



# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

## Minutes of the 55<sup>th</sup> Meeting of the State Commission Assessment Panel held on Thursday 23 May 2019 commencing at 9.30am ODASA, 28 Leigh St, Adelaide

### 1. OPENING

#### 1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Dennis Mutton (Deputy Presiding Member) Mark Adcock Chris Branford Peter Dungey Sally Roberts
Secretary	Alison Gill
DPTI Staff	Karl Woehle (Agenda Item 2.2.1) Janaki Benson (Agenda Item 2.2.2) Gabrielle McMahon (Agenda Items 2.2.1, 2.2.2) Jeremy Wood (Agenda Items 2.2.3, 2.2.4, 2.2.5) Jason Cattonar (Agenda Items 2.2.3, 2.2.4, 2.2.5) Simon Neldner (Agenda Items 3.2.1, 3.2.2) David Altmann (Agenda Item 3.2.2) (consultant planner)

#### 1.2. APOLOGIES

Nil

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### 2. SCAP APPLICATIONS

#### 2.1. DEFERRED APPLICATIONS – Nil

#### 2.2. NEW APPLICATIONS

### 2.2.1 Carrington Collaborative C/-PBA

DA 020/A014/19

#### 125-129 Carrington St, Adelaide

City of Adelaide

Proposal: Demolition of existing building structures and construction of a multi-storey mixed-used building comprising residential apartments, cafe, consulting rooms, ancillary car parking, landscaping, and associated building works.

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

#### Applicants

- Phil Brunning, PBA - presented
- Phil Weaver, Phil Weaver & Associates - presented
- Eleanor Clausen, The Carrington Collaborative & The International Spine Centre - presented
- Scott Meek, Stallard Meek Architects - presented
- Tim Hastwell, Stallard Meek Architects
- Peter Murphy, The International Spine Centre

#### Agency

- Belinda Chan, on behalf of the Government Architect

The State Commission Assessment Panel discussed the application.

The State Commission Assessment Panel acknowledges that this project is two storeys over-height and that the development plan policies for the South Central Policy Area are less tolerant of over-height development than other zones/policy areas in the city. However the State Commission Assessment Panel notes that the proposal is of an exemplary example of a mixed use development that is:

- of high quality architectural and urban design;
- highly compatible with a city residential lifestyle;
- a practical transition between zones; and
- a three bedroom apartment offering with a generous level of space and amenity.

#### RESOLVED

1. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Adelaide (City) Development Plan consolidated 7 June 2018.
2. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
3. To grant Development Plan Consent to Development Application 020/A014/19 by Carrington Collaborative for Demolition of existing structures and construction of a multi-storey mixed-use development comprising residential apartments, cafe, consulting rooms, ancillary car parking, landscaping, and associated building works associated building work at 125-129 Carrington Street, Adelaide.

#### PLANNING CONDITIONS

1. The development granted Development Plan shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

2. Prior to development plan approval the applicant shall provide final details of the following design elements in consultation with the Government Architect and to the satisfaction of the State Commission Assessment Panel:
  - a. Ground floor glazing;
  - b. Spiral stair and associated landscaping;
  - c. Façade elements including upper level corners, raking soffits and connections to pre-cast panels; and
  - d. External materials and finishes.

*Reason for condition: to ensure that the high quality design intent is realised.*

3. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

*Reason for condition: to ensure external lighting does not introduce undue potential for hazards to users of the adjacent road network in accordance with the necessary standard.*

4. All stormwater infrastructure 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.

*Reason for condition: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.*

5. All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

*Reason for condition: to ensure off-street car parking facilities are designed to adhere to the necessary standards.*

6. All bicycle facilities shall be designed in accordance with AS/NZS 2890.3:2015.

*Reason for condition: to ensure bicycle facilities are designed to adhere to the necessary standard.*

7. The development will comply with noise level criteria specified in Environmental Protection (Noise) Policy 2007 (under the Environmental Protection Act). This includes noise from roof-level plant and equipment and the air-conditioning units with consideration given to the adjacent properties. Noise attenuation devices and visual screening will be implemented as necessary.

*Reason for condition: to ensure mechanical equipment does not cause unreasonable nuisance or loss of amenity in the locality.*

8. 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.

*Reason for condition: to ensure appropriate reinstatement of any Council, utility or state-agency maintained infrastructure affected by construction activities.*

9. 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.

