



# STATE COMMISSION ASSESSMENT PANEL

## A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 193<sup>rd</sup> Meeting of the  
State Commission Assessment Panel  
held on Friday 6 December 2024 commencing at 9:00am  
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 Paul Leadbeter David Altmann Jenny Newman Don Donaldson
Secretary	Amy Arbon
DTI Staff	Troy Fountain Maria Klimenchuk Jeremy Wood Eric Alessi Gabrielle McMahon

#### 1.3. APOLOGIES

Nil

## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

### 2.2. NEW APPLICATIONS

#### 2.2.1 Greateon Developments Pty Ltd

24010845

**Lot 11 Elizabeth Street, Adelaide**

**Lot 12 Elizabeth Street, Adelaide**

**Lot 13 Elizabeth Street, Adelaide**

Construction of an eighteen (18) level residential flat building (built-to-rent affordable housing) with associated car parking.

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

#### **Applicant**

- Greg Vincent
- Kirsten Fault
- Bill Couros
- Christie Bailey
- Nicho Teng via MS Teams

#### **Agency**

- Belinda Chan

#### **Council**

- Phil Chrysostomou

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

### **RESOLUTION**

The State Commission Assessment Panel resolved that:

- 1) The Development Application 24010845, by Greateon Developments Pty Ltd is GRANTED Planning and Land Division Consent subject to the following Reserved Matters and Conditions:

#### **RESERVED MATTERS**

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

##### **Reserved Matter 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.

##### **Reserved Matter 2**

The applicant shall submit a final wind assessment report based on the Vipac recommendations for a scaled wind tunnel test or CFD simulations to verify the predictions and determine the optimal wind control measures. The report shall also include wind analysis between adjoining buildings that confirms no detrimental impacts to the public realm, balconies or adjacent properties, to the satisfaction of the State Planning Commission.

## 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

For the purposes of securing the provision of dwellings for affordable housing as contemplated by the Affordable Housing Overlay, 100% of the dwellings comprised or to be comprised in the development that is the subject of this condition must be 'affordable housing' that meets the relevant criteria for affordable housing as determined by the Minister responsible for the South Australian Housing Trust Act 1995 under Regulation 4 of the South Australian Housing Trust Regulations 2010.

#### Condition 3

All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2018 (Part 3) to ensure that stormwater does not adversely affect any building, adjoining property or public road.

#### Condition 4

The planting and landscaping identified on the stamped and approved plans granted Planning Consent shall be undertaken in the first planting season concurrent with or following substantial completion of the development. Such planting and landscaping shall be irrigated and maintained thereafter with 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

Waste collection is to be restricted to 9 am and 7 pm on a Sunday or public holiday and 7 am and 7 pm on any other day.

***Conditions imposed by (Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 under Section 122 of the Act***

#### Condition 6

The application has been assessed and the development with a approx. building height of RL 101.45 metres Australian Height Datum (AHD) the application will penetrate the Adelaide Airport Obstacle Limitation surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 with final approval by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts.

The development will infringe the OLS by approximately 26.9 metres.

Crane operations associated with construction require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

***Conditions imposed by Environment Protection Authority under Section 122 of the Act***

#### Condition 7

Remediation works must be undertaken in accordance with the *West Franklin Development Post Remediation Site Management Plan*, prepared by Tierra Environment

(dated 11 January 2018) and must be overseen by a suitably qualified and experienced site contamination consultant.

#### **Condition 8**

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability (in the form described in *Practice Direction 14: Site Contamination Assessment 2021*) is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

#### **Condition 9**

For the purposes of the above condition and regulation 3(6) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the statement of site suitability must be issued by a site contamination consultant.

### **ADVISORY NOTES**

#### **Planning Consent**

##### **Advisory Note 1**

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 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 Relevant Authority).

##### **Advisory Note 3**

No works, including site works can commence until a Development Approval has been granted.

##### **Advisory Note 4**

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

##### **Advisory Note 5**

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.

##### **Advisory Note 6**

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.

##### **Advisory Note 7**

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 relevant Local Government Authority.

**Advisory Note 8**

Should the applicant seek to amend car parking controls to enable on-street waste collection on Elizabeth Street they shall contact the City of Adelaide for relevant review and implementation process.

**Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act****Advisory Note 9**

The applicant/owner/operator is reminded of the general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

**2.2.2 South Australian Housing Trust C/- Future Urban**

24018978

**147 -155 Griffiths Drive, Seaford**

Construction of three (3), two (2) level residential flat buildings comprising thirty-two (32) affordable dwellings and associated car parking, fencing and landscaping.

