



Development Assessment Commission

**Inner Metropolitan Development Assessment Committee
held on Thursday, 13 August 2015 commencing at 10.00 AM
Basement Level, 28 Leigh Street, Adelaide**

1. OPENING

1.1 PRESENT

Presiding Member	Simone Fogarty
Members	Helen Dyer (Deputy Presiding Member) Chris Branford Peter Dungey Sue Crafter David O'Loughlin Dennis Mutton
Council Members	ACC – John Hodgson
Secretary	Sara Zuidland
DPTI Staff	Jason Bailey (Agenda Item 2.1) Gabrielle McMahon (Agenda Item 3.1)

1.2 APOLOGIES – Nil.

2. DEFERRED APPLICATIONS

2.1 City of Adelaide

University of South Australia

DA 020/A048/15

Hindley Street, Adelaide

Proposal: To demolish existing structures and construct a multi purpose facility ('The Great Hall') for sport, graduation, exams and university related events

Helen Dyer and Peter Dungey declared a conflict of interest and were not present for the hearing of this item.

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

Applicant(s)

- Rebecca Lawson-Cooke
- Kate Jeffery, UniSA
- Kaare Krokene, JPE Design Studio
- Josephine Evans, JPE Design Studio
- Chris Vounasis, Future Urban Group
- Garth Rowland, Aurecon
- Ben Carr, WSP
- Rob Bremert, Tonkin

Agency

- Kirsteen Mackay, 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, 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 details and plans, as submitted in Development Application O20/A048/15 including:

Drawings /Plans by JPE Design Studio / Snohetta:

Drawing No	Date
SK 01 – Site Plan	30 July 2015
SK 02 – Street Elevations	30 July 2015
SK03 – Basement Floor Plan Sport Mode	30 July 2015
SK04 – Ground Floor Plan Sport Mode	30 July 2015
SK 06 – Level 1 Floor Plan Sport Mode	30 July 2015
SK 08 – North and East Elevations	30 July 2015
SK 09 – South and West Elevations	30 July 2015
SK 10 – Sections A and B	30 July 2015
SK 30 – Landscape Plan Ground and Level 1	30 July 2015
SK 50 – Shadow Diagrams	30 July 2015

Reports / Correspondence:

- Planning Statement, prepared by Fyfe Pty Ltd dated 15 June 2015
- Sustainability Statement, prepared by Cundall dated 15 June 2015
- Site History, Assessment and Audit, prepared by Aurecon dated 15 May 2015
- Stormwater Management, Retention and Reuse, prepared by Aurecon dated 8 April 2015
- Traffic, parking and pedestrian impact statement, prepared by Tonkin Consulting dated 11 May 2015
- Wind Impact Assessment, prepared by Vipac dated 30 March 2015
- Noise Impact Assessment, prepared by Sonus Pty Ltd dated April 2015

- Waste Management and Minimization Plan, prepared by RAWTEC dated 26 May 2015
- Infrastructure Summary, prepared by Benjamin Carr dated 22 May 2015

Plant and equipment

2. 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:
 - a. 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.

Construction and site works

3. 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 CEMP 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

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

Loading/Unloading

4. Waste and service vehicle loading and unloading shall not occur:
 - a. after 10.00 pm
 - b. before 7.00 am Monday to Saturday, or before 9.00 am on a Sunday or Public Holiday

unless otherwise amended by the Traffic Management Plan prepared for managing major University related events.

Materiality

5. Final details of the following items shall be provided to the satisfaction of the Development Assessment Commission in consultation with the Government Architect prior to final Development Approval:

- a. Handrail and balustrade details for the terraces and amphitheatre
 - b. Glazing
 - c. External cladding
 - d. Service elements such as flues, vents and photovoltaic cells
6. A detailed plan illustrating integration of the building (herein granted planning consent) with the Hoj Plaza shall be provided to the satisfaction of the Development Assessment Commission in consultation with the Government Architect prior to final Development Approval.

Advisory Notes:

General / Procedural

- a) The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy the conditions and/or reserved matters as contained herein.
- b) 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 (Ph: 8204 0300)
- c) 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.
- d) The applicant is 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.
- e) Any request for an extension of time must be lodged with the Statutory Planning Branch, Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.

Environmental Duty

- f) 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.
- g) 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>
- h) 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

Heritage and Construction

- i) 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.
- j) 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.
- k) The archaeological investigation undertaken prior to the construction of the Jeffery Smart building identified significant archaeological features relating to early colonisation and to the site's occupation and use over a period of 170 years.

Subsection 27 (1) (b) of the Heritage Places Act 1993 requires a permit for the excavation or disturbance of land where it is known or there is reasonable cause to suspect that significant archaeological remains may be encountered.

To determine whether a permit is required, and to avoid potential delays in the construction program, the proponent is advised to obtain further archaeological advice on the likelihood of significant archaeological features being encountered on the subject site (which may contain areas undisturbed by more recent development).

For further information on this and other archaeological provisions of the Heritage Places Act, please contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960.

- l) The applicant is reminded of the following requirements of the Heritage Places Act 1993:

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.

Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit under Section 27 of the Heritage Places Act 1993 is required prior to commencing excavation works.

- m) 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*.

For further information, please contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960 or dewn.stateheritageda@sa.gov.au.

Local authority requirements

- n) The Development Assessment Commission recommends that the University of South Australia actively pursue with the Adelaide City Council alteration and improvement of that part of Clarendon Street adjacent the site to provide a greater verge width within which landscaping comprising trees, bicycle parking and other features aimed at enhancing pedestrian and user amenity can be installed.

- o) Traffic Management Plans will be prepared in conjunction with the Adelaide City Council administration to manage major events held by the University of SA at the subject site.

Improvements to the adjacent public realm areas, including proposals to reconfigure the on street carparking spaces require the approval of the Adelaide City Council and are not part of this planning consent.

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.

3. NEW APPLICATIONS

3.1 City of Adelaide

Sturt Land Pty Ltd

DA 020/0009/12A V3

43- 69 Sturt Street, 62-68 Gilbert Street, 1-19 Meyers Street and 42-80 Norman Street, Adelaide

Proposal: Variation to Development Application 020/0009/12A for a mixed use development, comprising retail and commercial uses on ground level, residential apartments above and associated basement car parking and landscaping – variation includes: an increase in building height; a new hotel use within Building 2; changes to the number and location of apartments; reconfiguration of the ground floor and the carpark; location of plant and equipment; and external façade changes

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

Applicant(s)

- Rebecca Thomas, Ekistics
- Sarah Howden, Woods Bagot
- Thomas Masullo, Woods Bagot
- David Bertram, Sturt Land
- Alex Game, Oxygen
- Jayne Lovell, MFY

Agency

- Philippe Mortier, ODASA

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, 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 plans as submitted in development application number 020/0009/12A Variation 3 including the following plans:

Plans by Woods Bagot:

Plan Number	Date	Revision number
A-SK0201	20/5/15	A
A-SK0202	20/5/15	A
A-SK0203	20/5/15	A
A-SK0204	20/5/15	A
A-SK0205	29/5/15	B
A-SK0206	29/5/15	B
A-SK0207	29/5/15	B
A-SK0208	29/5/15	B
A-SK0209	29/5/15	B
A-SK0210	29/5/15	B
A-SK0211	29/5/15	B
A-SK0212	29/5/15	B
A-SK01001	29/5/15	C
A-SK01002	29/5/15	C
A-SK01003	29/5/15	C
A-SK01004	29/5/15	C
A-SK13000	29/5/15	A
A-SK23000	29/5/15	A
A-SK23002	29/5/15	C
A-SK23003	29/5/15	C
A-SK01006	03/6/15	D
A-SK01007	29/5/15	C
A-SK01008	29/5/15	B
A-SK01009	29/5/15	B

Plans issued July 2015 entitled *Canopy Design and Stage Two Recreation* (pages 1 to 10)

Correspondence:

- Planning statement from Ekistics, dated 9/6/15
- Architectural Statement by Woods Bagot and associated plans
- Sustainability report by Lucid Engineering, dated June 2015
- Public realm report by Oxigen and associated plans, dated 22 April 2015
- Waste Management Plan by Rawtec, dated May 2015
- Traffic report by Murray F Young, dated June 2015
- Environmental Noise Assessment by Sonus, dated May 2015
- Site Contamination Audit Report by AEC Environmental.
- Environmental Wind Assessment by Mel Consultants, dated 14 May 2015
- CPTED report by Empower Justice Pty Ltd, dated April 2015
- Aeronautical Assessment by Rehbein, dated 29 May 2015

2. The recommendations within the Environmental Wind Assessment report by MEL Consultants, dated 14 May 2015, shall be implemented within the development to the satisfaction of the Development Assessment Commission. The applicant shall submit to the Commission an updated wind report, prior to the completion of buildings 2 and 3. The final details associated with the canopies, street trees, shielding and any other wind amelioration methods shall be reviewed by a qualified engineer and appropriate wind modelling undertaken to ensure wind conditions at street level do not exceed the criterion for walking comfort.

3. The applicant shall submit to the Development Assessment Commission the final details of screens to service locations and utility infrastructure on street frontages, or in the public domain. These should be designed so as to provide visual interest and shall be to the satisfaction of the Development Assessment Commission.

