



# *Development Assessment Commission*

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**Capital City Development Assessment Committee  
held on Thursday, 24 January 2013 commencing at 2.45 PM  
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

## **1. OPENING**

### **1.1 PRESENT**

Presiding Member	Ted Byrt
Members	Damien Brown Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford Michael Llewellyn-Smith
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Gabrielle McMahon (Agenda Item 2.1, 2.2, 2.3) Anita Allen (Agenda Item 2.3) Philippe Mortier (Agenda Item 2.1, 2.3)

### **1.2 APOLOGIES** – Megan Leydon (Deputy Presiding Member)

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## **2. DEFERRED APPLICATIONS** – Nil.

## **3. NEW APPLICATIONS**

### **3.1 Light Square Investments Pty Ltd** 020/0005/12A **69 Light Square, Adelaide**

Andrew Ford advised of a conflict of interest and left the room for discussion and subsequent decision.

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

Applicant(s)

- Damien Ellis (Intro)
- Nigel Howden (Intro)

Agency

- Benjamin Hewett (Government Architect)
- Philippe Mortier (DPTI – Urban Design Unit)

The Committee discussed the application.

#### **RESOLVED**

- 1) RESOLVE to DELEGATE to the Principal Planner, authority to determine the application, subject to advice of the Government Architect.

### 3.2 **Aspen Group, C/- Studio Nine Architects**

020/0016/12A

**131-137 King William Street, Adelaide**

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

Applicant(s)

- Tony Zappia
- Andrew Vorassi

The Committee discussed the application.

#### **RESOLVED**

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to grant Development Plan Consent to Development Application No. 020/0016/12A by Aspen Group, C/- Studio Nine for the restoration of the existing State Heritage listed building (Electra House) and change of use to a licensed hotel at 131-137 King William Street, Adelaide, subject to the reserve matters and conditions listed below.

#### **RESERVED MATTERS**

1. That pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval.
  - 1.1 An amended plan that provides a pedestrian connection and disability access from King William Street to Advertiser Lane and the western portion of Electra House. This pathway shall be publicly accessible, well lit during the hours of darkness, and designed and maintained to provide safe and convenient pedestrian movements at all times.
  - 1.2 Final details of the aluminium screen/canopy including fixing supports, perforation pattern and rainwater disposal.
  - 1.3 Detailed design of the external stair (and associated balconies and deck and balustrades); service stair enclosure; and fence.

- 1.4 Details of Crime Prevention through Environmental Design (CPTED) techniques, which will include details of exterior lighting, signage and way-finding, security cameras and landscaping to the public realm.
- 1.5 Final details of the waste management practices. These details shall include a Waste Management Plan which covers the three phases of the development.
  - a. Resource recovery during demolition;
  - b. waste minimisation and resource recovery during construction;
  - c. resource recovery during use (office paper and staff kitchen recycling facilities); and
  - d. A subsequent Waste Management Plan shall be undertaken in accordance with the approved plan.
2. That pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, in consultation with Department of Environment, Water and Natural Resources, prior to the granting of Development Approval.
  - 2.1 The passenger lift installation within the north-eastern light well.
  - 2.2 Detailing of the new perimeter wall in the basement where it meets the existing splayed light wells to the eastern and western elevations.
  - 2.3 The form and profile of the roof-top mechanical plant screen structure.
  - 2.4 Final documentation on which Development Approval is to be based and should include all the following details:
    - show all extant light well windows and openings;
    - show external light well arches and glazed infill;
    - show nibs and below-ceiling lintels where sections of light well walls are to be removed;
    - show extant non-original openings as having the steel jamb and head detail documented for new openings;
    - show all extant original door openings; and
    - show resolved junctions between extant windows and new fitout elements (eg first floor toilets Elevation 42).
  - 2.5 That all extant windows and window joinery within the four light wells shall be identified and documented. The treatment of each window shall be agreed with the Department of Environment, Water and Natural Resources (eg to remain clear-glazed, to be obscured with film to the back of the glass or to be retained and panelled over).
  - 2.6 That details shall be provided to the satisfaction of the Development Assessment Commission, in consultation with the Department of Environment, Water and Natural Resources of the handrails to the front steps (refer to page 2 of the Disability Consultancy Services report).

**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 020/0016/12A.

Plans by Studio Nine, being:

<b>Drawing No.</b>	<b>Dated</b>	<b>Revision</b>
0910-166-DA01	FEB 2012	Rev A
0910-166-DA02	FEB 2012	Rev C
0910-166-DA03	FEB 2012	Rev C
0910-166-DA04	FEB 2012	Rev B
0910-166-DA05	AUG 2012	Rev D
0910-166-DA06	FEB 2012	Rev A
0910-166-DA07	FEB 2012	Rev B
0910-166-DA08	FEB 2012	Rev A
0910-166-DA09	FEB 2012	Rev B
0910-166-DA10	FEB 2012	Rev B
0910-166-DA11	FEB 2012	Rev B
0910-166-DA12	FEB 2012	Rev A
0910-166-DA13	FEB 2012	Rev A
0910-166-DA14	FEB 2012	Rev A
0910-166-DA15	FEB 2012	Rev A
LCE788-M01	7 JUNE 2012	Rev P3
LCE788-M02	7 JUNE 2012	Rev P3
LCE788-M03	7 JUNE 2012	Rev P3
LCE788-M04	7 JUNE 2012	Rev P3
LCE788-M05	7 JUNE 2012	Rev P3

Correspondence:

