



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 122nd Meeting of the
State Commission Assessment Panel
held on Wednesday 22nd September 2021 commencing at 9.30am
Ground Floor, 50 Flinders Street Adelaide / Microsoft Teams video
conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember David Altmann
Secretary	Jaclyn Symons, Governance Officer
AGD Staff	Brett Miller Renae Grida (2.1.1) Hannah Connell (2.1.2) Charlie Dubios

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. Festival State Building Group C/- Masterplan SA Pty Ltd

020/A188/21

399 King William Street, Adelaide

Construction of a multi-storey, mixed-use building comprising retail, office and serviced apartments together with rooftop communal space and function areas, and basement car parking.

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

Applicant

- Greg Vincent (Masterplan)
- Lou De Rosa (Festival State Building Group)

Agency

- Kirsteen Mackay (ODASA)
- Ellen Liebelt (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 Adelaide (City) Development Plan.
- 3) To grant Development Plan Consent to development application 020/A188/21, subject to the following reserved matters and conditions of consent.

RESERVED MATTERS

1. Pursuant to regulation 10 of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*, and 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 for superstructure works:

- 1.1 The applicant shall submit an updated Sustainability Strategy Report detailing measures intended to be incorporated in the development.

PLANNING CONDITIONS

1. The development shall be undertaken in accordance with the stamped plans, drawings, specifications and other documents relevant to the consent, except where varied by conditions below (if any).

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

2. The hours for waste collection and service vehicles (operated by private contractor/s) to enter and exit the site shall be scheduled to occur outside of peak (7am-9am and 3pm-6pm) usage periods.

Reason: To ensure that the Development does not unduly diminish the enjoyment of other land in the locality.

3. Noise generated by air conditioning, air extraction plant and ducting shall not exceed the following levels when measured at the property boundary:
 - measurements taken between 7:00 am and 10:00 pm on the same day show the continuous source noise level exceeds 52 dB(A), or
 - measurements taken between 10:00 pm on one day and 7:00 am the following day show continuous source noise level exceeds 45 dB(A).

Reason: To ensure that the Development does not unduly diminish the enjoyment of other land in the locality.

4. All external lighting on the site shall be designed, constructed and installed to conform to Australian Standard - AS 4282-1997 (Control of the obtrusive effects of outdoor lighting)

Reason: To ensure external lighting does not unduly diminish the enjoyment of other land in the locality.

5. The development shall incorporate a 22kw solar PV system as per the recommendations in Part 4.1.1.1 of the Sustainability Strategy Report prepared by AAD Engineering dated August 2021 and detailed in the documentation for Building Rules Consent prior to Development Approval being granted.

Reason: To ensure the development incorporates sustainability measures in accordance with the approved documentation.

6. External materials, surface finishes and colours of the development shall be consistent with the description and sample hereby granted consent and shall be to the reasonable satisfaction of the State Planning Commission.

Reason: To ensure a high standard of materials and finishes used in the finished presentation of the Development.

7. Bicycle parking, parking for people with disabilities and all associated signage for such parking, adequate sightlines for pedestrians at the carpark entrance(s) and internal lighting of the carpark shall be provided on the Land access in accordance with AS/NZS2890.1: 2004 Off-street Car Parking.

Reason: To ensure that the Development meets the requirements of the relevant Australian Standards.

8. The finished floor level of the ground floor level at the entry point to the development shall match the existing footpath level.

Reason: To ensure public footpaths remain level and as such pedestrian safety and amenity is not compromised.

9. All stormwater run-off from the building shall be collected and then discharged to the stormwater discharge system. All down pipes affixed to the Development which are required to discharge the stormwater run-off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Council.

Reason: To ensure that storm water run-off does not have an adverse impact upon the public realm.

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 years 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. External Signs

This consent does not include signage for which a separate application must be submitted.

e. Boundaries

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.

f. Public Utilities

The applicant must 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. In addition you are advised that the installation of an ETSA transformer within the building may require the submission of a variation application. Furthermore, any proposal to install electricity infrastructure including a transformer or switching cubicle within the public realm will require the consent of Council and may not be forthcoming.

g. Building Site Management Plan

A Building Site Management Plan is required prior to construction work beginning on site. The Building Site Management Plan should include details of such items as:

- Work in the Public Realm
- Street Occupation
- Hoarding
- Site Amenities
- Traffic Requirements
- Servicing Site
- Adjoining Buildings
- Reinstatement of Infrastructure

h. Vehicle Crossing Places

The vehicle crossing place(s) made redundant as a result of this development will be closed by Council and the applicant will be charged directly for the work. A quotation for the work will be provided by Council to the applicant prior to the work being undertaken.

i. Work in the Public Realm

A street work permit must be obtained prior to the commencement of any work on Council's property. For information in relation to the issuing of on-street work permits, please contact the Adelaide City Council Customer Service Centre on 8203 7203.

