



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 112th Meeting of the
State Commission Assessment Panel
held on Wednesday 26th May 2021 commencing at 9.30am
Ground Floor, 50 Flinders Street Adelaide / Microsoft Teams video
conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember
Secretary	Ben Sieben, Governance Officer
AGD Staff	Jason Cattonar Brett Miller (2.2.1/2.2.2) Lauren Talbot (2.2.1) Karl Woehle (2.2.2) Malcolm Govett (2.2.3) Matthew Henderson (2.2.4)
Observers	Rebecca Rutschack (2.2.1/2.2.2)

1.2. APOLOGIES Nil

Note: Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Walpol Development Pty Ltd C/- Future Urban Group

211/M030/18

192 Anzac Highway, Glandore

Demolish existing structures on the land and construction of an eight storey residential flat building comprising 35 dwellings, including removal of a regulated tree.

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

Applicant

- Chris Vounasis
- Paul Piteo

Agencies

- Belinda Chan (Office for Design and Architecture South Australia)
- Jodi Davy (SA Housing Authority)

Council

- Jordan Leverington (City of West Torrens)

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) To defer consideration of the development application for the following reasons.
 - a) Provision of a full building services feasibility study which explores and demonstrates options to consolidate building services and/or integrate them with the building design.
 - b) Review materiality and architectural expression, including but not limited to the following points:
 - Reinforce the solidity of the corner of the podium element through extension of brickwork;
 - Review of the materiality and colour of the uppermost level to respond to the revised composition and achieve a consistent and coherent overall architectural expression; and
 - Provide sample board to demonstrate use of high quality external materials.
 - c) Provide further details with respect to the mature trees on the site and their legal status, proximity to the nearest dwelling and, if regulated, the relevant Tree Protection Zones.
 - d) Provide contextual details on the adjoining properties existing building setbacks and location of private open space in relation to the subject land.

2.2.2 Austar Group C/- Future Urban Group

090/M022/21

12-16 Glen Osmond Road, Parkside

Construction of two, 7-storey mixed use buildings (with central pedestrian link between Chinner Avenue and Glen Osmond Road) comprising commercial and residential land uses with vehicle car parking access via Chinner Avenue.

Paul Leadbeter declared a conflict of interest due to a relationship with some of the representors and was not present for this item.

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

Applicant

- Chris Vounasis
- Tom Vinal
- Ben Wilson

Agencies

- Kirsteen Mackay (Office for Design and Architecture South Australia)
- Ellen Liebelt (Office for Design and Architecture South Australia)
- Jim Psyridis (Department for Infrastructure and Transport)

Council

- Ben Willsmore (City of Unley)
- Tanya Bacic (City of Unley)

Representors

- Craig Bavinton

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 City of Unley Development Plan.
- 3) To grant Development Plan Consent to the proposal by Austar Group C/- Future Urban Group for Construction of two, 7-storey mixed use buildings (with central pedestrian link between Chinner Avenue and Glen Osmond Road) comprising commercial and residential land uses with vehicle car parking access via Chinner Avenue at 12 – 16 Glen Osmond Road, Parkside subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development granted Development Plan Consent 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.

Reason for condition: To ensure the development is undertaken in accordance with the plans and details submitted.

2. All vehicle car parks, driveways and 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) prior to the occupation or use of the development.

Reason for condition: To ensure safe operation of the development.

3. All bicycle parks shall be designed and constructed in accordance with Australian Standard AS2890.3-2015.

Reason for condition: To ensure safe operation of the development.

4. All acoustic structures and treatments shall be installed and completed in accordance with the Required Acoustic Treatments prepared by Sonus Acoustic Assessment dated September 2020 S6445C3 prior to commencement of operation of the approved development.

Reason for condition: To reduce the noise impacts and protect the amenity of the locality.

5. Waste and service vehicles only visit the site between 10:00am to 4:00pm Monday to Saturday, excluding Sundays and public holidays.

Reason for condition: To reduce the noise impacts and protect the amenity of the locality.

