



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 9th Meeting of the State Commission Assessment Panel held on Thursday, 7 December 2017 commencing at 9.30 am 28 Leigh Street, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Chris Branford Peter Dungey Dennis Mutton David O'Loughlin Helen Dyer
Secretary	Penny Pearce
DPTI Staff	Matt Fielke (Agenda Item 2.2.1) Simon Neldner (Agenda Items 2.2.1, 2.2.2, 2.2.3 & 2.2.4) Will Gormly (Agenda Items 2.2.1, 2.2.2, 2.2.3 & 2.2.4) Peter Douglass (Agenda Item 2.2.4) Caleb Maru (Agenda Items 2.2.1, 2.2.2, 2.2.3 & 2.2.4)
Guest	Allan Holmes, State Planning Commission (Agenda Items 2.2.1, 2.2.2, 2.2.3)

1.2. APOLOGIES

Sue Crafter

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS - Nil

2.2. NEW APPLICATIONS

- 2.2.1 Rohan Lambeff**
DA 782/R007/17
68a Decres Bay Road, Ceduna
District Council of Ceduna

Proposal:

Construction of one (1) two-storey detached dwelling, standalone shed (9m x 21m) and associated cut & fill.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Council

- Stephen Redden (via phone)

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the proposed development is at variance with the policies in the Development Plan.
2. To NOT CONCUR with Council's decision to grant Development Plan Consent to Development Application 782/R007/17 by Rohan Lambeff for the construction of a two (2) storey detached dwelling and outbuilding at 68A Decres Bay Road, Ceduna for the reasons listed below:
 - The proposed scale of the development is not sensitive to the natural and conservation value of the land or the desired character of the Coastal Conservation Zone. Past degradation of coastal land through the introduction of land fill (without approval) should not prejudice the conservation value of the Zone.
 - The introduction of additional fill material is not in accordance with coastal policies that seek to limit the introduction of materials that could further compromise a sensitive coastal environment, whilst increased site levels are for aesthetic / coastal view reasons and not to address and specific inundation or hazard risk.
 - A suitable site is provided on the land – within the Residential Zone – where a dwelling of this nature could be constructed without further impact on the coastal environment.

The proposal is considered to be at odds with the following provisions of the Ceduna (DC) Development - Consolidated 18 October 2012:

- Coastal Conservation Zone Objectives 1, 2, 3 & 5 – PDC's 1, 2, 3, 6, 7 & 8.
- Coastal Areas Objectives 1 & 8 – PDC's 1, 3, 6 & 8.
- Design & Appearance Objective 1 – PDC's 1, 3, 4 & 10.
- Natural Resources Objectives 1, 7, 9, 10 & 12 – PDC's 1, 4, 5, 27, 37 & 39.
- Orderly & Sustainable Development Objectives 6 & 7 – PDC's 1, 2 & 5.
- Siting & Visibility Objective 1 – PDC's 1 & 4.
- Sloping Land Objective 1 – PDC's 1, 2 & 7.

2.2.2 Pembroke School Inc.

DA 155/E017/16

3 Shipsters Road and 342 The Parade

City of Norwood, Payneham and St Peters

Proposal:

Demolition of existing buildings including contributory item at 3 Shipsters Road, construction of a new middle school building, an enclosed pedestrian footbridge between the new building and the existing middle school campus across Shipsters Road, landscaping, fencing and removal of 1 Regulated Tree.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Applicants

- Peter Sulicich – Pembroke School

Representors

- Dimitty Andersen - Grieve Gillett Andersen Architects
- Melissa Mellen – MFY Traffic Consultants
- Grazio Maiorano – URPS

Agency

- Nick Tridente, ODASA
- Ellen Liebelt, ODASA

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the State Commission Assessment Panel is satisfied that the following plans and documentation satisfy the reserved matter requirement for the concept design for the pedestrian footbridge in respect to the application by Pembroke School Inc (DA 155/E017/16) previously granted Development Plan consent on 13 April 2017:

