



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 168th Meeting of the
State Commission Assessment Panel
held on Wednesday 25 October 2023 commencing at 9:30am
Level 9, 83 Pirie 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 Paul Leadbeter David Altmann Jenny Newman Don Donaldson Mark Adcock (Occasional Member – item 2.2.2 only) Stuart Moseley (Temporary Member – item 2.2.2 only)
Secretary	Myles Graham, Governance Officer
DTI Staff	Troy Fountain Margaret Smith Ben Scholes (2.2.1) Jeremy Wood (2.2.1) Nathan Grantham (2.2.2) Eric Alessi (3.2.1) Ben Williams (3.2.1) Robert Kleeman (3.2.1)

1.3. APOLOGIES

Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Department for Infrastructure and Transport

23020375

Pardipardinyilla / Denise Norton Park (Park 2, formally identified as Strangways Terrace, Lot 160 Barton Terrace, Lot 1602 Prospect Terrace, Lot 1602 Fitzroy Terrace and Lot 1602 Jeffcott Street, North Adelaide)

Indoor recreation facility with fitness centre, gymnasium and indoor swim centre, with ancillary outdoor pools, staff and patron facilities, café (shop), removal of fifteen (15) regulated trees and seven (7) significant trees, extension to existing service thoroughfare and reconfiguration and expansion of existing car parking area.

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

Applicant

- Rebecca Lawson Cooke
- Layton Waters
- Marcus Rolfe
- Chelsea Jurek
- Josephine Evans
- John Devney
- Richard Kleinig
- Anita Allen
- Adam Trottman
- Georgina Spooner

Representations

- Peter Wilson
- Elbert Brooks

Agencies

- Belinda Chan (ODASA)

Council

- Janaki Benson (City of Adelaide)
- Phil Chrysostomou (City of Adelaide)

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 23020375, by the Department for Infrastructure and Transport is granted Planning Consent subject to the following conditions and reserve matter:

RESERVE MATTERS

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

- A final landscape plan including delineation, location and materiality of ground surface finishes, furniture, shade structures, lighting infrastructure and planting including confirmation of the landscape buffer extent and associated details to the eastern, western and southern perimeter of the building in consultation with the Government Architect, to the satisfaction of the State Planning Commission prior to the granting of Building Rules consent for Stage 7 – External landscaping and shade structures /canopies.

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

All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2018 (Part 3) to ensure that stormwater does not adversely affect any building, adjoining property or public road.

Condition 3

Semi-mature replacement trees must be planted within 12 months of completion of the development at the following rates:

- if the development relates to a regulated tree — 2 semi-mature trees to replace a regulated tree; or
- if the development relates to a significant tree — 3 semi-mature trees to replace a significant tree.

Semi-mature replacement trees cannot be within a species specified under regulation 3F (4) (b) of the *Planning, Development and Infrastructure (General) Regulations 2017*, and cannot be planted within 10 metres of an existing dwelling or in-ground swimming pool.

Condition 4

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

Condition 5

The hours of waste collection herein approved are as follows:

- Monday to Friday 7am to 7pm
- Saturday 7am to 7pm
- Sunday 9am to 7pm
- Public Holiday 9am to 7pm

Any variation to these hours of waste collection will require a further consent.

Condition 6

Appropriate noise mitigation treatments associated with construction materials for external built form and building services recommended in the Environmental Noise Assessment report dated 30 June 2023 by Resonate Consultants shall be fully incorporated into the development. Such measures shall be made operational prior to the occupation or use of the development and maintained at all times to the satisfaction of the State Planning Commission.

Condition 7

The proposed lighting infrastructure shall be designed in accordance with Australian Standard AS4282 (Control of the Obtrusive Effects of Outdoor Lighting) as recommended in the Light Spill Memorandum Revision 0 dated 26 June 2023 prepared by Aurecon Australasia Pty Ltd. Such measures shall be fully incorporated into the development and made operational prior to the occupation or use of the development, to be maintained at all times to the satisfaction of the State Planning Commission.

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

Advisory Note 4

The development is expected to be undertaken in accordance with the following stages of work:

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|---------|--|
| Stage 1 | Site establishment (temporary fencing, laydown area and the like), tree damaging activity and demolition. |
| Stage 2 | Base preparation including services infrastructure augmentation and new connections |
| Stage 3 | Piling, basement and pool excavation. |
| Stage 4 | Basement and floor slab construction. |
| Stage 5 | Building structure including roof. |
| Stage 6 | Pool construction, waterplay and slide construction, balance of concrete and roof structure, façade, pool structure, plant decks and remaining roof. |
| Stage 7 | External landscaping and shade structures /canopies. |

Advisory Note 5

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 6

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 7

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 by telephone 8203 7203 or email customer@cityofadelaide.com.au.

Advisory Note 8

A Construction Environmental Management Plan (CEMP) should be prepared in collaboration with, and to the satisfaction of, the City of Adelaide prior to the issue of Development Approval. The approved CEMP shall be implemented throughout the development and should incorporate, without being limited to, the following matters:

- a. Car parking and access arrangements for tradespersons
- b. Siting of materials storage
- c. Site offices
- d. Work in the Public Realm
- e. Tree and fauna protection measures
- f. Noise and vibration management
- g. Hoarding
- h. Site amenities
- i. Traffic requirements including construction access/egress and heavy vehicle routes
- j. Diversion of construction waste to landfill
- k. Reinstatement of infrastructure

- I. Site contamination management (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines and consistent with the recommendations made in the Preliminary Site Investigation undertaken by LBWco Pty Ltd dated 17.01.2023)

Advisory Note 9

The applicant is encouraged to prepare a Car Parking Demand Management Plan and a Green Travel Plan intended to assist in the operations of the development in consultation with the City of Adelaide, including (but not limited to) the items and objectives recommended the Traffic Access and Parking report prepared by Stantec (Ref: 300304398 dated 5 July 2023).