j. Drainage Water

Collected drainage water from any landscaped areas, planter boxes, seepage collection systems, water features, swimming pools and air conditioning units must be discharged to the sewer.

k. Street Trees

In reference to street trees adjacent to the proposed development:

- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929;
- The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or the building/façade;
- The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the structure shall only be carried out by Council.
- The applicant shall meet all costs associated with removing the existing street tree(s) on (insert) Street and the planting of a replacement tree(s) including modifications to the irrigation system.

l. Damage to Council's Footpath/Kerbing/Road Pavement

Section 779 of the Local Government Act provides that where damage to Council foot path/kerbing/road pavement/verge occurs as a result of the development, the owner/applicant shall be responsible for the cost of Council repairing the damage.

m. Street Trees

In relation to street trees, the proposal shall meet the following requirements:

- The proposed verandah shaft be designed to ensure that a minimum clearance of 600mm is maintained between the structure and the nearest significant limb of the street tree.
- Site works shall be affected in such a manner so as not to damage the existing street tree(s).
- The sewerage serving the development shall be laid out and designed in such a manner which ensures retention of the existing street tree(s) notwithstanding the requirements of the Regulations under the Sewerage Act, 1929.
- The existing street tree(s) will not be pruned to maintain lines of sight to the proposed sign or to the building façade.
- The street tree(s) will not be removed. Any pruning of the tree(s), necessary to maintain the clearance between the tree(s) and the verandah/development, shall only be carried out by Council. Furthermore, Council is not liable for any damage to the structure arising from the growth of the tree(s) or by the shedding of bark, leaves, fruit etc.

A minimum clearance of 1 metre shall be maintained between the proposed crossing place and the existing street tree.

n. City Works Permit

Any activity in the public realm, whether it be on the road or footpath, requires a City Works Permit. 48 hours' notice is required before commencement of any activity.

The City Works Guidelines detailing the requirements for various activities, a complete list of fees and charges and an application form can all be found on Council's website at www.adelaidecitycouncil.com

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters, distances etc.);
- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Please note: Up front payment is required for all city works applications. Applications can be received by Council via the following:

Email: cityworks@adelaidecitycouncil.com
In Person: 25 Pirie Street, Adelaide

2.1.2. **Walpol Development Pty Ltd C/- Future Urban Group**

211/M030/18

192 Anzac Highway, Glandore

Demolish existing structures on the land and construction of an eight-storey residential flat building comprising 35 dwellings, including removal of a regulated tree.

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

Applicant

- Chris Vounasis (Future Urban)
- Paul Piteo (Piteo Architects)

Agency

- 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 City of West Torrens Development Plan.
- 3) To grant Development Plan Consent to the proposal by Walpol Development Pty Ltd for Demolition of existing buildings, removal of one (1) regulated tree and construction of 8-storey residential flat building comprising 35 dwellings at 192 Anzac Highway, Glandore subject to the following conditions of consent and reserved matter.

RESERVED MATTERS

1. Pursuant to regulation 10 of the *Planning, Development and Infrastructure (Transitional Provisions) Regulations 2017*, and 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:

- 1.1 The applicant shall submit final detailed design and documentation of the external services forward of the building including dimensions, screening and the extent of the glazed enclosure to the reasonable satisfaction of the State Planning Commission.

Reason: To ensure the development is constructed with high quality materials and finishes.

PLANNING CONDITIONS

1. The development shall be undertaken in accordance with the stamped plans, drawings, specifications and other documents relevant to the consent, except where varied by conditions below (if any).

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

2. 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 stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.

3. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the State Planning Commission.

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

4. Noise generated by air conditioning, air extraction plant and ducting shall not exceed the following levels when measured at the property boundary:

- measurements taken between 7:00 am and 10:00 pm on the same day show the continuous source noise level exceeds 52 dB(A), or
- measurements taken between 10:00 pm on one day and 7:00 am the following day show continuous source noise level exceeds 45 dB(A).

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

5. Waste management shall be undertaken in accordance with the waste management plan submitted with the application which includes collections to be scheduled outside peak vehicular entry periods along Anzac Highway

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.

6. Landscaping shown on the landscape plan shall be established prior to the operation of the development and shall be maintained and nurtured in accordance with that plan 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.

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).
- d. The development as described at a height of RL 47.4m Australian Height Datum (AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment.
- e. Crane operations associated with construction shall be the subject of separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the

construction. Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).

- f. Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths.
- g. 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.

2.2. NEW APPLICATIONS

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

4. MAJOR DEVELOPMENTS – VARIATIONS

5. REPORTING

6. COURT COMPROMISE

7. BRIEFINGS

8. PROCEDURAL MATTERS

9. OTHER BUSINESS

10. NEXT MEETING

- 10.1. Wednesday 13 October 2021 at Ground Floor, 50 Flinders 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 Presiding Member thanked all in attendance and closed the meeting at 12.13pm.

Confirmed 22/09/2021



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Rebecca Thomas
PRESIDING MEMBER