



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 92<sup>nd</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday, 9 September 2020 commencing at 9.30am  
Ground Floor, 50 Flinders St, Adelaide / Microsoft Teams video conferencing

## 1. OPENING

### 1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember
Secretary	Sara Zuidland
DPTI Staff	Jason Cattonar (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.1) Will Gormly (Ekistics) (Agenda Item 2.2.1)

### 1.2. APOLOGIES

Nil.

**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.

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## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS – Nil

### 2.2. NEW APPLICATIONS

#### 2.2.1 Latitude 35 Marina Pty Ltd C/- Jensen PLUS

DA 040/E065/20

**Lot 2 Alexa Road, North Haven**

City of Port Adelaide Enfield

Proposal: The construction of two buildings on site – being a four storey building comprising tourist accommodation and a single storey comprising reception/check-in, restaurant/café, lounge area, multi-purpose meeting rooms, and associated services and also for car parking, fencing and landscaping.

Rebecca Thomas declared a conflict of interest and was not present for this item.

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

Applicants

- Scott Newman, 35 South Marina (*In person*)
- David Barone, Jensen PLUS (*In person*)
- Caillin Howard, Hames Sharley (*Remotely*)
- Ben Wilson, Cirqa (*Remotely*)
- Katarina Baumann, Jensen PLUS (*Remotely*)
- James Hilditch, Hilditch Lawyers (*Remotely*)
- Andrew Hooper-Nguyen, 35 South Marina (*Remotely*)
- John Lonergan, Studion Tekton (*Remotely*)

Agency

- Aya Shirai-Doull, ODASA (*In person*)

Representor/s

- Colin Loudon (*In person*)
- Robert Latimer (*In person*)
- Terence Reed (*In person*)

The applicant presented a sample board of examples of the proposed cladding and paving materials.

The State Commission Assessment Panel discussed the application.

**RESOLVED**

1. RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. RESOLVE that the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Port Adelaide Enfield Council Development Plan consolidated 6 February 2018.
3. RESOLVE to grant Development Plan Consent to the proposal by Latitude 35 Marina Pty Ltd C/- Jensen PLUS for the construction of two buildings on site – being a four storey building comprising tourist accommodation and a single storey building comprising reception/check-in, restaurant/café, lounge area, multi-purpose meeting rooms, and associated services and also for car parking, fencing, and landscaping at Lot 2 Alexa Road, North Haven, subject to the following conditions of consent.

**PLANNING CONDITIONS**

1. The development shall be established in accordance with the stamped plans, details and documents except where varied by conditions (if any).  
*Reason for condition: to ensure the development is undertaken in accordance with the consented plans.*
2. Waste collection shall only occur on weekdays between the hours of 7:00am and 7:00pm, Saturdays between 9:00am and 7:00pm and Sundays 9:00am and 5:00pm. No collections shall occur on public holidays.  
*Reason for condition: to ensure the amenity of the locality is not disturbed through the collection of waste.*
3. Patron numbers on the deck area shall be limited to 170 people between the hours of 7am and 10pm and 50 people between the hours of 10pm and 7am.  
*Reason for condition: to ensure the surrounding residential area is not unduly impacted by the potential of noise from the deck area.*

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 the site is landscaped so as to enhance the visual and environmental amenity of the locality and internal amenity for occupants and users.*

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 the ongoing survival and growth of landscaping.*

### **Coast Protection**

6. Mechanical and electrical equipment shall be made safe from water ingress or raised in accordance with the Coast Protection Board's recommended minimum level of 3.55 metres AHD.

*Reason for condition: to ensure the safety of mechanical and electrical equipment in the event of a flood or other water event.*

7. Any imported fill to be used shall be free of weeds and pathogens to ensure that noxious weed or contamination sources are not introduced to the coastal environment.

*Reason for condition: to ensure the quality and safety of imported fill.*

### **Council**

8. Prior to Development Approval being issued, the applicant shall submit a detailed Engineering Siteworks Plan and stormwater quality calculation prepared by a suitably qualified Civil Engineer in accordance with Council Development Guide DG15 and WGA Stormwater Management Plan – WGA191086-RP-CV-0001 Revision D (Dated 10 March 2020).

*Reason for condition: to ensure stormwater management is sufficient for the development.*

9. Stormwater quality improvement systems shall be incorporated that ensure that 90% GP (>50mm), 80% TSS, 60% TP, 45% TN water quality reduction targets and Class 1 hydrocarbon separation have been achieved.

*Reason for condition: to ensure stormwater runoff is treated at an appropriate level.*

### **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. A Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including 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.
- e. The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, regarding 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 Port Adelaide Enfield.
- f. Signage does not form part of this development application. No advertising display or signage shall be erected or displayed on the subject land without any required Development Approval being obtained first.
- g. The applicant, or any person with the benefit of this consent, must ensure that any consent/permit 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)** – 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. Wednesday, 23 September 2020 at Ground Floor, 50 Flinders Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing

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 2.33pm.

Confirmed 10/09/2020



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Dennis Mutton  
DEPUTY PRESIDING MEMBER