



# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

## Minutes of the 82<sup>nd</sup> Meeting of the State Commission Assessment Panel held on Thursday 14 May 2020 commencing at 10:00am via Cisco Webex video conferencing

### 1. OPENING

#### 1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Dennis Mutton (Deputy Presiding Member) Mark Adcock Chris Branford Peter Dungey Sally Roberts
Secretary	Jessie Surace
DPTI Staff	Karl Woehle (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.1) Malcolm Govett (Agenda Item 3.2.1) Will Gormly (Agenda Item 3.2.1) Janine Philbey (Agenda Item 3.2.2) Simon Neldner (Agenda Item 3.2.2)

#### 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.

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### 2. SCAP APPLICATIONS

#### 2.1. DEFERRED APPLICATIONS – Nil

#### 2.2. NEW APPLICATIONS

### 2.2.1 **Dellta Projects**

DA 020/A069/19, DA 020/A070/19, DA 020/A071/19, DA 020/A072/19, DA 020/A073/19, DA 020/A074/19, DA 020/A075/19, DA 020/A076/19, DA 020/A077/19, DA 020/A078/19, DA 020/A079/19, DA 020/A080/19, DA 020/A081/19, DA 020/A082/19, DA 020/A083/19, DA 020/A084/19, DA 020/A085/19, DA 020/A086/19, DA 020/A087/19, DA 020/A088/19, DA 020/A089/19, DA 020/A090/19, DA 020/A091/19, DA 020/A092/19, DA 020/A093/19 and DA 020/D001/20

#### **245-259 Gilbert Street, Adelaide**

City of Adelaide

Proposal: The demolition of all existing structures on the site and construction of 14 three storey dwellings and 10 three storey dwellings plus rooftop terrace and the division of land (1 into 25 Torrens titled allotments) - over 26 separate applications.

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

#### Applicants

- Fabian Barone, Future Urban – presented
- Lachlan Rose, Proske Architects
- David Cargill, Dellta Projects
- Daniel Giustozzi, Dellta Projects

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

1. The proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the City of Adelaide (City) Development Plan.
3. To grant 26 Development Plan Consents (including a Land Division Consent) to the proposal by Dellta Projects for the demolition of existing structures on the site and construction of 14 three storey dwellings and 10 three storey dwellings plus rooftop terrace and the division of land (1 into 25 Torrens titled allotments) at 245 - 259 Gilbert Street, Adelaide subject to the following conditions of consent.

The following conditions and advisory notes apply to each of the Planning Consents for the 24 dwellings, comprised in the following Development Applications:

020/A070/19, 020/A071/19, 020/A072/19, 020/A073/19, 020/A074/19, 020/A075/19, 020/A076/19, 020/A077/19, 020/A078/19, 020/A079/19, 020/A080/19, 020/A081/19, 020/A082/19, 020/A083/19, 020/A084/19, 020/A085/19, 020/A086/19, 020/A087/19, 020/A088/19, 020/A089/19, 020/A090/19, 020/A091/19, 020/A092/19, 020/A093/19

#### **PLANNING CONDITIONS**

1. The development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

2. Prior to Development Approval, the applicant shall submit a final detailed schedule of external materials and finishes including a physical materials sample board, to the reasonable satisfaction of the State Commission Assessment Panel in consultation with the Government Architect.

*Reason for condition: to ensure the materials and finishes proposed are consistent with the architectural drawings*

3. 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 to the reasonable satisfaction of the State Commission Assessment Panel prior to the occupation or use of the development.

*Reason: to ensure the driveways and crossovers adhere to the relevant Australian Standards*

4. The applicant shall submit a detailed landscaping plan to the reasonable satisfaction of the SCAP prior to the commencement of site works.

*Reason: to ensure a variety of appropriate trees are selected.*

5. 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: to ensure landscaping is established and maintained*

6. A watering system shall be installed at the time landscaping is established and operated so that all plants receive sufficient water to ensure their survival and growth.

*Reason for condition: to ensure the proposed landscaping receives sufficient water*

7. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

*Reason for condition: to ensure the external lighting is in accordance with the relevant Australian Standards*

8. 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 for condition: to ensure the stormwater is in accordance with the relevant Australian Standards*

9. A final detailed Stormwater Management Plan shall be submitted, in consultation with City of Adelaide to the satisfaction of the State Commission Assessment Panel. 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.

*Reason for condition: to ensure the proposed stormwater management aligns with Council infrastructure and requirements*

#### **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 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).
- d. 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.
- e. In accordance with the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993* a Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and, where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.
- f. An appropriate *Soil Erosion and Drainage Management Plan (SEDMP)* (as described in the “Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government”) shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website <http://www.epa.sa.gov.au>.

- g. The construction of the dwellings shall occur as soon as practicable after the demolition and site preparation works, so that the site is not left vacant for any significant period of time.
- h. 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.
- i. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths transverse by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.
- j. All works on Council land shall be conducted to Council’s specification, with all works to be bunted off safely and pedestrian safety to be maintained throughout the construction period. Plans displaying all relevant details of the Road/Kerbing/Footpath Works shall be submitted to the Assets and Infrastructure Officer for approval prior to the commencement of any such works.

