



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 157th Meeting of the
State Commission Assessment Panel
held on Wednesday 26th April 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 Emma Herriman Paul Leadbeter Grant Pember David Altmann Mark Adcock (<i>Occasional Member</i>) (2.2.1) Elinor Walker (<i>Commission Member appointed as a temporary member of the SCAP</i>) (2.2.1) Stephanie Johnston (<i>Commission Member appointed as a temporary member of the SCAP</i>) (2.2.1)
Secretary	Jaclyn Symons, Governance Officer
DTI Staff	Margaret Smith Jeremy Wood (2.2.1) Eric Alessi (3.1.1) Simon Neldner (3.1.1)

1.3. 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

2.2. NEW APPLICATIONS

2.2.1 J & A Katsaros C/- URPS

22041683

89-92 Brougham Place, North Adelaide

Demolition of a local heritage place, demolition of a building, construction of a four-level residential flat building, a three-level addition to a local heritage place and alterations and an addition to a state heritage place, a swimming pool and associated carparking and landscaping.

Rebecca Rutschack declared a conflict of interest due to having minor involvement in the item with her previous employer and was not present for this item.

John Eckert, Emma Herriman, Paul Leadbeter, Grant Pember and David Altmann were not in attendance for this item.

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

Applicant

- Grazio Maiorano (URPS)
- Brian Hayes KC
- James Katsaros
- Matt Rundell (Stallard Meek Flightpath Architects)
- Ron Danvers (Danvers Studio Architects)

Representations

- Glynis Hannell
- Norman Etherington
- Elbert Brooks
- Chris Harris
- Elise Toome
- Ian Vagg
- James Hilditch
- Sandy Wilkinson
- Dimitrios Varsos
- Deborah Hamilton

Agencies

- Michael Queale (Heritage SA)
- Belinda Chan (ODASA)

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 22041683, by J & A Katsaros C/- URPS 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 (SPC), prior to the granting of Development Approval:

1. A final detailed schedule of external materials and finishes (including provision of annotated elevations) and a physical samples board prepared in consultation with the Government Architect, to the satisfaction of the State Planning Commission.
2. Stormwater drainage design plans, certified by a suitably experienced Civil Engineer, shall be provided in consultation with the City of Adelaide (the Council) to demonstrate that the site drainage system complies with Council's standards and guidelines and the following specific requirements:
 - i. Stormwater runoff from all surface areas must be collected in a system of gutters, pits and pipelines, swales etc. and be discharged together overflow pipelines from any rainwater tank(s) by gravity to Council's piped drainage system. Minor areas that cannot reasonably be drained by gravity to the street may be drained by suitably designed pump out system.
 - ii. Comply with Council's City Works Guidelines and Urban Element Catalogue, Australian Rainfall and Runoff (A.R.R.), National Construction Code and Australian Standard AS3500.3-2021 'Stormwater Drainage'.
 - iii. Any pump out of groundwater and subsurface flows is minimal and intermittent and complies with EPA Guidelines: Environmental management of dewatering during construction activities.
 - iv. The Drainage Plan must detail the existing and proposed site drainage layout, size, class and grade of pipelines, pit types, roof gutter and downpipe sizes.
 - v. Property connections must be to Council pit or kerb and gutter. Pump-out to gutter is not permitted.
 - vi. Any drainage systems within the basement must be designed to prevent and minimise ingress of all pollutants from vehicles or other sources prior to discharge from the site.
 - vii. The stormwater system must not be influenced by backwater effects or hydraulically controlled by the receiving system.
 - viii. A stormwater pit must be installed inside the property, adjacent to the boundary, for all stormwater outlets. A detailed Operation and Management Plan outlining how all elements of the stormwater system including water quality treatment facility will be maintained and to record annual inspections/maintenance works to be undertaken.
 - ix. Incorporates Sediment and Erosion Control plans for implementation during construction.
 - x. Stormwater quality improvement devices must be installed such that stormwater flows leaving the site meet the following environmental targets:

Pollutant	Retention Criteria
Gross Pollutants, including trash, litter and vegetation matter greater than 5mm	90% reduction of average annual load
Total Suspended solids, including sediment and other fine material less than 5mm	80% reduction of average annual load

Total Phosphorous	60% reduction of average annual load
Total Nitrogen	45% reduction of average annual load
Hydrocarbons (Oil and Grease)	90% reduction of average annual load – no visible discharge

3. A final detailed landscaping plan prepared by a qualified landscape architect shall be prepared in consultation with Government Architect and submitted to the satisfaction of the State Planning Commission and comprise details including a landscape maintenance schedule, irrigation methods, planting medium depths, plant species schedule and other features of the landscaping scheme to demonstrate viability of all plantings.

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

Waste management shall be undertaken in accordance with the waste management plan submitted with the application, with on-site waste collection shall be restricted to the hours of 6am to 6pm Monday to Saturday.

Condition 3

The planting and landscaping submitted with the application must be completed in the first planting season concurrent with or following commencement of the use of the development. Such planting and landscaping shall be maintained thereafter and any plants which become diseased or die must be replaced within the next available growing season with suitable species, to the satisfaction of the State Planning Commission.

Condition 4

Permanently fixed privacy screens shall be erected in accordance with the approved 'privacy screening plans' and erected prior to the commencement of use of the residential flat building, and shall be maintained as an effective privacy screen to the satisfaction of the Relevant Authority thereafter.

Condition 5

As depicted on the approved 'privacy screening plans,' the west facing ground floor, first floor and second floor windows of residential flat building shall have:

- Minimum window sill heights of 1.5 metres above the upper finished floor level; or
- Fixed and obscured glass to a height of 1.5 metres (minimum) above upper floor level; or
- Obscured glass to a height of 1.5 metres (minimum) above the upper floor level, which are hinged at the top of the window panel and include a wind out mechanism to no greater than 200mm.

The obscured glass shall be fitted prior to occupation of the development and maintained at all times thereafter.

Condition 6

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Conditions imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Condition 7

Prior to the commencement of works on site, detailed documentation of changes to, and treatment of, internal finishes and extant materials to be provided, to the satisfaction of Heritage SA, as little detail is provided in the submitted documentation. Detailing of treatment of wall/floor junctions and wet area walling where it abuts masonry to be confirmed.

Condition 8

A methodology statement is to be provided detailing render removal works, proposed new render mix and application, damp proof course application, roof flashing detailing, parapet treatment and paint scheme for the State Heritage Place, to the satisfaction of Heritage SA, prior to commencement of works. Treatment of gable end masonry features to also be confirmed.

Condition 9

Detailing of new joinery to existing wall openings to the State Heritage Place to be provided to the satisfaction of Heritage SA, before commencement of works.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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 3

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 Notes imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Advisory Note 4

Please note the following requirements of the *Aboriginal Heritage Act 1988*.

- (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Advisory Note 5

Please note the following requirements of the *Heritage Places Act 1993*.

- (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
- (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.1.1 Emmaus Christian College

100/V448/22

7-9 Lynton Avenue, South Plympton

Proposed additional classrooms, undercroft car parking and removal of a significant tree.

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

Applicant

- David Hutchison (Access Planning)

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 – 26 April 2023) to the Minister for Planning.

Note: A Decision Notification Form will be forwarded to all representors once the Minister has made a decision on the application.

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 10 May 2023 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 Presiding Member thanked all in attendance and closed the meeting at 2.17pm.

Confirmed 26/04/2023



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Rebecca Thomas
PRESIDING MEMBER