- Letters from Tony Zappia, Studio Nine, dated 8 June 2012, 18 August 2012 and 14 January 2013.
  - Disability Consultancy Services, *Electra House – DDA Concept Design Review*, dated 16 March 2012.
  - Bruce Harry & Associates, *Heritage Impact Statement, Electra House*, Dated 22 March 2012 (except where varied by amended plans).
  - McDougall & Vines *Conservation Policy and Implantation report*, draft dated 17 November 2002.
  - Aurecon Memorandum – Proposed Drainage Plan, dated 14 March 2012 (ref 226906-001)
  - Sonus Pty Ltd, *Environmental Noise Assessment, Electra House*, dated March 2012
2. That face brick wall finishes within the four light wells shall be retained and conserved at each level.
  3. That where sections of light well walls are to be removed, nibs shall be retained at the intersections with other walls, and lintels shall be set below the new ceiling level.
  4. That the extent and detail of conservation works shall be documented and specified to the satisfaction of the Development Assessment Commission, in consultation with the Department of Environment, Water and Natural Resources.
  5. That details for the reconstruction of the wall under the central window in the ground floor chamber, and for the conversion of the flanking windows to new doorways, shall be documented to the satisfaction of the Development Assessment Commission, in consultation with the Department of Environment, Water and Natural Resources. The bottom sashes of the two flanking windows shall be suitably labelled, protected and stored on site.

6. That the laying of the proposed epoxy floor finish to the ground floor chamber shall be specified and undertaken so as to avoid damage to the existing flooring and to enable future reversal.
7. That a pedestrian connection from King William Street to Advertiser Lane, as indicated in the applicant's correspondence dated 15 October 2012, shall be established, well lit during the hours of darkness, and maintained to provide safe and convenient pedestrian movements at all times, prior to the occupation or use of the building and shall be to the reasonable satisfaction of the Development Assessment Commission.
8. That the acoustic attenuation measures recommended in the Sonus report, dated March 2012, shall be undertaken within the development to the reasonable satisfaction of the Development Assessment Commission. Such acoustic measures shall be operational prior to the occupation or use of the Development.
9. That the recommendations within the Electra House – *DDA Concept Design Review*, dated 16 March by Disability Consultancy Services, shall be undertaken within the development to the reasonable satisfaction of the Development Assessment Commission. Such disability access measures shall be operational prior to the occupation or use of the Development.
10. That the mechanical plant or equipment shall be designed, sited and screened to minimise noise impact on adjacent premises or properties, as detail in drawing 0910-166-DA05, August, 2012, Rev C.
11. That there shall only be amplified music through in-house speakers and no live bands will be playing within the venue.
12. That 12 on-site Bicycle Parking facilities shall be provided designed in accordance with Australian Standard 2890.3-1993 and the AUSTROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
13. That landscaping shall be provided in the public realm and a landscape plan shall be submitted and be to the reasonable satisfaction of the Development Assessment Commission, prior to the operation of the development.
14. That the landscaping shall be maintained in good health and condition at all times with any dead or diseased plants / trees being replaced.
15. That 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' to the reasonable satisfaction of the Development Assessment Commission.
16. 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

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

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

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

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

18. That no additional signs shall be displayed upon the subject land other than those identifying the parking areas or way-finding throughout the site or that do not require an approval under the Development Act. If any further signs are required, these shall be the subject of a separate application.
19. That lighting to the public spaces shall be installed and operational prior to the occupation or use of the Development. The lighting to the public realm shall be installed in accordance with Council’s guideline entitled “Under Verandah/Awning Lighting Guidelines”. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
20. That 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.
21. That 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.
22. That during construction, all materials and goods shall be loaded and unloaded within the boundaries of the subject land, or otherwise to the satisfaction of the Development Assessment Commission.
23. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
24. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
25. That 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’ to the reasonable satisfaction of the Development Assessment Commission.

### **Advisory Notes:**

- a) Any changes to the proposal on which this report is based may give rise to heritage impacts requiring further consultation with the Department of Environment, Water and Natural Resources, or an additional referral to the Minister for Sustainability, Environment and Conservation. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that differs from the planning documentation.
  - b) To ensure a satisfactory heritage outcome, the Development Assessment Commission is requested to consult the Department of Environment, Water and Natural Resources or its Heritage Adviser in finalising any conditions or reserved matters above.
  - c) 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.
- For further information, contact the Department of Environment, Water and Natural Resources.
- d) As the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
  - e) The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
  - f) 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>
  - g) 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.
  - h) Pursuant to Regulation 74, the Council must be given one business day's notice of the commencement and the completion of the building work on the site. To notify Council, contact City Services on 8203 7332. For further clarification or additional information, please contact the Adelaide City Council Customer Service Centre on 8203 7203.
  - i) The emission of noise from the premises is subject to control under the Environment Protection Act 1993 and Environment Protection Regulations 2009 and the applicant (or person with the benefit of this consent) should comply with those requirements.

- j) The development must be substantially completed within 1 year of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
- k) You are also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
- l) 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 **Tang Cheng Group, C/- Hames Sharley**  
020/0034/12A  
**171-203 Gouger Street, Adelaide**

Damien Brown advised of a conflict of interest and left the room for discussion and subsequent decision.

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

Applicant(s)

- David Cooke (Hames Sharley)

Agency

- Benjamin Hewett (Government Architect)
- Philippe Mortier (DPTI – Urban Design Unit)

The Committee discussed the application.

**RESOLVED**

1. RESOLVE to DEFER and allow an amended proposal to be submitted.
2. RESOLVE to notify the representors of any amended proposal, and to provide them an opportunity to make written comment and to attend the next public hearing of the proposal.

4. **ANY OTHER BUSINESS**

4.1. Discussion - Pre-Lodgement Process

**RESOLVED** that the report be received and noted.

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 4.30PM.

Confirmed                    /                    /2013

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Ted Byrt  
PRESIDING MEMBER