

South Australia - Regulation 42 under the Development Act 1993

DECISION NOTIFICATION FORM

Contact Officer: Elysse Kuhar
Telephone: 7109 7072
Knet Reference: 2019/07436/01

Development Number:
020/A023/18 V1
Council Reference:
S10/13/2018/A

FOR DEVELOPMENT APPLICATION

DATED: 7 June 2019
REGISTERED ON: 17 June 2019

To: Marion Dreosti
Brown Falconer
28 Chesser Street
ADELAIDE SA 5000
Email: m.dreosti@brownfalconer.com.au

LOCATION OF PROPOSED DEVELOPMENT:

Lot No	Plan No	Street	Suburb	Hundred	Title
F1	C27647	Franklin Street	Adelaide	Adelaide	CT 6114/304

Nature of Proposed Development: Variation to DA 020/A023/18 for 21 storey commercial office building with associated commercial tenancy, loading dock and bicycle parking
Variation: additional 2-storeys (same overall height), reduced setback and resulting increase in floor area, amended façade design, reduction in bike parking, and reconfiguration of ground floor and core layout.

From: STATE COMMISSION ASSESSMENT PANEL

In respect of this proposed development you are informed that:

NATURE OF DECISION	CONSENT GRANTED	NO. OF CONDITIONS	CONSENT REFUSED	NOT APPLICABLE
Development Plan Consent	GRANTED	17	-	-
DEVELOPMENT APPROVAL	STILL REQUIRED	17	-	-

Any conditions imposed are set out on the attached sheet.



Karl Woehle
PLANNING OFFICER – INNER METRO DEVELOPMENT ASSESSMENT
as delegate of the
STATE COMMISSION ASSESSMENT PANEL
Date of Decision: 24 March 2020
4 Sheets Attached

DEVELOPMENT APPLICATION – 020/A023/18 V1

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/A023/18 V1.

Plans by Brown Falconer

Title	Drawing No.	Revision	Date
Ground Floor Plan	DA 06	A7	22 July 2019
Typical Floor	DA 07	A8	22 July 2019
Floor Plans	DA 08	A7	22 July 2019
Floor Plans	DA 09	A7	22 July 2019
Floor Plans	DA 10	A4	22 July 2019
Floor Plans	DA 11	A4	22 July 2019
Floor Plans	DA 12	A7	22 July 2019
Floor Plans	DA 13	A7	22 July 2019
Floor Plans	DA 14	A8	22 July 2019
Floor Plans	DA 15	A7	22 July 2019
Floor Plans	DA 16	A7	22 July 2019
Floor Plans	DA 17	A6	22 July 2019
Floor Plans	DA 18	A6	22 July 2019
Site Elevations	DA 19	A6	22 July 2019
Elevations	DA 20	A6	22 July 2019
Elevations	DA 21	A6	22 July 2019
Site Sections	DA 22	A6	22 July 2019
Sections	DA 23	A6	22 July 2019
Materials	DA 33	A1	12 July 2018

Plans by Structural Systems Consulting Engineers

Title	Drawing No.	Stage	Date
Site Plan (Ground Floor)	ST01	PA	16 February 2018
Site Plan (Basement)	ST02	PA	16 February 2018

External Materials

2. Prior to Development Approval for superstructure works the applicant shall submit, in consultation with the Government Architect, and to the reasonable satisfaction of the State Commission Assessment Panel, a final detailed schedule of external materials and finishes, along with a physical materials board with documented performance to demonstrate material quality and design intent.
3. Prior to Development Approval for superstructure works the applicant shall submit plans confirming final dimensions of the faceted concrete panels over the east elevation including 150mm rebates to provide variation in the façade's depth and appearance consistent with the endorsed design intent.
4. Prior to Development Approval for superstructure works the applicant shall submit plans confirming the canopy above ground level will have a minimum width of 2.5m measured from the circular column faces.

Traffic and Vehicle Access

5. The recommendations detailed in the Traffic Impact Assessment dated 31 May 2019 (reference S133150) by Michael Ianella and Joy Yu of GTA Consultants (SA) Pty Ltd, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Commission Assessment Panel. Such measures shall be made operational prior to the occupation or use of the development.

