



Development Assessment Commission

**Inner Metropolitan Development Assessment Committee
held on Thursday, 31 July 2014 commencing at 10.00 AM
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Ted Byrt
Members	Megan Leydon (Deputy Presiding Member) Damien Brown Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford
	<i>Council Representatives</i> ACC - Michael Llewellyn-Smith AM NPSP - Jenny Newman
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Anita Allen (Agenda Item 3.1) Connie Parisi (Agenda Item 3.2) Anna Provatas (Agenda Item 3.3)

1.2 APOLOGIES – Nil.

2. DEFERRED APPLICATIONS – Nil.

3. NEW APPLICATIONS

3.1 Adelaide City Council

IMDAC Council Representative: Michael Llewellyn-Smith AM

Peter Kozno
020/0023/14A
261-263 Pulteney Street, Adelaide

Simone Fogarty had a conflict of interest and left the room for the hearing of this item.

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

Applicant(s)

- Michael Loucas (Loucas Zahos)
- Louis Petridis (Loucas Zahos)
- Mark Separovic (GHD Woodhead)
- Peter Kozno

Agency

- Ben Hewett (Government Architect)

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to grant Development Plan Consent to the proposal by Mr Peter Kosnos for the demolition of the existing building and construction of residential apartments (68 apartments over 17 levels), a retail tenancy on the ground floor and mezzanine, plus a common use roof terrace, together with associated car parking over 4 levels at 261 -263 Pulteney Street subject to the following conditions of consent.

Planning Conditions:

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans, including the amended plans as submitted in development application number 020/0023/14A.

Plans by Loucas Zahos Architects, dated 04/06/14

Title	Date	Drawing Number
Context Plans	04/06/14	1
Proposed Streetscape	04/06/14	2
Planning	04/06/14	3
Building Section and ECO Standards	04/06/14	4
Vignettes	04/06/14	5
Option F Floor Plans	04/06/14	6
Option F Floor Plans	04/06/14	7
Podium Plans	04/06/14	8
Podium Plans	04/06/14	9
Elevations	04/06/14	10
Roof Plans and Massing	04/06/14	11
Street Level Perspectives	04/06/14	12
Sun Study	04/06/14	13
Outdoor Dining	04/06/14	14

Reports / Correspondence

- GHD (03 June 2014) Planning Statement for Sky Apartments, 261-263 Pulteney Street, Adelaide, Rev 2, 3317402.
 - Vipac Engineers & Scientists Ltd (03 June 2014) Wind Impact Assessment 50B-13-0158-TNT-346423-1.
 - Vipac Engineers & Scientists Ltd (02 June 2014) Acoustic Report, 50B-13-0158-GCO-792936-1.
 - Phil Weaver & Associates (17 June 2014) Traffic and Parking Assessment; Proposed Mixed Use Development 261-263 Pulteney Street, Adelaide; File: 205-13
 - Rawtec (June 2014) Waste Management Plan: Sky Apartments Development, 261 Pulteney Street, Adelaide.
 - Lucid Consulting Engineers Pty Ltd (03 June 2014) ESD Statement, Proposed Residential Development Ecologically Sustainable Design (ESD), LF: 8113-007a.
2. The applicant shall provide a final schedule of external materials and colours for the development.
 3. A final waste management plan including supporting documentation and design details shall be provided to the satisfaction of the Development Assessment Commission.
 4. The proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including clearance to columns and space requirements at the end of blind aisles) for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and designed to conform with Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.
 5. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
 6. The strategies recommended in the traffic assessment report by Phil Weaver and Associates, dated 17 June 2014, forming part of this consent shall be undertaken within the Development to the reasonable satisfaction of the Development Assessment Commission. Such measures shall be made operational prior to the occupation or use of the Development.
 7. The acoustic attenuation measures recommended in the Vipac Engineers & Scientists Ltd (June 2014): 262 -263 Pulteney St (Sky Apartments) – Acoustics forming part of this consent shall be undertaken within the Development to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the Development and any additional measures implemented as required when plant and equipment details are finalised.
 8. Mechanical plant or equipment, shall be designed, sited and screened to minimise noise impact on adjacent premises or properties. The noise level associated with the combined operation of plant and equipment such as air conditioning, ventilation and refrigeration systems when assessed at the nearest existing or envisaged noise sensitive location in or adjacent to the site shall not exceed:

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

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

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

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

For further information relating to what Site Contamination is, refer to the EPA Guideline: ‘*Site Contamination – what is site contamination?*’: www.epa.sa.gov.au/pdfs/guide_sc_what.pdf A copy of the CEMP shall be provided to Adelaide City Council prior to construction.

10. The final details of the proposed waste management practices to be adopted by the applicant or the person(s) having the benefit of this consent during the construction of the Development, shall be submitted to Adelaide City Council prior to the granting of development approval to the Development. Such details shall include a Waste Management Plan which shall cover the three phases of the Development, namely:
 - resource recovery during demolition
 - waste minimisation and resource recovery during construction; and
 - resource recovery during occupation or use of the Development including proposed methods of recycling of all recyclable materials.
11. The connection of any storm water discharge from the Land to any part of the Adelaide City Council’s underground drainage system shall be undertaken in accordance with the Council Policy entitled ‘Adelaide City Council Storm Water Requirements’ and be to the reasonable satisfaction of the Adelaide City.
12. Prior to the commencement of construction a dilapidation report (i.e. condition survey) shall be prepared by a qualified engineer to ensure the stability and protection of adjoining buildings, structures and Council assets. A copy of this report shall be provided to the Adelaide City Council.
 - During construction, all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
 - The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
 - All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
13. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times to the satisfaction of the Adelaide City Council.