2.2.2 Chasecrown Pty Ltd C/- Future Urban

22043211

21-25 South Esplanade, Glenelg

Demolition of a Local Heritage Place and the construction of a 10-level residential flat building with associated swimming pool, car park and landscaping.

Jenny Newman declared a conflict of interest for this item due to a representation being made on behalf of an organisation which is a current client of her employer and Jenny is a member of the project team delivering work for that organisation. Jenny Newman was not present for this agenda item.

Rebecca Thomas, Rebecca Rutschack, John Eckert and Paul Leadbeter did not hear or deliberate on this agenda item.

David Altmann, Acting Presiding Member, chaired this agenda item and introduced the Panel members, being Stuart Moseley, Mark Adcock, Don Donaldson and himself.

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

Applicant

- Louis Kanellos
- Alex Besz
- Jordan Katelanis
- Chris Vounasis
- James Levinson
- Bruce Harry
- Paul Davy
- Paul Froggatt
- James Hayter

Representations

- Dale Hanson
- Rosemary and Peter Heysen
- Joanne Knolder
- John Hall
- Julie Matthews
- Peter Ochota
- Gavin Leydon
- Garth Heynen
- Sandy Wilkinson
- Grant Lowen
- Bill Marmion
- David Billington

Agencies

- Belinda Chan (ODASA)

Council

- Michael Gates (City of Holdfast Bay)

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 22043211 by Chasecrown Pty Ltd C/- Future Urban is REFUSED Planning Consent, for the following reasons:
 1. The proposal does not meet Desired Outcome 1(e) and Performance Outcome 2.2 of the Urban Neighbourhood Zone as the height of the building is not consistent with the form expressed in the Building Height (Maximum Levels) Technical Numeric Variation and the Building Height (Maximum Metres) Technical Numeric Variation, and nor does the development otherwise positively respond to the local context including the site's frontage, depth and adjacent street frontage, and demolishing of a local heritage item.
 2. The proposal does not meet Performance Outcome 2.5 or the Urban Neighbourhood Zone as the building will not be set back from the primary street boundary consistent with the existing and emerging streetscape.
 3. The proposal does not meet Desired Outcome 1(e) and Performance Outcome 3.1 or the Urban Neighbourhood Zone as the building would not sufficiently mitigate building massing on residential development within the neighbourhood type zones to the south and east, nor does the building height and mass transition sufficiently to the Zone boundary to maintain the amenity of residential properties located within adjoining zones.
 4. The proposal does not meet Desired Outcome 1 and Performance Outcome 1.1 of the Design Overlay as the high-rise development would not present a sufficiently high-quality design that responds appropriately to the local context.
 5. The proposal does not meet Desired Outcome 1 and Performance Outcomes 6.1 and 6.2 of Local Heritage Place Overlay as the development would demolish a local heritage place.
 6. The proposal does not meet Performance Outcome 15.1 of the Design section within the General Development Policies as the visual mass, form and height of the building would be overly prominent when viewed from adjoining allotments and public streets.
 7. The proposal does not meet Performance Outcome 12.1 of the Design in Urban Areas section within the General Development Policies as the building height and massing would not contribute positively to the character of the local area.

2.3. **RESERVED MATTERS**

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

3.1. **DEFERRED APPLICATIONS**

3.2. **NEW APPLICATIONS**

3.2.1. **Department for Education C/- Forestville Hockey Club (URPS)**

080/V097/23

Lot 101, Kitchener Street, Netherby

Construction of a synthetic hockey pitch with associated lighting, club room and change rooms, and ancillary structures.

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

Applicant

- Marcus Rolfe
- Simon Marsh

Council

- Alex Mackenzie (City of Mitcham)
- Tim Pride (City of Mitcham)

The State Commission Assessment Panel discussed the application.

RESOLVED

That the State Commission Assessment Panel provide its recommendation in confidence (published in the SCAP Confidential Minutes – 25 October 2023) to the Minister for Planning.

3. MAJOR DEVELOPMENTS – VARIATIONS

4. REPORTING

5. COURT COMPROMISE

6. BRIEFINGS

7. PROCEDURAL MATTERS

8. OTHER BUSINESS

9. NEXT MEETING

- 9.2. Friday 27 October 2023 at Level 10, 83 Pirie Street, Adelaide SA 5000 / Microsoft Teams Video Conferencing.

10. REVIEW OF SCAP INSTRUCTIONS TO STAFF AND UPCOMING AGENDA ITEMS

11. CONFIRMATION OF THE MINUTES OF THE MEETING

12. MEETING CLOSE

- 12.2. The Presiding Member thanked all in attendance and closed the meeting at 3:50pm.

Confirmed 26/10/2023



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Rebecca Thomas
PRESIDING MEMBER



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David Altmann
ACTING PRESIDING MEMBER
(for item 2.2.2 only)