



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 43rd Meeting of the State Commission Assessment Panel held on Thursday 20 December 2018 commencing at 9.30am Ground Floor Meeting Room, 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
Guest	Craig Holden, State Planning Commission Member
Secretary	Alison Gill
DPTI Staff	Janaki Benson Gabrielle McMahon

1.2. APOLOGIES

Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

- 2.1.1 **Gamma Illumination Pty Ltd**
DA 050/M009/17
244-248 Churchill Rd, Prospect
City of Prospect

Proposal: Demolition of existing buildings and construction of 5-level mixed use development.

Mark Adcock declared a conflict of interest (due to previous employment with the planning consultant) and left the meeting.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Applicants

- Graham Burns, Masterplan - presented
- Mark Beesley, Proske - presented
- Rolf Proske, Proske

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 Prospect Development Plan.
3. To grant Development Plan Consent to the proposal by Gamma Illumination for demolition of existing buildings and construction of 5-level mixed use development at 244-248 Churchill Road, Prospect, 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 following plans and reports submitted in Development Application No 050/M009/17:
 - a. Drawing No. 17.001.PL00.D 'Site Context Plan' dated 22.11.2018;
 - b. Drawing No. 17.001.PL01.D 'Site Demolition Plan' dated 22.11.2018;
 - c. Drawing No. 17.001.PL02.D 'Site Plan' dated 22.11.2018;
 - d. Drawing No. 17.001.PL03.D 'Streetscape Elevations' dated 22.11.2018;
 - e. Drawing No. 17.001.PL04.D 'Basement Floor Plan' dated 22.11.2018;
 - f. Drawing No. 17.001.PL05.D 'Ground Floor Plan' dated 22.11.2018;
 - g. Drawing No. 17.001.PL06.D 'Level 01 Floor Plan' dated 22.11.2018;
 - h. Drawing No. 17.001.PL07.D 'Level 02 Floor Plan' dated 22.11.2018;
 - i. Drawing No. 17.001.PL08.D 'Level 03 Floor Plan' dated 22.10.2018;
 - j. Drawing No. 17.001.PL09.C 'Level 04 Floor Plan' dated 25.10.2018;
 - k. Drawing No. 17.001.PL10.C 'Roof Plan' dated 22.11.2018;
 - l. Drawing No. 17.001.PL11.D 'Elevations 01' dated 22.11.2018;
 - m. Drawing No. 17.001.PL12.D 'Elevations 02' dated 22.11.2018;
 - n. Drawing No. 17.001.PL13.D 'Typical Apartment Floor Plans' dated 22.11.2018;
 - o. Drawing No. 17.001.PL14.D 'Design Sections' dated 22.11.2018;
 - p. Drawing No. PL25.C. 'Materials & Finishes Mood Board';
 - q. Outer Space landscaping Plan dated 06.06.2018; and
 - r. Email from Graham Burns detailing materials and finishes, received 26.10.2018.
 - s. Drawing No. AWP HS 11 Rev D.;
 - t. Drawing No. AWP HS 11.1 Rev D.;
 - u. Drawing No. AWP HS 11.2 Rev D.;
 - v. Drawing No. AWP VS 11 Rev E.;
 - w. Drawing No. AWP VS 23 Rev E.;
 - x. Drawing No. AWP VS 24 Rev E.;
 - y. Drawing No. AWP VS 25 Rev E.;
 - z. Kingspan evolution (KS600/900/1000 Evo) set of plans;
 - aa. Materials & Finishes Board by Proske Architects - Project No. 17.001.

