



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 59th Meeting of the State Commission Assessment Panel held on Thursday 11 July 2019 commencing at 9.30am ODASA, 28 Leigh St, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Dennis Mutton (Deputy Presiding Member) Mark Adcock Chris Branford
Secretary	Jessie Surace
DPTI Staff	Janaki Benson (Agenda Items 2.2.1, 2.2.2) Karen Ferguson (Agenda Item 2.2.3) Gabrielle McMahon (Agenda Items 2.2.1, 2.2.2, 2.2.3) Alison Gill (Agenda Items 2.2.1, 2.2.2, 2.2.3)

1.2. APOLOGIES

Peter Dungey
Sally Roberts

2. SCAP APPLICATIONS – Nil

2.1. DEFERRED APPLICATIONS – Nil

2.2. NEW APPLICATIONS

2.2.1 Vintage Properties Pty Ltd - Cedar Woods

040/D046/19

Semaphore Road and Causeway Road, Newport

City of Port Adelaide Enfield

Proposal: Built form for Stage 1A (101-105) comprising 39 two-storey row dwellings and associated land division (creating 41 allotments, including 2 large allotments for future development).

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

Applicants

- Gillies Wilson, Cedar Woods - presented

Agency

- Belinda Chan, on behalf of Government Architect

Member of the public

- Rebecca Grunan (arrived at 9:40am)

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That 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 Port Adelaide-Enfield Council Development Plan.
3. To grant Development Plan Consent and Land Division Consent to the proposal by Cedar Woods for the built form for stage 1A (101-105) comprising 39 two-storey row dwellings and associated land division, (creating 41 allotments, including 2 large allotments for future development) at Semaphore Road and Causeway Road, Newport, subject to the following conditions of consent.

PLANNING CONDITIONS

Land Use Consent

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 040/D046/19.

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

2. 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 Commission Assessment Panel prior to the occupation or use of the development.

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

3. The applicant shall submit a detailed landscaping plan to the reasonable satisfaction of the State Commission Assessment Panel prior to the commencement of site works.

Reason: to ensure a whole site strategy to the site, internal planning and landscaping, and an integrated design outcome.

4. Landscaping shown on the approved plans shall be established prior to the occupation of the dwellings and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

Reason: to ensure the proposed landscaping is established and consistent with the landscaping concept.

5. 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 stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater run-off in accordance with the necessary standard.

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

Reason: to ensure the materials and finishes proposed are durable and consistent with the architectural drawings.

7. Prior to Development Approval for superstructure works, the applicant shall submit 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) to the reasonable satisfaction of the State Commission Assessment Panel.

Reason: to ensure that the land can be safely used for its intended purpose.

8. The internal noise levels for all dwellings shall comply with the requirements of the Ministers Specification SA 78B for the control of internal/external sound and the Environment Protection (Noise) Policy 2007.

Reason: to ensure mechanical equipment does not cause unreasonable nuisance or loss of amenity in the locality.

9. Privacy screening to upper level windows shall be established in accordance with the details in UPRS Report dated 04 March 2019, prior to occupation of the dwellings and maintained to the State Commission Assessment Panel's satisfaction at all times.

Reason: to ensure appropriate levels of privacy are maintained.

Council Conditions

10. Prior to Development Approval being issued, the Building Rules Consent documents shall show the following updates to the satisfaction with SCAP in consultation with the City of Port Adelaide Enfield Council:
 - a. The driveway crossovers for double driveways should be amended to 7.5 metres at the kerb and to 5.5 metres at the property boundary. For single driveways, 5 metres at kerb is required and 3 metres at the property boundary in accordance with Council specifications.

LAND DIVISION CONDITIONS

Land Division Consent

11. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. SA Water H0083526.

Reason: to ensure the requirements of the SA Water Corporation are met for the provision of water supply and sewerage services.

12. The augmentation requirements of the SA Water Corporation shall be met.

Reason: to ensure the augmentation requirements of the SA Water Corporation are met.

13. The necessary easements shall be granted to the SA Water Corporation free of cost.

Reason: to ensure the SA Water Corporation has access to infrastructure.

14. 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.

Reason: to ensure the final plan of division lodged for Certificate purposes meets the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General.