Member, John Eckert, declared a conflict of interest due to his engagement with the application and according, left the meeting for this agenda item.

Member, Rebecca Rutschack, declared a conflict of interest due to her employer's previous engagement with the application and according, left the meeting for this agenda item.

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

**Applicant**

- Christopher Webber
- Ben Bolton
- Paul Morris
- Tom Currie
- Marnie Weatherald
- Kyle Tapscott
- Michael Carrocci

**Representor:**

- Peter Page
- Anthony Santin via MS Teams
- Ann Grant via MS Teams
- Bernadette Gianotta via MS Teams

**Council**

- Brett Miller via MS Teams
- Carly Broadbent via MS Teams

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

**RESOLUTION**

The State Commission Assessment Panel resolved that:

- 1) The Development Application 24018978, by South Australian Housing Trust C/- Future Urban is GRANTED Planning Consent subject to the following Reserved Matters and Conditions:

### **RESERVED MATTERS**

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

#### **Reserved Matter 1**

The applicant shall submit a final Stormwater Management Plan to ensure the development is to be designed in accordance with council's Stormwater Management Design Guide.

Such a plan shall include a copy of a 'MUSIC' stormwater model and a DRAINS model (in.drn format). The plan and model shall be to the reasonable satisfaction of the State Planning Commission in consultation with the City of Onkaparinga Assessment Manager.

#### **Reserved Matter 2**

The submission of a final landscaping plan including locations, heights at planting and species to the satisfaction of the State Planning Commission.

The landscaping plan shall also incorporate plantings to the northern rear of the bin enclosure.

#### **Reserved Matter 3**

The submission of final bin enclosure details including review of the current opening of the enclosure to the northern elevation.

#### **Reserved Matter 4**

The applicant review the potential to include ground level access from rear private open space areas to surrounding public land/footpaths.

### **CONDITIONS**

#### **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**

The 2.4m high sheet metal boundary fence along the northern boundary shall be sealed airtight or overlap (including at the ground, and between fence sheets) and constructed from solid sheet metal with a base metal thickness of at least 0.35mm (or a material with an equal or greater surface density).

#### **Condition 3**

Waste collection from the common bin area shall be restricted to between 9.00am and 7.00pm on a Sunday or Public Holiday, and between 7.00am and 7.00pm on all other days.

### **ADVISORY NOTES**

#### **Advisory Note 1**

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 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 Relevant Authority).

**Advisory Note 3**

No works, including site works can commence until a Development Approval has been granted.

**Advisory Note 4**

A Construction Environmental Management Plan (CEMP) should be prepared in collaboration with, and to the satisfaction of, the Local Government Authority prior to the issue of Development Approval. The approved CEMP shall be implemented throughout the development and should incorporate, without being limited to, the following matters:

- Car parking and access arrangements for tradespersons
- Siting of materials storage
- Site offices
- Work in the Public Realm
- Hoarding
- Site amenities
- Traffic requirements including construction access/egress and heavy vehicle routes
- Reinstatement of infrastructure
- Site contamination management, if required (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines)

**Advisory Note 5**

The driveway invert and crossover shall be constructed in accordance with the relevant Technical Services Standard Details on our website, including the following as relevant:

- SD-105 / SD-106 Driveway Invert Profile (Residential & Industrial Infall / Outfall)
- SD-420 / SD-421 Driveway Invert & Crossover Installation (Residential / Industrial for 150 Upright Kerb Profile)
- SD-423 Driveway Invert Installation (Replacement of Existing Kerbing).

The verge works shall be completed to council standards, with any damaged or redundant infrastructure repaired/reinstated to the reasonable satisfaction of council at the cost of the developer/adjacent landowner.

**Advisory Note 6**

The road and driveway crossover between the back of kerb and the boundary shall be shaped to provide a minimum width of 2.0 metres on local roads (and 2.5 metres on higher order roads) measured from behind the back of kerb. Verge slope shall be no greater than 2.5 per cent fall towards the road, suitable for pedestrian traffic under the Disability Discrimination Act and in accordance with the current Australian Standard 2890.1 and relevant council standards.

**Advisory Note 7**

Any redundant vehicle inverts and crossovers shall be reinstated with matching kerb and verge treatments at the cost of the developer/private landowner to council's standards and satisfaction.