6. The commercial tenancies within the development will comply with noise level criteria specified in Environmental Protection (Noise) Policy 2007 (under the Environmental Protection Act).

Reason for condition: To ensure the development does not cause unreasonable nuisance or loss of amenity in the locality.

7. The final detailed stormwater management plan shall ensure the retention/detention volumes to ensure a run-off coefficient of equal or less than 0.75 to limit flow rates discharging from the development are appropriate, including:
 - a. stormwater from non-permeable surfaces (eg roofs, courtyards and carparks) 30m³ collection on-site, treatment, detention and optimised onsite reuse for grey water, eg toilets and landscaping irrigation;
 - b. rainwater detention and retention tanks be sensitively incorporated into plans without compromising other required functions or overall design with scale, location and screening;
 - c. Street outlets to the street be limited to 4 litres per second each and distributed equidistant and as generously separated as possible along road frontages;
 - d. connections to the main infrastructure be upgraded to provide sufficient capacity to accept the additional flows generated during a 1 in 10 year storm event:

The preceding shall be carried out in consultation with City of Unley Council and to the satisfaction of the State Commission Assessment Panel.

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.

8. Landscaping shown on the approved plans shall be established within two weeks of the issuance of the certificate of occupancy for the development. Plantings shall be irrigated, maintained, and nurtured at all times with any missing, damaged, diseased or dying plants being replaced.

Reason for condition: To ensure landscaping plan is implemented.

9. The final selection of tree species on Chinner Avenue shall be submitted in consultation with the City of Unley to the satisfaction of the State Commission Assessment Panel prior to Development Approval.

Reason for condition: To ensure the street trees aligns with Council standards.

10. The development shall provide for waste collection on site.

Reason for condition: To minimise impacts external to site.

11. A minimum of 6m in width of the pedestrian link shall be constructed as part of stage one.

Reason for condition: To ensure the permeability of the site.

12. The pedestrian link is to remain unobstructed and kept open to the public at all times.

Reason for condition: To provide free and unrestricted access through the site.

Commissioner of Highways Conditions

13. All development and development related infrastructure, (e.g. service pits, transformers, meters etc.) shall be located outside of the 4.5 metres Metropolitan Adelaide Road Widening Plan requirement. The above road widening area shall remain at a level consistent with the existing Glen Osmond Road footpath and all building access shall be designed to remain functional in the event that road widening occurs at this location in the future.

Reason for condition: To ensure appropriate setbacks are maintained for potential Road Widening requirements.

14. A traffic management plan for the construction phase of the development shall be developed in consultation with and to the satisfaction of the Department for Infrastructure and Transport and Council.

Reason for condition: To ensure traffic is appropriately managed during the construction phase of the development.

ADVISORY NOTES

- a) This Development Plan Consent will expire after 24 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 Planning Commission.
- b) The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 2 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) A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Unley (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 o overall site clean-up
- e) 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.
- f) 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 Unley.
- g) 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.
- h) Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.
- i) Pursuant to the policy of the City of Unley On-street Parking Exemption permits are not issued for occupants of new development (post 2013).

2.2.3 Janet Williams C/- Townsend Surveyors

20000320

Lot 615 Loveshack Route, Streaky Bay

Land division to create 16 additional allotments.

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

Applicants

- George Manos

Representors

- Janet Williams
- Richard Wood

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) To refuse Planning Consent to the proposal by Janet Williams C/- Townsend Surveyors for land division to create 16 additional allotments at Lot 615 Loveshack Route, Streaky Bay for the following reasons:
 - a. The proposal does not represent the orderly conversion and provision of services to the land for future urban growth.
 - b. The proposal is contrary to the Desired Outcome of the Deferred Urban Zone.

2.2.4 Comfresh Pty Ltd C/- Trice

292/E035/21

Nash Road, Virginia

Horticulture development comprising three glasshouses to be constructed in stages and associated packing and processing facility, water storage dams (fresh water and evaporation pond), ancillary buildings and car parking.