ADVISORY NOTES

Land Division Notes

- a. An investigation will be carried out to determine if the connection/s to your development will be costed as standard or non-standard.
- b. The development must be substantially commenced or application for certificate made within 12 months of the date of the operative authorisation, unless this period has been extended by the State Commission Assessment Panel.
- c. The applicant is also advised that the final land division certificate must be obtained from the State Commission Assessment Panel to complete the development within 3 years of the date of the Notification unless this period is extended by the State Commission Assessment Panel.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan 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 Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Land Use Notes

- e. 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.
- f. 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.
- g. 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).
- 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. If work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- j. 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 Port Adelaide Enfield Council.
- k. All external lighting of the site, including car parking areas and buildings, shall be designed, located, shielded and constructed to conform to Australian Standards
- l. The air conditioning units shall be suitably screened so as not to be readily visible externally to the satisfaction of the State Commission Assessment Panel.
- m. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Port Adelaide Enfield (Council) and implemented throughout construction in accordance with current industry standards including the Local Nuisance and Litter Control Act 2016, 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. The management plan should incorporate, without being limited to, the following matters:
 - timing, staging and methodology of the construction process and working hours;
 - traffic management strategies;
 - control and management of construction noise, vibration, dust and mud;
 - management of infrastructure services during construction and re-establishment of local amenity and landscaping;
 - stormwater and groundwater management during construction;
 - site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
 - disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
 - protection and cleaning of roads and pathways; and
 - overall site clean-up.

Coastal Protection Notes

- n. The land over which the development is situated may have the potential to develop acid sulfate conditions if exposed to oxygen. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulfate soils are likely to occur. These can be found at: http://www.environment.sa.gov.au/about-us/boards-and-committees/Coast_Protection_Board/Coastal_acid_sulfate_soils.
- o. The Board understands the existing top of the wharf at the south east corner of the site is 3.15m AHD, which is below the Board's recommended levels. The wharf should prevent landward erosion due to wave forces (bow waves and inner harbour wave action).
- p. The waters adjacent the development site fall within the area covered by the Adelaide Dolphin Sanctuary Act 2005. The object of the Act is to protect the dolphin population and their natural habitat. Contractors should be made aware of the Adelaide Dolphin Sanctuary Act 2005 and that there is a general duty of care to ensure the protection of the dolphin population from direct physical harm including as a result of changes in water quality.
- q. The applicant is reminded of their 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 cause environmental harm.

State Heritage Unit Notes

- r. 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 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 planning application.
- s. The relevant planning authority is requested to inform the applicant of 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 shall cease and the SA Heritage Council shall 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.
- t. The relevant planning authority is requested to inform the applicant of 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) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

Shipwrecks Notes

- u. During site remediation works, due care should be exercised during any excavation works, particularly along the former banks of the Port River and Hawker Creek, to avoid impacts to any potential historic shipwreck remains that may be buried within reclaimed land.

2.2.2 GSA Australia Pty Ltd C/- Intro Design Pty Ltd

020/A074/17 V2

266-269 North Terrace, Adelaide

City of Adelaide

Proposal: Variation to mixed use building comprising:

- Refinement of the design of level 35 and roof level;
- Ground level northern façade oblique cut in angle depiction increased as measured at SFL and reduction in waiting and mail area of 7.9m². Façade set out to ensure sufficient colonnade head height is achieved without impacting upon the original horizontal design intent datum line of folding façade panels;
- Deletion of solar panels and corresponding change of battery room to generic store room at ground level;
- Change rooms at Level 1 replaced with hydraulic plant;
- Refinement of the façade at the south-eastern corner over ground level and Level 1 to accommodate required gas services;
- Uniform column width in elevation between levels 1 and 11 (maximum column width of 675mm);
- Level 12 and 13 façade adjustments to allow structural requirements are met as determined with engineers through design development; and
- Refinement of design of column in section (with change of dimension no more than 25mm).
- General 'tidy up' of plans (including confirmation of deletion of green wall).

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

Applicants

- Anthony Gatti, Intro - presented
- Peter Pino, GSA
- Ben Pomroy, Rothe Lowman - presented
- Brendan Scarborough, intro
- Nick Peacock, Neoscape

Agency

- Aya Shirai-Doull, ODASA

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That 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 Development Plan.
3. To grant Development Plan Consent to the proposal by GSA Australia Pty Ltd for variations to mixed use building at 266-269 North Terrace, Adelaide, subject to the following conditions of consent.

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 (if any).

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

ADVISORY NOTES

- a. Previous Application
Previously supplied documentation, correspondence and reports (unless expressly superseded by this consent or previous approvals granted in respect to DA 020/A074/17 and DA 020/A074/01 V1) remain valid.

2.2.3 **Australasian Property Developments P/L** 050/M001/19

132 Prospect Road, Prospect

City of Prospect

Proposal: Construction of a five (5) level mixed use building comprising ground level retail and commercial use, 3 levels of apartments and lower level car park.

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

Applicants

- Graham Burns, Masterplan - presented
- David Cooke, City Collective - presented
- Sam Wiechula, City Collective - presented
- Tom Wilson, Cirqa - presented

Representor

- Chris Newby, Prospect - presented

Council

- Scott McLuskey, Prospect

Agency

- Belinda Chan, on behalf of Government Architect

Member of the public

- Belinda Grunan

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That 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 Prospect (City) Development Plan.
3. To grant Development Plan Consent to the proposal by Australasian Property Developments Pty Ltd for a multi-level, mixed use building comprising office, shop and residential apartments including car parking and landscaping at 132 Prospect Road, Prospect subject to the following conditions of consent.

