



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 98th Meeting of the
State Commission Assessment Panel
held on Wednesday, 18 November 2020 commencing at 9.30am
Microsoft Teams video conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember
Secretary	Sara Zuidland
DPTI Staff	Damian Dawson (Consultant) (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.2) Jason Cattonar (Agenda Item 2.2.1 and 2.2.1)

1.2. APOLOGIES

Nil.

Note: Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil

2.2. NEW APPLICATIONS

2.2.1 Bieson Pty Ltd C/- Future Urban Group

DA 020/A143/20

52-66 King William Street, Adelaide (Southern Cross Arcade)

Adelaide City Council

Proposal: Demolition of existing buildings and the construction of a 15-storey mixed-use retail and office building, including the retention of the facade of the State Heritage Place (Sand's and McDougall building)

Rebecca Thomas declared a conflict of interest and was not present for this item.

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

Applicants

- Chris Vounasis – Future Urban
- George Roussos – Charter Hall
- Adam Hannon - Cox

Agencies

- Kirsteen Mackay – Govt Architect
- Belinda Chan – ODASA
- Peter Wells - Heritage

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) Council Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Bieson Pty Ltd for the construction of a 15 storey (plus basement) mixed use retail and office building at 52-66 King William Street, Adelaide subject to the following reserved matters and conditions of consent.

PLANNING CONDITIONS

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below.

Reason: To ensure the development is undertaken in accordance with the plans and details

2. The following detailed design elements shall be documented to the satisfaction of the Commission, in consultation with the Government Architect, prior to the issue of Development Approval for any superstructure works (Stage 3):
 - a) Final samples of selected materials
 - b) Detailing of the curved stone components of the King William Street entrance
 - c) Detailing of the interface of the new podium to the State Heritage listed façade
 - d) Detailing of the curved glass curtain wall system for the office building
 - e) Review of opportunities to increase the depth of the roof terrace to maximise usability

Reason: To ensure appropriate materials are used and assist a meaningful internal engagement with the retained facade.

3. The following detailed design elements and heritage investigations shall be documented to the satisfaction of the State Planning Commission, in consultation with Heritage South Australia (Department for Environment and Water), prior to the issue of Development Approval for any demolition works (Stage 1):
 - a) The retention and conservation of the existing steel-framed windows at first and second floor levels and their associated decorative metalwork.

- b) The extent of any remnant below-canopy heritage fabric concealed behind later facings.
- c) The form, dimensions and detail of localised set-down in the second floor slab to the existing original second floor level of the Sands and McDougall building.
- d) The profile and depth of new parapet returns to the Sands and McDougall façade.

Reason: To assist a meaningful internal engagement with the retained facade. It is noted that the detailed design of the foyer portal to the Sands and McDougall facade, the existing original floor and ceiling levels shall be represented.

4. A schedule of conservation works to the heritage fabric shall be prepared and the works documented in consultation with Heritage South Australia (Department for Environment and Water), to the satisfaction of the State Planning Commission prior to the issue of Development Approval for any substructure works (Stage 2).

Reason: The application confirms the inclusion of conservation works as part of the project but lacks detail of the works. Conservation of heritage fabric should be carried out using appropriate materials, methods, finishes and workmanship.

5. Material expression and finishes for the foyer portal to the Sands and McDougall facade, the internal face of the façade and the floor of the demarcated seating zone shall be determined to the satisfaction of the State Planning Commission in consultation with Heritage South Australia (Department for Environment and Water) prior to the issue of Development Approval for any superstructure works (Stage 3).

Reason: To assist a meaningful internal engagement with the retained facade. It is noted that the detailed design of the foyer portal to the Sands and McDougall facade, the existing original floor and ceiling levels shall be represented.

6. The articulation and modulation of fenestration to the three-storey podium portals shall be developed to the satisfaction of the State Planning Commission in consultation with Heritage South Australia (Department for Environment and Water) and the Government Architect prior to the issue of Development Approval for any superstructure works (Stage 3).

Reason: To better respond to the vertical proportions of the Art Deco façade.

7. The below-canopy design of the Sands and McDougall façade including the new shopfront infill, its flanking structure and reveals shall be developed to the satisfaction of the State Planning Commission in consultation with Heritage South Australia (Department for Environment and Water) and the Government Architect prior to the issue of Development Approval for any superstructure works (Stage 3).

Reason: The proposed continuation of the above-canopy pilasters, although convincingly grounding the façade above, does not represent the original 1930s design, and other options should be explored to determine the optimum approach. The below-canopy design and materiality should be stylistically compatible with the Art Deco façade without adopting Art Deco detailing.

