



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 62nd Meeting of the State Commission Assessment Panel held on Thursday 22 August 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 Peter Dungey Sally Roberts
Secretary	Jessie Surace
DPTI Staff	Gabrielle McMahon (Agenda Items 2.2.1, 2.2.2, 2.2.3, 2.2.4) Will Gormly (Agenda Items 2.2.1, 2.2.2) Karl Woehle (Agenda Item 2.2.3) Nick Kretschmer (Agenda Item 2.2.3) Kent Tam (Placement student) (Agenda Items 2.2.1, 2.2.2) Vanessa Da Costa (Placement student) (Agenda Items 2.2.1, 2.2.2) Jason Cattonar (Agenda Items 2.2.1, 2.2.2)

1.2. APOLOGIES

Nil

2 SCAP APPLICATIONS

2.1 DEFERRED APPLICATIONS

2.2 NEW APPLICATIONS

- 2.2.1 **Nielsen Architects (ALDI Stirling)**
473/E009/19
3-5 Pomona Road, Stirling
Adelaide Hills Council

Proposal: Staged construction of a supermarket (shop), signage, solar panels, fencing, car parking, site works and retaining walls, landscaping, and the removal of one regulated tree.

Dennis Mutton declared a conflict of interest (due to participation on a company board that neighbours the development which has submitted a representation to the development) and left the meeting.

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

Applicants

- Beck Thomas, Ekistics Planning – presented
- Nigel Uren, ALDI
- Trent Burns, Nielsen Architects
- Luke Tilsley, Nielsen Architects
- Paul Morris, GTA
- Andrew Woods, WGA
- Chris Turnball, Sonus
- Emma Barnes, Planning Studio

Council

- Sam Clements, Adelaide Hills Council – presented
- Deryn Atkinson, Adelaide Hills Council – presented

Representors

- Simon Jones – presented
- Phil Blundell – presented
- John Hill – presented
- Paula York – presented
- Greg Vincent, MasterPlan representing Duxton Capital Hill Australia – presented
- Brett Matthews, MasterPlan representing Duxton Capital Hill Australia
- Wendy Creaser
- Melissa Mellen

Four representors tabled additional information that was also provided to the applicant. The applicant presented a 3D model of the site.

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 Adelaide Hills Council Development Plan, consolidated 24 October 2017.
3. To grant Development Plan Consent to the proposal by Nielsen Architects for the staged construction of a supermarket (shop), signage, solar panels, fencing, car parking, site works and retaining walls, landscaping, and the removal of one regulated tree at 3-5 Pomona Road, Stirling, subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development herein 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 undertaken in accordance with endorsed plans and application details.

2. There shall be a maximum of two semi-trailer vehicle deliveries within any 24-hour period.

Reason for condition: To reduce the impact of potential conflict issues and to protect the amenity of the locality.

3. Delivery vehicles accessing the site shall be restricted to a maximum length of 19 metres, with these vehicles having a down-swept (low level discharge) exhaust system and attenuated compressed air release.

Reason for condition: To reduce the impact of potential conflict issues and to protect the amenity of the locality.

4. All service vehicles owned and operated by ALDI (or on behalf of ALDI) may only enter, exit and be used on the subject land in accordance with the 'ALDI Delivery & Loading Procedures', as submitted with this application.

Reason for condition: To reduce the impact of potential conflict issues and to protect the amenity of the locality.

5. All other deliveries and third party service vehicles to the site (other than for a purpose identified above) shall only enter and exit the subject site between 9:00am and 7:00pm on a Sunday or a public holiday and between 7:00am and 9:00pm on any other day.

Reason for condition: To reduce the potential impacts on the amenity of the locality.

6. Waste collection shall only occur between the hours of 9:00am and 7:00pm on a Sunday or public holiday, and 7:00am and 7:00pm on any other day.

Reason for condition: To accord with the recommendations set out in the Sonus Environmental Noise Assessment to reduce the potential impacts on the amenity of the locality.

7. The light box plinth signs shall not operate between 10:00pm and 7:00am the following day, and shall comply with 'DPTI Advertising Signs – Assessment Guidelines for Road Safety' with respect to illumination levels.

Reason for condition: To ensure external lighting does not introduce undue potential for hazards to the locality.

8. 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 prior to the occupation and use of the development.

Reason for condition: To ensure safe operation of the development.