*Reason for condition: to ensure the proposed landscaping is established and consistent with the landscaping concept.*

## 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 applicant, or any person with the benefit of this consent, must ensure that any consent/permit from other authorities or third parties that may be required to undertake the development, have been granted by that authority prior to the commencement of the development.
- e. The applicant is reminded of their obligations under the Local Nuisance and Litter Control Act 2016 and the Environment Protection Act 1993, in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction site, please contact the City of Adelaide.
- f. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths transverse by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.
- g. All works on Council land shall be conducted to Council's specification, with all works to be bunted off safely and pedestrian safety to be maintained throughout the construction period. Planting will also need to be undertaken in line with council specification in terms of sight distance interference and safety to the community (thorns/poisonous planting). Plans displaying all relevant details of the Road/Kerbing/Footpath Works shall be submitted to the Assets and Infrastructure Officer for approval prior to the commencement of any such works.

### 2.2.2 Currie Street Pty Ltd C/- Masterplan

DA 020/A019/19

**62-68 Currie Street, Adelaide**

City of Adelaide

Proposal: 25-storey mixed use building comprising commercial at ground, office and hotel accommodation at upper levels and signage.

Mark Adcock declared a conflict of interest (due to previous employment with Masterplan) and left the meeting.

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

#### Applicants

- Greg Vincent, Masterplan – presented
- Stewart Hocking, Masterplan
- Paul Rouvray, Axiom

- Paul Santinon, Axiom
- JinLing, AUSPAC Networks Pty Ltd
- Susan Xie, AUSPAC Networks Pty Ltd
- Caillin Howard, Hames Sharley
- Leon Gouws, Hames Sharley
- Madeleine Steele, Hames Sharley
- Amol Kingaonkar, WSP

#### Council

- Helen Dand, City of Adelaide - presented
- Hugh Gallagher, City of Adelaide - presented
- Seb Grose, City of Adelaide

#### Agency

- Belinda Chan, on behalf of the Government Architect

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 Adelaide (City) Development Plan.
3. To delegate the granting of Development Plan Consent to the proposal by Currie St Pty Ltd for a 25-storey mixed use building comprising commercial at ground, office and hotel accommodation at upper levels at 62-68 Currie Street, Adelaide, subject to:

#### **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/A019/19.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

2. The acoustic attenuation measures recommended in the report, dated February 2019 by WSP (Project No. PS11107), shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the SCAP. Such acoustic measures shall be made operational prior to the occupation or use of the development.

*Reason for condition: to ensure noise does not result in amenity impacts on noise sensitive development.*

3. The rooftop bar shall provide low level background music only (similar in level to typical conversation) in the dining area in accordance with the acoustic attenuation recommendation in the report dated February 2019 by WSP (Project No. PS11107).

*Reason for condition: to ensure noise does not result in amenity impacts on noise sensitive development.*

4. Prior to Development Approval for Stage 4, the applicant shall submit a final detailed schedule of external materials and finishes in consultation with the Government Architect to the reasonable satisfaction of the SCAP.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

5. Prior to Development Approval for Stage 4, the applicant in consultation with the Government Architect and to the reasonable satisfaction of the SCAP, shall provide the detailing of the:
  - o expressed pre-cast concrete frames;
  - o glazing selection and frame detailing and alignment; and
  - o materials, finishes and articulation of the 13 storey western façade.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details, and that the 13 storey western façade presents well and can be maintained effectively for the life of its visibility.*

6. Mechanical plant or equipment shall be designed, sited, screened and maintained 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 comply with the requirements of the Noise EPP and the criteria outline in Table 3.5 of the Acoustic Report undertaken by WSP dated February 2019 (project No. PS 111107).

*Reason for condition: to ensure mechanical equipment does not cause unreasonable nuisance or loss of amenity in the locality.*

7. A statement by a suitably qualified environmental professional that demonstrates that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be submitted to the SCAP prior to any superstructure works.

*Reason: to ensure the site is suitable for its intended use.*

8. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

*Reason for condition: to ensure external lighting does not introduce undue potential for hazards to users of the adjacent road network in accordance with the necessary standard.*

9. 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.