2. The acoustic attenuation measures recommended in the Sonus Report (S5681C3), dated 30.08.2018 by Jason Turner, shall be fully incorporated into the building rules documentation to the reasonable satisfaction of the SCAP. Such acoustic measures shall be made operational prior to the occupation or use of the development.
3. The Community Corporation shall ensure that the waste storage area is cleaned and maintained to the satisfaction of Council. General, recyclable and green organic wastes shall be co-mingled, with the Community Corporation maintaining responsibility for ensuring that bins are transported between the collection point and the storage area in a timely fashion to the satisfaction of Council.
4. 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.
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.
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.
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 adjoining property or public road.
8. 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>

DPTI Conditions

9. The 4.5 x 4.5 metre corner cut-off at the Churchill Road / Gurr Street corner shall be kept clear of all development including, but not limited to, fencing, landscaping and overhanging balconies. This area shall be paved at footpath level.
10. 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.
11. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
12. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the State Commission Assessment Panel.
13. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.

ADVISORY NOTES

- a. We note the applicant is committed to carry out and fund the public realm works as per the letter from Gamma Illumination Pty Ltd to the SCAP dated 20 November 2018. All works on Council land shall be conducted to Council's specification. 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.
- 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. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Prospect (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.
- f. 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.
- g. Further application pursuant to the Local Government Act shall be made to the Infrastructure Assets and Environment Department for the proposed crossover prior to construction activities occurring.
- h. 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 to the applicant.

- i. The Metropolitan Adelaide Road Widening Plan identifies a possible requirement for a 4.5 x 4.5 metres cut-off at the Churchill Road/Gurr Street corner of this site for future road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is required to all building works on or within 6.0 metres of the possible requirement. It has been determined that the full possible requirement is required to be kept clear of all development.

Should the development encroach within the above consent area, the applicant should complete the 'Application for Consent of the Commissioner of Highways for Building Work' form, along with three copies of the stamped plans, for consent purposes.

2.2. NEW APPLICATIONS

2.2.1 Starfish Developments Pty Ltd C/- Future Urban

DA 040/L056/18

Lot 213 Todd Street, Port Adelaide

Lot 33 St Vincent Street, Port Adelaide

Lot 1 St Vincent Street, Port Adelaide

City of Port Adelaide Enfield

Proposal: Dock 1, Stage 1 - Construct 25 two-storey dwellings, 53 three-storey dwellings and a three-storey residential flat building accommodating 33 dwellings.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

Applicants

- Fabian Barone, Future Urban Group - presented
- Chris Vounasis, Future Urban Group
- Patrick Stabile, Starfish
- Damon Nagle, Starfish - presented
- Enzo Caroscio, ECA - presented
- Paul Morris, GTA - presented
- Vince Rigter, Renewal SA

Council

- Kerry McConnell, Port Adelaide Enfield
- Andreea Caddy, Port Adelaide Enfield

Agency

- Michael Queale, Heritage SA
- Belinda Chan, 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 Port Adelaide Enfield Development Plan.
3. To grant Development Plan Consent to the proposal by Starfish Developments Pty Ltd for construction of 25 two-storey dwellings, 53 three-storey dwellings and a three-storey residential flat building accommodating 33 dwellings at Lot 213 Todd Street, Port Adelaide, Lot 33 St Vincent Street, Port Adelaide and Lot 1 St Vincent Street, Port Adelaide, subject to the following conditions of consent.

4. The applicant shall provide a site plan demonstrating visitor car parking allocated for Stage 1 that can be updated for subsequent stages.