9. Clear sight lines for users of the car park entry shall be provided to ensure pedestrian safety shall be provided at all times in accordance with Australian Standard AS/NZS 2890.1:2004 Off-street Car Parking.

Reason for condition: To ensure safe operation of the development and environment.

10. All bicycle parking spaces shall be designed and constructed in accordance with Australian Standard AS/NZS 2890.1:2015.

Reason for condition: To ensure the appropriate access arrangements to bicycle parking and storage spaces.

11. All external lighting on the subject land shall be designed and constructed to conform to Australian Standard AS/NZS 4282-1997, and shall be directed away from adjacent residential properties to prevent light spill nuisance.

Reason for condition: To ensure external lighting does not introduce undue potential for hazards to the locality.

12. The development shall be undertaken in accordance with the recommended acoustic treatments contained in the Environmental Noise Assessment report (S4217.28C2) prepared by Sonus Pty Ltd and dated January 2019.

Reason for condition: To ensure the proposed development does not unduly impact on nearby noise sensitive receivers of the development.

13. Landscaping shown on the plans form part of the application and 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 as soon as practicable. At the time of planting, a minimum of 20% these trees shall be semi-mature with a minimum height of 2 metres.

Reason for condition: To ensure the development is constructed and maintained in accordance with the approved plans.

14. The off-site works as offered in the planning statement prepared by Ekistics dated 13 March 2019, the traffic report prepared by GTA Consultants dated 11 February 2019, and depicted on the plan titled 'site works plan-external' drawing no. DA02.4 prepared by Nielsen Architects shall be constructed/installed prior to occupation of the proposed development; which includes:

- The widening of the carriageway of Pomona Road
- Modifications to the island (of the roundabout)
- Removal of kerb-side car parks and the redundant crossover
- New crossover for adjacent property at 1 Pomona Road
- Barrier kerbing
- Concrete footpath (1.5 metres in width) for the extent depicted
- Pram ramp
- Landscaping to Pomona Road

Reason for condition: To ensure the development is constructed and maintained in accordance with the approved plans.

15. Prior to Building Rules Consent being granted, the applicant in consultation with the Council, shall prepare and submit to the State Commission Assessment Panel a Soil Erosion and Drainage Management Plan (SEDMP) for the site. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent:

- a) soil moving off the site during periods of rainfall;
- b) erosion;
- c) soil moving into watercourses during periods of rainfall; and
- d) soil transfer onto roadways by vehicles and machinery

The works contained in the approved SEDMP shall be implemented prior to construction commencing and maintained to the reasonable satisfaction of Council during the construction period.

Reason for condition: To ensure the development is constructed and maintained in accordance with the approved plans.

16. The development shall be undertaken in accordance with the recommendations contained in the Arboricultural Impact Assessment and Development Impact Report prepared by Arborman Tree Solutions Pty Ltd and dated 26 February 2019.

Reason for condition: To ensure the development is undertaken in accordance with those recommendations and does not impact existing regulated and significant trees.

ADVISORY NOTES

- a. This Development Plan Consent will expire after twelve 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 one year of the final Development Approval issued by Council and substantially completed within three years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. Development Approval will not be granted until Building Rules Consent and an Encroachment Consent have been obtained. A separate application must be submitted for such consents. No building work or change of classification is permitted until the Development Approval has been obtained.
- d. Any work relating to crossing places will be undertaken by council and the cost of the work will be charged to the applicant. A separate application for the crossing places is required and the applicant shall contact the Adelaide Hills Council for further detail.
- e. 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).
- f. The applicant, or any person with the benefit of this consent, must ensure that any consent/permit from other authorities or third parties that may be required to undertake the development, have been granted by that authority prior to the commencement of the development.
- g. The applicant is reminded of their obligations under the Local Nuisance and Litter Control Act 2016 and the Environment Protection Act 1993, with regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact the Adelaide Hills Council.

2.2.2 Life Care C/- Holmes Dyer

155/E003/19

A247-261 Payneham Road, Joslin

City of Norwood, Payneham and St Peters

Proposal: Construction and use of a supported accommodation and housing for seniors facility comprising two buildings (retrospective approval for Building A, and new Building B), both together with ancillary and associated uses.

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

Applicants

- Alan Candy, Life Care
- Loris Rigon, Life Care
- Stephen Holmes, Holmes Dyer - presented
- Sonya Montgomerie, Marchese

- Jason Pruszinski, Catalyst
- Steve Dangerfield, Communicate
- Tom Game, Botton Levinson - presented
- Melissa Mellen, MFY

Representors

- Peter Holmes – presented
- Tony Di Giovanni - presented

Mr Di Giovanni tabled additional material which was shown to the applicant.