4. The acoustic attenuation measures recommended in the Sonus report, dated May 2015, 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.
5. Noise from the premises (including live or recorded entertainment, singing, patron noise or similar) when assessed at the nearest noise sensitive location shall be less than 8dB(a) above the background noise in any octave band of the sound spectrum.
6. No loudspeaker shall be placed on the facade of the building and shall be directed into the premises to ensure that the development does not unduly diminish the enjoyment of other land in the locality.
7. The proposal shall be development in accordance with the recommendations in the report by Empower Justice Services P/L for Crime Prevention Through Urban Design, dated April 2015. Such measures shall be operational prior to the occupation or use of the Development.
8. The 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:
 - a. 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.
 - b. 50 dB(A) during daytime (7.00am to 10.00pm) and 40 dB(A) during night time (10.00pm to 7.00am) in or adjacent to a Residential Zone 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. The hours of waste collection shall be between: 9am and 7pm on a Sunday and public holiday and between 7am and 7pm on any other day.
10. The proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 for Off-Street Parking Facilities and Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities.
11. The on-site Bicycle Parking facilities shall be designed in accordance with Australian Standard 2890.3-1993 and the AUSTRROADS, Guide to Traffic Engineering Practice Part 14 – Bicycles.
12. The public plaza shall remain open to the public at all times and shall not be gated at the main entrances to continue the high level of pedestrian connections through and beyond the site.
13. The applicant shall submit a detailed landscaping plan to the satisfaction of the Development Assessment Commission prior to the completion of Building 1. The landscaping shown on that approved plan shall be established prior to the occupation. All landscaping nominated shall be established and maintained in accordance with the approved plans.

14. The landscaping shall be maintained in good health and condition at all times with any dead or diseased plants / trees being replaced.
15. The detail of the art work throughout the site shall be provided to the satisfaction of the Development Assessment Commission, prior to the final Development Approval for Building 2. This includes screening of the services that are located in a public space.
16. The proposal shall be in accordance with the samples and schedules of materials, finishes and colours specified in the Woods Bagot architectural documentation.
17. The measures recommended in the Sustainability report by Lucid Engineering dated June 2015, shall be undertaken within the development to the reasonable satisfaction of the Development Assessment Commission.
18. Staged Building Site Management Plans for each building are required prior to construction work beginning on site for each building stage. The Building Site Management Plans 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
19. Staged Construction Environment Management Plans (CEMP) for each building 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 for each building stage.

The CEMP 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

20. External 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.
21. No additional signs shall be displayed upon the subject land other than those identifying the parking areas or wayfinding 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.

22. 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.
23. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
24. 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.
25. Stormwater shall be collected from the rooftop for reuse within the building and / or for irrigation purposes.

Adelaide Airport Conditions

26. Building 3 shall not exceed a maximum of 105.93 metres AHD inclusive of all lift overruns, vents, chimneys, aerials, antennas, lightening rods, exhaust flues etc.
27. The building shall be obstacle lit with a low intensity steady red light lights at the highest point of the building. The obstacle lights shall be arranged to that at least indicate the points or edges of the obstacles to ensure the object can be observed in a 360 degree radius as per 9.4.3 of the Manual Standards Part 139 – Aerodromes (MOS Part 139). Characteristics for low intensity lights are stated in subsection 9.4.6.

IMDAC Advisory Notes

- a) 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>
- b) 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.
- c) 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.
- d) 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.
- e) Council approval is required before undertaking any works within the public realm.
- f) 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.

- g) 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.
- h) The applicant will require a new consent before commencing or continuing the development if you are unable to satisfy the conditions of approval.
- i) Any request for an extension of time must be lodged with the Assessment Branch [Investment Management], Department of Planning, Transport and Infrastructure, GPO Box 1815 Adelaide SA 5001, prior to the time periods specified.
- j) 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 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).
- k) It is noted that the applicant expressed an intent to review the articulation of the southern and eastern ground floor facades for Building 2.

Adelaide Airport Advisory Notes

- l) Crane operations associated with construction that exceeds 95.00m AHD shall be the subject of a separate application to Adelaide Airport. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction.
- m) Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA). Cranes will be restricted from penetrating the Obstacle Limitations Surfaces (OLS) which is protected airspace for the airport.

Adelaide City Council Advisory Notes

- n) All modifications required to Adelaide City Council's public lighting and associated infrastructure shall meet Councils' requirements with all costs associated with these works will be borne directly by the developer, unless otherwise agreed between the applicant and Council.
- o) A private waste collection service is required for this development.
- p) All modifications required to Adelaide City Council and SA Power Network's public lighting and associated infrastructure are required to meet Council's requirements and all costs associated with these works will be borne directly by the developer.
- q) If temporary hoarding or site works require modification of existing Adelaide City Council infrastructure, the works will be carried out to meet Council's requirements and costs borne directly by the developer.
- r) All damage to Adelaide City Council's infrastructure, including damage to public lighting and underground ducting caused by projects works or loading of site crane onto pathways will be repaired to meet Councils requirements and the cost of the developer.
- s) Any under canopy 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 Council.

4. **ANY OTHER BUSINESS** – Nil.

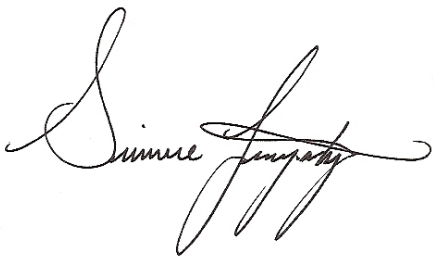
5. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 1.00PM.

Confirmed 13/08/2015

A handwritten signature in black ink, appearing to read 'Simone Fogarty', with a large, stylized flourish extending from the end of the name.

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Simone Fogarty
PRESIDING MEMBER