



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 145<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 14<sup>th</sup> September 2022 commencing at 9.30am  
Ground Floor, 50 Flinders 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 Emma Herriman Paul Leadbeter David Altmann
Secretary	Jaclyn Symons, Governance Officer
AGD Staff	Troy Fountain Margaret Smith Brett Miller (2.2.2, 2.2.4) Nathan Grantham (2.2.2, 2.2.3, 2.2.4, 2.2.5, 2.2.6) Damon Huntley (2.2.1) Ben Scholes (2.2.2) Kuol Baak (2.2.3) Mollie O'Connor (2.2.5, 2.2.6)

### 1.3. APOLOGIES

Grant Pember

**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 YWCA Australia C/- Future Urban

22005421

##### **17 Hutt Street, Adelaide**

Construction of a mixed-use building (8 levels) comprising dwellings (floors 1 to 7) and a shop (ground floor level).

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

##### **Applicant**

- Fabian Barone (Future Urban)
- Bethany Andretzke (Future Urban)
- Nick Tridente (Tridente Boyce)
- Barry Forrest (Moto Projects)
- Belinda Goglia (YWCA Australia)
- Kate Rose (Moto Projects)

##### **Representors**

- Gregory Deane Edgecombe
- Elizabeth Rushbrook

##### **Agencies**

- Janine Philbey (SA Housing Authority)
- Belinda Chan (ODASA)

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 22005421, by YWCA Australia C/- Future Urban is granted Planning Consent subject to the conditions and reserved matters:

### **RESERVED MATTER**

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

1. The State Planning Commission shall be provided with a detailed Civil and Stormwater Plan for the development prepared and certified by a suitably experienced Engineer, in consultation with the City of Adelaide.
2. The Applicant shall submit an Acoustic Report to the satisfaction of the State Planning Commission, that details the specific attenuation measures that will be incorporated into the development to specifically address noise emissions and intrusion, to current industry standards. This will include the measures being clearly referenced on the applicable plans. The attenuation measures will mitigate noise impacts to acceptable levels addressing:

Environmental Noise

- Continuous Noise, including mechanical plant and machinery
- Intermittent Noise

Building Acoustics

- Background Noise
- Music Noise from entertainment sources
- Sound Insulation

General

- Acoustic Sealants
- Cavity Infill
- Ceiling Overlay

Traffic Noise

Sound Insulation

- Commercial Component
- Residential Component

**CONDITIONS**

Planning Consent

Condition 1

The development granted Planning 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 (if any).

Condition 2

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 top terrace and plant equipment with consideration given to the adjacent properties. Noise attenuation devices and visual screening will be implemented as necessary.

Condition 3

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 at all times with any missing, damaged, diseased or dying plants being replaced.

Condition 4

Waste collection will be restricted to between the hours of 9:00 am and 7:00 pm on a Sunday or public holiday, or between 7:00 am and 7:00 pm on any other day.

**Conditions imposed by Minister responsible for the administration of the *South Australian Housing Trust Act 1995* under Section 122 of the Act**

Condition 5

A minimum of 15% of all dwellings must be developed as 'affordable housing' in line with the Affordable Housing Land Management Agreement dated 9 August 2022.

## Conditions imposed by the Environmental Protection Authority under Section 122 of the Act

### Condition 6

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

#### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

#### Planning Consent

##### Advisory Note 1

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 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 ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

##### Advisory Note 2

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 on (08) 8203 7203 or via [customer@cityofadelaide.com.au](mailto:customer@cityofadelaide.com.au)

##### Advisory Note 3

A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Adelaide (Council) and implemented throughout construction in accordance with current industry standards including the Local Nuisance and Litter Control Act 2016, the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and

disturbance during construction. The management plan should incorporate, without being limited to, the following matters:

- a. timing, staging and methodology of the construction process and working hours;
- b. traffic management strategies;
- c. control and management of construction noise, vibration, dust and mud;
- d. management of infrastructure services during construction and re-establishment of local amenity and landscaping;
- e. stormwater and groundwater management during construction;
- f. site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
- g. disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
- h. protection and cleaning of roads and pathways; and o overall site clean-up

#### Advisory Note 4

Unless exempt from requiring development approval, no additional signs shall be constructed or displayed on the land without the approval of Council.

