



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 176th Meeting of the
State Commission Assessment Panel
held on Wednesday 13 March 2024 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 and present.

1.2. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert Paul Leadbeter David Altmann Jenny Newman Don Donaldson
Secretary	Myles Graham, Governance Officer
DTI Staff	Troy Fountain Hannah Connell Simon Neldner Gabrielle McMahon Ben Williams (3.2.1) Eric Alessi (3.2.2) Maria Klimenchuk (2.2.1)

1.3. APOLOGIES

Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Master Builders Association of South Australia 23030054

50 South Terrace, Adelaide

Removal of a Significant Tree (Hoop Pine) and construction of a six-level office building with ancillary training/function rooms and car parking, and a ground level shop tenancy.

Presiding Member, Rebecca Thomas declared a conflict of interest due to working for a firm that acts for the applicant. She was not present for this item.

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

Applicant

- Will Frogley
- Marc Fiorili
- Mark Berlangieri
- Rick Hutchins

Agencies

- Aya Shirai-Doull (ODASA)

Council

- Kosta Tsekouras (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 23030054, by Master Builders Association of South Australia is granted Planning Consent subject to the following conditions and reserved matters:

RESERVED MATTERS

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

Planning Consent

Reserved Matter 1

The applicant shall submit a final detailed schedule of external materials and finishes, and a physical samples board prepared in consultation with the Government Architect.

Reserved Matter 2

A final stormwater management plan detailing finished floor levels and detention volumes shall be prepared by the applicant in consultation with the City of Adelaide.

Reserved Matter 3

An Acoustic Report shall be submitted that considers the mitigation of noise impacts from the plant equipment and function area / terrace on sensitive receivers and demonstrates compliance with the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

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

Payment of an amount calculated in accordance with the Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019 be made into the relevant urban trees fund (or if an urban trees fund has not been established for the area where the relevant tree is situated, or the relevant authority is the Commission or an assessment panel appointment by the Minister or a joint planning board, the Planning and Development Fund) in lieu of planting 1 or more replacement trees. Payment must be made prior to the undertaking of development on the land.

Condition 3

The development should be constructed in accordance with the following measures:

- a. Non-destructive excavation is required to investigate the roots present within the proposed encroachment are of the TPZ of the affected street tree located on the verge of South Terrace in front of the subject land.
- b. The use of a hydro-vac shall be used on the lowest practical pressure to avoid damage to any important and/or fundamental roots and avoid direct contact and damage to the Phloem (bark).
- c. Discovered roots shall be wrapped in a non-abrasive wrap and kept moist with supplementary water when necessary if left exposed for prolonged periods.
- d. Observed roots which require to be pruned to facilitate development should be pruned in accordance with section 4.5.4 AS4970-2009 Protection of trees on development sites – Pruning shall be made with a sharp tool and the final cut made to undamaged wood.

Condition 4

The fixed obscure glazing as detailed on the 'north elevation' shall be fitted prior to occupation of the development and maintained at all times thereafter.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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 2

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 3

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 4

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

Advisory Note 5

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 practical 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.

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 relevant Local Government Authority.

Advisory Note 8

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' shall be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 9

It is recommended that as the applicant is undertaking work 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.

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

3.2.1 Department for Infrastructure and Transport

23035051

71 Richmond Road, Mile End South

Construction of a new emergency services facility, comprising the Adelaide Ambulance Station (AAS) and the South Australian Ambulance Service Emergency Operations Centre / State Health Control Centre (EOC / SHCC) including ancillary staff facilities and outdoor areas and removal of one (1) significant tree and one (1) regulated tree.

Jenny Newman declared a conflict of interest due to previously working for a firm that acts for the applicant. She was not present for this item.

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

Applicant

- Layton Waters (DIT)
- Andrew Schunke (Architectus)
- Ankita Sardana (Architectus)
- Patrick Coombes (URPS)
- Dylan Korver (GHD)

Agencies

- Sophie Newland (ODASA)
- Damien Heffernan (ODASA)

- Bronwyn Rennie (EPA)
- Wendy Boyce (EPA)

Council

- Nicholas Timotheou (City of West Torrens)
- Andrew King (City of West Torrens)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) That the State Commission Assessment Panel provide its recommendation in confidence (published in the SCAP Confidential Minutes – 13 March 2024) to the Minister for Planning.

3.2.2 Department for Infrastructure and Transport

23034536

276-300 Wehl Street North, Mount Gambier

Building extensions and internal refurbishment works to the existing Mt Gambier Hospital to include a new 6 bed Mental Health Unit, Drug and Alcohol Unit, SA Pathology extension, office extension and a Cancer Care suite to include 5 new consult rooms.

Jenny Newman declared a conflict of interest due to previously working for a firm that acts for the applicant. She was not present for this item.

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

Applicant

- Gregg Jenkins (Future Urban)
- Rachela Snewin (GHD)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) That the State Commission Assessment Panel provide its recommendation in confidence (published in the SCAP Confidential Minutes – 13 March 2024) to the Minister for Planning.

4. MAJOR DEVELOPMENTS – VARIATIONS

5. REPORTING

6. COURT COMPROMISE

7. BRIEFINGS

8. PROCEDURAL MATTERS

9. OTHER BUSINESS

10. NEXT MEETING

- 10.1. Wednesday 27 March 2024 at Level 9, 83 Pirie 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 Deputy Presiding Member thanked all in attendance and closed the meeting at 2:00pm.

Confirmed 14/03/2024



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Rebecca Thomas
PRESIDING MEMBER



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Rebecca Rutschack
DEPUTY PRESIDING MEMBER (for item 2.2.1 only)