



# *Development Assessment Commission*

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**Capital City Development Assessment Committee  
held on Thursday, 28 March 2013 commencing at 9.30 AM  
Conference Room 6.2, Level 6, 136 North Terrace, Adelaide**

## **1. OPENING**

### **1.1 PRESENT**

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Geoffrey Loveday Carolyn Wigg Simone Fogarty Michael Llewellyn-Smith AM
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Gabrielle McMahon (Agenda Item 2.1)

### **1.2 APOLOGIES – Andrew Ford**

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## **2. DEFERRED APPLICATIONS**

### **2.1 Tang Cheng Group C/-Hames Sharley**

DA 020/0034/12

**171 Gouger Street, Adelaide**

Proposal: Mixed use development comprising commercial, residential apartments, student accommodation, retail uses and a hotel surrounding a central public realm space - VARIOUS AMENDMENTS.

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

Applicant(s)

- David Cooke
- Stuart Headland

Council

- Nicole Rolfe

Representors

- Milton Wordley
- David Stevenson
- Rebecca Whittemore
- Kerry Flanigan (for Gabrielle Kelly & Lewis Flanigan)
- Frank Barbaro (for Julia Moretti)

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 the proposal by Tang Cheng Group for a mixed use development comprising commercial, residential apartments, student accommodation, retail uses and a hotel surrounding a central public realm space at 171-203 Gouger Street, Allotment 649 Selby Street and 23 Selby Street, Adelaide, subject to the following reserved matters and conditions of consent.

**Reserved Matters:**

1. Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the Development Assessment Commission, prior to the granting of Development Approval for site remediation works:
  - 1.1 A definitive statement shall be submitted from a suitably qualified environmental expert advising that the land is suitable for its intended purpose. If required by the auditor, the applicant shall prepare a Phase 2 Site Assessment Report.
2. 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 for the sub structure:
  - 2.1 Final details of waste management practices including confirmation that the waste storage area is a sufficient size to accommodate the waste volumes projected in the Rawtec report, in consultation with the Adelaide City Council. These details shall include a Waste Management Plan which covers the three phases of the development.
    - a) waste minimisation and resource recovery during construction; and
    - b) resource recovery during use (office paper and staff kitchen recycling facilities).
    - c) a subsequent Waste Management Plan shall be undertaken in accordance with the approved plan.
  - 2.2 Final Traffic Management Plan, including:
    - a) details of the car park arrangement in the basement and the hours of access for service vehicles
    - b) confirmation that the turning circles within the loading dock / waste collection area are achievable and that car parking and turning circles meet relevant Australian Standards

- c) details of the number and location of bicycle parking, that is accessible, secure and convenient for residents and visitors.
- 3. 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 for the super-structure:
  - 3.1 Final schedule of materials and colours for buildings and landscaped areas
  - 3.2 Lighting Plan and details of the location of CCTV cameras
  - 3.3 Details of public art work, including a screening element to the vehicle access points on Selby Street.
  - 3.4 Landscaping Plan, which includes the schedule of plants, depth of soils for planting, vertical elements, maintenance program, paving and seating
  - 3.5 Details of façade treatments including the integration of the Environmentally Sustainable Design elements
  - 3.6 Clarification of environmental efficiency measures, including details of sun shading devices to the north and west facing facades, improved rain water retention, use of environmentally efficient materials (such as double glazing)
  - 3.7 Amended plans and documentation which address the following:
    - a) Detailed elevations of the hotel which identify where glazing will be located, and be designed so that the south eastern hotel rooms minimise overlooking of properties along Claxton Street (this may include glazing limited to 1.5 metres in height)
    - b) Improved definition of building entrances, particularly those opening into the internal courtyard area
    - c) Details of the method of security access arrangements to apartments
    - d) Redesign of common areas on the podium roof garden to allocate private open space dwellings on this level, to allow for more privacy and less noise intrusion for the residents - or sufficient justification for the current design
    - e) Details relating to the services provided for student accommodation, including the functionality of common areas (i.e location of communal kitchens, tv rooms etc)
    - f) Confirmation that the lifts within all buildings will be able to accommodate a bicycle, given that residents may choose to store these within their apartments
  - 3.8 An updated acoustic report which assesses the final details of the development, to ensure that new residents and existing residents are not detrimentally affected by potential noise impacts from the proposal. If any noise amelioration mitigation remedies are proposed they must be incorporated into the final design of the proposal, identified on the certified building plans and then implemented in accordance with the final approval

## 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, including the amended plans as submitted and dated 15/2/2013, in Development Application 020/0034/12A, including:

### Plans by Hames Sharley, Project Number 31373

Number	Revision	Date
SK06	B	15/2/2013
SK07	A	15/2/2013
SK08	B	15/2/2013
SK08A	B	15/2/2013
SK08B	A	15/2/2013
SK8C	A	15/2/2013
SK09	B	15/2/2013
SK10	B	15/2/2013
SK11	B	15/2/2013
SK13	A	15/2/2013
SK14	A	15/2/2013
SK15	A	15/2/2013
SK16	A	15/2/2013
SK17	A	15/2/2013
SK18	A	15/2/2013
SK19	A	15/2/2013
SK20	A	15/2/2013
SK21	A	15/2/2013
SK22	A	15/2/2013
SK23	A	15/2/2013
SK24	A	15/2/2013
SK25	A	15/2/2013
<b>Plans by Tract 0312-0213</b>		
LC01	06	17/10/12
LC02	06	17/10/12
LC03	06	17/10/12

