



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 76th Meeting of the State Commission Assessment Panel held on Thursday 19 March 2020 commencing at 9.30am ODASA, 28 Leigh St, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Chris Branford Sally Roberts Craig Holden
Secretary	Jessie Surace
DPTI Staff	Janine Philbey (Agenda Item 2.2.1) Simon Neldner (Agenda Item 2.2.1) Will Gormly (Agenda Item 2.2.2) Nicholas Giannakodakis (Agenda Item 2.2.3) Ben Williams (Agenda Item 2.2.3)

1.2. APOLOGIES

Dennis Mutton (Deputy Presiding Member)
Peter Dungey
Mark Adcock

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 by phone to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil

2.2. NEW APPLICATIONS

2.2.1 City of Mount Gambier

381/E012/19

'Olympic Park' - Margaret Street & O'Halloran Terrace, Mt Gambier

City of Mount Gambier

Proposal: Construction of an integrated, multipurpose community sport, events/function hub and associated development

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

Applicants

- Andrew Meddle, City of Mount Gambier - presented
- Tracy Tzioutziouklaris, City of Mount Gambier
- Ben Luppino, Design Inc. (by phone)

Representors

- Mr Nick Fletcher (by phone)
- Mr Neville Moody, The Mount Gambier Branch of the National Trust of South Australia (by phone)

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 Mount Gambier (City) Council Development Plan consolidated 21 April 2016.
3. To grant Development Plan Consent to DA 381/E012/19 by the City of Mount Gambier for the construction of a multipurpose community hub at Olympic Park, Mount Gambier subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and stamped plans in Development Application No 381/E012/19.

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

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

Reason for condition: to ensure access and parking meet the relevant standards.

3. A final landscaping that identifies the retention of important street trees and integration with new landscaping to be provided to the satisfaction of the State Commission Assessment Panel.

Reason for condition: to ensure the retention of existing amenity trees.

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 that the landscape design intent for the site can be achieved and that plantings are maintained and replaced where necessary.

5. All trade waste and other rubbish shall be stored in covered containers prior to removal and shall be kept screened from public view.

Reason for condition: to ensure the amenity of the locality is maintained.

6. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality.

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

7. All external lighting on the site, including car parking areas and buildings, shall be designed and constructed to conform to Australian Standard (AS 4282-1997). The lighting shall be designed and operated with CPTED practices in mind in order to maximise pedestrian amenity and safety.

Reason for condition: to ensure that lighting does not have a detrimental impact on sensitive receptors.

8. A CCTV system shall be installed, designed and operated in accordance with relevant Australian Standards (e.g. AS 4806.1-2006) and industry best practices to ensure publicly accessible areas are appropriately monitored to enhance personal safety and deter anti-social behaviour during both daylight and evening hours.

Reason for condition: to maximise amenity and safety.

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 that stormwater flows are appropriately managed with no impact to adjoining land.

10. The acoustic attenuation measures recommended in the Environmental Noise Assessment by Resonate, dated 31 October 2019, shall be fully incorporated into the building rules documentation. Such acoustic measures shall be made operational prior to the occupation or use of the development.

Reason: to conform to the applicant's general environmental duty.

11. Waste collection on the site shall only occur between the hours of:
 - 9:00am and 7:00pm on a Sunday or public holiday, and
 - 7:00am and 7:00pm on any other day.

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

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 is advised of the following legislative requirements:

Heritage Places Act 1993:

- If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
- Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit under Section 27 of the *Heritage Places Act 1993* is required prior to commencing excavation works.
- For further information contact the State Heritage Unit (Department of Environment, Water and Natural Resources) on 8124 4960.

Aboriginal Heritage Act 1988:

- If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.
- e. If, in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment or potential harm to the health or safety of human beings or the environment that is not trivial (taking land use into account), the applicant may need to remediate the site in accordance with EPA guidelines.
 - f. No additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.
 - g. The applicant should ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
 - h. As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
 - i. 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 sites, please contact the City of Mount Gambier, 8721 2555.

2.2.2 **Scotch College C/- Richard Stone**

080/E021/19

Lot 100 Blythewood Road, Torrens Park

City of Mitcham

Proposal: Demolition of existing courts, swimming pool, and sports facilities, and the construction of a three level building comprising swimming pools, courts, and wellbeing rooms, including car parking and ancillary works.

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

Applicants

- Richard Dwyer, Ekistics
- Richard Stone, Scotch College
- James Levinson, Botten Levinson

Stephen Jones tabled additional information via email 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. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Mitcham Council Development Plan.
3. To grant Development Plan Consent to DA 080/E021/19 for the proposal by Scotch College C/- Richard Stone for demolition of existing courts, swimming pool, and sports facilities, and the construction of a three level building comprising swimming pools, courts, and wellbeing rooms, including car parking and ancillary works (to be undertaken in stages) at Lot 100 Blythewood Road, Torrens Park, subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and the stamped plans submitted in Development Application 080/E021/19.

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

2. Waste collection on the site shall only occur between the hours of:
 - 9:00am and 7:00pm on a Sunday or public holiday, and
 - 7:00am and 7:00pm on any other day.