#### Advisory Note 5

The finished floor-level of the ground floor-level of the site must match the levels of the adjacent road at the boundary.

#### Advisory Note 6

The existing vehicular crossing to the site shall be reconstructed in accordance with Council's standard crossing and footpath specifications.

#### Advisory Note 7

Prior to any occupation of the building all Council maintained infrastructure removed or damaged during construction works shall be reinstated to Council specifications. The Certifying Authority shall be provided with written evidence from Council that all works on the Road Reserve have been completed in accordance with the requirements of this condition and any damage to the adjacent road has been made good. All costs associated with these works shall be met by the Applicant.

#### Advisory Note 8

Prior to the issue of Development Approval or any demolition, the Certifying Authority shall be provided with a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site.

#### Advisory Note 9

The Applicant is encouraged to consider the placement of a plaque (or similar) on the site which recognises the history of Saltash House.

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

#### Advisory Note 10

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 **JWDT Land Pty Ltd (as Trustee for JWDT Land Unit Trust) C/- Future Urban Pty Ltd**  
21042343

**207-209 Pulteney Street, Adelaide**

Change of use of the subject land and construction of a fifty-five (55) level mixed-use development incorporating three hundred and twenty-two (322) dwellings, three (3) restaurants, tourist accommodation incorporating one hundred and sixty (160) rooms and associated car parking.

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

**Applicant**

- Chris Vounasis (Future Urban)
- Tom Vinall (JPE Design Studio)
- Adam Hannon (Cox Architecture)
- Paul Davey (dsquared consulting)
- Chris Hardman (InfraPlan)
- Vingwei Zhang (JWDT)
- Mingzhi Chen (JWDT)

**Agencies**

- Kirsteen Mackay (ODASA)
- Ellen Liebelt (ODASA)
- Brett Eaton (Adelaide Airport)

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 21042343, by JWDT Land Pty Ltd (as Trustee for JWDT Land Unit Trust), C/- Future Urban Pty Ltd is granted Planning Consent subject to the following reserved matters and conditions:

**RESERVED MATTERS**

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) The applicant shall submit a final detailed schedule of external materials and finishes including a physical samples board in consultation with the Government Architect and to the reasonable satisfaction of the State Planning Commission, to confirm the quality of the specified external materials is consistent with that of the external materials proposed in application details.
- 2) The applicant shall submit a detailed stormwater management plan in consultation with the City of Adelaide (Council) to the reasonable satisfaction of the State Planning Commission. The stormwater management plan shall demonstrate that stormwater discharge to Council's land and drainage system would comply with Council standards and guidelines.

## CONDITIONS

### Planning Consent

#### Condition 1

The development granted Planning 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 (if any).

#### Condition 2

Prior to the issue of a certificate of occupancy all proposed landscaping shall be established and shall be maintained at all times with any diseased or dying plants being replaced as soon as reasonably practicable.

#### Condition 3

Service deliveries and waste collection shall be scheduled to occur in accordance with the recommendation included in the Traffic Impact Assessment prepared by Infraplan included in application details (reference *IP20.005 SA One Tower* dated December 2021), specifically to accommodate 80 service delivery/waste collection vehicle movements occurring on the subject land within a 12 hour period consisting of 70 percent vans, 20 percent small rigid vehicles and 10 percent medium rigid vehicles and including the use of appropriate signage and building management protocols.

#### Condition 4

Appropriately positioned mirrors and directional signage shall be installed in vehicle maneuvering lanes over all car parking and maneuvering areas to ensure adequate sightlines and visibility for motorists in accordance with the recommendations included in the Traffic Impact Assessment prepared by Infraplan (reference *IP20.005 SA One Tower* dated December 2021) included in application details.