### Reports / Correspondence

- Planning Report, Hames Sharley, dated 5 November 2012
- Letter from Hames Sharley in response to representations, dated 6 December 2012
- Letter from Hames Sharley on crime prevention matters, dated 16 November 2012
- Acoustic Reports by Vipac – Ref 50B-12-0098-TRP-779654-0, dated 2 October 2012 and 14 February 2013
- Wind Assessment by Vipac, 30N-12-0066-TNT-304034-0, dated 2 November 2012 and 15 February 2013
- Traffic Impact Assessment – reports by GTA, dated 2 November 2012 and letter dated 28 November 2012 and 21 February 2013
- Engineering Report and Design brief by TMK Consulting engineers, dated October 2012
- Stormwater Management Plan by SMEC, dated 21 September 2012
- Aeronautical Impact Assessment, by Ambidji, J0388, dated 22 October 2012
- Heritage report by Flightpath, dated October 2012 and 14 February 2013
- Preliminary Waste Management Advice, by Rawtec, dated November 2012
- Landscape Plan - prepared by Tract

2. The maximum building height of all buildings shall not exceed 104.1 metres AHD, inclusive of any lift over-runs, vents chimneys, aerials, antennae (of whatever type), lighting rods any rooftop garden plantings etc.
3. The building shall be obstruction lit with low intensity steady red obstacle lights at night in accordance with the Manual Standards of Part 139 of the Civil Aviation Safety Regulations 1998 (Part 139 MOS) Chapter 9, Section 9.4. The proponent should refer to subsection 9.4.6 for the lighting characteristics.
4. The Adelaide Airports Authority shall be provided with the finished building height (in metres AHD) from a certified surveyor upon completion.
5. The acoustic attenuation measures recommended in the VIPAC report, dated 2 October 2012, forming part of this consent and 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.
6. A minimum of 150 long term bicycle parks shall be provided under cover for residents and employees in a safe and convenient location. A minimum of 32 bicycle spaces shall be provided on the ground level for use by visitors to the site and shall be in an accessible, secure and convenient location close to entry doors and well lit.
7. The proposal shall be in accordance with the final landscape plan of the common areas, which shall be established prior to the occupation of the site.
8. The landscaping shall be maintained in good health and condition at all times with any dead or diseased plants / trees being replaced to the reasonable satisfaction of the Development Assessment Commission.
9. The proposal shall be in accordance with the approved art work, which shall be installed prior to the occupation of the site.
10. No additional signs shall be displayed upon the subject land other than those identifying the parking areas. If any further signs are required, these shall be the subject of a separate application.
11. External materials, surface finishes and colours of the Development shall be consistent with the final details provided and shall be to the reasonable satisfaction of the Development Assessment Commission.
12. The proposal shall be in accordance with the Stormwater Management Plan by SMEC, dated 21 September 2012.
13. 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, the North Adelaide Historic (Conservation) Zone or the Park Lands 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.

14. 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:

- 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)

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

15. Lighting to the Gouger Street canopy and colonnade (respectively) shall be installed in accordance with Council’s guideline entitled “Under Verandah/Awning Lighting Guidelines” at all times to the reasonable satisfaction of the Council and prior to the occupation or use of the Development. Such lighting shall be operational during the hours of darkness at all times to the reasonable satisfaction of the Development Assessment Commission.
16. The connection of any storm water discharge from the Land to any part of the Council’s underground drainage system shall be undertaken in accordance with the Council Policy entitled ‘Adelaide City Council Storm Water Requirements’ which is attached to this consent to the reasonable satisfaction of the Adelaide City Council.
17. The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath unless otherwise agreed to by the Adelaide City Council.
18. The proposed car parking layout and vehicular entry points shall be designed and constructed to conform to the Australian Standard 2890.1:2004 (including Amdt 1) for Off-Street Parking Facilities; Australian Standard 2890.6-2009 Parking facilities – Off street commercial vehicle facilities and Australian Standard 2890.6:2009 for Off Street Parking for people with disabilities. 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.

19. 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.
20. 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 and the Development Assessment Commission.
21. During construction, all materials and goods shall be loaded and unloaded within the boundaries of the subject land.
22. The development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
23. All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
24. The development shall contain 15% affordable housing to the reasonable satisfaction of the Development Assessment Commission.

**Advisory Notes:**

- a) The proposal is to be undertaken in accordance with the staging plan as outlined on SK08:
  - 1: Basement, open space, east retail & residential
  - 2: North west hotel
  - 3: South east residential towers
  - 4: south west residential
- b) Adelaide Airport Limited requires a commitment from the developer that there will be no further additions to the existing proposal with additions of antennas, aerials or any other appurtenances which will exceed the current height above ground level.
- c) Adelaide Airport Limited advice refers to the height of the building as applicable to aircraft operations and does not relieve the proponent of the responsibility for obtaining building permits.
- d) A separate assessment will be required from Adelaide Airport Limited for cranes operating for the construction of the building as different marking and lighting requirements will apply to the crane operators.
- e) 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.
- 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 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.
- i) In addition you are advised that the installation of an ETSA transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching cubicle within the public realm will require the consent of Council and may not be forthcoming.
- j) 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.
- k) Development Approval will not be granted until Building Rules Consent and/or an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- l) 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
- m) 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.
- n) With respect to the awning /canopy:
- A street work permit must be obtained prior to the commencement of any work on Council's property. For information in relation to the issuing of on-street work permits, please contact the Adelaide City Council Customer Service Centre on 8203 7203.
  - The top of the concrete pads for any support posts must provide a 100mm clearance to the finished footpath level.
  - Council will reinstate the footpath material at the street work permit holder's expense.



- o) 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.
- p) For further clarification or additional information, please contact the Adelaide City Council Customer Service Centre on 8203 7203.
- q) 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.
- 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.
- s) 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.
- t) You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.
- u) 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. **NEW APPLICATIONS** – Nil.

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 11.00AM.

Confirmed / /2013

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 Ted Byrt  
 PRESIDING MEMBER