



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 148<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Wednesday 26<sup>th</sup> October 2022 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 Paul Leadbeter Grant Pember David Altmann
Secretary	Jaclyn Symons, Governance Officer
AGD Staff	Troy Fountain Margaret Smith Gabrielle McMahon (2.2.2, 8.1) Kuol Baak (2.1.1) Karen Ferguson (2.2.1) Laura Kerber (2.2.2) Simon Neldner

### 1.3. APOLOGIES

Emma Herriman

**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. **The Kooyonga Golf Club Inc**  
22018403  
2 May Terrace, Lockleys  
Lighting columns and fixtures.

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

**Applicant**

- Daniel McKenna (Masterplan)
- Adrian Braddock (Sports Lighting South Australia)
- Steve Tanner (Sports Lighting South Australia)

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 22018403, by The Kooyonga Golf Club Inc is granted Planning Consent subject to the following conditions:

### CONDITIONS

#### Planning Consent

- 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).
- 2) The proposed Lighting Columns and Fixtures shall be installed and operated in accordance with Australian Standards including Australian Standard 4282:2019 *Control of the obtrusive effects of outdoor lighting* to ensure the lighting has no unreasonable impacts on adjacent residential dwellings.
- 3) The proposed Lighting Columns and Fixtures shall be operated only between the hours of 6.00am to 10.00pm and may on a maximum of three (3) occasions per year, operate between the hours of 5.00am to 10.00pm.

### 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 (ERD 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).

#### 2.2. NEW APPLICATIONS

##### 2.2.1. Simon Kretschmer

22004522

**483 Brown Hill Creek Road, Brown Hill**

A new tennis court with chainmesh fence, court lighting and an above ground self-contained 'shipping container' swimming pool. Batter slopes to be graded and faced similar to natural terrain steep in the area.

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

##### **Applicant**

- David Spurrier

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 22004522 by Simon Kretschmer is granted Planning Consent subject to the following condition:

#### **CONDITION**

##### **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).

#### **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 (ERD) 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 4**

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 and in regard to wastewater arising from the use of the swimming pool, do not pollute the environment in a way which causes or may cause environmental harm.

**Advisory Note 5**

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 relevant Local Government Authority.

**Advisory Note 6**

The applicant is reminded of their obligations to ensure that no site works are undertaken within the registered right of way marked B in Certificate of Title Volume 5442 Folio 415, that may impede any rights of access.

**2.2.2. Department for Education; Department for Infrastructure and Transport**  
22026862

**Lot 1 and Part Lot 22 Frome Road, Adelaide**

Expansion of an existing education establishment, comprising the construction of an integrated eight storey building, alterations to the existing school building and associated ancillary works.

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

**Applicant**

- Simon Fenwick (DIT)
- Lee Sansom (DFE)
- Adam Hannon (Cox Architecture)
- Brenton Burman (AECOM)
- Zoe King (Cox Architecture)
- Gianni Francisco (Cox Architecture)
- Cameron Keen (Cox Architecture)
- Grace Lin (T.C.L)
- John Devney (Stantec)
- Todd Henschke (KBR)
- Will Chapman (KBR)

**Agencies**

- Michael Queale (Heritage SA)
- Aya Shirai-Doull (ODASA)

**Council**

- Dylan Grieve (City of Adelaide)

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 22026862, by the Department for Education and the Department for Infrastructure and Transport is granted Planning Consent subject to the following conditions and advisory notes.

**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**

Prior to Development Approval being issued for the main works, final external column design, external material selections and finishes (including physical samples) shall be submitted, in consultation with the Government Architect, to the satisfaction of the State Planning Commission.

**Condition 3**

Prior to Development Approval being issued for the main works, the final design of the netting enclosure and any required wind attenuation measures to the rooftop shall be submitted, in consultation with the Government Architect, to the satisfaction of the State Planning Commission.

**Condition 4**

Prior to Development Approval being issued for the main works, a final detailed Stormwater Management Plan, Drainage Plan and stormwater drainage design plan shall be submitted, in consultation with City of Adelaide, to the satisfaction of the State Planning Commission. The details of the plan shall be incorporated within the Building Rules Consent documentation, submitted for Development Approval, and be implemented prior to occupation or use of the development.

**Condition 5**

Prior to occupation of the development, an external wayfinding plan and details of all external signage shall be submitted to the satisfaction of the State Planning Commission.

**Condition 6**

Prior to occupation of the development, details of all external lighting shall be submitted to the satisfaction of the State Planning Commission.

**Condition 7**

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

## 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 applicant has a right of appeal against the conditions which have been imposed on this Planning 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 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 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 Note 4

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 on (08) 8203 7203 or via [customer@cityofadelaide.com.au](mailto:customer@cityofadelaide.com.au)

#### Advisory Note 5

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 6

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
- Sediment and erosion control plan
- Site contamination management (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines)
- Protocols for the discovery of Aboriginal sites and objects

#### Advisory Note 7

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 building, adjoining property or public road.

**Advisory Notes Imposed by Minister Responsible for *Heritage Places Act 1993* under Section 122 of the Act**

**Advisory Note 8**

Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Climate, Environment and Water. Such changes would include for example:

- (a) an application to vary the Planning Consent, or
- (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.

**Advisory Note 9**

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 10**

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.

**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**

**8.1. Adelaide Development Company**

020/0007/11 (V1)

**188 North Terrace, Adelaide**

Request for an extension of time to commence works for DA 020/0007/11 (v1) for works affecting a State Heritage Place (Gawler Chambers) and the construction of a 15 level office building and ground floor retail.

The Presiding Member, Rebecca Thomas, declared a conflict of interest due to her employer providing verbal advice on the development of this site and was not present for this agenda item.



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

**Applicant**

- Tom Simpson (Adelaide Development Company)

The State Commission Assessment Panel discussed the application.

**RESOLVED**

- 1) To DECLINE the request by the Adelaide Development Company (ADC) for a further 6-month extension to the authorisation date for Development Application 020/0007/11 for works affecting the State Heritage listed Gawler Chambers at 188 North Terrace, Adelaide, pursuant to S126(3) of the *Planning, Development and Infrastructure Act, 2016*.

**9. OTHER BUSINESS**

**10. NEXT MEETING**

- 10.1. Wednesday 9 November 2022 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 3.07pm.

Confirmed 26/10/2022



.....  
Rebecca Thomas  
PRESIDING MEMBER



.....  
Rebecca Rutschack  
DEPUTY PRESIDING MEMBER (for item 8.1 only)