### Conditions imposed by the Environment Protection Authority

#### Condition 5

Remediation works must be undertaken in accordance with *207-209 Pulteney Street, Adelaide, South Australia Construction Environment Management Plan* prepared by Fyfe Pty Ltd and dated 1 July 2022 and must be overseen by a suitably qualified and experienced site contamination consultant.

#### Condition 6

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 certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

#### Condition 7

For the purposes of the above condition and regulation 3(6) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the statement of site suitability must be issued by a site contamination consultant.

## ADVISORY NOTES

### General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.



- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions

#### **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 its 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 construction and management of the authorised development, please contact the City of Adelaide on (08) 8203 7203 or via [customer@cityofadelaide.com.au](mailto:customer@cityofadelaide.com.au).

#### **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 Note 6**

Future owners and/or occupiers of residential apartments to be allocated small carparking spaces should be made aware of the carparking space limitations.

#### **Advisory Note recommended by the Environment Protection Authority**

#### **Advisory Note 7**

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.

##### **2.2.3 WCK Pty Ltd**

21028091

**Lot 119 & 121 Langhorne Creek Road, Langhorne Creek**

Elevated Detached Dwelling.

The Presiding Member, Rebecca Thomas, declared a conflict of interest due to her employer being engaged to provide planning services and David Altmann declared a conflict of interest due to personal reasons. Both were not present for this agenda item.



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

**Applicant**

- Ryan Moyle (Ekistics)
- Belinda Ludewigs (Kookaburra Homes)
- Denis Humphries

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 21028091, by WCK Pty Ltd, is granted Planning Consent subject to the following conditions:

**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 area beneath the dwelling shall not be enclosed with any walls or structures.

**Conditions imposed by the Minister Responsible for Administering the *River Murray Act 2003* Under Section 122 of the Act**

Condition 3:

During works or construction activities associated with the development, the subject land must be managed in a manner as to prevent erosion and pollution of the site and the environment, including keeping the area in a tidy state and ensuring any waste materials are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray system.

Condition 4:

Any fill material brought to the site must be clean and not contaminated by construction or demolition debris, industrial or chemical matter, or pest plant or pathogenic material.

Condition 5:

Any excavation or fill material surplus to the requirements of the development must be disposed of such that it will not:

- be located within the *River Murray 1956* flood extent;
- impede the natural flow of any surface waters;
- allow sediment to enter any water body;
- adversely impact native vegetation;
- facilitate the spread of pest plant and pathogenic material.

Condition 6:

Stormwater run-off from roof areas must be managed to prevent erosion or pollution of the site and the environment, and diverted away from wastewater disposal areas, such as septic tanks and aerobic systems. Connection of roof areas to a water storage tank(s), and the overflow to a vegetated area, would assist in complying with this condition.

Condition 7:

Any exposed soil created or exacerbated during the works must be appropriately stabilised to minimise the potential for erosion and the entry of sediment into Langhorne Creek and, in turn, the River Murray.

## ADVISORY NOTES

### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

### 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 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 ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

### **Advisory notes imposed by the Minister for the administering of the *River Murray Act 2003* under section 122 of the Act**

#### Advisory Note 4:

The applicant is reminded of the General Duty of Care under Section 23 of the *River Murray Act 2003*, which requires that a person must take all reasonable measures to prevent or minimise any harm to the River Murray through his or her activities.

## Advisory Note 5:

Prior to the clearance of native vegetation for any purpose, 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>.

## Advisory Note 6:

The applicant is encouraged to incorporate locally indigenous plant species into any landscaping, screen planting or revegetation activities at the site to enhance the natural character of the locality, stabilise soils and provide habitat for native species. For information on appropriate species to be planted, please contact State Flora at Bremer Road, Murray Bridge on telephone 8539 2105, or within Belair National Park on telephone 8278 7777 or visit: <http://www.stateflora.sa.gov.au>.

