



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 161<sup>st</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 12<sup>th</sup> July 2023 commencing at 9.30am  
Level 9, 83 Pirie Street Adelaide / Microsoft Teams video conferencing

## 1. OPENING

### 1.1. ACKNOWLEDGEMENT OF COUNTRY

The Presiding Member acknowledged the traditional custodians of the land on which the State Commission Assessment Panel meets, and paid respect to Elders past, present and emerging.

### 1.2. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert David Altmann Don Donaldson
Secretary	Jaclyn Symons, Governance Officer
DTI Staff	Margaret Smith Nathan Grantham (2.2.1, 2.2.2) Brett Miller (2.2.3) Ben Scholes (2.2.3) Chelsea Lucas

### 1.3. APOLOGIES

Paul Leadbeter  
Jenny Newman

## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

### 2.2. NEW APPLICATIONS

#### 2.2.1 Taplin Group

22042962

13 Colley Terrace, Glenelg

Construction of a 12-level residential flat building.

The Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

#### **Applicant**

- Matthew King (URPS)
- Nick Peacock (Milestone Project Management)
- Scott Meek (Stallard Meek Flightpath Architects)
- Marie Glezos (Stallard Meek Flightpath Architects)
- Angus Pearce-Raisin (Stallard Meek Flightpath Architects)

#### **Agency**

- Aya Shirai-Doull (ODASA)

#### **Council**

- Michael Gates (City of Holdfast Bay)

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

- 1) Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 22042962, by Taplin Group is granted Planning Consent subject to the following reserved matters and conditions:

#### **RESERVED MATTERS**

##### **Planning Consent**

Pursuant to section 102(3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter(s) shall be reserved for further assessment to the satisfaction of the Manager, Commission Assessment prior to the granting of Development Approval:

1. A Stormwater Management Plan detailing stormwater quantity and quality measures.
2. Details of a design outcome to improve the appearance of the fire hydrant cabinet.
3. Provision of privacy measures to the balconies of apartment 6 on each floor up to and including the eighth floor to minimise direct overlooking to adjacent apartments to the south.

## CONDITIONS

### Planning Consent

#### Condition 1

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

#### ***Conditions imposed by Environment Protection Authority under section 122 of the Act***

#### Condition 2

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability is issued by a site contamination consultant certifying the land is suitable for the proposed use.

## ADVISORY NOTES

### Planning Consent

#### Advisory Note 1

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the State Planning Commission).

#### Advisory Note 2

The approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

#### Advisory Note 3

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development (ERD) 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 ERD Court if wishing to appeal. The ERD Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

#### ***Advisory Note imposed by Environment Protection Authority under Section 122 of the Act***

#### Advisory Note 4

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

#### 2.2.2 **Aestus Pty Ltd**

22011237

179 Greenhill Road and 1 George Street, Parkside

Variation to Development Authorisation 090/M004/16 to amend Development Plan Consent Condition 1 to remove reference to the Waste Management Report, prepared by Colby Industries, dated 9 June 2016.

Don Donaldson declared a conflict of interest due to his employment with Unley Council and was not present for this agenda item.

The Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

**Applicant**

- James Levinson (Botten Levinson Lawyers)
- Ben Wilson (Cirqa)
- Dennis Chung (IBS Planning & Projects)
- Greg Molfetas (Tritan Corporation)

**Council**

- David Brown (City of Unley)
- Tanya Basic (City of Unley)

The State Commission Assessment Panel discussed the application.

**RESOLVED**

- 1) Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 22011237, by Aestus Pty Ltd is REFUSED Planning Consent for the variation to Condition 1 to remove reference to the Waste Management Report, prepared by Colby Industries, dated 9 June 2016 for the following reasons:
  - a. The proposal would not adequately satisfy the Planning and Design Code's expectations with respect to the safe and efficient collection of communal waste from a high-density residential development.
  - b. The proposal fails to meet Traffic, Access and Parking Desired Outcome 1 and Performance Outcomes 1.1, 3.1 and 3.8 which seek development that does not conflict with the existing transport system, provides safe and efficient public road vehicle access and egress for all expected vehicles.
  - c. The proposal has not demonstrated that waste collection can be conveniently collected from the street in accordance with Design Performance Outcome 26.5.

**2.2.3 Palumbo Group Pty Ltd**

22042654

50, 54-58 Rundle Street and 1 The Parade West, Kent Town

Mixed use (commercial and residential) development comprising seven (7) levels accommodating three (3) ground level commercial tenancies, forty-nine (49) residential apartments, associated multi-level carparking, landscaping, shared amenities and public realm improvements.

Rebecca Thomas declared a conflict of interest due to her employer providing planning services on this project and was not present for this agenda item.

The Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

**Applicant**

- Ryan Moyle (Ekistics)
- Robert Gagetti (Ekistics)
- Daniel Palumbo (Palumbo)
- Jacob Hodge (Palumbo)

**Agency**

- Ellen Liebelt (ODASA)

**Council**

- Geoff Parsons (City of Norwood Payneham & St Peters)

The State Commission Assessment Panel discussed the application.

