



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 102nd Meeting of the
State Commission Assessment Panel
held on Thursday 16 December 2020 commencing at 9.30am
28 Leigh Street, 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
AGD Staff	Malcolm Govett (Agenda Item 2.2.1) Ben Williams (Agenda Item 2.2.2) Nick Kretschmer (Agenda Item 2.2.2) Lauren Talbot (Agenda Item 2.2.3) Gabrielle McMahon (Agenda Item 2.2.1, 2.2.2, 2.2.3) Jason Cattonar (Agenda Item 2.2.1, 2.2.2, 2.2.3)

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 – Nil

2.2. NEW APPLICATIONS

2.2.1 ZAMIA PROPERTY PTY LTD

DA 180/M032/20

Lot 2004 Banksia Street, Glenside

City of Burnside

Proposal: Construction of a 6 storey residential flat building comprising 49 apartments, associated car parking, a bike store, refuse storage area and landscaping.

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

Applicants

- Mark Pivovarov – Cedar Woods
- Leon Gouws – Hames Sharley

Agency

- Belinda Chan – ODASA Design Advisor

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 Burnside Council Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Zamia Properties Pty Ltd C/- Cedar Woods Properties Ltd for the construction of a six storey residential flat building comprising 51 dwellings, associated car parking, bike parks, refuse storage area and landscaping at Banksia Street, Glenside subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development granted Development Plan Consent 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.

Reason: To ensure the development is undertaken in accordance with the plans and details.

2. 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 expenses associated with these works shall be met by the proponent.

Reason: To ensure appropriate reinstatement of any Council, utility or state-agency maintained infrastructure affected by construction activities.

3. Prior to Development Approval for superstructure works, the applicant shall submit, in consultation with the Government Architect, and to the reasonable satisfaction of the State Planning Commission a refined design of the entry corner to the south-east section of the building, facing Banksia Street, which results in the improved presentation of the entry.

Reason: To identify opportunities for improved design and activation of the south-eastern corner of the building.

External Materials

4. Prior to Development Approval for superstructure works, the applicant shall submit, in consultation with the Government Architect, and to the reasonable satisfaction of the State Planning Commission the details of the architectural treatment of the Level 2 car park area and a final detailed schedule of external materials and finishes along with a physical materials board to ensure that it is of a high quality to minimise the potential adverse impacts from the car park use.

Reason: To minimise the potential adverse impact from the car park use.

5. Solar shade hoods shall be installed on all window openings along the western façade of the building. Prior to Development Approval for superstructure works, the applicant shall submit, in consultation with the Government Architect, and to the reasonable satisfaction of the State Planning Commission, a final set of plans and elevations confirming the solar shade hoods to be located on the building, including indicative dimensions and material specification.

Reason: To improve the energy efficiency of the dwellings along the western side of the building.

Vehicle Movements and Parking

6. The hours for waste collection shall be scheduled to occur between 9:00 am – 3:00 pm on any day.

Reason: To minimise potential for traffic impacts and vehicle congestion during waste collection periods

7. 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/NZS 2890.6:2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the State Planning Commission prior to the occupation or use of the development.

Reason: To ensure safe and convenient movement for vehicles.

8. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.

Reason: To ensure the safe and convenient storage of bicycles.

Acoustics

9. Air conditioning or air extraction plant or ducting shall be acoustically screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the State Planning Commission.

Reason: To ensure mechanical equipment associated with the development does not detrimentally impact on amenity or cause unreasonable nuisance in the locality

10. The acoustic attenuation measures recommended to achieve compliance as stated in the Acoustic Design Report dated 11 September 2020 (A200042RP1 Revision B) by Carl Jungfer of Resonate shall be fully incorporated into the detailed design of the development and corresponding building rules documentation to the reasonable satisfaction of the State Planning Commission. Such acoustic measures shall be made operational prior to the occupation or use of the development.

Reason: To protect the amenity of residents of and visitors to the building.

Environment

11. 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 visual amenity of the site and locality are as proposed.

12. All works to be undertaken in the vicinity of the regulated/significant trees located adjacent the subject land shall be undertaken in accordance with the recommendations related to Tree Protection Zones included in the Pre-development Arboricultural Impact Assessment by Project Green dated 11 May 2020.

Reason: To ensure protection of the Regulated trees on the site.

13. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason: To ensure appropriate stormwater management.

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

Reason: To ensure external lighting does not introduce undue nuisance for occupants of adjacent land or potential for hazards to users of the adjacent road network in accordance with the necessary standard.

Waste Management

15. Waste management for the building shall be designed, operated and managed in accordance with the 'Glenside – Apartment Building 3 Waste Management Plan' prepared by Colby Phillips Advisory, dated 4 November 2020.

Reason: To ensure the effective management of waste.