8. A strategy and work method statement for support, stabilisation and protection of the Sands and McDougall façade and canopy during the construction-phase and for the demolition of the balance of the building shall be developed and documented to the satisfaction of the relevant planning authority in consultation with Heritage South Australia (Department for Environment and Water) prior to any demolition works onsite. The permanent support strategy for the façade and canopy shall likewise be developed and documented to the satisfaction of the State Planning Commission in consultation with Heritage South Australia.

Reason for condition: Information not yet available to ensure a successful outcome.

9. A Traffic Management Plan shall be prepared and submitted to the satisfaction of the State Planning Commission detailing the management of traffic accessing the site through Imperial Place. The management plan shall detail how the queuing of traffic is to be managed to not impact upon pedestrian safety and vehicle movements along Grenfell Street. The operation of the facility shall always be undertaken in accordance with the submitted traffic management plan.

Reason: To ensure that traffic movement to and from the site is safe and convenient.

10. The finished floor level of the ground floor level at all entry points to the development shall match the existing footpath.

Reason: To ensure public footpaths remain level and as such pedestrian safety and amenity is not compromised.

11. 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 City of Adelaide City Works Guide # 2: 'Works Impacting Council Assets' which can be located on Council's website <https://www.cityofadelaide.com.au/> and shall be to the reasonable satisfaction of the State Planning Commission.

Reason: To ensure that adequate provision is made for the collection and dispersal of stormwater.

12. The applicant or the person having the benefit of this consent shall ensure that all storm water run-off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the storm water run-off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the State Planning Commission.

Reason: To ensure that stormwater runoff does not have an adverse impact upon the public realm

13. All outdoor lighting on the Land shall be in accordance with Australian Standard AS 4282 - 2019. The applicant or the person(s) having the benefit of this consent shall submit to the Council a detailed outdoor lighting plan prior to the granting of development approval for superstructure works (Stage 3). Such lighting plan shall be to the reasonable satisfaction of the State Planning Commission.

Reason: 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

14. Waste management shall be undertaken in accordance with the waste management plan submitted with the application.

Reason: To ensure waste management is undertaken in such a way so as to minimise potential for on-site or off-site impacts.

15. Ancillary activities such as deliveries, collection, movement of private waste bins, goods, empty bottles and the like shall occur before 10.00 pm and after 7.00 am Monday to Saturday or after 9.00 am on a Sunday or Public Holiday.

Reason: To ensure that the Development does not unduly diminish the enjoyment of other land in the locality.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 24 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

- 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 State Planning Commission
- 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 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 site, please contact the City of Adelaide.
- e. This consent does not include signage for which a separate application must be submitted.
- f. 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:
 - a. Work in the Public Realm
 - b. Street Occupation
 - c. Hoarding
 - d. Site Amenities
 - e. Traffic Requirements
 - f. Servicing Site
 - g. Adjoining Buildings
 - h. Reinstatement of Infrastructure
- g. Unsecured building sites have been identified as a soft target for vandalism and theft of general building materials. The Eastern District Police and the City of Adelaide are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters, copper piping 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 access and establishes clear ownership.
- h. In relation to street trees, the proposal shall meet the following requirements:
 - a. The proposed verandah shall be designed to ensure that a minimum clearance of 600mm is maintained between the structure and the nearest significant limb of the street tree.
 - b. Site works shall be affected in such a manner so as not to damage the existing street tree.
 - c. The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree notwithstanding the requirements of the Regulations under the Sewerage Act, 1929.
 - d. The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the verandah/development, shall only be carried out by Council.

- i. Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.
- j. 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.
- k. 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
- l. When applying for a City Works Permit you will be required to supply the following information with the completed application form:
 - a. A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
 - b. Description of equipment to be used;
 - c. A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
 - d. Copies of consultation with any affected stakeholders including businesses or residents.
- m. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.
- n. 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.
 - 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.
- o. 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.

2.1.2 Walker Riverside Developments P/L

DA 020/A012/16 V4

Adelaide Festival Plaza

Adelaide City Council

Proposal: Deferred item - Variation to DA 020/A012/16 for the construction of a car park over 5 basement levels, a 27 level office tower and a retail building of up to three levels – variation includes changes to the building design, internal reconfiguration, inclusion of a new pedestrian walkway and the deletion of condition 5 and amendment to condition 6

Rebecca Thomas declared a conflict of interest and was not present for this item.

