



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 159th Meeting of the
State Commission Assessment Panel
held on Wednesday 24th May 2023 commencing at 11.00am
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 David Altmann
Secretary	Jaclyn Symons, Governance Officer
DTI Staff	Troy Fountain Margaret Smith Nathan Grantham Mollie O'Connor Amy Barratt

1.3. APOLOGIES

Paul Leadbeter
Grant Pember

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Flagship Capital Holdings Pty Ltd C/- City Collective

21040597

2 North Terrace and Lots 103 and 104 North Terrace, Kent Town

Works to the 'Royal Hotel' comprising demolition of non-heritage additions, construction of canopy and conservation works, the construction of a 14 and 15-level mixed-use building incorporating dwellings, shops and advertisement signs.

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

Applicant

- Will Gormly (City Collective)
- David Cooke (City Collective)
- Mark Jarman (Flagship Group)
- Paul Froggatt (Stantec)
- James Deane-Butcher (Robert Bird Group)
- Greg Klopp (Robert Bird Group)
- Kathryn Walker (Piper Alderman)

Agencies

- Kevin O'Sullivan (Heritage SA)
- Aya Shirai-Doull (ODASA)

Council

- Peter Psaltis (Norman Waterhouse) (for City of Norwood Payneham & St Peters)
- Geoff Parsons (City of Norwood Payneham & St Peters)

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 21040597, by City Collective on behalf of Flagship Capital Holdings Pty Ltd is granted Planning Consent, subject to the following conditions and reserved matters:

RESERVED MATTERS

Planning Consent

Pursuant to section 102(3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval:

Physical Samples Board

1. The applicant shall submit a final detailed schedule of external materials and finishes and a physical samples board prepared in consultation with the Government Architect, to the satisfaction of the State Planning Commission.

Stormwater Management Plan

2. A final detailed Stormwater Management Plan with stormwater quantity and quality measures shall be prepared in consultation with the City of Norwood, Payneham and St. Peters and submitted to the satisfaction of the State Planning Commission, prior to the issue of Development Approval.

Maintenance Plan

3. A Maintenance Plan to ensure the effective functioning of the underground culvert and drainage system proposed in document Stormwater Management Plan, Royal Development – The Hills and The City Buildings, Issue H, dated 28 February 2023 and Site Levels Plan, Issue P7, dated 14 April 2023 prepared by Robert Bird Group, including details of maintenance of inspection pits located along the culverts within private property, shall be prepared in consultation with the City of Norwood, Payneham and St. Peters and submitted to the satisfaction of the State Planning Commission, prior to the issue of Development Approval.

CONDITIONS

Planning Consent

Condition 1

The development granted Planning 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 (if any).

Condition 2

The recommendations detailed in the Acoustic Assessment, dated 9/12/2021 prepared by Acoustic Logic shall be fully incorporated into the development. Such measures shall be implemented and/or made operational prior to the occupation or use of the development and maintained thereafter to the satisfaction of the State Planning Commission.

Condition 3

Waste Management shall be undertaken in accordance with the Waste Management Plan (Planning) prepared by Colby Phillips Advisory and dated 10 December 2021.

Condition 4

Advertisement signs shall not be illuminated, incorporate a moving or changing display or message, or incorporate a flashing light(s) and shall be maintained at all times to the satisfaction of the State Planning Commission.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 5

All access to the subject development shall be in accordance with the City Collective Plan D100-Ground Floor Plan, dated February 2023. The North Terrace access points to the porte-cochere shall be limited to left turn in only at the eastern access and left turn out only at the western access. These access points shall be angled at 70 degrees to the road and appropriate signage and line marking shall be provided to reinforce the desired traffic flow. The access on North Terrace at the eastern end of the site shall be for temporary use during construction only and shall be closed at the completion of construction.

Condition 6

All setbacks shall be in accordance with the City Collective Plan D100-Ground Floor Plan, dated February 2023. All landscaping beds and paved areas within the 4.0 metres area forward of the building (excluding the pedestrian ramp adjacent to the hotel building) shall be as close as practicable to ground level and be designed to permit easy removal should the land be required for road purposes in the future.

Condition 7

All vehicles shall enter and exit the site in a forward direction.

Condition 8

All service vehicle movements associated with the development shall be undertaken outside of peak traffic hours on the adjacent roads.

Condition 9

A Traffic Management Plan for the construction period of the development shall be produced to the satisfaction of DIT prior to the commencement of construction. This plan shall detail the types, volumes and distributions of traffic and how they will be managed.

Condition 10

The redundant crossover on North Terrace shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.

Condition 11

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 12

No stormwater from this development shall be permitted to discharge on-surface to the adjacent roads. In addition, any existing drainage of the adjacent roads shall be accommodated by the development and any alterations to road drainage infrastructure as a result of this development are to be at the expense of the applicant.

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

Condition 13

A vertical waterproof barrier is required along the face of the Hotel wall, at low level, where it abuts the corner of the proposed ramp wall and planter, to protect the wall from future salt attack and rising damp.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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 2

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 Note 3

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 Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 4

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the North Terrace and Dequetteville Terrace frontages of this site for future upgrading of the North Terrace / Dequetteville Terrace intersection, together with additional land at the North Terrace / Dequetteville Terrace corner. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all development located on or within 6.0 metres of the possible requirement.

As the development encroaches within the 4.5 metres wide strip requirement, the applicant will need to apply for consent for these under the Metropolitan Adelaide Road Widening Plan Act. The applicant should fill out the attached consent form and return it to the Department for Infrastructure and Transport with 3 copies of the approved plans and a copy of the Decision Notification Form.

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

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.

Advisory Note 6

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

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*.

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 14 June 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 1.39pm.

Confirmed 24/05/2023



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Rebecca Thomas
PRESIDING MEMBER