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

Applicants

- Simon Channon
- Daniel Dello Iacovo
- Erin Dare
- Ben Wilson

Agencies

- Hayley Riggs (Environment Protection Authority)
- Jonathan Song (Environment Protection Authority)
- Aiden Ryan (Environment Protection Authority)

Council

- Matt Dineen (City of Playford)

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 City of Playford Development Plan consolidated 30 April 2020.
- 3) To grant Planning Consent to the proposal by Comfresh C/- Trice for horticulture development comprising three glasshouses to be constructed in stages and associated packing and processing facility, water storage dams (fresh water and evaporation pond), ancillary buildings and car parking at Allotment 51 in Filed Plan 114865 and Allotment 52 in Filed Plan 114866, located at the corner of Nash Road and Timms Road, Virginia subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

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

2. The development shall be completed in stages as follows:
 - a. Stage 1, comprising Glasshouse 1, the stormwater detention basin, the evaporation pond, the water treatment room, boiler room, generators and fire pump shed, the Wisconsin mound, the landscaped buffer, and any associated access tracks, within three (3) years of the final approval from Council
 - b. Stage 2, comprising the processing facility, main car park, loading facilities, acoustic wall to the south western boundary (if not already constructed as part of the boundary fencing), shall be completed within five (5) years of the final approval from Council.
 - c. Stage 3, comprising Glasshouse 2 and the associated employee amenities, shall be completed within six (6) years of the final approval from Council.

d. Stage 4, comprising Glasshouse 3 and the associated employee amenities, shall be completed within seven (7) years of the final approval from Council.

Reason for condition: To ensure the development proceeds in an orderly fashion.

3. Final colours and materials for the packing and processing facility (Comfresh HQ) shall be provided to the satisfaction of the State Planning Commission prior to the issue of development approval.

Reason for condition: To ensure the development proceeds in an orderly fashion.

4. Stormwater management shall be in accordance with the FMG Stormwater Management Report Job Number S51476-272789 dated April 2021

Reason for condition: To ensure that stormwater is managed appropriately and will not impact neighbouring properties.

5. The stormwater bunds shall be maintained with sufficient integrity to withstand a flood event, and to the reasonable satisfaction of the State Planning Commission in consultation with the City of Playford.

Reason for condition: To ensure that stormwater is managed appropriately and will not impact neighbouring properties.

6. Easements for drainage purposes in favour of the City of Playford shall be provided over the land identified below:

- a. The 10 metre wide easement adjoining Timms Road identified within Drawing No. SK CO1C – Rev. C and dated 29.04.2021 and titled Concept Solutions – Option C of the FMG Engineering Stormwater Management Plan
- b. The flood channel identified within Drawing No. SK-C02C – Rev C and dated 29.04.2021 and titled Concept Sections – Option C of the FMG Engineering Stormwater Management Plan

These easements shall be granted prior to occupation of the proposed development at the full cost of the developer.

Reason for condition: To ensure the ongoing provision of infrastructure that is required to ensure that stormwater is managed appropriately and will not impact neighbouring properties.

7. All external lighting of the site, including in car parking areas and external to buildings, shall be designed, located, shielded and constructed to conform to Australian Standard 4282 – 1997 ‘Control of the obtrusive effects of outdoor lighting’.

Reason for condition: To protect the amenity of the locality and driver safety.

8. The landscaped buffer shown on the approved site plans shall be established in the first available planting season after the substantial commencement of the development. Plantings shall be irrigated, maintained, and nurtured at all times with any missing, damaged, diseased or dying plants being replaced in the next planting season. The planting season comprises the months of May to September (inclusive).

Reason for condition: To ensure that the buffer landscaping is implemented and effective in mitigating amenity impacts on the surrounding area.

9. The hours of operation for the development shall be 7am to 7pm, Monday to Friday and 7am to 5pm Saturdays.

Reason for condition: To protect the amenity of the locality.

10. Any waste associated with the development shall be processed on-site and, where required, collected and disposed of by a suitable waste contractor.