- Design Intent Statement for the bridge and landing – Grieve Gillet Anderson – dated 20 November 2017
- 15015 Pembroke Middle School – Bridge & Kings Landing – View from Shipsters Road Entry – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – View from Shipsters Road Northern Approach – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – View from Shipsters Road (North Elevation) – Grieve Gillet Anderson – dated 24.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Kings Landing Entrance – Grieve Gillet Anderson – dated 24.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – View from Shipsters Road (North Elevation) – Grieve Gillet Anderson – dated 24.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Upper Level Link – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Aerial View to New Building – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Longitudinal Section – Grieve Gillet Anderson – dated 4.12.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Longitudinal Section (Sh2) – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Bridge & Kings Landing – Exploded Elements – Grieve Gillet Anderson – dated 20.11.17
- 15015 Pembroke Middle School – Materiality – dated 28.11.2017
- 15015 Pembroke Middle School – Lighting Strategy – dated 28.11.2017
- Level 1 Bridge Link – Drawing DA22 - dated 24.11.17
- Ground Level Bridge Link – Drawing DA21 – dated 24.11.17

- Construction sequence for bridge – Grieve Gillet Anderson – dated 23 November 2017
 - Email from Aborman Tree Solutions to Pembroke School dated 27 March 2017.
 - Email from URPS to DPTI dated 23 November 2017.
 - Letter from URPS to DPTI dated 20 November 2017.
 - WAX – Pembroke Kings Campus - Project 17PEMCON01 dated 24.11.17.
2. That the following conditions of consent be incorporated into the updated decision notification in respect to the application by Pembroke School Inc (DA 155/E017/16 previously granted Development Plan consent on 13 April 2017:
- Prior to the construction of the pedestrian bridge (i.e. superstructure), the final design detail of the structural system, shroud element (including mesh panel sizes and sub-framing and connections), v-shaped columns, materiality and lighting system for the bridge shall be provided to the reasonable satisfaction of the State Commission Assessment Panel (in consultation with the Office of Design and Architecture SA).
 - Prior to the operation of the development, the provision of a final landscaping plan for the Shipsters Road frontage, that documents the relationship and integration of street furniture, fencing and plantings with the superstructure of the pedestrian bridge and public footpath shall be provided to the reasonable satisfaction of the State Commission Assessment Panel.
 - A materials sample board shall be provided to the reasonable satisfaction of the State Commission Assessment Panel that demonstrates the visual qualities and durability of the selected materials for the pedestrian bridge, taking into account future maintenance and access requirements.

2.2.3 T&S Goodwood Pty Ltd C/- masterplan SA Pty Ltd

DA 090/E007/16 V1

43-51 Goodwood Road, Wayville

City of Unley

Proposal:

Variation to DA 090/E007/16: reduce shop area from 2510 to 2322 square metres, modify the roof form of the main and secondary buildings, relocate and define roof plant, locate the transformer, reconfiguration of the car park, retaining walls, and ancillary site works.

Simone Fogarty and Chris Branford declared a conflict and left the meeting.

The Deputy Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Representor/s

- Michael Richardson, Masterplan
- Paul Duregon, Masterplan
- Ian Hilditch, Hilditch Lawyers
- Stuart Henry, Carrington Chambers

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Unley (City) Development Plan.

3. To delegate to Unit Manager, Policy & Strategic Assessment, Development Assessment to grant Development Plan Consent to the proposal by T & S Goodwood Pty Ltd for Variation to DA 090/E007/16 at 43-51 Goodwood Road, Wayville, subject to the provision of a revised landscaping plan that demonstrates improved amenity in the following locations:
 - Young Street entrance
 - Eastern carpark
 - Northern carpark
 - Western boundary
 - The southern boundary adjacent to Brownhill Creek including removal of concrete; and 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 following plans submitted in Development Application No 090/E007/16 V1.

Plans

Lowe & Redding Design – Ref 12-144 – Site Plan – October 2017 – 1/8
 Lowe & Redding Design – Ref 12-144 – Floor Plan – October 2017 – 2/8
 Lowe & Redding Design – Ref 12-144 – Floor Plan – Fit out – October 2017 – 3/8
 Lowe & Redding Design – Ref 12-144 – Roof Plan – October 2017 – 4/8
 Lowe & Redding Design – Ref 12-144 – Elevations – October 2017 – 5/8
 Lowe & Redding Design – Ref 12-144 – Sections/Elevations – October 2017 – 6/8
 Lowe & Redding Design – Ref 12-144 – Landscape Plan – October 2017 – 7/8
 Lowe & Redding Design – Ref 12-144 – Landscape Plan – October 2017 – 8/8

Reports

MasterPlan SA – Planning Report, dated November 2017.
 Stassi Consulting Engineers – Ref SW 13301_B – Stormwater Calculations dated 26/10/2017, with plan ‘Stormwater and Siteworks’ 13001 C01 Rev. S, dated 30/10/17.
 Sonus Pty Ltd – Goodwood Road Retail – Environmental Noise Assessment Report, Ref. S5029C3, 11 October 2016 and letter dated 30 October 2017.
 Secon Consulting Engineers – Project B7244 – Goodwood Road Carpark Wayville Lighting Assessment.

