



# *Development Assessment Commission*

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Minutes of the 562<sup>nd</sup> Meeting of the  
Development Assessment Commission  
held on Thursday, 10 November 2016 commencing at 9.30 AM  
28 Leigh Street, Adelaide

## 1. OPENING

### 1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Sue Crafter Peter Dungey Dennis Mutton
Secretary	Cathryn Longdon
Manager	Chris Kwong
DPTI Staff	Gabrielle McMahon (Agenda Item 3.2.1) Ben Scholes (Agenda Item 3.2.2) Jason Bailey (Agenda Item 3.2.2 and 3.2.1) Laura Kerber (Agenda Item 2.2.1) Jeremy Wood (Agenda Item 2.2.1) Malcolm Govett (Agenda Item 2.2.2) Brett Miller (Agenda Item 2.2.2) Simon Neldner (Agenda Item 2.2.2)

### 1.2. APOLOGIES – David O’Loughlin

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## 2. DAC APPLICATIONS

### 2.1. DEFERRED APPLICATIONS - Nil

### 2.2. NEW APPLICATIONS

#### 2.2.2 City of Norwood, Payneham and St Peters

155/L010/16

4 Woods Street, Norwood

Proposal: Redevelopment of Norwood Oval - demolition of Boulderstone Stand and construction of new building

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

Applicants(s)

- Marcus Rolfe
- Nick Tridente
- Matthew Ward

Representor(s)

- Peter Fairley-Jones
- Angela Gibb
- Nicholas Grey (for himself and on behalf of Maggie Emmett)

The Commission discussed the application.

RESOLVED

To DEFER consideration of the item to enable the applicant to supply the following information:

- A traffic management report that included details around precinct parking management.
- Clarification of the organisational management of the function rooms.
- Reconsideration of the frequency, number and duration of the use of the facility.
- Clarification around the hours of operation of the ground floor bar and the function rooms

### 3. ADJOURN TO INNER METROPOLITAN DEVELOPMENT ASSESSMENT COMMITTEE

#### 3.1. DEFERRED APPLICATIONS - Nil

#### 3.2. NEW APPLICATIONS – Nil

##### 3.2.1 Walker Riverside Developments Pty Ltd

020/A012/16

Adelaide Festival Plaza, King William Street, Adelaide  
City of Adelaide

Proposal: carpark, office and retail development

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

Applicants(s)

- Dan Larkey
- Guy Lake
- Mathieu Le Suer
- Richard Dwyer
- Jason Shultz
- Gerry Beasley
- Ben Haylock
- Kristina Veg

Agency

- Peter Wells
- Kirsteen Mackay

- Nick Tridente
- Belinda Chan

Helen Dyer declared a conflict of interest and left the meeting.

The Commission discussed the application.

#### RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally meets the key objectives of the Riverbank Zone and the Entertainment Policy Area.
3. To grant Development Plan Consent to the proposal by Walker Riverside Developments Pty Ltd for Development Application 020/A012/16 for demolition works and the construction of a 5 level basement car park, 27 level office tower (including plant level and ground level retail) and construction of a retail building up to 3 levels at the Adelaide Festival Plaza, Adelaide subject to the following reserved matters and conditions of consent.

#### RESERVED ASSESSMENT

Pursuant to Section 33(3) of the Development Act 1993 the following matters shall be reserved for further assessment. This does not preclude Development Approval being granted in stages – and the satisfaction of these reserve matters may not be required prior to other unrelated works commencing.

#### Materials Selection

1. Pursuant to Section 33(3) of the Development Act 1993, in consultation with the Government Architect and the Department of Environment, Water and Natural Resources, and to the satisfaction of the Development Assessment Commission final details of the external materials for each component of the development, including the provision of a detailed materials schedule and samples board. These shall be of a high quality and preferably locally sourced. Final selections shall be determined prior to Development approval being granted for each relevant component of the development.

#### Retail Façade treatment

2. Pursuant to Section 33(3) of the Development Act 1993, in consultation with the Government Architect and to the satisfaction of the Development Assessment Commission, final details shall be provided that demonstrate the facade treatment and detailing of the retail 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.

#### Heritage Interface – Parliament Lane

3. Pursuant to Section 33(3) of the Development Act 1993, in consultation with the Department of Environment, Water and Natural Resources and to the satisfaction of the Development Assessment Commission, final details of the proposed interface of Parliament Lane with Parliament House and Old Parliament House to be further documented, prior to final

Development Approval being granted for this stage of the works. Such works are to be informed by a suitably qualified heritage architect.

