



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 69th Meeting of the State Commission Assessment Panel held on Day 12th December 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	Jessie Surace
DPTI Staff	Yasmine Alliu (Agenda Item 2.2.1, 2.2.2) Janaki Benson (Agenda Item 2.2.2) Brianna Fyffe (Agenda Item 3.2.1) Simon Neldner (Agenda Item 3.2.1) Janine Philbey (Agenda Item 3.2.1) Josh Gill (Agenda Item 3.2.1)

1.2. APOLOGIES

Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil

2.2. NEW APPLICATIONS

- 2.2.1 **Nielsen Architects**
180/E012/19
499 Portrush Road, Glenunga
City of Burnside

Proposal: Demolition of all existing structures and staged construction of a freestanding supermarket (shop – 1266m²) with associated earthworks, retaining wall, car park, advertising displays, fencing, solar panels and landscaping.

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

Applicants

- Nigel Uren, ALDI
- Chris Jeyapal, ALDI
- Luke Tilsley, Nielsen Architects
- Trent Burns, Nielsen Architects
- Chris Carrey, Ekistics - presented
- Richard Dwyer, Ekistics
- Chris Turnbull, Sonus
- Paul Morris, GTA
- Michael Stewart, Mitre 10
- Angela Stewart, Mitre 10

Representors

- Neil Liu on behalf of Ms Selina Zhou - presented
- Bob Schapel - presented
- James Hilditch (presented) on behalf of:
 - Nedwell Pty Ltd
 - Marc Kovacic (attended)

Agency

- Jim Psyridis, DPTI

Bob Schapel tabled additional information that was also provided to the applicant.

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. RESOLVE to REFUSE Development Plan Consent of the proposal by Nielsen Architects for DA 180/E012/19 for the demolition of all existing structures and staged construction of a freestanding supermarket (shop – 1266m²) with associated earthworks, retaining wall, car park, advertising displays, fencing, solar panels and landscaping at 499 Portrush Road Glenunga.

The State Commission Assessment Panel acknowledges the business model and proposed standard ALDI floorplate, the streetscape approach providing a strong and activated frontage to a major road and the undercroft delivery of overall car parking. However, the following reasons for refusal are considered relevant:

- This is a relatively small site within a Local Centre Zone which advocates for smaller scale developments and associated impacts.
- It has not been demonstrated that the interface impacts associated with the western boundary have been appropriately addressed.
- Impact mitigation relies heavily on management plans.
- The visual impact of the proposed development in the southwestern corner is inappropriate given the residential interface.

The proposal is considered to be at odds with the following provisions within the Burnside (City) Development Plan Consolidated 19 December 2017:

- Local Centre Zone
 - Objective 1;
 - PDC 1 and 2

- Council Wide
 - Objective 20 and 76;
 - PDC 3, 15, 28, 51, 236 and 238

2.2.2 **Dellta Projects C/- Future Urban Pty Ltd**
050/M006/19

69-73 Prospect Road, Prospect

City of Prospect

Proposal: Construction of a five storey residential flat building comprising ground level retail tenancies with residential apartments above and basement and ground level car parking accessed from Pulsford Road.

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

Applicants

- Chris Vounasis, Future Urban - presented
- David Cargill, Dellta Projects
- Daniel Giustozzi, Dellta Projects
- Tom Jarratt, PACT Architects
- Kevin Chapley, Future Urban
- Marc Duncan, Future Urban

Council

- Scott McLuskey, City of Prospect

Agency

- Aya Shirai-Doull, ODASA

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 Prospect (City) Development Plan.

3. To grant Development Plan Consent to the proposal by Dellta Projects C/- Future Urban for construction of a five story residential flat building comprising ground level retail tenancies with residential apartments above and basement and ground level car parking accessed from Pulsford Road at 69-73 Prospect Road, Prospect subject to the following reserved matters and conditions of consent.

