



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 107<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 10<sup>th</sup> March 2021 commencing at 9.30am  
Ground Floor, 50 Flinders Street Adelaide / Microsoft Teams video  
conferencing

## 1. OPENING

### 1.1. PRESENT

Presiding Member	Rebecca Thomas (2.1.1)
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Emma Herriman (2.2.1) Paul Leadbeter Grant Pember
Secretary	Ben Sieben, Governance Officer
AGD Staff	Karl Woehle Brett Miller Jason Cattonar

### 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.

## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

#### 2.1.1 Zhengtang Precinct Loft Pty Ltd

020/A158/20

**156 – 172 Franklin Street, Adelaide**

Proposal: Partial Demolition and construction of a 16 storey mixed-use building comprising residential apartments, ground floor commercial tenancies and two (2) levels of basement car parking.

Emma Herriman declared a conflict of interest and left the meeting for this agenda item.

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

#### **Applicants**

- Greg Vincent – MasterPlan
- Anthony Floreani – Counsel for Greaton
- Bill Couros - Client Representative for Greaton (Via MS Teams)
- Mariano De Duonni – Baukultur (Via MS Teams)

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 Adelaide (City) Development Plan.
- 3) Notwithstanding resolution two above and taking into account section 57(12) of the *Development Act 1993*, the State Commission Assessment Panel has taken into account the existence of a valid Land Management Agreement (12226708), and particularly clause 3 of that agreement, which seeks to limit the maximum building height to be developed upon the land. The State Commission Assessment Panel considers the departure to be inconsistent with the concept plan for development upon land that is bound by the Land Management Agreement.
- 4) That the application be refused.

## 2.2. NEW APPLICATIONS

### 2.2.1 Tom Hannah, Kent Town Hotel C/- IBS Planning & Projects

155/M012/19

#### **72 -76 Rundle Street, Kent Town**

Proposal: Mixed-use development comprising alterations and additions to an existing hotel, partial demolition, construction of four (4) new levels above ground level for short term tourist accommodation, gymnasium, altered vehicle access, car parking and associated building work.

The Presiding Member, Rebecca Thomas, declared a conflict of interest and left the meeting for this agenda item.

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

#### **Applicants**

- Tom Hannah – Kent Town Hotel

#### **Agencies**

- Belinda Chan – 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 Norwood, Payneham and St Peters Development Plan.
- 3) To grant Development Plan Consent to the proposal by Tom Hannah for the construction of a mixed-use development comprising alterations and additions to an existing hotel, partial demolition, construction of four (4) new levels above ground level for short term tourist accommodation, gymnasium, altered vehicle access, car parking, associated building work and installation of six (6) signage displays at 72-76 Rundle Street, Kent Town 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, to the satisfaction of the State Planning Commission, in consultation with the Government Architect, prior to the granting of Development Approval:
  - a. A final detailed schedule of external materials and finishes along with a physical materials board.
  - b. A detailed landscaping plan which identifies the planting medium depths, irrigation methods and other features of the landscaping scheme to demonstrate viability of all plantings.

#### **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 following plans submitted in Development Application No 090/M012/19.

*Reason for condition: To ensure the development is built in accordance with the approved plans.*

2. Way-finding signage, designed and installed to assist in the identification of access points to the tourist accommodation entrance, lifts and stair wells to the car park, and shall be documented to the satisfaction of the State Commission Assessment Panel and installed prior to the occupation of the tourist accommodation.

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

3. 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/NZ 2890.6:2009) prior to the occupation or use of the development.

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

4. Convex mirrors are to be installed on the southern side of Little Grenfell Street, opposite the proposed access point to ensure that sight lines are maintained from the ground level car parking area.

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

5. 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.*

6. Proposal shall be undertaken in strict accordance with the recommendations outlined in the Sonus Acoustic Report dated May 2019.

*Reason for condition: To ensure the development does not cause unreasonable nuisance or loss of amenity in the locality.*

7. The proposal shall be undertaken in accordance with the Ministers Specification SA 78B Construction requirements for the control of external sound.

*Reason for condition: To ensure the development does not cause unreasonable nuisance or loss of amenity in the locality.*

8. Rubbish collection from the site shall only occur between 9am and 7pm on Sunday or a public holiday and between 7am and 7pm on any other day.

*Reason for condition: To ensure the development does not cause unreasonable nuisance or loss of amenity in the locality.*

9. Waste collection shall be undertaken in accordance with the Waste Management Plan by Colby Phillips Advisory dated May 2019.

*Reason for condition: To ensure waste management is undertaken in such a way so as to minimise potential for on-site or off-site impacts.*

10. The service corridors on the south-western side of the development adjacent to the neighbouring residential accommodation remain inaccessible to guests and the general public.

*Reason for condition: To maintain privacy and amenity to the neighbouring residents.*

## **ADVISORY NOTES**

- a. This Development Plan Consent will expire after 24 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 2 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).

### Environmental

- d. 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.
- e. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the Norwood Payneham and St Peters (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. The management plan should incorporate, without being limited to, the following matters:
- timing, staging and methodology of the construction process and working hours;
  - traffic and parking management strategies;
  - control and management of construction noise, vibration, dust and mud;
  - management of infrastructure services during construction and re-establishment of local amenity and landscaping;
  - stormwater and groundwater management during construction;
  - site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
  - disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
  - protection and cleaning of roads and pathways; and overall site clean-up
- f. The emission of noise from the premises is subject to control under the Environment Protection Act and Regulations, 1993 and the applicant (or person with the benefit of this consent) should comply with those requirements
- g. 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.
- h. If, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to Section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA.
- i. The Environment Protection (Water Quality) Policy 2003 requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system). The policy also creates offences that can result in on-the-spot fines or legal proceedings.
- j. The following information is provided to assist with compliance with this legislation:
- i. Building and construction must follow sediment control principles outlined in the "Stormwater Pollution Prevention – Code of Practice for the Building and Construction Industry" (EPA, 1999). Specifically, the applicant must ensure:
    - During construction no sediment should leave the building and construction site. Appropriate exclusion devices must be installed at entry points to stormwater systems and waterways.
    - A stabilised entry/exit point should be constructed to minimise the tracking of sand, soil and clay off site. However, should tracking occur, regular clean-ups are advised.

- ii. Litter from construction sites is an environmental concern. All efforts should be made to keep all litter on site. The applicant should ensure that bins with securely fitted lids, capable of receiving all waste from building and construction activities, are placed on site.
- iii. All building and construction wastewaters are listed pollutants under the Environment Protection (Water Quality) Policy 2003 and as such must be contained on site.

It is important that the applicant familiarise themselves with the terms of the Policy and ensure that all contractors engaged by the applicant are aware of the obligations arising under it. For further information the applicant may contact the Environment Protection Authority on telephone (08) 8204 2004.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

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**

6. **NEXT MEETING**

6.1. Wednesday 24 March 2021 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 2.34pm

Confirmed 10/03/2021



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Rebecca Thomas  
PRESIDING MEMBER