construction Noise and Vibration Control EPI
  - i) Air Quality Controls EPI
  - j) Materials and Fuels and Waste Management EPI
  - k) Solid and Liquid Waste EPI
  - l) Acid Sulphate Soils EPI.
11. All material (waste) proposed to be disposed off-site must be classified and characterised in accordance with the EPA Information Sheet - Current criteria for the classification of waste ([http://www.epa.sa.gov.au/xstd\\_files/Waste/Information%20sheet/current\\_waste\\_criteria.pdf](http://www.epa.sa.gov.au/xstd_files/Waste/Information%20sheet/current_waste_criteria.pdf)) prior to removal off-site to a facility licensed to receive, dispose and/or treat that waste.
  12. Any rock, gravel or other material placed in the river as part of the construction of the footbridge must be clean and suitable for the purpose of use in the River Torrens. This material must comply with the Standard for the production and use of waste derived fill: [http://www.epa.sa.gov.au/xstd\\_files/Waste/Guideline/standard\\_wdf.pdf](http://www.epa.sa.gov.au/xstd_files/Waste/Guideline/standard_wdf.pdf).
  13. All 'in water' and 'over water' works must be undertaken within the confines of silt curtains designed, operated and maintained to prevent suspended solids escaping the immediate vicinity of the work area.
  14. Any discharge from earthworks drainage (such as from within coffer dams, excavations on site or rainfall on the works area) must only be discharged back into the River Torrens within an area that is fully enclosed by silt curtains.
  15. A definitive statement must be provided to the satisfaction of the EPA following completion of the development confirming that any residual contamination does not pose unacceptable risks to human health or the environment, taking into account the land use(s). This must be in the form of an environmental assessment report prepared by a suitably qualified site contamination consultant in accordance with the relevant EPA guidelines. Note: Statements made by consultants in relation to site

contamination must be clearly qualified as to the existence of site contamination at the site specifying the land use(s) that was taken into account in forming that opinion as required by section 103ZA of the Environment Protection Act 1993.

**Advisory Notes:**

1. The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, 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.
2. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
3. A licence 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.
4. 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>
5. In order to meet the General Environmental Duty, as required by S.25 of the *Environment Protection Act 1993*, taking all reasonable and practicable measures means, but is not limited to, the following:
  - conducting construction works that will cause annoyance only between 7am and 7pm Monday to Saturday unless absolutely necessary to do otherwise. "Absolutely necessary" does not mean for economic reasons (e.g. meeting project schedules) but for reasons of public safety or occupational health and safety (e.g. to minimise traffic hazards, to avoid working in very hot weather)
  - using the quietest equipment available
  - using temporary or permanent acoustic barriers where possible
  - commencing any particularly noisy part of the activity (such as masonry sawing, pile driving or jack hammering) after 9.00 a.m.
  - locating noisy equipment or processes so that their impact on neighbouring premises is minimised (whether by maximising the distance to the premises, using structures or elevations to create barriers or otherwise)
  - shutting or throttling equipment down whenever it is not in use
  - ensuring that noise reduction devices such as mufflers are fitted and operating effectively
  - ensuring that equipment is not operated if maintenance or repairs would eliminate or significantly reduce a characteristic of noise resulting from its operation that is audible at noise-affected premises
  - operating equipment and handling materials so as to minimise impact noise
  - using off-site or other alternative processes that eliminate or lessen resulting noise.
6. At least 72 hours prior to the commencement of noisy activities, distribute a letter or leaflet to local residences and businesses (Intercontinental Hotel, Dunstan Playhouse, Adelaide Festival Centre, Convention Centre etc) that may be affected by the noise. The letter or leaflet should include the following information:

- if construction is occurring other than between 7am and 7pm Monday to Saturday, explain what public safety or occupational health and safety risk (e.g. to minimise traffic hazards, to avoid working in very hot weather) makes it necessary to do so.
  - what measures will be used to minimise noise
  - the start and finish times of the work
  - the phone number of an on-site contact person who will be available to receive complaints from the public. This should be arranged so that the contact person can answer calls at all times during the construction work.
7. If, at any stage during site works, site contamination is detected that harms or threatens underground water, there is a requirement to provide a Section 83A notification to the EPA as soon as reasonably practicable in accordance with the EPA Guideline '*Site Contamination: Notification of site contamination that affects or threatens underground water pursuant to section 83A of the Environment Protection Act 1993*'. This requirement falls on an owner, an occupier or a site contamination consultant or auditor, pursuant to section 83A(1)(a) and (b) of the *Environment Protection Act 1993*. The applicant should discuss this requirement with their consultant (and auditor if engaged) to ensure that there is no confusion in reporting obligations.
  8. It should be noted that silt curtains will fail in fast flowing water. The applicant/contractor should consider how this will be managed when there is rainfall within the urban parts of the Torrens Catchment.
  9. The EPA has a preference that any water that is chemically treated on site should not be discharged to the river or the stormwater system.
  10. You are advised of the following requirements of the *Heritage Places Act 1993*.
    - 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.
    - 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.

11. It is required that the developer must comply with the authorisation and conditions granted by the Minister for Aboriginal Affairs and Reconciliation, in accordance with the *Aboriginal Heritage Act 1988*.
12. 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.
13. Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
14. 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

15. 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.

16. You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.

17. You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.

18. You have a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow. Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0300).

#### 4. ANY OTHER BUSINESS

##### 4.1. Delegations

Report from Principal Planner

##### **RESOLVED**

That the Capital City Development Assessment Committee RESOLVE to grant the following delegations to the Principal Planner – DAC and the operating procedures be amended accordingly:

The power to determine in respect to an application that has previously been granted Development Plan Consent pursuant to Section 33(1)(a) of the Act, the following:

1. where the matter seeking determination is considered to be **minor** in that it will not materially affect the principal planning merit of the application as originally approved:
  - an amendment or variation to the proposal
  - the satisfaction of reserved matters
  - the satisfaction of conditions
  - an extension of time of operation of a development plan consent or development approval
2. **proceed** with the assessment of a non-complying development application pursuant to Regulation 17(3), but not decline to proceed with assessment of a non-complying development application

and that a report on matters determined under delegation be provided to CCDAC periodically.

4.2. **Pre-Lodgement/Case Management**

The Commission discussed the subject.

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

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

6. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 5.20PM.

Confirmed                    /                    /2013

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Ted Byrt  
PRESIDING MEMBER