Advisory Notes:

- a) The proponent may need to obtain approval under the regulations for any equipment or cranes to be used on site that will intrude into prescribed airspace before entering into a commitment to construct any building at the site.
- b) Council maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the proponent.
- c) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>

- d) 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.
- 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) If temporary hoarding or site works require modification of existing Council infrastructure, the works will be carried out to meet Councils requirements and costs borne directly by the developer.
- g) 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
- h) Insecure building sites have been identified as a soft target for vandalism and theft of general building materials. The Adelaide Local Service Area Police and the Adelaide City Council are working together to help improve security at building sites. Items most commonly stolen or damaged are tools, water heaters and white goods. To minimise the risk of theft and damage, consider co-ordinating the delivery and installation of the goods on the same day. Work with your builder to secure the site with a fence and lockable gate. Securing the site is essential to prevent unauthorised vehicle access and establishes clear ownership. If you have any further enquiries about ways to reduce building site theft, please do not hesitate to contact the Adelaide Local Service Area Community Programs Section on

8463 7024. Alternatively, you can contact Adelaide City Council for further assistance and information by calling Nick Nash on 8203 7562.

- i) Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of each stage of the building work on the site. To notify Council, contact City Services on 8203 7332.
- j) The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

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>

- k) 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.
- l) The development must be substantially commenced within one (1) year of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- m) You are also advised that any act or work authorised or required by this Notification must be completed within three (3) years of the date of the Notification unless this period is extended by the Commission.
- n) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- o) 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).

3.2 **City of Norwood, Payneham and St Peters**

IMDAC Council Representative: Jenny Newman

FA Marmac Pty Ltd

DA 155/M002/14

54-60 King William Street, Kent Town

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

Applicant(s)

- Andrew Morgan
- Rolf Proske
- Ruan Perera

Agency

- Ben Hewett (Government Architect)
- Paul Stark (DPTI – Planning)

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to grant Development Plan Consent to the proposal by FA Marmac Pty Ltd for the demolition of existing buildings and structures including one Local Heritage place, removal of a Regulated Tree and construction of a mixed use development comprising 54 residential dwellings, 3 SoHo products, a retail store and commercial offices together with above ground car parking and related works at 54-60 King William Street, Kent Town, subject to the following reserved matter and 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 020/0010/14A including:

Plans by Proske Architects

Plan No.	Revision	Date
13.071.PL01.A	A	2 June 2014
13.071.PL02.A	A	4 June 2014
13.071.PL03.B	B	12 June 2014
13.071.PL04.A	A	4 June 2014
13.071.PL05.A	A	4 June 2014
13.071.PL06.A	A	4 June 2014
13.071.PL07.A	A	4 June 2014
13.071.PL08.A	A	4 June 2014
13.071.PL09.A	A	2 June 2014
13.071.PL010.A	A	4 June 2014
13.071.PL011.A	A	4 June 2014

Reports / Correspondence

- Planning Assessment Report in support of the development (June 2014) – Final Version, Revision 2B.
2. The acoustic attenuation measures recommended in the Resonate report, ref A1149192, dated 12 May 2014, forming part of this consent shall be undertaken within the Development to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be made operational prior to the occupation or use of the Development and any additional measures implemented as required when plant and equipment details are finalised.
 3. Mechanical plant or equipment, shall be designed, sited and screened to minimise noise impact on adjacent premises or properties to the satisfaction of the Development Assessment Commission.
 4. 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:

- 4.1 air quality, including odour and dust
- 4.2 surface water including erosion and sediment control
- 4.3 soils, including fill importation, stockpile management and prevention of soil contamination
- 4.4 groundwater, including prevention of groundwater contamination
- 4.5 noise
- 4.6 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

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

5. 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.
6. The proposed car parking layout shall be designed and constructed to conform to the *Australian Standard 2890.1:2004 for Off-Street Parking Facilities*; *Australian Standard 2890.6-2009 Parking facilities*.
7. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
8. Prior to Provisional Building Rules consent, the local heritage place house shall be measured (plans and elevations) and photographically recorded at the applicant's expense to the satisfaction of Council and a copy be provided to Council.
9. The proposed landscaping shall be established and maintained to the satisfaction of the Development Assessment Commission.

Advisory Notes:

- a) 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.
- b) 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.
- c) 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>
- d) 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.
- 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 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.
- g) That the 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 the Development Assessment Commission.
- h) The development must be substantially commenced within three (3) years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- i) Should the development be favourably considered, it is recommended that demolition of this heritage place, be subject to a Condition that prior to Building Rules Consent, the subject house be measured (plans and elevations) and photographically recorded at the applicant's expense, to the satisfaction of the local council.
- j) An application for an authorisation pursuant to Section 22.1 of the Local Government Act will need to be lodged and approved by the City of Norwood, Payneham and St Peters for any encroachments.
- k) You are also advised that any act or work authorised or required by this Notification must be completed within five (5) years of the date of the Notification unless this period is extended by the Commission.
- l) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- m) 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).

3.3 **City of Norwood, Payneham and St Peters**

IMDAC Council Representative: Jenny Newman

Palumbo Building for Diota Pty Ltd
DA 155/M001/14
4-8 Dequetteville Terrace, Kent Town

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

Applicant(s)

- Daniel Palumbo
- Paul Pruszinski
- Chris Vounasis

Agency

- Kirsteen Mackay (ODASA)

The Commission discussed the application.

RESOLVED

1) RESOLVE to DEFER for further consideration.

4. **ANY OTHER BUSINESS** – Nil.

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 1.10PM.

Confirmed / /2014

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Ted Byrt
PRESIDING MEMBER