## Advisory Note 7:

If the applicant wishes to use water (other than for firefighting purposes) from the nearby watercourse or a well, then they may be required to apply to the Department for Environment and Water (DEW) for a water licence, pursuant to the *Landscape South Australia Act 2019*. Further, a permit is required for any work to be carried out on a well or for new wells to be drilled. For further information contact the DEW Water Licensing Branch on 8595 2053 or visit: <http://www.environment.sa.gov.au/licences-and-permits/water-licence-and-permit-forms>.

## Advisory Note 8:

The River Murray and many of its tributaries have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or remains may be present on the subject land. Under section 20 of the *Aboriginal Heritage Act 1988* (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects or remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object or remains (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site, object or remains, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act. For further information visit: <http://taawika.sa.gov.au>.

## Advisory Note 9:

This approval does not obviate any considerations that may apply to the *Environment Protection and Biodiversity Conservation Act 1999* (Cth). For further information visit: <http://www.environment.gov.au/epbc>.

2.2.4 **Angus & Gunson Pty Ltd**

21032697

**154 Angus Street and 20 Gunson Street, Adelaide**

Demolition of existing structures and construction of an 18 storeys (62.9 metre) mixed use building containing 155 residential apartments on levels 4-17, commercial/community tenancies at ground floor and three levels of car parking.

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

**Applicant**

- Graham Burns (Masterplan)

- Peter Petrou (Cheesman Architects)
- Cherrie Cacayorin (Cheesman Architects)
- Frank Siow (Frank Siow & Associates)
- Simon Chapel (Prime Space Projects/Angus & Gunson Pty Ltd)
- Skye MacDonald (Prime Space Projects)

**Agency**

- Belinda Chan (ODASA)
- Ellen Liebelt (ODASA)

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 21032697, by Angus & Gunson Pty Ltd is GRANTED Planning Consent subject to the following reserved matters and conditions:

**RESERVED MATTERS**

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:

Reserved Matter 1

Stormwater Management

A detailed stormwater management plan and design for the development shall be prepared and certified by a suitably experienced Civil Engineer demonstrating that discharge to Council lands and drainage system complies with the conditions of this consent and Council standards and guidelines.

Reserved Matter 2

Landscaping Plan

A landscaping plan shall be provided that provides details of the landscaping proposed within the garden areas of the Level 4 Community Terrace. This plan shall provide details of appropriate watering and drainage solutions.

Reserved Matter 3

Materials

The applicant shall submit a final detailed schedule of external materials and finishes including a physical samples board in consultation with the Government Architect and to the reasonable satisfaction of the State Planning Commission, to confirm the quality of the specified external materials is consistent with that of the external materials proposed in application details.

**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 sustainability initiatives listed as adopted and recommended in the Sustainability Report provided by Lucid Consulting Australia dated October 2021, shall be incorporated in the detailed design of the building and implemented prior to the occupation of the building.

## Condition 3

The proposed awning shall be of cantilever type and be set back at least 600mm from the kerb line and comply with City of Adelaide Encroachment Policy. The proposed awning shall be designed to be easily removed if required in future. The awning shall include pedestrian lighting (Category P2 -AS1158) and shall be maintained and owned by the property owner(s). The owner shall maintain, modify or remove the structure at any time if given notification by Council to do so. The lighting shall operate dusk until dawn and not be obtrusive and should be designed so that it does not shine into any adjoining residences.

**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 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 ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

**Advisory Notes imposed by (Adelaide Airport Limited) The Secretary of the relevant Commonwealth Department responsible for administering the *Airports Act 1996* under Section 122 of the Act**

## Advisory Note 4

The development as described at an approximate height of RL 114.20m Australian Height Datum (AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment.

Crane operations associated with construction shall be the subject of separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).

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

## Advisory Note 5

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.

Advisory Note 6

The applicant is reminded that a dilapidation report including colour photos showing the existing condition of the footpath and roadway adjacent to the site should be provided to Council prior to any work being undertaken.