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

Applicants

- Graeme Dix – JPW
- Nathan Thompson – Walker
- Jessica Jordan – Walker
- Walter Brindle – JPW

Agencies

- Kirsteen Mackay – Govt Architect
- Belinda Chan – ODASA
- Peter Wells - Heritage

Observers

- Jon Whelan – DIT
- Tone Cole – Renewal SA

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) The 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 Walker Riverside Developments Pty Ltd for a variation to DA 020/A012/16 and V2 and DA 020/A131/20 for the construction of a car park over 5 basement levels, a 27 level office tower and a retail building of up to three levels – variation includes changes to the building design, internal reconfiguration, inclusion of a new pedestrian walkway, and the deletion of condition 5 and amendment to condition 6 at the Adelaide Festival Plaza, 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 for each stage of works:

Materials and details

- 1.1 The final selection of the external materials for each stage of the development, including the provision of a detailed materials schedule and samples board shall be prepared in consultation with the Government Architect and the Department for Environment and Water. These shall be of a high quality and preferably locally sourced.
- 1.2 Design details shall be provided in consultation with the Government Architect (1.2.1, 1.2.2, 1.2.3) and the Department for Environment and Water (1.2.3) for the following components of the development, and it is recommended that prototyping be undertaken to inform the detailing:
 - 1.2.1 Primary framing elements and secondary infill elements of the podium.
 - 1.2.2 Three tower facade types (articulated, flat and expressed fin).
 - 1.2.3 Soft and hard landscape elements of the new public laneway and fence to the north of Parliament House.

Final details shall be determined prior to Development approval being granted for each relevant stage of the development.

Retail Façade treatment

- 1.3 The final details shall be provided in consultation with the Government Architect and the Department for Environment and Water that demonstrate the facade treatment and detailing of the retail pavilion component, including any associated

services requirements (i.e. location of service doors to the public realm etc.) prior to Development Approval for this component of the work.

PLANNING CONDITIONS

1. The development shall be established in accordance with the stamped plans, details and documents except where varied by conditions.

Reason for condition: to ensure the development is undertaken in accordance with the consented plans.

Heritage and Design

2. Further information shall be prepared, in consultation with the Government Architect confirming that paving treatment to the Plaza development will extend to the glazing line of the ground floor tenancies of the retail pavilion, to ensure a seamless integration of the two separate development applications.
3. A dilapidation survey recording the condition of the surrounding State heritage places shall be prepared prior to the commencement of site works, to the satisfaction of the State Planning Commission. As well as recording fabric in good condition, the survey shall also record the location, type and dimensional extent of any existing physical damage to the place that might be affected by the proposed excavation and construction works.

Reason: Avoiding damage to heritage fabric through loss of support, footing movement, vibration, physical impact and the like requires detailed planning of construction methods and programming. Identifying and managing any damage requires a detailed appraisal of each building prior to commencement of works.

4. A Construction Environment Management Plan (CEMP) outlining measures to minimise undermining of heritage structures and ground vibrations in the proximity of the heritage buildings shall be prepared in consultation with the Department for Environment and Water to the satisfaction of the State Planning Commission prior to Development Approval being granted.

The CEMP shall include the following in relation to heritage matters:

- a. proposals for the ongoing monitoring of the condition of the heritage place during the works;
- b. proposals for protective measures against accidental damage (both internal and external heritage fabric); and
- c. procedures to be taken if any structural distress or accidental damage is identified in the heritage fabric.

Reason: Avoiding damage to heritage fabric through loss of support, footing movement, vibration, physical impact and the like requires detailed planning of construction methods and programming. Identifying and managing any damage requires a detailed appraisal of each building prior to commencement of works.

- ~~5. Construction plans shall include a further refinement to the design of the Parliamentarian lift and associated canopy to maximise views of Parliament House from the foyer of the proposed commercial tower whilst maintaining privacy to the Parliament Garden.~~

~~*Reason: The proposed installation lacks sufficient detail to assess its impact on significant fabric.*~~

6. The detailed design of the security fences adjacent Parliament Lane including their alignments and interfaces with Parliament House shall be prepared, in consultation with the Department for Environment and Water and be to the satisfaction of the State Planning Commission prior to Development Approval for this stage of the works being granted.

Reason: The application lacks sufficient detail to assess heritage impacts.