PLANNING CONDITIONS

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

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

2. Prior to development approval provide a final ground floor plan to the satisfaction of SCAP that addresses amongst other things:
 - The final layout of tenancies and access arrangements;
 - The interface and activation of the lane on the northern side of the building;
 - Convenient and safe access from the universal carparks;
 - Provision of convenient bike parking for visitors; and
 - Clarification of security for residents in the residential entrance foyer.

Reason: to improve surveillance and activation of the adjoining laneway, to ensure convenient access to all tenancies for people with mobility issues, to provide convenient bike parking as an alternative to car parking for visitors and address public access to residential foyer that may create safety issues.

3. Prior to Development Approval for superstructure works, the applicant shall submit a final material samples board in consultation with the Government Architect to the reasonable satisfaction of the SCAP.

Reason: to ensure the materials and finishes proposed are consistent with the architectural drawings and materials board.

4. A final detailed Stormwater Management Plan shall be submitted, in consultation with the City of Prospect Council to the satisfaction of the SCAP. 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: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoffs in accordance with the necessary standard.

5. 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 prior to the occupation or use of the development.

Reason: to ensure compliance with the Australian Standard for carparks, driveways and vehicle entry/manoeuvring areas.

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

Reason: to ensure bicycle facilities are designed to adhere to the necessary standard.

7. 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 the proposed landscaping is established and consistent with the landscaping concept.

8. Air conditioning or air extraction plant or ducting shall be 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 Commission Assessment Panel.

Reason: to ensure the amenity of residence and users of the property is protected.

9. 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.

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

Council Conditions

10. Service and delivery vehicle movements shall occur outside of the peak periods associated with the use approved herein and in any event shall not occur before 6am or after 9pm on any day.

Reason: to ensure local amenity is not impacted outside operating hours.

11. All structures (including awnings, canopies, balconies etc.) shall be located a minimum of 0.6m off the back of the Prospect Road kerb.

Reason: to ensure space for placement of street trees.

12. Loading and unloading of goods and/or refuse shall not be undertaken on Prospect Road.

Reason: to ensure Prospect Road is not affected by unloading trucks.

13. All materials and finishes shall not be permitted to result in glare or other effects that will result in the discomfort or impairment of road users.

Reason: to ensure that glare is not a hazard for road users on Prospect Road.

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

Reason: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.

ADVISORY NOTES

- a. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the SCAP.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the SCAP.
- c. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval.
- e. 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. This is no longer a condition but an advisory note. Refer to standard conditions.
- 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 Prospect Council.
- g. 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 traversed 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.

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. Plantings will also need to be undertaken in line with council specifications in terms of sight distance interference and safety to the community (thorns/poisonous plantings). 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.

Road/kerbing/footpath works will need to be inspected by an Assets and Infrastructure Officer to determine they have met all relevant requirements. All work including line marking will be the responsibility of the applicant as will the reinstatement of any damaged

infrastructure/services related to these works. All works will be carried out at the cost of the applicant.

- h. National Broadband Network (NBN): The National Broadband Network is being rolled out across the City of Prospect. It is recommended that you consider your future connection to the optical fibre network prior to commencing works. Please visit www.nbnco.com.au for further details on how to get connected.
- i. Further application pursuant to the Local Government Act shall be made prior to the Infrastructure Assets and Environment Department for the proposed crossover prior to construction activities occurring. The removal or relocation of street trees, and/or the temporary obstruction of the road or footpath, shall not be undertaken without the prior permission of Council.
- j. The Department for Planning, Transport and Infrastructures' Integrated Transport and Land Use Plan identifies ProspectLINK (a tram line running from Grand Junction Road, along Prospect Road and O'Connell Street) as a medium to long term project. The exact timing of this project has yet to be determined and details of the road and tram track layout along Prospect Road will be subject to further investigation and consultation.
- k. The acoustic attenuation measures recommended to achieve compliance, stated in the Acoustic Assessment prepared by Resonate (ref. A180513) dated 12 March 2019 shall be fully incorporated into the detail design of the development and corresponding building rules documentation.

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 - Nil**

5. **OTHER BUSINESS**

6. **NEXT MEETING**

6.1. Thursday 25 July 2019 at ODASA, 28 Leigh Street, Adelaide SA 5000

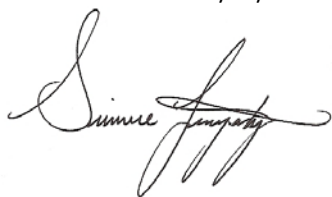
7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 2.20pm.

Confirmed 11/07/2019



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Simone Fogarty
PRESIDING MEMBER