2. The acoustic measures recommended on pages 6 to 11 of the ‘Sonus Pty Ltd – Goodwood Road Retail – Environmental Noise Assessment Report, Ref. S5029C3, 11 October 2016’ and letter dated 30 October 2017 shall be implemented prior to commencement of the use herein approved on the site.
3. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the State Commission Assessment Panel prior to the occupation or use of the development.
4. That the hours of the operation of the main tenancy (supermarket) be:

Monday to Friday	7:00am to 9:00pm
Saturday	7:00am to 5:00pm
Sunday	11:00am to 5:00pm
5. That the hours of the operation of the secondary tenancy be:

Monday to Friday	7:00am to 10:00pm
Saturday	7:00am to 10:00pm
Sunday	7:00am to 10:00pm

6. Deliveries shall occur only between 7:00am and 10:00pm on any day.
7. Rubbish collection shall occur only between the hours of 9:00am and 7:00pm on a Sunday or public holiday, and between 7:00am and 7:00pm on any other day.
8. All bicycle parks shall be designed and constructed in accordance with the relevant Australian Standards.
9. All car parking areas, driveways and vehicle manoeuvring areas shall be in accordance with AS/NZS 2890.1:2004 and 2890.6:2009, and shall be maintained at all times to the reasonable satisfaction of the State Commission Assessment Panel.
10. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
11. All loading and unloading, parking and manoeuvring areas shall be designed and constructed to ensure that all vehicles can safely enter and exit the subject land in a forward direction.
12. All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface and must be maintained in a good condition at all times to the reasonable satisfaction of the State Commission Assessment Panel.
13. The landscaping shall be established prior to the operation of the development and shall be irrigated, maintained and nurtured at all times with any diseased or dying plants being replaced.
14. That the development and the site shall be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.
15. That all trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.
16. Graffiti shall be removed within five (5) business days of the graffiti becoming known or visible with the timely removal of graffiti being the responsibility of the operators of the development.
17. External air conditioning or air extraction plant or ducting shall be screened such that no 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.
18. That all external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
19. That all stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.
20. That waste storage areas shall include:
 - (a) The use of covered containers or bins;
 - (b) Screens or landscaping to restrict public views;
 - (c) Bunding to prevent the entry of external stormwater; and
 - (d) Treatment systems/devices capable of removing pollutants.
21. The following operational measures with respect to goods deliveries are to be undertaken and maintained for the life of the development to the reasonable satisfaction of the State Commission Assessment Panel:
 - (a) Engines on all non-refrigerated trucks shall be shut down as soon as possible once in the leading bay;

- (b) Unloading of refrigerated trucks shall be conducted using hand carts only (unless the engine and refrigeration systems are shut down upon arrival in the loading bay – in which case unloading shall be carried out as per non-refrigerated trucks (below)); and
 - (c) Unloading of non-refrigerated trucks shall be carried out using only one forklift at any one time, with an average sound power level of no greater than 92dB(A) when unloading, and using a broad band reversing alarm. An electric or low noise gas forklift can otherwise be employed for this purpose.
22. All building works and services infrastructure (excluding the canopy along Goodwood Road) shall be set back no less than 2.1 metres clear of the road widening requirement.
23. The two-way access to Goodwood Road shall cater for left in and left out movements only. The turning restrictions shall be reinforced by the installation of two signs:
- (a) An “All vehicles turn left” sign located within private property adjacent the egress facing exiting vehicles; and
 - (b) A “No right turn” sign adjacent the ingress facing northbound traffic on Goodwood Road.
24. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not occur on or adjacent to the subject land.

TSSD DIRECTED CONDITION

25. All building works and services infrastructure (including the pedestrian access ramp and the canopy along Goodwood Road) shall be set back clear of the 2.13 metres road widening requirement.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Commission Assessment Panel.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. 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).
- d. The Metropolitan Adelaide Road Widening Plan shows that a strip of land up to 2.13 metres in width may be required from the Goodwood Road frontage of Allotment 302 in DP 44303 and Allotment 111 in FP 10395 for possible future road purposes. The consent of the Commissioner of Highways is required under the Metropolitan Adelaide Road Widening Plan Act for all new building works on or within 6.0 metres of the requirement.