*Reason for condition: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.*

10. A proprietary stormwater treatment device (i.e. Gross Pollutant Trap) shall be installed within the carpark in accordance with Council and EPA Water Quality Guidelines. This system shall be regularly inspected, cleaned and maintained in good working order, with gross pollutants, sediments, oil and grease removed by the facility operator (at regular intervals) for the life of the development.

*Reason for condition: to ensure stormwater infrastructure is designed and constructed to minimise potential harm to water quality.*

11. An appropriate Soil Erosion and Drainage Management Plan (SEDMP) (as described in the “Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government”) shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following website: <http://www.epa.sa.gov.au>.

*Reason for condition: to ensure stormwater is appropriately managed during construction.*

#### **ADVISORY NOTES**

- a. The development has been approved in the following stages:
  - Stage 1: Demolition;
  - Stage 2: Substructure construction;
  - Stage 3: Super structure construction;
  - Stage 4: Architectural fit-out and external facades.
- b. 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.
- c. 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.
- d. 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).
- e. The applicant is reminded of their obligations under the Local Nuisance and Litter Control Act 2016 and the Environment Protection Act 1993, in regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction site, please contact the City of Adelaide.
- f. The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes and regulations. The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.
- g. The application has been assessed by Adelaide Airport and the building at a proposed height of RL 135.170m AHD will penetrate the Adelaide Airport Obstacle Limitation surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996* and therefore will be forwarded to the Department of Infrastructure and Regional Development for their approval.

If the development is approved by the Department of Infrastructure, Regional Development and Cities, any associated lighting would also need to conform to the airport lighting restrictions and shielded from aircraft flight paths.

Crane operations associated with construction, if approved, will also be subject to a separate application.

- h. 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.
- i. 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. Email: [cityworks@adelaidecitycouncil.com](mailto:cityworks@adelaidecitycouncil.com)

### 2.2.3 **Australian Walking Company C/- Fyfe**

DA 520/L006/18

#### **Flinders Chase National Park – CR 6716/336**

Kangaroo Island Council

Proposal: Wilderness Trail Accommodation – Sandy Creek.

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

#### Applicants

- Michael Osborn, Fyfe – presented
- Kayla Gaskin, Fyfe – presented
- Heath Garratt, AWC – presented
- Phil Harris, Troppo Architects - presented
- Ryan Horsnell, Troppo Architects
- Brett Stephens, SA Bushfire Solutions

#### Agency

- Matt Johnson, DEW - presented
- Roscoe Shelton, DEW
- Joel Taggart, CFS
- Leah Bertholini, CFS
- Arron Broom, CPB
- Russell Seaman, Native Vegetation Management Branch

#### Members of the Public

- Rhonda Avard
- Pip Masters
- Peter Jan Matejcic
- Mark Parnell, MLC
- Janet A Pedler
- Eva Squire
- Kathie Stove

#### Media

- Michelle Etheridge, The Advertiser

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

The State Commission Assessment Panel resolved to defer consideration of this item to enable:

- Further consideration of the site features and context; and
- Request additional information from the applicant.

2.2.4 **Australian Walking Company C/- Fyfe**

DA 520/L007/18

**Flinders Chase National Park – CR 6716/336**

Kangaroo Island Council

Proposal: Wilderness Trail Accommodation – Cape Du Couedic.

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

Applicants

- Michael Osborn, Fyfe – presented
- Kayla Gaskin, Fyfe – presented
- Heath Garratt, AWC – presented
- Phil Harris, Troppo Architects - presented
- Ryan Horsnell, Troppo Architects
- Brett Stephens, SA Bushfire Solutions

Agency

- Matt Johnson, DEW - presented
- Roscoe Shelton, DEW
- Joel Taggart, CFS
- Leah Bertholini, CFS
- Arron Broom, CPB
- Russell Seaman, Native Vegetation Management Branch

Members of the Public

- Rhonda Avard
- Pip Masters
- Peter Jan Matejcic
- Mark Parnell, MLC
- Janet A Pedler
- Eva Squire
- Kathie Stove

Media

- Michelle Etheridge, The Advertiser

The State Commission Assessment Panel discussed the application.

**RESOLVED**

The State Commission Assessment Panel resolved to defer consideration of this item to enable:

- Further consideration of the site features and context; and
- Request additional information from the applicant.