ADVISORY NOTES

- a. The application has been approved in the following stages:
 - Stage 1: Site preparation.
 - Stage 2: Sub-structure.
 - Stage 3: Super –structure.
 - Stage 4: Remainder of the development.
- b. 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 Planning Commission.
- c. 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.
- d. 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).

- e. 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 the construction site, please contact the Burnside Council by telephone (08) 8366 4200 or email to burnside@burnside.sa.gov.au
- f. Prior to commencement of construction the applicant is encouraged to prepare a construction management plan to the satisfaction of the Council, with consideration given (but not limited) to traffic management strategies, dust suppression, prevention of silt runoff and management of construction noise and waste. For further information about appropriate management of construction sites, please contact the Burnside Council by telephone (08) 8366 4200 or email to burnside@burnside.sa.gov.au
- g. The *Environment Protection (Noise) Policy 2007* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to meet indicative noise factors for different land use categories. The policy creates offences that can result in on-the spot fines or legal proceedings. Environment Protection Authority information sheets, guidelines documents, codes of practice, technical bulletins and other materials can be accessed via the following website: <http://www.epa.sa.gov.au>.
- h. The applicant is advised that site works for Stages 1 and 2 of the development are to be undertaken in accordance with the advice contained in the overall audit prepared by Australian Environmental Auditors Pty Ltd.

2.2.2 **TYNTE STREET DEVELOPMENTS PTY LTD C/- MASTERPLAN SA PTY LTD**

DA 020/A076/17 V2

Lot 57 Tynte Street, North Adelaide

City of Adelaide

Proposal: Variation to DA 020/A076/17 to convert a shop and dwelling into two (2) dwellings and studio space.

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

Applicants

- Graham Burns – Masterplan
- Nathan Woodward – Masterplan
- Chris Culshaw – Applicant

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 Adelaide (City) Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Tynte Street Developments Pty Ltd C/- MasterPlan SA vary Development Application 020/A076/17 to convert a shop and dwelling into two (2) dwellings and studio at Lot 57 Tynte Street, North Adelaide subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, all conditions with respect to Development Application 020/A076/17, 020/A076/17 R1, 020/A076/17 R2 and 020/A076/17 V1 continue to apply to this variation application. Furthermore, the development shall be established in accordance with the stamped approved plans, drawings, specifications and other documents submitted in Development Application No 020/A076/17 V2.

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

2. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason: To ensure the safe operation of the development.

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 Planning Commission.
- b. The applicant is advised to obtain Building Rules Consent from either a private certifier (or the City of Adelaide) within 24 months of the date of this Notification, for Development Approval purposes.
- c. 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.
- d. 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).
- e. 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 the Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.
- f. 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 City of Adelaide.

2.2.3 DC ARCHITECTURE & INTERIORS C/- URPS

DA 211/M042/20

6 Ebor Avenue, Mile End

City of West Torrens

Variation to development authorisation (West Torrens Council reference 211/12/20) by adding three additional apartments within roofed open space area of the approved scheme

Emma Herriman declared a conflict of interest and was not present for this item.

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

Applicants

- David Bills – URPS
- Matt King – URPS
- Damian Campagnaro – DC Architecture

Council

- Phil Smith

Observer:

- Tino Foti

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 proposed development generally accords with the related Objectives and Principles of Development Control of the City of West Torrens Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by DC Architecture and Interiors C/- URPS for Variation to development authorisation (West Torrens Council reference 211/12/20) by adding three additional apartments within roofed open space area of the approved scheme at 6 Ebor Avenue, Mile End subject to the following conditions of consent.

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 211/M042/20

Reason: To ensure all development occurs in accordance with the plans considered by the relevant authority.

2. All previous plans, documentation, technical reports, reserved matters, conditions and advisory notes previously granted Development Plan Consent for Development Application No. 211/12/20 by City of West Torrens are still applicable except where varied by this Development Application and the advisory notes that follow.

Reason: To ensure all previously approved elements of the development will occur in accordance with those plans considered by the relevant authority.

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).

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**

5. **OTHER BUSINESS**

5.1. **Reginald Fiora**

473/D044/15

Various land parcels at Onkaparinga Road, Grivell Road, Beaumont Road, Gallasch Road and Ambulance Road, Verdun

Adelaide Hills Council

Proposal: Land Division: 1 into 2 and Boundary Realignment: 3 into 2

RESOLVED

Having been advised that the Minister's delegate would not issue concurrence unless Advisory Note a. was applied as a condition of Development Plan Consent, the SCAP resolved to amend its decision by removing Advisory Note a. and including a new condition (Condition 4), as worded below, and to seek the concurrence of the Minister prior to granting Development Approval.

In accordance with Section 7(5) of the Planning, Development and Infrastructure Act 2016, the additional allotments created shall not be used for residential development.

6. **NEXT MEETING**

6.1. Wednesday, 27 January 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 1.21pm.

Confirmed 16/12//2020



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Rebecca Thomas
PRESIDING MEMBER