Advisory Note 7

Dry-weather flows of any seepage water including seepage from landscaped areas and groundwater will not be permitted through kerb outlets and shall be drained to the sewer system. Alternatively, the basement or any below ground structure shall be designed to be “tanked” preventing the ingress of seepage or groundwater.

Advisory Note 8

All collected drainage water from any bin rooms, carwash areas, internal vehicle parking areas, planter boxes, seepage collection systems, other internal areas, water features, swimming pools and/or spas located on the Land shall be discharged to the sewer system.

Advisory Note 9

An Operation and Management Plan for the stormwater management system and Water Sensitive Urban Design measures including any on-site detention system, water treatment systems and/or on-site retention/re-use facilities including any reuse pump(s) should be prepared. The plan shall include “works as executed” plans for the system and be implemented and kept in a suitable location on site at all times such that the system is maintained in an operational state in accordance with the approved design at all times.

Advisory Note 10

All redundant or defective vehicular crossings and property drainage connections to the site should be removed and replaced by kerb and gutter and footpath paving and grass verge or suitably replaced/repared in accordance with Council's City Works Guide Works Impacting City of Adelaide Assets and Urban Elements Catalogue.

Advisory Note 11

Public Realm

Council maintained infrastructure that is removed or damaged during construction works shall be reinstated to Council specifications. All costs associated with these works shall be met by the Applicant.

Advisory Note 12

The finished floor level at the boundary of the site at all pedestrian and vehicular access locations shall match the existing back of footpath levels at the boundary.

**2.2.5 Kite Projects C/- URPS**

21042146

**Lot 33 & 118 Ocean Steamers Road, Port Adelaide**

Land Division (2 into 120 allotments), roads and open space.

The Presiding Member, Rebecca Thomas, declared a conflict of interest due to her employer assisting with a project associated with part of this land area and was not present for this agenda item.

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



**Applicant**

- Matthew King (URPS)
- Theresa James (URPS)
- Paul Morris (Stantec)
- Damon Nagel (Kite Projects)
- Ben Colmer (Kite Projects)
- Justin Symonds (Agon Environmental)
- David Probert (Agon Environmental)

**Agency**

- Belinda Chan (ODASA)

**Council**

- Chris Dunn (City of Port Adelaide Enfield)
- Russell Fink (City of Port Adelaide Enfield)

The State Commission Assessment Panel discussed the application.

**RESOLVED**

- 1) Development Application 21042146, by Kite Projects is DEFERRED to enable the applicant to respond to the following:
  - Further review the width of laneways to provide adequate space for vehicle movements, waste collection, services and landscaping, in response to the concerns raised by the council; and
  - Review the width of the parallel parking bays to meet the council's standards.
- 2) Should the above matters be resolved to the satisfaction of the Manager, Commission Assessment, then the planning consent decision on the deferral item for Development Application 21042146 is delegated to the Manager, Commission Assessment.

**2.2.6 Seacliff Developments Pty Ltd**

21040108

**682 Brighton Road & 17-27 Scholefield Road, Seacliff Park and 2b Newland Avenue, Marino**

Boundary realignment to create three (3) Torrens Title Allotments (super lots) from four (4) allotments.

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

**Applicant**

- Phillip Brunning (Phillip Brunning & Associates)
- Michael Visintin (Design IQ)
- Julia Shuleshko (Villawood Properties)

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 21040108, by Seacliff Developments Pty Ltd is granted Planning Consent subject to the below conditions.



- 3) The decision on the Land Division Consent for Development Application 21040108 be delegated to the Manager Commission Assessment.

## CONDITIONS

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.

## ADVISORY NOTES

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).
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.
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 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 ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

### 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 28 September 2022 at Ground Floor, 50 Flinders 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 4.19pm.

Confirmed 14/09/2022



.....  
Rebecca Thomas  
PRESIDING MEMBER



.....  
Rebecca Rutschack  
DEPUTY PRESIDING MEMBER (for items 2.2.3 & 2.2.5 only)