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 and reports submitted and stamped with Development Application No 040/L056/18.
2. The internal noise levels for all dwellings shall comply with the Minister's Specification SA 78B, Australian Standard 2107 and the Environment Protection (Noise) Policy 2007.
3. The drawings for apartments in Block 6 and Block 7 shall be updated to include the proposed retaining walls to Jubilee Street, to the satisfaction of State Commission Assessment Panel (SCAP) in consultation with the Department for Environment and Water.
4. Privacy screening, to the balustrades between roof top terraces, shall be established in accordance with the emails from Fabian Barone, Future Urban, dated 10 and 12 December 2018 and prior to occupation of the dwellings.
5. Prior to Full Development Approval being granted for Stage 1, Road Design Plans shall be prepared by a suitably qualified Civil Engineer, in consultation with the City of Port Adelaide Enfield to the satisfaction of the SCAP.
6. Prior to Full Development Approval being granted for Stage 1, Traffic Control Plans shall be prepared by a suitably qualified Traffic Engineer, in consultation with the City of Port Adelaide Enfield to the satisfaction of the SCAP.
7. Prior to Development Approval for superstructure works, the applicant shall submit a final detailed schedule of external materials, finishes and detailing in consultation with the Government Architect to the satisfaction of the SCAP.
8. The development shall achieve minimum site levels and habitable finished floor levels for living spaces of 3.2 metres Australian Height Datum (AHD) and 3.45 metres AHD respectively. Note: This will mitigate the coastal flooding risk to 2050 and includes an allowance of 0.3 metres for sea level rise. The Coast Protection Board further advises that development in this locality should be capable of being protected or adapted to withstand an additional 0.7 metres of sea level rise from 2050 to 2100.
9. All mechanical and electrical equipment which may be vulnerable to water inundation should be raised to a minimum of 3.45 metres AHD or otherwise be made safe from water ingress.
10. 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 any superstructure works.
11. 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.
12. 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.
13. 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 SCAP prior to the occupation or use of the development.

14. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the City of Port Adelaide Enfield.
15. Prior to Development Approval the applicant shall demonstrate to the SCAP's satisfaction (as per site plan provided in DA 040/D326/17) visitor car parking allocation associated with Stage 1.
16. Prior to Development Approval being granted for Stage 1, an Engineering Siteworks Plan shall be submitted by a suitably qualified Civil Engineer to the SCAP, in consultation with the City of Port Adelaide Enfield and be in accordance with Council Development Guide DG15 showing:
 - Plans for manoeuvring, showing trees (to scale) in laneways;
 - Plans of garages showing at least B85 size vehicles in the presence of any obstacles (permanent or temporary);
 - Manoeuvring clearance of 300mm to garage opening and any other fixed obstacles such as other vehicles;
 - A revised plan for the temporary turn path and temporary parking spaces with the following changes:
 - compacted crushed rock base provided under all manoeuvring and parking areas,
 - some form of delineation of the individual car parking spaces removal of the bollards at the western end which will otherwise impede access to the car parks
 - an offset of 1m provided to bollards at western end to facilitated manoeuvring.

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. 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.
- e. The Metropolitan Adelaide Road Widening Plan (MARWP) makes provision for a possible 4.5 x 4.5-metre cut-off at the St Vincent Street/Jubilee Street corner for road purposes. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act 1972 is required to all new building works located on or within 6 metres of the possible requirement.

The built form proposed for Allotment 361 (corner of St Vincent Street and Jubilee Street) encroaches on the above requirement. Accordingly, the applicant should return the DPTI consent form, along with three copies of the stamped plans, for consent purposes.

- f. During site works, due care should be exercised during any excavation works, particularly along the former banks of the Port River and within the area of the former SA Company Basin, to avoid impacts to any potential historic shipwreck remains that may be buried within reclaimed land.
- g. The proponent is advised of Section 13 of the Historic Shipwrecks Act 1981 which prohibits the damaging, destroying, interfering with, removing or disposing of an historic shipwreck or relic without a permit issued pursuant to Section 15 of the Act.
- h. Any vessel 75 years or older is protected under State legislation, even though the Register does not identify them. If the remains, or suspected remains of a shipwreck site are identified during excavation work the applicant is advised of General Note 3(a).
- i. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the adjoining arterial road. Any alterations to road drainage infrastructure required to accommodate the development shall be at the expense of the applicant
- j. Any fence and vegetation at the St Vincent Street / Jubilee Street corner shall maintain driver sightlines.

2.3. **RESERVED MATTERS - Nil**

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

4. **MAJOR DEVELOPMENTS - Nil**

5. **OTHER BUSINESS - Nil**

6. **NEXT MEETING**

6.1. Thursday 24 January 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 12.20pm.

Confirmed 20/12/2018

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

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Simone Fogarty
PRESIDING MEMBER