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

3. Prior to Development Approval for any demolition (or equivalent early stages) works, the applicant shall submit a final detailed schedule and physical materials board in consultation with the Government Architect to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: To ensure the development is consistent with plans provided.

4. Landscaping shown on the approved plans shall be well established prior to the operation of the development. Plantings shall be irrigated, maintained, and nurtured at all times with any diseased or dying plants being replaced.

Reason for condition: To ensure the development is constructed and maintained in accordance with the approved plans.

5. All external lighting on the site shall be designed and constructed to conform to Australian Standard AS4282-1997.

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

6. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

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

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) prior to the occupation or use of the development.

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

8. 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.

9. The Blythewood Road access points shall be located in general accordance with Figure 3 and Figure 7 in the GTA Consultants document: Scotch College well-being and sports centre – Proposed Site Access dated 21 January 2020. The eastern access to Blythewood Road shall be limited to left turn out movements only. The western access to Blythewood Road shall be limited to left turns in and right turns in only. The access points shall be suitably signed and line marked to reinforce the desired traffic flow to/from Blythewood Road.

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

10. The western access shall be provided with a painted median treatment that enables right turning traffic into the site to store clear of through traffic. This treatment shall be designed to match into the DPTI median scheme for Blythewood Road (3.4m wide through lanes and 2.7m wide turning lane, unless otherwise agreed by DPTI). This will require some modification to the Blythewood Road/Thorpe Street corner. Any consultation required to facilitate the treatment shall be the responsibility of the applicant.

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

11. All road works on Blythewood Road required to facilitate safe access to/from the development shall be designed and constructed in accordance with Australia's 'Guide to Road Design', any relevant Australian Standards and any DPTI requirements. All costs associated with the design and construction of the road and access upgrades required to facilitate the development (including, but not limited to, project management and any necessary road drainage, lighting upgrades) shall be borne by the applicant unless otherwise agreed by DPTI.

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

12. The largest vehicle permitted on site shall be restricted to a 12.5 metre Heavy Rigid Vehicle (as per AS2890.2:2018).

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

13. All tree protection works as recommended in the Project Green arborist report dated 31 July 2019 shall be fully adopted prior to and during all works.

Reason for condition: To ensure significant and regulated trees are protected during development.

14. Prior to Development Approval for the first stage being granted, an updated Traffic Management Report shall be provided to Council which demonstrates:
- That the turning treatments meet the required dimensions for width and length, in addition to matching the DPTI proposed painted median scheme;
 - Intersection modelling is provided to ensure that the intersection operate efficiently without interrupting the roundabout at the Blythewood and Old Belair Roads;
 - The level of impact of the proposed treatments (of the development only) on Councils road network.

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

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 cost of works relating to the alterations to crossovers and associated line marking are to be borne fully by the applicant, and are subject to separate approvals required under the *Local Government Act 1999*.
- e. A Construction Environmental Management Plan shall be provided to Council at the time of requesting Development Approval for the first stage of works.
- f. The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, with regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact Mitcham Council.

- g. The Metropolitan Adelaide Road Widening Plan (MARWP) currently shows a strip of land up to 50.0 metres wide may be required from a portion of the Blythewood Road and Old Belair Road frontages of this property for future upgrading of the adjacent intersection. The Plan also makes provision for a strip of land up to 4.5 metres in width from a portion of the Blythewood Road frontage for the upgrading of the Belair Road/Blythewood Road junction, together with a 4.5 x 4.5 metre cut-off from the Blythewood Road/Carruth Road corner. Consent under the *Metropolitan Adelaide Road Widening Plan Act* is required to all building works on or within 6.0 metres of these possible requirements. Consent can be anticipated for the proposed works.
- h. The applicant shall enter into a Developer Agreement with DPTI regarding these works and shall contact DPTI Traffic Services Section, Network Planning Engineer, Ms Teresa Xavier on 08 8226 8389 or email at Teresa.xavier@sa.gov.au to obtain approval and discuss any technical issues regarding the required works. These works shall be completed prior to operation of the development.

2.2.3 Kiddle Pty Ltd

145/R043/20

89 McMurtrie Road, McLaren Vale

City of Onkaparinga

Proposal: Tourism facility - comprising main building with 2 x restaurants, cafe, conference facility, offices, cellar door and retail facilities, 150 room tourist accommodation, pool and gym building, day spa facility, two level carpark with associated landscaping.

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

Council

- John Mason, City of Onkaparinga (by phone)
- Steve Tilbrook, City of Onkaparinga (by phone)

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the State Commission Assessment Panel CONCUR with the resolution by City of Onkaparinga Assessment Panel to grant Development Plan Consent to Development Application 145/2052/19 (145/R043/20) by Kiddle Pty Ltd for the construction of a tourism facility as presented.

2.3. **RESERVED MATTERS** - Nil

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

3.1. **DEFERRED APPLICATIONS** – Nil

3.2. **NEW APPLICATIONS** - Nil

4. **MAJOR DEVELOPMENTS – VARIATIONS** - Nil

5. **OTHER BUSINESS** - Nil

6. **NEXT MEETING**

6.1. Thursday 26 March 2020 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 Presiding Member thanked all in attendance and closed the meeting at 12.20pm.

Confirmed 19/03/2020

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

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Simone Fogarty
PRESIDING MEMBER