Particular consideration should be given to the following in preparing this work:

- a. ensuring that any existing damp proof courses (DPCs), floor vents or similar are not breached such as to cause long term degradation of the heritage fabric;
- b. confirmation of the extent of demolition of the west terrace (raised landing) to the loading area of Parliament House. Demolition should be generally limited to that necessary to undertake the works and provide a cohesive design resolution of this location;
- c. design and construction detailing of Parliament House façade treatment where west terrace removed.

Reason: Changes in ground plane will need to be appropriately detailed to ensure that they do not cause any long term degradation of the heritage fabric. The western terrace is supported by a series of brick vaults. Removing a section of the terrace will require careful consideration of an appropriate presentation of the exposed face.

## 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/A012/16:

### Plans by BatesSmart

Plan No.	Revision	Plan description
A01.000	10	Site Plan
A01.011	03	Demolition Plan
A02.B5	08	Level B5 Masterplan
A02.B4	08	Level B4 Masterplan
A02.B3	09	Level B3 Masterplan
A02.B2	09	Level B2 Masterplan
A02.B1	10	Level B1 Masterplan
A03.000	10	Level 00 Plan
A03.001	10	Level 01 Plan
A03.002	10	Level 02 Plan
A03.003	05	Level 03 Plan
A03.004	05	Level 04 Plan
A03.005	05	Level 05 Plan [Plant]
A03.006	05	Level 06 Plan [Typical Low Rise with Terrace]
A03.007	05	Level 07 - 8, 10 Plan [Typical Low-Rise]
A03.009	05	Level 09 Plan [Terrace]
A03.011	05	Level 11 Plan [Transfer]
A03.012	05	Level 12 Plan [Lift Overrun]
A03.013	05	Level 13 Plan [Lift Machine Room]
A03.014	05	Level 14 - 17 Plan [Typical Mid-Rise]
A03.018	05	Level 18 Plan [Transfer]
A03.019	05	Level 19 Plan [Lift Overrun]
A03.020	05	Level 20 Plan [Lift Machine Room]
A03.021	05	Level 21 Plan [Typical High-Rise with Terrace]
A03.022	05	Level 22 - 25 Plan [Typical High-Rise]
A03.026	05	Level 26 Plan [Rooftop Plant]
A07.000	04	North Elevation
A07.001	05	West Elevation
A07.002	01	South Elevation
A07.003	01	East Elevation
A07.004	01	South Elevation [Retail Pavilions]
A07.100	01	Streetscape Elevation [King William Street]

A07.200	01	Streetscape Elevation [North Terrace]
A08.000	07	Section AA - West - East [Parliament Gardens]
A08.000	04	Section BB - East - West [Parliament Gardens]
A08.000	08	Section CC – North – South [Festival Plaza]
A08.000	06	Section DD – North – South [Festival Plaza]
A08.000	03	Section EE – North – South

#### Reports and correspondence

- Planning report by Ekistics, dated 29 February 2016
- Adelaide Riverbank Festival Plaza & Carpark DA Design Report by Bates Smart, dated February 2016
- Traffic Impact Assessment by GTA consultants entitled 'Adelaide Riverbank Precinct Public Realm Upgrade' dated 2 December 15
- Car park assessment by Walker Corporation dated February 2016
- Pedestrian Modelling Assessment (Draft) by Aitkins dated 20 November 2015
- Arboricultural Report by Arborman Tree Solutions, (report no. SD-ARB-0100 – V2) dated 1 December 2015
- Waste management Report by Rawtec, dated December 2015
- Stormwater management Plan by Mott MacDonald, dated December 2015
- State Heritage Impact Assessment (DA122760), entitled 'Festival Plaza Redevelopment – Carpark, Retail and Commercial Development', Revision by Dash Architects dated 12 December 2015
- Acoustic Services report by Bestec, dated November 2015
- Preliminary Environmental Site Investigation by Mott MacDonald, dated 15 December 2015
- ESD Report by Bestec, entitled 'Festival Plaza Commercial Development' dated 11 December 2015
- Pedestrian Wind Effects report by Aurecon, revision 1 (ref 250009) dated 4 December 2015
- Desktop Archaeological Assessment by Austral Archaeology (job 1529), dated 21 December 2015
- Airport Assessment by the Airport Group dated January 2016
- Information received after lodgement
- Correspondence from Walker corporation, dated 6 June 2016, 27 October 2016
- Correspondence from GTA (traffic advice) dated 8 June 2016, 24 October 2016

#### 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 Development Assessment 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 of Environment, Water and Natural Resources to the satisfaction of the Development Assessment 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 at the eastern and western ends of the Parliament garden including their alignments and interfaces with Parliament House shall be prepared, in consultation with the Department of Environment, Water and Natural Resources and be to the satisfaction of the Development Assessment Commission prior to Development Approval for this stage of the works being granted.