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 Norwood, Payneham and St Peters Development Plan consolidated 19 December 2017.
3. To grant Development Plan Consent to the proposal by Life Care c/- Holmes Dyer for the construction and use of a supported accommodation and housing for seniors facility comprising two buildings (variation to the approval for Building A, and new building B), both together with ancillary and associated uses, at 247-261 Payneham Road, Joslin, subject to the following conditions of consent.

PLANNING CONDITIONS

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 plans submitted in Development Application 155/E003/19.

Reason for condition: To ensure the development is undertaken in accordance with the approved documents.

2. Waste collection shall only occur on the land between 7am and 4pm on days Monday through Friday between 9am and 3pm on Saturdays. No waste collection shall occur on a Sunday or public holiday.

Reason for condition: To ensure that the development does not unduly impact on the amenity of nearby noise sensitive receivers.

3. The acoustic attenuation measures recommended in the Resonate Acoustic Report, dated 19 February 2019, shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the State Commission Assessment Panel. Such acoustic measures shall be made operational prior to the occupation or use of the development.

Reason for condition: To ensure that the development does not unduly impact on the amenity of the locality.

4. The results of the site history assessment shall be provided to the State Commission Assessment Panel prior to any Development Approval being granted to this application, which demonstrate the suitability of the proposed land use on the site.

Reason for condition: To ensure that the proposed land uses are fit-for-purpose for the site.

5. Landscaping shown on the approved plans shall be established within two months of substantial completion of the development and shall be maintained and nurtured at all times, with any diseased or dying plants being replaced.

Reason for condition: To ensure that the development maintains its overall appearance and contribution to the immediate locality.

6. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3).

Reason for condition: To ensure that stormwater does not adversely affect any adjoining property or public road.

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

Reason for condition: To ensure that the development does not unduly impact on the amenity of nearby properties.

ADVISORY NOTES

- a. 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.
- 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. An application for an authorisation pursuant to Section 221 of the Local Government Act will need to be lodged and approved by the City of Norwood, Payneham and St Peters for any works within the public realm, including the creation, modification, or closing of crossovers.
- e. The applicant is reminded of their obligations under the Local Nuisance and Litter Control Act 2016 and the Environment Protection Act 1993, with regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact the City of Norwood, Payneham and St Peters Council.

2.2.3 **274 North Terrace Pty Ltd C/- MasterPlan**
020/A039/19
274 North Terrace, Adelaide
City of Adelaide

Proposal: Demolition of existing structures and construction of a 16 storey mixed-use development comprising tourist accommodation, café and associated building work.

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

Applicants

- Greg Vincent, MasterPlan - presented
- Waleed Moughraby, Woods Bagot - presented
- Jason Blankfield, Hines Property
- Brad Steinert, RCP
- Tom Dalrymple, RCP
- Alex Hall, Woods Bagot
- Anoop Menon, Woods Bagot
- Stewart Hocking, MasterPlan
- Brad Davey, Woods Bagot

Council

- Phil Chrysostomou, City of Adelaide - presented
- Rebecca Rutschack, City of Adelaide - presented

Agency

- Aya Shirai-Doull, ODASA

The applicants provided a physical external materials board for information but it did not form part of the formal application.

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 Adelaide (City) Development Plan consolidated 25 July 2019.
3. To grant Development Plan Consent to Development Application 020/A039/19 by 274 North Terrace Pty Ltd C/- Masterplan for demolition of existing structures and construction of a 16 storey mixed-use development comprising tourist accommodation, café and associated building work at 274 North Terrace, Adelaide subject to the following conditions of consent.
4. Should the Government Architect not be satisfied with the response to conditions 2 and 3, the matters will be presented to SCAP for a decision.

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

2. Prior to stage 3 superstructure construction, the applicant shall submit a final detailed schedule of high quality external materials and finishes in consultation with the Government Architect to the satisfaction of the State Commission Assessment Panel.

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

3. Prior to stage 3 superstructure construction, the applicant shall submit final documentation of the panel articulation, including façade and ledge detailing, and prototypes of the precast and GRC Panels in consultation with the Government Architect to the satisfaction of the State Commission Assessment Panel.