RESERVED MATTERS

1. Pursuant to Section 33(3) of the Development Act 1993, the following matters shall be reserved for further assessment, in consultation with the Government Architect (where relevant) and to the satisfaction of the State Commission Assessment Panel prior to the granting of Development Approval:
 - 1.1. A final detailed canopy design in conjunction with public realm treatments;
 - 1.2. A final detailed schedule of external materials and finishes via a physical samples board; and
 - 1.3. A site history report, demonstrating the site is suitable for its intended use (and no further testing/phase 2 required).

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 plans submitted in Development Application No 050/M006/19.

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

2. A final detailed Stormwater Management Plan shall be submitted showing the incorporation of water sensitive urban design techniques, in consultation with Prospect (City) Council and to the satisfaction of the State Commission Assessment Panel. The details of the plan shall be submitted prior to Development Approval, and be implemented prior to occupation or use of the development.

Reason for condition: to ensure the development incorporates water sensitive urban design measures.

3. The acoustic attenuation measures recommended in the Resonate report (A190442RP1 Rev A), 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 appropriate noise attenuation measures are in place.

4. 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 appropriate landscaping is provided for the subject land.

5. A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

Reason for condition: to ensure landscaping growth and maintenance.

6. 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.

7. 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) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the SCAP prior to the occupation or use of the development.

Reason for condition: to ensure relevant Australian standards are met.

8. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.

Reason for condition: to ensure relevant Australian standards are met.

9. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the SCAP.

Reason: to ensure vehicle manoeuvring areas shall be maintained at all times.

10. Privacy treatments to the windows/balconies shall be installed prior to the operation of the development and maintained at all times to the reasonable satisfaction of the SCAP.

Reason: to ensure the privacy of adjacent properties is maintained at all times.

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

Reason for condition: to ensure relevant Australian standards are met.

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. National Broadband Network (NBN): The National Broadband Network is being rolled out across the City of Prospect. It is recommended that you consider your future connection to the optical fibre network prior to commencing works. Please visit www.nbnco.com.au for further details on how to get connected.
- e. Further application pursuant to the Local Government Act shall be made to the Infrastructure Assets and Environment Department for the proposed crossover prior to construction activities occurring.
- f. Road/Kerbing/Footpath Works will need to be inspected by an Assets and Infrastructure Officer to determine they have met all relevant requirements. All work including line marking will be the responsibility of the applicant as will the reinstatement of any damaged Infrastructure / Services related to these works. All works will be carried out at the cost to the applicant.

- g. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the Prospect (City) 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.
- h. The applicant, or any person with the benefit of this consent, must ensure that any consent 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.

2.3. **RESERVED MATTERS - Nil**

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

3.1. **DEFERRED APPLICATIONS – Nil**

3.2. **NEW APPLICATIONS**

3.2.1 **SA Water Corporation**

145/V020/19

Corner Main South Road and Black Road, O'Halloran Hill

City of Onkaparinga

Proposal: Installation of an electricity generating plant in the form of a solar photovoltaic array (9MW), battery storage and associated infrastructure and earthworks.

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

Applicants

- Lauren Nicholson, Aurecon – on behalf of SA Water - presented
- Ed Senneck, SA Water
- Jane Wilson, SA Water

Representor/s

- Michael Butt - presented

Michael Butt tabled additional information that was also provided to the applicant.

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 – 12 December 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 – VARIATIONS** - Nil

5. **OTHER BUSINESS** - Nil

6. **NEXT MEETING**

6.1. Thursday 19 December 2019 at ODASA, 28 Leigh Street, Adelaide SA 5000

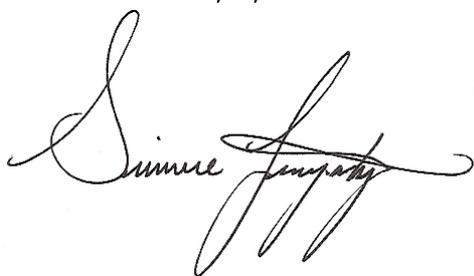
7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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

8. **MEETING CLOSE**

The Deputy Presiding Member thanked all in attendance and closed the meeting at 3:38pm.

Confirmed 12/12/2019

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style.

.....
Simone Fogarty
PRESIDING MEMBER