Reason: The application lacks sufficient detail to assess heritage impacts. An alternative solution that avoids the east-west sections of fence along the northern wall of Parliament House is desirable.

7. The detailed design of the northern car park lifts and stairs shall be prepared in consultation with the Government Architect and the Department of Environment, Water and Natural Resources and approved and documented to the satisfaction of the Development Assessment 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 of Environment, Water and Natural Resources and to the satisfaction of the Development Assessment 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 Development Assessment 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 Development Assessment 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 Development Assessment Commission.

### Acoustic

19. The acoustic attenuation measures recommended in the Aurecon report dated November 2015, forming part of this consent shall be fully incorporated into the building rules documentation to the satisfaction of the Development Assessment 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 Development Assessment 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 Development Assessment 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 the Development Assessment Commission.

### 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 State Heritage Unit (Department of Environment Water and Natural Resources) 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.
- ii. 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.
- iii. 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

- i. 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

- j. 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.

Breeches of approval conditions are subject to significant penalties under sections 185 and 187 of the Act.

- k. 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

- l. 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

- m. The development must be substantially commenced within two years of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- n. 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 Notification unless this period is extended by the Commission.
- o. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- p. 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.
- q. 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).

#### 3.2.2 Forme Projex c/- Masterplan SA Pty Ltd

020/A040/16

42-48 Hurtle Square, Adelaide

City of Adelaide

Proposal: 9 storey residential flat building with ground floor office tenancy and car parking

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

#### Applicants(s)

- Greg Vincent
- Andrew Hudson
- Craig Holden
- John Endersbee

#### Representor(s)

- Jane Covernton

The Commission discussed the application.

Sue Crafter declared a conflict of interest and left the meeting.

RESOLVED

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. The Development Assessment Commission is satisfied that the proposal generally meets the key objectives of the City Frame Zone.
3. To grant Development Plan Consent to the proposal by Forme Projex C/- Masterplan SA for O20/A040/16 at 42-48 Hurtle Square, Adelaide subject to the following conditions of consent:

PLANNING CONDITIONS:

General

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 following details and plans submitted in Development Application O20/A040/16:

Drawing Title	Drawing No.	Rev.	Date
N/A	DPC-001	1.1	14.09.16
Perspective View Looking South East	DPC-002	1.1	14.09.16
Perspective View Looking South West	DPC-003	1.1	14.09.16
Perspective View Looking East	DPC-004	1.1	14.09.16
Ground Floor	DPC.01	1.1	14.09.16
First Floor	DPC.02	1.2	12.10.16
Second Floor	DPC.02A	1.2	12.10.16
Floors 3-7	DPC.03	1.2	12.10.16
Ceiling Heights	DPC.03A	1.1	14.09.16
Level 8	DPC.04	1.1	14.09.16
Roof	DPC.05	1.1	14.09.16
Section	DPC.06	1.2	12.10.16
West Elevation	DPC.07	1.2	12.10.16
North Elevation	DPC.08	1.2	12.10.16
East Elevation	DPC.09	1.2	12.10.16
South Elevation	DPC.10	1.2	12.10.16
Ground Floor Foyer	DPC.18	1.1	14.09.16
Typical Foyer	DPC.19	1.1	14.09.16
Individual Plan Type	DPC.20	1.1	14.09.16
Individual Plan Type	DPC.21	1.1	14.09.16
Individual Plan Type	DPC.22	1.1	14.09.16
Individual Plan Type	DPC.23	1.1	14.09.16
Individual Plan Type	DPC.25	1.1	14.09.16
Individual Plan Type	DPC.26	1.1	14.09.16
Individual Plan Type	DPC.27	1.1	14.09.16
Individual Plan Type	DPC.28	1.1	14.09.16
Individual Plan Type	DPC.29	1.1	14.09.16
Individual Plan Type	DPC.30	1.1	14.09.16
Individual Plan Type	DPC.31	1.1	14.09.16
Analysis Drawing	DPC.91	1.1	14.09.16
Analysis Drawing	DPC.92	1.1	14.09.16
Analysis Drawing	DPC.93	1.1	14.09.16
Analysis Drawing	DPC.94	1.1	14.09.16