Reason for Decision: to ensure the final detailing and finish of the panels and associated façade elements realise the architectural intent depicted in the drawings, to achieve the design quality required in the Capital City Zone.

4. The hours for waste collection shall occur outside of the following hours:
 - a. Monday to Friday: 7:00am-10:00am and 3pm-7:00pm

Reason for condition: to ensure vehicle traffic on Frome Street is not disrupted during peak hours

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

Reason for condition: to ensure external lighting does not introduce undue potential for hazards to users of the adjacent road network in accordance with the necessary standard.

6. All stormwater infrastructure 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 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.

7. The development shall comply with noise level criteria specified in Environmental Protection (Noise) Policy 2007 (under the Environmental Protection Act). This includes noise from roof-level plant and equipment and the air-conditioning units with consideration given to the adjacent properties. Noise attenuation devices and visual screening will be implemented as necessary.

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

8. 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 for condition: to ensure appropriate reinstatement of any Council, utility or state-agency maintained infrastructure affected by construction activities.

9. Prior to stage 4 architectural fit and external facades, the applicant shall submit, final signage design details including dimensions and specified graphics including colours to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: to ensure the final signage strategy is appropriately designed and integrated into the overall architectural expression.

ADVISORY NOTES

- a. The development has been proposed in the following stages:
 - **Stage 1:** Demolition
 - **Stage 2:** Substructure construction
 - **Stage 3:** Superstructure construction and
 - **Stage 4:** Architectural fit-out and external facades
- b. 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.
- c. 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.
- d. 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).
- e. The applicant, or any person with the benefit of this consent, must ensure that any consent/permit from other authorities or third parties that may be required to undertake the development, have been granted by that authority prior to the commencement of the development.
- 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 City of Adelaide.
- 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 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.
- h. 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. Planting will also need to be undertaken in line with council specification in terms of sight distance interference and safety to the community (thorns/poisonous planting). 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.
- i. You are advised of the following requirements of the *Heritage Places Act 1993*.
 - 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.
 - 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.

- j. You are advised of 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) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

2.2.4 **Scott Salisbury Group**

110/M010/18

19-20 Adelphi Terrace, and 9-15 Tod Street Glenelg North

City of Holdfast Bay

Proposal: Construction of five residential flat buildings, comprising one 7 level building facing Adelphi Terrace with 6 levels of apartments (46 apartments) and ground level car parking and roof plant; and four 2 storey buildings to the east of the site, comprising 17 dwellings with associated integrated car parking.

Chris Brandford declared a conflict of interest (due to involvement in the development as a consultant) and left the meeting.

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

Applicants

- Chris Branford – presented
- Kendall Aplin, Aplin Cook Gardener
- Paul Morris, GTA Traffic

Agency

- Aya Shirai-Doull, ODASA
- Belinda Chan, ODASA

Council

- Dean Spasic, City of Holdfast Bay - presented
- Joe Kitschke, City of Holdfast Bay
- Frank Siow, Frank Siow & Associates representing City of Holdfast Bay

Member of the Public

- Patricia Schulz

The applicants provided examples of physical external materials for information.

The State Commission Assessment Panel discussed the application.

RESOLVED

To defer the consideration of this application for the following reasons:

- a. To seek additional information and imagery in relation to the ground floor presentation to Adelphi Terrace addressing the quality and detail of the landscaping, façade, materials and finishes to ensure that a non-activated ground floor will make a positive contribution to the streetscape.
- b. To seek further design refinement of levels 6 and 7 of the Adelphi Terrace building that results in a more recessive and less dominant appearance of the over-height component of the building.
- c. Consideration of reversing the direction of the vehicle drop-off area to improve the safety of the egress arrangements in proximity to the Adelphi Terrace and Kings Street intersection.

- 1.3. **RESERVED MATTERS - Nil**
2. **CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil**
 - 2.1. **DEFERRED APPLICATIONS – Nil**
 - 2.2. **NEW APPLICATIONS - Nil**
3. **MAJOR DEVELOPMENTS – VARIATIONS - Nil**
4. **OTHER BUSINESS**
5. **NEXT MEETING**
 - 5.1. Thursday 12 September 2019 at ODASA, 28 Leigh Street, Adelaide SA 5000
6. **CONFIRMATION OF THE MINUTES OF THE MEETING**
 - 6.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.
7. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 4.55pm.

Confirmed 22/08/2019

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style.

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Simone Fogarty
PRESIDING MEMBER