**RESOLVED**

- 1) Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 22042654, by Palumbo Group Pty Ltd is granted Planning Consent subject to the following reserved matter and conditions:

**RESERVED MATTER**

Pursuant to section 102(3) of the *Planning, Development and Infrastructure Act 2016*, the following matters shall be reserved for further assessment prior to the granting of Development Approval:

- 1) A final detailed schedule of external materials and finishes (including provision of annotated elevations) and a physical samples board being prepared in consultation with the Government Architect, to the satisfaction of the State Planning Commission.
- 2) Final details of the specification, design and appearance of the retractable security screening intended for the accessible public open space at the northern portion of the subject land be supplied to the satisfaction of the State Planning Commission.

**CONDITIONS**

Planning Consent

Condition 1

The development authorisation granted herein shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below (if any).

Condition 2

The planting and landscaping on the site of the development identified on the Landscape Concept Plan prepared by Outerspace Landscape Architects submitted with the application must be completed in the first planting season concurrent with or following commencement of the use of the approved development. Such planting and landscaping shall be maintained thereafter and any plants which become diseased or die must be replaced within the next available growing season with suitable species, to the satisfaction of the Commission.

Condition 3

All landscaping proposed in the public realm shall be planted in accordance with the plans and details supplied within the Application (subject to any alterations as may be agreed with the City of Norwood Payneham and St Peters or its delegate) and such landscaping shall be nurtured and maintained in good health and condition at all times.

Condition 4

The carparking area(s) associated with this proposal shall be developed in accordance with the following requirements:

- (i) All carparking spaces, driveways and associated manoeuvring areas shall be sealed in bitumen, concrete or brick pavers prior to occupation of the proposed development;

- (ii) The proposed car parking layout and access areas are to conform with the Australian Standards 2890.1 for Off-Street Parking Facilities;
- (iii) That all parking areas be marked, to delineate the parking spaces, prior to the occupation of the proposed development in accordance with the relevant Australian Standard AS 1742; and
- (iv) Wheel stopping devices constructed as per Australian Standard AS 2890.1.

Condition 5

All deliveries to the site and waste collection from the site shall be restricted to the following times:

- 7am to 7pm Monday to Saturday; and
- 9am to 5pm Sundays and Public Holidays.

Condition 6

Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.

**Conditions imposed by Environment Protection Authority under Section 122 of the Act**

Condition 7

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability is issued by a site contamination consultant certifying the land is suitable for the proposed use.

**ADVISORY NOTES**

Planning Consent

Advisory Note 1

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the State Planning Commission).

Advisory Note 2

The approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 3

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development (ERD) 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 ERD Court if wishing to appeal. The ERD Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).

Advisory Note 4

The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact the relevant Local Government Authority.

Advisory Note 5

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 imposed by City of Norwood, Payneham and St. Peters under Section 122 of the Act**

**Advisory Note 6**

The Applicant is advised that construction noise is not allowed:

1. on any Sunday or public holiday; or
2. after 7pm or before 7am on any other day

**Advisory Note 7**

The Applicant is advised that any works undertaken on Council owned land (including but not limited to works relating to crossovers, driveways, footpaths, street trees and stormwater connections) will require the approval of the Council pursuant to the *Local Government Act 1999* prior to any works being undertaken. Further information may be obtained by contacting Council's Public Realm Compliance Officer on 8366 4513.

**Advisory Note 8**

The Applicant is advised that the condition of the footpath, kerbing, vehicular crossing point, street tree(s) and any other Council infrastructure located adjacent to the subject land will be inspected by the Council prior to the commencement of building work and at the completion of building work. Any damage to Council infrastructure that occurs during construction must be rectified as soon as practicable and, in any event, no later than four (4) weeks after substantial completion of the building work. The Council reserves its right to recover all costs associated with remedying any damage that has not been repaired in a timely manner from the appropriate person.

**Advisory Note 9**

The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

**Advisory Note 10**

Prior to construction commencing on site, a Construction and Environment Management Plan (CEMP), inclusive of a Traffic Management Plan (TMP) for the construction period, shall be prepared and submitted to the City of Norwood Payneham & St Peters (or its delegate) for approval. Once approved, all works shall be carried out in accordance with the CEMP and TMP to the reasonable satisfaction of the City of Norwood Payneham and St Peters or its delegate.

**Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act**

**Advisory Note 11**

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

**2.3. RESERVED MATTERS**

**3. CROWN DEVELOPMENTS (ADVISORY ITEMS)**

**3.1. DEFERRED APPLICATIONS**

**3.2. NEW APPLICATIONS**

**4. MAJOR DEVELOPMENTS – VARIATIONS**

**5. REPORTING**

**6. COURT COMPROMISE**

7. **BRIEFINGS**

8. **PROCEDURAL MATTERS**

9. **OTHER BUSINESS**

10. **NEXT MEETING**

- 10.1. Wednesday 26 July 2023 at Level 9, 83 Pirie Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing.

11. **REVIEW OF SCAP INSTRUCTIONS TO STAFF AND UPCOMING AGENDA ITEMS**

12. **CONFIRMATION OF THE MINUTES OF THE MEETING**

13. **MEETING CLOSE**

- 13.1. The Presiding Member thanked all in attendance and closed the meeting at 1.22pm.

Confirmed 12/07/2023



.....  
Rebecca Thomas  
PRESIDING MEMBER



.....  
Rebecca Rutschack  
DEPUTY PRESIDING MEMBER (for item 2.2.3 only)