Reason for condition: To protect the amenity of the locality.

11. All off-street parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009, and all bicycle parking shall be designed and constructed in accordance with Australian Standard AS2890.3-2015.

Reason for condition: To ensure that all parking facilities are in accordance with the relevant standards.

Environment Protection Authority (EPA) Conditions

12. Prior to operation, the acoustic attenuation recommendations as provided in Page 12 and 13 of the Comfresh Environmental Noise Assessment, prepared by SONUS (ref: S6670C4, February 2021) must be implemented.

Reason for condition: To protect the amenity of the locality.

13. The diesel generators that are installed must not exceed the sound power level as provided in Appendix A of the Comfresh Environmental Noise Assessment, prepared by SONUS (ref: S6670C4, February 2021).

Reason for condition: To protect the amenity of the locality.

14. Prior to operation, any substances that by their nature or amount have the potential to cause environmental harm to surface water or groundwater must be stored within a bunded area so as to contain any spillages that may occur. Note: Information on bunding is available in the EPA Guideline Bunding and spill management (2016) http://epa.sa.gov.au/files/47717_guide_bunding.pdf.

Reason for condition: To protect surface and ground water from contamination.

15. Prior to operation, the pond liners for both the rain water storage pond and evaporation pond must be constructed with the following minimum requirements and inclusions:

- a. a 1.5 mm thick HDPE or greater liner;
- b. the preparation and implementation of a construction quality assurance plan for HDPE placement;
- c. the preparation and implementation of a construction quality assurance plan for subgrade preparation; and
- d. leakage detection.

Note: Guidance with regard to best practice for leakage detection can be found in the EPA Guideline Wastewater lagoon construction (updated April 2019) available at: https://www.epa.sa.gov.au/files/4771372_guide_lagoon.pdf.

Reason for condition: To protect surface and ground water from contamination.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 24 months from the date of this Notification, unless final Building Rules Consent from Council has been received within that period or this Consent has been extended by the State Planning Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 2 years of the final Development Approval issued by Council and substantially completed in accordance with Condition 2 of this Decision Notification Form, unless that condition is varied by the relevant authority.
- 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. Any consent/approval does not become operative until the periods specified in the Development Act 1993 (fifteen business days) has expired. On expiry of fifteen business days from the date of the

decision on your application you should contact the Environment Resources and Development Court (8204 0289) to establish if an appeal lodged.

- e. The construction of new crossovers to serve the development and the upgrades to the Old Port Wakefield Road / Nash Road intersection are subject to an Infrastructure Agreement and Land Management Agreement with the City of Playford.
- f. Whilst it is understood that provision has been made for a sign to be placed upon the packing and processing facility (Comfresh HQ), the applicant is advised that this consent does not include signage.

Environment Protection Authority (EPA) Notes

- g. 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 practicable 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.
- h. The applicant is reminded in relation to the rain water storage pond and evaporation pond, that subgrade preparation should include compaction until no rutting or pumping is observed and workmanship should be supervised by a suitably qualified and experienced professional. Level 2 Supervision may be required (as specified in AS 3798:2007).
- i. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
- j. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- k. The applicant is advised that a condition of the EPA licence will likely include a Noise Management Plan be prepared and implemented, or that noise is included within an Operational Environmental Management Plan which must be implemented. The required plan would likely include the need to address steps that would be undertaken by the operator to reduce the potential impacts on surrounding sensitive receivers in the unlikely event that early starts are required. This may include issues such as community management/notifications and other reasonable and practicable steps to reduce noise impact. The plan should also detail that testing and maintenance of the diesel generators would generally only be undertaken during day time hours as per the Environment Protection (Noise) Policy 2007, ie 7am to 10pm, unless required for emergency purposes on an occasional basis.
- l. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

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, 9 June 2021 in the Ground Floor Forum, 28 Leigh Street, Adelaide / 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 4.29pm.

Confirmed 26/05/2021



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Rebecca Thomas
PRESIDING MEMBER