



# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 95<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on 14 October 2020 commencing at 9.30am  
50 Flinders Street, Adelaide, Adelaide / Microsoft Teams video  
conferencing

## 1. OPENING

### 1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) Emma Herriman Paul Leadbeter Grant Pember
Secretary	Sara Zuidland
DPTI Staff	Lauren Nicholson (Consultant) (Agenda Item 2.2.1) Simon Neldner (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.1)

### 1.2. APOLOGIES

John Eckert

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## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS – Nil

### 2.2. NEW APPLICATIONS

#### 2.2.1 Adelaide 108 Pty Ltd C/- Fyfe

DA 020/A048/19

#### **108 Franklin Street, Adelaide (Publisher's Hotel)**

Adelaide City Council

Proposal: Demolition of existing buildings (excluding a majority of the existing brick facades at ground along Cannon and Tatham Streets which are to be retained) and construction of two towers above a common podium for hotel and serviced apartment use, along with porte-cochere off Cannon Street and ancillary car parking.

Emma Herriman declared a conflict of interest and was not present for this item.

The Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

Applicants

- David Bills – URPS
- Chris Watkins – Baukultur
- Rupinder Brar (via video conference)
- Dushyant Khanna (via video conference)

Agency

- Ellen Liebelt – ODASA

The State Commission Assessment Panel 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 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.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Adelaide 108 Pty Ltd for construction of two towers above a common podium for hotel and serviced apartment use, along with porte-cochere at 108 Franklin 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 State Planning Commission, prior to the granting of Development Approval:
  - a) A statement by a suitably qualified environmental professional that demonstrates that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be submitted to the State Planning Commission prior to any superstructure works (Stage 2). Satisfaction of this Reserved Matter is delegated to Manager, Development Assessment.
  - b) A final detailed layout of the serviced apartments, with area schedule. Satisfaction of this Reserved Matter is delegated to Manager, Development Assessment.
  - c) A detailed landscaping plan. This plan shall identify plant species, planting medium and depths, irrigation methods and other features of the landscaping scheme to demonstrate that the proposed planting will be visible from the street(s) and viable at podium level. The updated detailed landscaping plan shall be reflected, as necessary, in all other relevant plans and drawings (including, for example, sectional drawings).
  - d) The final design of the porte-cochere shall be provided, in consultation with the Government Architect, informed by streetscape presentation, structural and vehicle circulation requirements.
  - e) A final detailed schedule of external materials and finishes along with a physical materials board with documented performance to demonstrate suitability of the specified products and materials, in consultation with the Government Architect.

## 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/A048/19.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details*

2. 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.
3. A final stormwater management plan shall be provided to Council and approved in writing by the City of Adelaide's Technical Services Teams.

*Reason for conditions 2 & 3: to ensure appropriate stormwater management*

4. The hours for waste collection shall be scheduled to occur between:

- 9:00 a.m. – 5:00 p.m. on a Sunday or a public holiday; or
- 7:00 a.m. – 9:00 p.m. on any other day.

*Reason for condition: To minimise potential for traffic impacts and vehicle congestion during waste collection periods*

5. The development shall be designed and constructed to achieve the requirements of Minister's Specification SA 78B – Construction requirements for the control of external sound.

*Reason for condition: to protect occupants and users of the development from impacts of existing or future road and rail sound and mixed land use sound sources in the locality*

6. Air conditioning or air extraction plant or ducting shall be acoustically 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 Planning Commission.

*Reason for condition: to ensure mechanical equipment associated with the development does not detrimentally impact on amenity or cause unreasonable nuisance in the locality*

7. All external lighting on the site shall be designed and constructed to conform to Australian Standard – AS 4282-1997 (Control of the obtrusive effects of outdoor lighting).

*Reason for condition: to ensure external lighting does not introduce undue nuisance for occupants of adjacent land or potential for hazards to users of the adjacent road network in accordance with the necessary standard*

8. Prior to the commencement of construction a dilapidation report (i.e. condition survey) prepared by a qualified engineer shall be provided to the State Planning Commission to ensure the stability and protection of adjoining buildings, structures and Council assets.

*Reason for condition: to ensure the protection of the adjacent local heritage place*

9. 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 expenses associated with these works shall be met by the proponent.

*Reason for condition: to ensure appropriate reinstatement of any Council, utility or state-agency maintained infrastructure affected by construction activities*

#### ADVISORY NOTES

- a. This application has been approved in the following stages:
  - a. Stage 1: Demolition and Substructure
  - b. Stage 2: Superstructure
  - c. Stage 3: Fitout
- b. 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 Planning Commission.
- c. The applicant is also advised that any act or work authorised or required by the Development Approval 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.
- d. 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).
- e. 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.
- f. 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.
- g. The applicant, or any person with the benefit of this consent, must ensure that any consent/permit from other authorities or third parties that may be required to undertake the development, have been granted by that authority prior to the commencement of the development including (but not limited to) permits issued under Section 221 of the Local Government Act 1999 and payment of any associated fee/s.
- h. The applicant is reminded of their obligations under the Local Nuisance and Litter Control Act 2016 and the Environment Protection Act 1993, in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact the City of Adelaide on (08) 8229 9999 or email [city@adelaidecitycouncil.com](mailto:city@adelaidecitycouncil.com).
- i. No signage or advertising forms part of this development plan consent. No advertising display or signage shall be erected or displayed upon the subject land without an associated Development Approval first being obtained.
- j. Approval for the 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.

- k. Driveway crossovers redundant on Cannon Street will be required to be reinstated to kerb and water table and footpath to City of Adelaide standards, lifting existing path levels and adjusting service pit covers as required.
- l. All new driveway crossovers and interfaces between public and private payments will impact City of Adelaide assets and will require detailed design for approval of works.
- m. All checker plate discharge points made redundant by the development are to be removed and reinstated with footpath (refer requirements above for footpath reinstatement/make good requirements).
- n. As new canopies are to be constructed as part of these works, then lighting to meet City of Adelaide's under verandah requirements shall be installed.
- o. All works around street trees must be undertaken in accordance with AS 4970-2009 Protection of Trees on Development Sites. Any pruning of Council trees is to be undertaken only by Council once permission is granted.
- p. Any proposal to upgrade the public realm and introduce a "Shared Use" zone is separate to this Development Application and would require further discussion with Council.

2.3. **RESERVED MATTERS - Nil**

3. **CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil**

3.1. **DEFERRED APPLICATIONS – Nil**

3.2. **NEW APPLICATIONS – Nil**

4. **MAJOR DEVELOPMENTS – VARIATIONS - Nil**

5. **OTHER BUSINESS**

6. **NEXT MEETING**

- 6.1. Wednesday 28 October 2020 at Kardi Munaintya, Ground Floor, 50 Flinders Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing.

7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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

8. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 1:05pm.

Confirmed 14/10/2020



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 Rebecca Thomas  
 PRESIDING MEMBER