2.2.4 Helmsdale Pastoral Company C/- Kym Adams

DA 010/U055/17

The Outback Highway, Leigh Creek

Pastoral Unincorporated Area

Proposal:

Construction of a detached dwelling on land not within a Council Area (Flinders).

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Applicants

- Julie Jansen, Masterplan
- Kym Adams

The State Commission Assessment Panel discussed the application.

RESOLVED

1. The proposed development is not seriously at variance with the policies in the Development Plan.
2. The State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Land Not Within a Council (Flinders) Development Plan.
3. To grant Development Plan Consent to the proposal by Kym Adams for the construction of a detached caretakers dwelling at Allotment 2 The Outback Highway, Leigh Creek, 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 following plans submitted in Development Application No 010/U055/17:

Plans by MasterPlan

- Site Plan – Proposed Caretakers Dwelling – DS:50385 1.0 – June 2017
 - Site Plan Enlargement – Proposed Caretakers Dwelling – DS:50385 1.0 – June 2017
 - Locality Plan – Proposed Caretakers Dwelling – DS:50385 1.0 – June 2017
 - Elevations – Proposed Caretakers Dwelling – 50385 HM – May 2016
 - Floor Plan – Proposed Caretaker Dwelling – 50385 HM – May 2016
2. The applicant shall obtain Department of Health waste control system approval prior to the commencement of building work.
 3. 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.
 4. Access to the building site shall be of all-weather construction.
 5. A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
 6. All external finishes shall have surfaces which are of a low light reflective nature and blend with the natural background.

DPTI – TRANSPORT CONDITIONS

7. Access to/from the site shall be gained via a single access to/from The Outback Highway in accordance with the location requirements of the Commissioner of Highways. No additional vehicular access to/from The Outback Highway shall be provided, with any remaining access points closed and fencing reinstated.

8. The Outback Highway access shall be sealed (in spray seal) for 6 metres from the edge of the seal on The Outback Highway to the property boundary, incorporating shoulder sealing either side of the access in accordance with Figure 7.2 of Austroads Guide to Road Design – Part 4, to minimise the risk of dust and debris being thrown onto the carriageway and maximise traction for vehicles exiting the site.
9. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of The Outback Highway. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the Development Assessment Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. 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).
- d. If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the *Native Vegetation Act 1991* and its Regulations, which may include the provision of a Significant Environmental Benefit. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9777 or visit: <http://www.nvc.sa.gov.au>.
- 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. Building sites can also be major contributors of suspended solids, concrete wash, building materials and wastes, to stormwater and, potentially, receiving waters, if there are inappropriate management practices. Construction work and site preparation must be undertaken in a manner that does not allow the escape of soil, sediment or other pollutants by wind or water to the stormwater system at levels that breach the EPA's *Environment Protection (Water Quality) Policy 2003*.
- g. During construction the applicant must ensure that every effort is made to minimise noise and dust emissions generated from site works, particularly by use of heavy machinery and vehicular movements.
- h. In relation to Condition 7, the applicant shall contact DPTI, Assent Engineer, Mr Bona Tan on (08) 8648 5234, mobile 0417 767 452 or via email Bonaventure.tan@sa.gov.au to obtain approval of the final location for the access and any technical issues regarding the required drainage and access works. All costs associated with the design and construction of the road and access upgrades required to facilitate the development (including, but not limited to, project management and any necessary road drainage upgrades) shall be borne by the applicant.

- i. 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.
- j. The applicant is advised that there are various Aboriginal groups / organisations / traditional owners that may have an interest in the land within the area. If further information is required regarding any relevant obligations pursuant to the Native Title Act 1993, the applicant is advised to contact the Aboriginal Heritage Team on telephone (08) 8226 8900 or email dsgaarheritagesites1@sa.gov.au

3. MAJOR DEVELOPMENTS

3.1. DEFERRED APPLICATIONS – Nil

3.2. NEW APPLICATIONS - Nil

4. ANY OTHER BUSINESS

5. NEXT MEETING – TIME/DATE

5.1. Thursday, 14 December 2017 in Leigh Street, Adelaide SA 5000

6. CONFIRMATION OF THE MINUTES OF THE MEETING

6.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

7. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 2.39pm.

Confirmed 07/12/2017



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Simone Fogarty
PRESIDING MEMBER