#### Reports / Correspondence

- Planning Report Reference 14505REP01 Revision 3 dated August 2016 by Masterplan SA Pty Ltd;
  - Response to Representations and Agency Comments Reference 15035LET01 dated 21 September 2016 by Masterplan SA Pty Ltd;
  - Parking and Access Assessment Reference 16090 dated 28 July 2016 undertaken by Cirqa Pty Ltd;
  - Supplementary Parking and Access Assessment Reference 16090 dated 19 September 2016 undertaken by Cirqa Pty Ltd;
  - Preliminary Environmental Site History Assessment Report Revision 0 Dated 21 July 2016 undertaken by Mott MacDonald Australia Pty Ltd;
  - Noise Impact Assessment Reference A16439RP1 Revision 0 dated 25 July 2016 by Resonate Acoustics;
  - Services Assessment Reports Reference PMcL:AJM 55278/1-2-4-5/1 dated 26 July 2016 by BESTEC;
  - Building Rules Compliance Statement dated 2 August 2016 by TECON Australia Pty Ltd;
  - Uniparker N5303 Specification dated 24 April 2015 by Nußbaum GmbH & Co; and
  - Email with attachments from Forme Projex dated 19 October 2016.
2. The applicant shall submit a final detailed schedule of external materials and finishes for review prior to Building Rules Consent to the reasonable satisfaction of the Development Assessment Commission.
  3. A statement from a suitably qualified person (who may, if required, be a Site Contamination Auditor accredited by the Environment Protection Authority) that the land is suitable for its intended use shall be submitted to the satisfaction of the Development Assessment Commission prior to any substructure works.
  4. All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
  5. The overhead canopy proposed at the frontages of Hurtle Square and Halifax Street shall incorporate and operate lighting designed in accordance with under-verandah lighting requirements set out in the Adelaide City Council Lighting Policy and Operating Guidelines.
  6. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and “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:

- 1) air quality, including odour and dust;
- 2) surface water including erosion and sediment control;
- 3) soils, including fill importation, stockpile management and prevention of soil contamination;
- 4) groundwater, including prevention of groundwater contamination;
- 5) noise;
- 6) occupational health and safety; and

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

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)

7. All vehicle car parks, driveways and vehicle entry and manoeuvring 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 Development Assessment Commission, prior to the occupation or use of the development.
8. All stormwater design and construction shall be undertaken in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
9. Any water collected from the basement drainage channel incorporated in the proposed Uniparker automated car parking system must be discharged to the sewer.
10. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths, street lighting etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

#### Advisory Notes

##### General / Procedural

- r. 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. The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- s. 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. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- t. The applicant has 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 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 (08) 8204 0300).

##### Construction

- u. Any work proposed within the public realm adjacent to the subject land, including (but not limited to) reinstatement of footpath and kerb water table levels and modifications of on-street car parking should be

undertaken in consultation with the Adelaide City Council and, subject to Council approval, should be completed to the satisfaction of the Council.

- v. The applicant should consult with owners and / or occupiers of property at 50 Hurtle Square and 9 Harriett Street, Adelaide in relation to the proposed construction, handover and ongoing maintenance requirements associated with the vertical cable 'green wall' installation intended for a portion of the development's south elevation.
- w. An encroachment permit will be required for the proposed encroachment of building elements into public realm prior to Development Approval being granted. The applicant's attention should be drawn to the following particular items:
  - 1. An annual fee may be charged in line with the Adelaide City Council Encroachment Policy;
  - 2. Permit renewals are issued on an annual basis for those encroachments that attract a fee;
  - 3. Unauthorised encroachments will be required to be removed; and
  - 4. Improvements to the adjacent public realm areas require the approval of the Adelaide City Council and are not part of this planning consent.
- x. The proposed development requires amendments to the existing on-street car parking arrangements. Separate approval for the possible on-street car parking changes is required from the On-Street Parking Coordinator of the Adelaide City Council.
- y. Any requirement to prune and / or remove existing street trees adjacent to the subject land will be at the discretion of the Adelaide City Council. Removal of street trees, if required, will be undertaken with the trees being assessed for value using Council endorsed "Amenity Tree Valuation" formula. No removals will occur without full payment of this assessed value which will include the addition of the cost of replacement tree(s) and the installation of a Water Sensitive Urban Design (WSUD) tree pit if suitable for the site. Adelaide City Council will only be responsible for removal(s) and replacement at the end of the project timeline.

#### Environmental Duty

- z. 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.
- aa. 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>
- bb. 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.

#### 4. PORT ADELAIDE DEVELOPMENT ASSESSMENT COMMITTEE

##### 4.1. DEFERRED APPLICATIONS – Nil

##### 4.2. NEW APPLICATIONS – Nil

5. MAJOR DEVELOPMENTS

5.1. DEFERRED APPLICATIONS – Nil

5.2. NEW APPLICATIONS - Nil

6. REPORTING

7. ANY OTHER BUSINESS

8. NEXT MEETING – TIME/DATE

8.1. Thursday, 17<sup>th</sup> November 2016 in Leigh Street, Adelaide SA

9. CONFIRMATION OF THE MINUTES OF THE MEETING

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

10. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 3.50 PM

Confirmed                      10/11/2016

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

.....  
Simone Fogarty  
PRESIDING MEMBER