The following conditions and advisory notes apply to the Planning Consent for the demolition of the buildings on site in Development Application **020/A069/19**:

#### **PLANNING CONDITIONS**

1. The development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

2. A statement by a suitably qualified professional that demonstrates that the land is suitable for its intended use (or can reasonably be made suitable for its intended use) shall be submitted to the SCAP prior to commencement of site preparation works.

*Reason for condition: to ensure the development site is suitable for residential use.*

#### **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 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).
- d. 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.
- e. In accordance with the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993* a Construction Environment Management Plan (CEMP) shall be prepared and implemented in accordance with current industry standards – including the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and, where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.
- f. An appropriate *Soil Erosion and Drainage Management Plan (SEDMP)* (as described in the “Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government”) shall be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

- g. The construction of the dwellings shall occur as soon as practicable after the demolition and site preparation works, so that the site is not left vacant for any significant period of time.

- h. 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.
- i. Footpaths adjacent to the site are to be kept in a safe condition for pedestrians at all times during construction works. All driveways and footpaths transverse by vehicles using the site are to be maintained in a reasonable condition for the duration of the works, and are to be reinstated to the satisfaction of Council on completion of the works.
- j. All works on Council land shall be conducted to Council's specification, with all works to be bunted off safely and pedestrian safety to be maintained throughout the construction period. Plans displaying all relevant details of the Road/Kerbing/Footpath Works shall be submitted to the Assets and Infrastructure Officer for approval prior to the commencement of any such works.

The following conditions and advisory notes apply to the land Division Consent for the creation of 25 allotments in Development Application **020/D001/20**.

#### **PLANNING CONDITIONS**

1. The development granted Development Plan Consent shall be undertaken and completed in accordance with Development Application 020/D001/20 and documentation, except where varied by conditions below.

*Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.*

#### **LAND DIVISION REQUIREMENTS**

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewage services
2. Payment of \$182,784 shall be made into the City of Adelaide (24 allotments @ \$7,616 per allotment). Payment can be made at the Customer Service Centre, 25 Pirie Street Adelaide or sent to GPO Box 2252 Adelaide 5001 or via the internet at [www.adelaidecitycouncil.com](http://www.adelaidecitycouncil.com)

*Reason for condition: To satisfy the requirements of the Development Act 1993 in relation to the Open Space Contribution.*

3. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.
4. All internal water piping that crosses the allotment boundaries shall be severed or redirected at the developers/owners cost to ensure that the pipe work relating to each allotment is contained within its boundaries.

*Reason for condition: To ensure SA Water requirements are met.*

#### **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 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).
- d. 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.
- e. In relation to Land Division requirement 1, SA Water have advised that an investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard.

2.3. **RESERVED MATTERS - Nil**

3. **CROWN DEVELOPMENTS (ADVISORY ITEMS)**

3.1. **DEFERRED APPLICATIONS – Nil**

3.2. **NEW APPLICATIONS**

3.2.1 **Department for Child Protection**

100/V056/19

**52 Pleasant Avenue, Glandore**

**City of Marion**

Proposal: Change in the use of land from remand home complex to a community service facility and offices, and the construction of a carport and a children's playground.

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

Applicants

- David Barone, Jensen Plus - presented
- Melanie Tate, CEO Puddle Jumpers - presented
- Paul Summerton, Department for Child Protection
- Jason Haitama, Department for Child Protection

Council

- Warwick Deller-Coombs, City of Marion - presented
- Karen Cocks, City of Marion
- Michael Richardson, MasterPlan

The State Commission Assessment Panel discussed the application.

**RESOLVED**

The State Commission Assessment Panel resolved to defer consideration of this item to seek additional information.

3.2.2 **Department for Education**

110/V010/20

**305-311 Brighton Road, North Brighton**

**City of Holdfast Bay**

Proposal: Construction of a new two storey middle school building, refurbishment of Building 1 and associated services work.

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

Applicants

- Marino Rossi, Thomson Rossi Architects - presented
- Thomas Wilson, Cirqa
- Stephanie Copson, Thomson Rossi Architects

Representor

- Steve Wallace (on behalf of Lyn Wallace) - presented

Council

- Craig Watson, City of Holdfast Bay - presented
- Stephen Chan, City of Holdfast Bay - presented

The State Commission Assessment Panel discussed the application.

**RESOLVED**

That the State Commission Assessment Panel provide its recommendation in confidence 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.*

4. **MAJOR DEVELOPMENTS – VARIATIONS** - Nil

5. **OTHER BUSINESS** - Nil

6. **NEXT MEETING**

6.1. Thursday 21 May 2020 Via Cisco Webex video conferencing

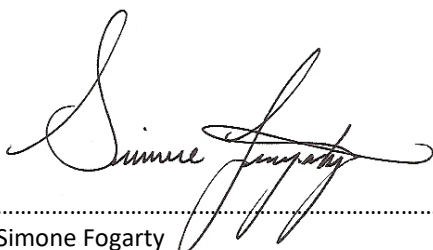
7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 2.38pm.

Confirmed 14/05/2020



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Simone Fogarty  
PRESIDING MEMBER