2.2.5 **Australian Walking Company C/- Fyfe**

DA 520/L008/18

**Flinders Chase National Park – CR 6716/336**

Kangaroo Island Council

Proposal: Wilderness Trail Accommodation – Sanderson Bay

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

Applicants

- Michael Osborn, Fyfe – presented
- Kayla Gaskin, Fyfe – presented

- Heath Garratt, AWC – presented
- Phil Harris, Troppo Architects - presented
- Ryan Horsnell, Troppo Architects
- Brett Stephens, SA Bushfire Solutions

#### Agency

- Matt Johnson, DEW - presented
- Roscoe Shelton, DEW
- Joel Taggart, CFS
- Leah Bertholini, CFS
- Arron Broom, CPB
- Russell Seaman, Native Vegetation Management Branch

#### Members of the Public

- Rhonda Avard
- Pip Masters
- Peter Jan Matejcic
- Mark Parnell, MLC
- Janet A Pedler
- Eva Squire
- Kathie Stove

#### Media

- Michelle Etheridge, The Advertiser

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

The State Commission Assessment Panel resolved to defer consideration of this item to enable:

- Further consideration of the site features and context; and
- Request additional information from the applicant.

#### 2.3. **RESERVED MATTERS - Nil**

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

#### 3.1. **DEFERRED APPLICATIONS - Nil**

#### 3.2. **NEW APPLICATIONS**

##### 3.2.1 **Willunga Basin Water Company Pty Ltd**

DA 145/V004/19

##### **Bakewell Drive and Ostrich Farm Road, Seaford Heights**

Onkaparinga Council

Proposal: Construction of a 600ML treated water storage dam with associated bulk earthworks, stormwater detention basin, inlet-outlet pipe (buried), landscape mounding and screening, security fencing, and signage.

Simone Fogarty, Presiding Member, declared a conflict of interest (due to a family relationship with a staff member) and left the meeting. Dennis Mutton, Deputy Presiding Member, chaired this item.

Chris Branford declared a conflict of interest (due to a current commercial relationship) and left the meeting.

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

#### Applicants

- Richard Dwyer, Ekistics – presented
- Craig Heidenreich, WUA - presented
- Graham Dooley, WUA
- Chris Carrey, Ekistics

#### Representors

- Michael Osborn, Fyfe - presented
- Scott Searle, Fairland
- Rachel Williams, MVGWTA

#### Council

- John Mason, Onkaparinga
- Ian Randell, Onkaparinga

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

That the State Commission Assessment Panel provide its recommendation in confidence (included in SCAP Confidential Minutes – 23 May 2019) to the Minister for Planning.

*Note: a Decision Notification Form will be forwarded to all representors once the Minister has made a decision on the application.*

#### 3.2.2 **Yorke Peninsula Windfarm Project Pty Ltd**

DA 544/V001/13 v3

#### **Yorke Peninsula, Gulf St Vincent and Globe Derby Park**

Yorke Peninsula Council

Proposal: Variation to current development authorisation – reduction in the number of wind turbines from 187 to 170 turbines, an increase in the maximum tip height of each turbine from 163 metres to 220 metres, and approval for the use of wind turbines up to 6MW capacity.

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

#### Applicants

- Adam Gray, Senvion Australia Pty Ltd - presented
- Simon Channon, URPS - presented
- Jo Barrie

#### Representors

- Paul Hayes (via teleconference) - presented

#### Council

- David Hutchison, on behalf of Yorke Peninsula Council – presented

#### Media

- Michelle Etheridge, The Advertiser

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

That the State Commission Assessment Panel provide its recommendation in confidence (included in SCAP Confidential Minutes – 23 May 2019) to the Minister for Planning.

*Note: a Decision Notification Form will be forwarded to all representors once the Minister has made a decision on the application.*

4. **MAJOR DEVELOPMENTS** - Nil

5. **OTHER BUSINESS**

6. **NEXT MEETING**

6.1. Thursday 30 May 2019 in the Ground Floor Meeting Room, 50 Flinders Street, Adelaide SA 5000

7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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

8. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 5.10pm.

Confirmed 23/05/2019



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Simone Fogarty  
PRESIDING MEMBER (Agenda Items 2.2.1, 2.2.2, 2.2.3, 2.2.4, 2.2.5, 3.2.2)



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Dennis Mutton  
DEPUTY PRESIDING MEMBER (Agenda Item 3.2.1)