6. All driveways, vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked in accordance with AS2890.1 and AS1742 to the reasonable satisfaction of the State Commission Assessment Panel prior to the occupation or use of the development.
7. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
8. The hours for waste collection and service vehicles (operated by private contractor/s) to enter and exit the site shall be scheduled to occur outside of peak usage periods anticipated for users of the adjacent Wilson car parking facility and for cyclists utilising the external bike storage area along the north face of the development.

Acoustics

9. Air conditioning or air extraction plant or ducting shall be acoustically screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the State Commission Assessment Panel.

Environmental

10. The recommendations detailed in the Stormwater Management Report dated 16 February 2018 (reference DT 171101) by of Chong Tzu of Structural Systems Consulting Engineers Pty Ltd, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Commission Assessment Panel. Such measures shall be made operational prior to the occupation or use of the development.
11. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.
12. Levels of any proposed stormwater grated inlet pits or openings within the property boundary must be designed with an adequate freeboard to the 1 percent Annual Exceedance Probability (AEP) flood level assumed to be top of kerb level adjacent to each stormwater discharge point to Franklin Street.
13. Prior to Building Rules Consent being granted for superstructure works detailed plans of landscaping within communal spaces shall submitted to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Government Architect, and submitted. The plans shall document planting medium depths, irrigation methods and other features of the proposed communal area landscaping schemes to demonstrate viability of all plantings and user amenity in these spaces.
14. Landscaping shown on the approved plans shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.
15. All external lighting on the site shall be designed, constructed and installed to conform to Australian Standard – AS 4282-1997 (Control of the obtrusive effects of outdoor lighting).
16. Any lighting to the overhead canopy over Franklin Street shall be installed in accordance with City of Adelaide’s guideline entitled “Under Verandah/Awning Lighting Guidelines” at all times to the reasonable satisfaction of the State Commission Assessment Panel and prior to the occupation or use of the development. Such lighting shall be operational during the hours of darkness at all times.
17. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths 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

- a. Any future application for division of the subject land including variation to the existing easement adjacent the western boundary of the land marked 'K' on the deposited plan should ensure equivalent rights of way are secured for the users of the adjoining land parcel (FL 2 in Community Plan 27647, Certificate of Title Volume 6114 Folio 305) to enable adequate freedom of movement over the subject land.
- b. 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.
- c. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Adelaide (Council) and implemented throughout construction in accordance with current industry standards – including the Local Nuisance and Litter Control Act 2016, the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction. The management plan should incorporate, without being limited to, the following matters:
 - timing, staging and methodology of the construction process and working hours;
 - traffic management strategies;
 - control and management of construction noise, vibration, dust and mud;
 - management of infrastructure services during construction and re-establishment of local amenity and landscaping;
 - stormwater and groundwater management during construction;
 - site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
 - disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
 - protection and cleaning of roads and pathways; and
 - overall site clean-up
- d. An Encroachment Permit will be separately issued by the Council for the proposed encroachment into the public realm when Development Approval is granted. In particular, your attention is drawn to the following:
 - an annual fee may be charged in line with the Council's Encroachment Policy;
 - permit renewals are issued on an annual basis for those encroachments that attract a fee; and
 - unauthorised encroachments will be required to be removed.
- e. Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity. The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.cityofadelaide.com.au. When applying for a City Works Permit you will be required to supply the following information with the completed application form:
 - A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
 - Description of equipment to be used;
 - A copy of the relevant Public Liability Insurance Certificate (minimum cover of \$20 Million required); and
 - Copies of consultation with any affected stakeholders including businesses or residents.

Upfront payment is required for all City Works applications, which can be received by Council via the following:

- Email: cityworks@cityofadelaide.com.au
 - Fax: 8203 7674
 - In Person: 25 Pirie Street, Adelaide
- f. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within one (1) year of the final Development Approval issued by Council, and substantially completed within three (3) years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- g. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. 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 8204 0289).
- h. The applicant should 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. 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.
- j. 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; and
 - (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.
- k. 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.

Gabrielle McMahon
A/TEAM LEADER – INNER METRO DEVELOPMENT ASSESSMENT
as delegate of the
STATE COMMISSION ASSESSMENT PANEL