7. The detailed design of the northern car park lifts and stairs shall be prepared in consultation with the Government Architect and the Department for Environment and Water and approved and documented to the satisfaction of the State Planning Commission prior to the issue of Development Approval for this stage of the works. The design should conform to the 45 degree octagonal geometry of the terrace level foyer and plaza. The layout and geometry of the ribbed soffits in the vicinity of the lift should be taken into account when considering how this element intersects with and penetrates the plaza structure. A reflected ceiling plan will be required to investigate the final positioning and geometry of the shaft.

Reason: The architectural design of this new element is important both within the terrace level foyer and on the plaza. It should be sympathetic to the original design language of the foyer space and the plaza.

- ~~8. A work method statement shall be prepared detailing protective measures resulting from the demolition of the northern section of the plaza and construction of the carpark, and construction techniques to ensure demolition of connected in situ concrete does not cause damage or structural instability to remaining fabric of heritage significance.~~

~~Details of demolition alignment, and noted work method statement, are to be detailed in consultation with the Department for Environment and Water and to the satisfaction of the State Planning Commission prior to Development Approval being granted for this stage of the works. Works are to be informed by a suitably qualified heritage architect.~~

~~*Reason: Salvaging components of high significance, avoiding damage to remaining fabric and ensuring its structural stability during construction works are likely to involve difficult technical challenges due to the in situ nature of the original concrete construction.*~~

Airport

9. The building shall not exceed a maximum height of 144.1 metres AHD, inclusive of all lift overruns, vents, chimneys, antennas, lightning rods, exhaust flues etc.
10. The building shall be obstacle lit by medium intensity steady red lighting during the hours of darkness at the highest point of the building. Obstacle lights are to be arranged to ensure the building can be observed in a 360 degree radius as per subsection 9.4.3 of the Manual of Standards Part 139 – Aerodromes (MOS 139). Characteristics for medium density lights are stated in subsection 9.4.7 of MOS 139.
11. The proponent shall ensure that obstacle lighting arrangements have a remote monitoring capability, in lieu of observation every 24 hours, to alert AAL reporting staff of any outage. For detailed requirements for obstacle monitoring within the OLS of an aerodrome, refer to subsection 9.4.10 of the MOS Part 139.
12. The proponent shall ensure obstacle lighting is maintained in serviceable condition and any outage immediately report to Adelaide Airport Limited (AAL).

Way-finding

13. Way-finding signage shall be installed to identify egress points to the lifts and stair wells to the car park that is consistent with the way-finding approved as part of the

redevelopment of the Adelaide Festival Plaza and shall be prepared to the satisfaction of the State Planning Commission.

Car parking and access

14. All vehicle car parks, driveways and vehicle entry and maneuvering areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the State Planning Commission prior to the occupation or use of the development.
15. A system shall be put in place to monitor the number of available vacant car parking spaces within each blind aisle within the carpark. This should include an automated car detection device, and shall be installed prior to the operation of the carpark.

Bicycle parking

16. Within two years of operation of the development, the number and location of the bicycle parks provided within the Adelaide Festival Plaza shall be reviewed to determine if the spaces are adequate. If they are deficient, additional spaces shall be provided at the expense of the developer, in consultation with the land owner of the Plaza, to incorporate more spaces to align with the requirements for visitor parking in the Development Plan. These shall be located in a safe and convenient location, and be well lit during the hours of darkness.
17. All bicycle parks shall be designed and constructed in accordance with the relevant Australian Standards. Those located in the Plaza shall be well lit during the hours of darkness.

Lighting

18. Lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards. Such lighting shall be operational during the hours of darkness to the reasonable satisfaction of the State Planning Commission.

Acoustic

19. The acoustic attenuation measures recommended in the Aurecon report dated November 2015 and updated by BESTEC on 10 September 2020, forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the State Planning Commission.
20. Mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:
 - 55 dB(A) during daytime (7.00am to 10.00pm) and 45 dB(A) during night time (10.00pm to 7.00am) when measured and adjusted in accordance with the relevant environmental noise legislation except where it can be demonstrated that a high background noise exists.

Stormwater

21. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
22. An appropriate Soil Erosion and Drainage Management Plan (SEDMP) (as described in the "Stormwater Pollution Control, General Code of Practice for Local, State and

Federal Government”) shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

Waste

23. 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 consistent with the approved plans and submitted to Adelaide City Council. Such details shall include a Waste Management Plan which shall cover the three phases of the Development, namely:

- a. resource recovery during demolition
- b. waste minimisation and resource recovery during construction; and
- c. resource recovery during occupation or use of the Development including proposed methods of recycling of all recyclable materials

Wind

24. The applicant shall undertake a wind analysis, by a suitably qualified consultant, based on the final design and undertake treatments to ensure that wind effects caused by the development are addressed to deliver an acceptable comfort level, in line with recommendations by the consultant, to the satisfaction of the State Planning Commission.