**Advisory Note 8**

No trees or shrubs shall be removed or pruned on Council's road verge without Council approval.

**Advisory Note 9**

That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:

- prevent silt run-off from the land to adjoining properties, roads and drains
- control dust arising from the construction and other activities, so as not to, in the opinion of council, be a nuisance to residents or occupiers on adjacent or nearby land
- ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site
- ensure that all litter and building waste is contained on the subject site in a suitable covered bin or enclosure
- ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of council, to the occupiers of adjacent land.

#### **Advisory Note 10**

You are advised that the proposed development will affect an easement registered to the City of Onkaparinga. A development approval does not grant permission to encroach over an easement and a separate approval is required for this. You are advised that if you wish to proceed with this development, you must first obtain approval to build over the easement. If approval to build over the easement is not granted, you will not be able to undertake the development herein approved. An application form in relation to building over a Council easement is enclosed which must be completed and lodged with our Permits and Licences Officer (telephone 08 8384 0666).

#### **2.2.3 Tranquila Homes**

21018947

##### **259 Churchill Road, Prospect**

Five (5) level mixed used development comprising Office, Residential Flat Building containing four (4) apartments, roof top terrace and ground level parking.

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

#### **Applicant**

- Mary Nguyen
- Gary Fong

#### **Representor:**

- Jill Pratt

#### **Agency**

- Aya Shirai-Doull

#### **Council**

- Scott McLuskey

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

#### **RESOLUTION**

- 1) The Development Application 21018947, by Tranquila Homes is DEFERRED subject to further consideration of the following matters:
  - Confirmation of obscure glazing to the rear balconies and upper-level windows;
  - Review of the proposed side blade projections of the building facade on levels one (1) and two (2);



- The submission of a landscaping plan demonstrating the feasibility and selection of landscaping including to communal deck areas;
- Review of the apartment layouts with consideration given to occupant amenity, access to sunlight and balcony functionality;
- Confirmation of compliance of all carpark areas with Australian standards;
- Review of the driveway and crossover width and extent of landscaping within the verge area and front yard of the site; and
- Front pedestrian path location.

### 2.3. RESERVED MATTERS

## 3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

### 3.1. DEFERRED APPLICATIONS

### 3.2. NEW APPLICATIONS

#### 3.2.1 RES Australia Pty Ltd (sponsored by the Department for Energy and Mining)

711/V058/22

**299 Collins Road, Tungkillo**

**331 Collins Road, Tungkillo**

**55 Electronet Road, Tungkillo**

Construction of a 270MW Battery Energy Storage System (BESS), ancillary infrastructure, and associated earthworks

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

#### **Applicant**

- Roberta Magoba
- Mike Head
- Rebecca Gosling
- Chris Gosling
- Thomas Wilson via MS Teams

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

### **RESOLUTION**

The State Commission Assessment Panel resolved that:

- 1) The State Commission Assessment Panel provide its recommendation in confidence (published in the State Commission Assessment Panel Confidential Minutes, 6 December 2024) to the Minister for Planning.

#### 3.2.2 Genaspi Energy Group Pty Ltd, Stacey Goodwin and Department for Energy and Mining

24019607

**641 Powerline Rd Bright**

**Lot 1N Powerline Road Bright**

**Lot 34 Powerline Rd Bunday**

**Lot 622 Powerline Rd Bunday**

**Lot 63 Powerline Rd Bunday**

Solar farm comprising 984 hectares of photovoltaic panels with a capacity of 425 megawatts and associated infrastructure.

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

**Applicant**

- Matthew Park
- Stacey Goodwin
- Cameron Miller via MS Teams

**Representations**

- Scott Haynes via MS Teams
- Ralf Riccardi via MS Teams

The Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

**RESOLUTION**

The State Commission Assessment Panel resolved that:

- 2) The State Commission Assessment Panel provide its recommendation in confidence (published in the State Commission Assessment Panel Confidential Minutes, 6 December 2024) to the Minister for Planning.

**4. MAJOR DEVELOPMENTS – VARIATIONS**

**5. REPORTING**

**6. COURT COMPROMISE**

**7. BRIEFINGS**

**8. PROCEDURAL MATTERS**

**9. OTHER BUSINESS**

**10. NEXT MEETING**

- 10.1. Wednesday 11 December 2024 at Level 9, 83 Pirie Street, Adelaide SA 5000 / 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 4:10PM.

Confirmed 09/12/2024



.....  
Rebecca Thomas  
PRESIDING MEMBER