Conditions – General

25. Details of any air conditioning or air extraction plant or ducting to be placed on the exterior of the building, in association with this development shall be submitted to and approved by the State Planning Commission.

26. Air conditioning or air extraction plant or ducting shall be screened such that no nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of State Planning Commission.

Heardings

~~27. The details of the heardings shall be provided to the State Planning Commission for its approval prior to works commencing.~~

ADVISORY NOTES

Heritage

- a. The following advice is provided in accordance with the requirements of the *Heritage Places Act 1993*. The proponent is advised that:
 - No further historical research or archaeological investigation is considered necessary for this site.
 - In the event that archaeological relics or remains of any of the following are found during excavation and construction, all works in the vicinity should cease immediately.
 - i. The carriage sheds, a stores building, a parcels office, the refreshment rooms or other former railway infrastructure.
 - ii. Former parliamentary outbuildings.

- iii. Other historical archaeological remains not anticipated in the report titled 'Adelaide Festival Square Desk Top Archaeological (Austral Archaeology), 21 Dec 2015.

A qualified archaeologist should be contacted to assess the situation and notify the Heritage South Australia (Department for Environment and Water) for further direction.

Reason for advice: To comply with obligations under Section 27 of the Act.

- b. The following advice is provided in accordance with the requirements of the *Aboriginal Heritage Act 1988*. The proponent is advised that:
 - In the event that Aboriginal sites, objects or remains are found during the bulk excavation or other construction works, all works in the vicinity should cease immediately. A qualified archaeologist should be contacted to assess the situation and notify the Aboriginal Heritage Branch (Aboriginal Affairs and Reconciliation Division, Department of the Premier and Cabinet) for further direction.

Reason for advice: To comply with obligations under Section 20 of the Act

- c. With reference to the Decision Notification dated 4 May 2016 for DA 020/V091/15, the proponent's attention is drawn to the anticipated amendment of that application to reconstruct the northern plaza in its existing form. The reinstatement of umbrella columns in their existing locations would require the amendment of the subject application DA 020/A012/16 in order to provide structural support for the columns.

Environmental

- d. 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.
- e. 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
- f. If, in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment or potential harm to the health or safety of human beings or the environment that is not trivial (taking land use into account), the applicant may need to remediate the site in accordance with EPA guidelines.
- g. If, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to Section 83A of the Environment Protection Act 1993) must be submitted to the EPA.
- h. 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.

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.

The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).

The policy also creates offences that can result in on-the spot fines or legal proceedings. The following information is provided to assist with compliance with this legislation:

- i. Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry" (EPA, 1999). Specifically, the applicant must ensure:
 - During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways.
 - A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.
 - i. Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
 - ii. All building and construction wastewaters are listed pollutants under the *Environment Protection (Water Quality) Policy 2003* and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

Waste

- j. Demolition waste and excavated materials (including soil) shall be appropriately classified, managed and stored for on-site use or transported off-site for re-use and/or disposal in accordance with the Environment Protection Authority (EPA) Guideline: Standard for the production and use of Waste Derived Fill (October 2013).

Airports

- k. Separate approval must be sought under the Regulations for any cranes required to construct the building. Construction cranes may be required to operate at a height significantly higher than that of the proposed controlled activity and consequently, may not be approved under the Regulations.
- l. Breaches of approval conditions are subject to significant penalties under sections 185 and 187 of the Act.
- m. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment by the Commonwealth Department of Infrastructure and Transport. Crane operations associated with construction shall be the subject of a separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction.

Signs

- n. That no additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.

General

- o. The development must be substantially commenced within two years of the date of the original notification being 10 November 2018, unless this period has been extended by the State Commission Assessment Panel.
- p. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 6 years of the date of the original Notification being 10 November 2022, unless this period is extended by the State Commission Assessment Panel.
- q. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- r. 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.
- s. 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).

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** –

5. **OTHER BUSINESS**

6. **NEXT MEETING**

6.1. Wednesday 25 November 2020 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 Deputy Presiding Member thanked all in attendance and closed the meeting at 11:47am.

Confirmed 19/11/2020



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Dennis Mutton
DEPUTY PRESIDING MEMBER