



# STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 40<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Thursday 22 November 2018 commencing at 9.30am  
Kardi Munaintya Meeting Room, Ground Floor, 50 Flinders St, Adelaide

## 1. OPENING

### 1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Chris Branford Sue Crafter Peter Dungey Dennis Mutton
Guest	Michael Lennon, SPC (Agenda Item 2.2.1 – left at 9.40am)
Secretary	Alison Gill
DPTI Staff	Brett Miller Zoe Delmenico (Agenda Item 2.2.1) Wiebke Billows (Agenda Item 2.2.1 – left at 9.40am) Janaki Benson (Agenda Item 2.2.2)

### 1.2. APOLOGIES

Helen Dyer (Deputy Presiding Member)  
David O'Loughlin

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## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS – Nil

### 2.2. NEW APPLICATIONS

- 2.2.1 **CACA Nominees & ALDI Stores C/- Buildtec Group**  
DA 155/M009/18  
**76 Magill Road, Norwood**  
City of Norwood Payneham & St Peters

Proposal: Staged mixed-use development comprising an ALDI supermarket and shops, a 7 (seven) storey residential flat building comprising 5 tower elements, 33 (thirty-three) townhouses of both a detached and group dwelling nature, and associated signage, car parking, fencing, retaining walls, earthworks and landscaping including removal of a regulated tree.

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

#### Applicant

- Richard Dwyer, Ekistics - presented
- Anthony Carrocci, CACA Nominees
- Anthony Catinari, CACA Nominees
- Daniel DeConno, CACA Nominees
- Nigel Uren, ALDI Stores
- Nicholas Pearson, Hassell Architects - presented
- Brian Emmett, Select Architects
- Paul Morris, GTA - presented
- Fran Bonato, Tectvs - presented

#### Representors

- Phillip Brunning, PBA (representing Sam Kirchner) - presented
- Sam Kirchner - presented

#### Agencies

- Kirsteen Mackay, Government Architect
- Belinda Chan, ODASA
- Jodi Davy, Housing

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. To defer consideration of the proposal by CACA Nominees Pty Ltd & Aldi Stores C\ - Buildtec Group for a staged mixed-use development comprising an ALDI supermarket and shops, a 7 (seven) storey residential flat building comprising 5 tower elements, 33 (thirty-three) townhouses of both a detached and group dwelling nature, and associated signage, car parking, fencing, retaining walls, earthworks and landscaping including removal of a regulated tree at 76 Magill Road, Norwood for the applicant to address the following matters:
  1. Improve the amenity and appearance of the ALDI carpark through the introduction of additional shade trees;
  2. Address the scale and design of the proposed harbour over the Urban Promenade to emphasise its public function and to present more prominently to Magill Road;
  3. Better definition of the western edge interface of the public realm (The Promenade and the Town Piazza) and the ALDI carpark;
  4. Increase the activation of the northern façade of the ALDI by significantly increasing transparency into the building and provision of an awning that provides pedestrian protection along Magill Road;
  5. Improve the definition and amenity of the link between the Town Piazza and the ALDI entrance; and
  6. Seek further information from council in relation to waste management practices currently in Stephen Street and that proposed by the development.

### 2.2.2 Arcadian Property C/- Ekistics

DA 090/M009/18

#### 22-28 Anzac Highway and 6-14 Third Avenue, Everard Park / Forestville

City of Unley

Proposal: Staged construction of a mixed use development comprising two, six (6) level buildings fronting Anzac Hwy comprising dwellings, associated parking spaces and ground level commercial tenancies (north building only); seven (7) attached, three (3) level dwellings fronting Third Avenue; nine (9) attached, two (2) level dwellings and a single, three (3) level building comprising eleven (11) dwellings located internally within the site; a common driveway; landscaping and fencing.

Chris Branford declared a conflict of interest (due to a business association) and left the meeting.

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

#### Applicant

- Warwick Mittiga, Arcadian Property - presented
- Nick Pope, Arcadian Property
- Beck Thomas, Ekistics - presented
- Andrew Steele, Studio Nine - presented
- Nigel Howden, Studio Nine
- Ben Wilson, CIRQA - presented

#### Council

- David Brown, Unley - presented

#### Agency

- Kirsteen Mackay, Government Architect
- 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 Unley Development Plan. Having regard to all relevant policy in the Development Plan, the panel acknowledged that there was some non-conformance with quantitative policy, particularly the front setback for the Northern Apartment Building to Anzac Highway, but in this case was considered acceptable on balance for the following reasons:
  - The project was considered to be of a high standard of architectural design including a strong presentation to Anzac Highway;
  - The setback of the south apartment building to Anzac Highway provides areas of generous landscaping to the front of the subject site to soften the built form;
  - The verge width in this location is considerable and increases the perception of the setback of the apartment buildings, and contribution to the boulevard outcomes sought;
  - It is noted that the applicant will cover the full financial cost of a significantly upgraded verge environment including trees, ground cover and paving; and
  - A generous public realm contribution to be provided via a future landscaped linear corridor and shared public path over Brownhill Creek connecting with Wilberforce Walk.
3. To grant Development Plan Consent to the proposal by Arcadian Property C/- Ekistics for a staged construction of a mixed use development comprising two, six (6) level buildings fronting Anzac Hwy comprising dwellings, associated parking spaces and ground level commercial tenancies (north building only); seven (7) attached, three (3) level dwellings fronting Third Avenue; nine (9) attached, two (2) level dwellings and a single, three (3) level

building comprising eleven (11) dwellings located internally within the site; a common driveway; landscaping and fencing at 22-28 Anzac Highway and 6-14 Third Avenue, Everard Park/Forestville subject to the following conditions.

#### **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 submitted in Development Application No 090/M009/18:
  - Staging Plan by Studio Nine Architects – Drawing No. 0901-339-PA00;
  - Ground/Site Plan by Studio Nine Architects – Drawing No. 0901-339Pa02;
  - L1 Floor Plan by Studio Nine Architects- Drawing No. 0901-339-PA03;
  - L2 Floor Plan by Studio Nine Architects- Drawing No. 0901-339-PA04;
  - L3 Floor Plan by Studio Nine Architects- Drawing No. 0901-339-PA05;
  - L4 Floor Plan by Studio Nine Architects- Drawing No. 0901-339-PA06;
  - L5 Floor Plan by Studio Nine Architects- Drawing No. 0901-339-PA07;
  - L6 Roof Plan by Studio Nine Architects- Drawing No. 0901-339-PA08;
  - Apartment Typical Plan by Studio Nine Architects- Drawing No. 0901-339-PA09;
  - Apartment Upper by Studio Nine Architects – Drawing No. 0901-339-PA10;
  - Streetscape Elevations by Studio Nine Architects- Drawing No. 0901-339-PA11 Rev A;
  - Apartment Tower 1 Elevations by Studio Nine Architects- Drawing No. 0901-339-PA12;
  - Apartment Tower 1 Elevations by Studio Nine Architects- Drawing No. 0901-339-PA13;
  - Apartment Tower 2 Elevations by Studio Nine Architects- Drawing No. 0901-339-PA14;
  - Apartment Tower 2 Elevations by Studio Nine Architects- Drawing No. 0901-339-PA15;
  - Townhouse Type A by Studio Nine Architects- Drawing No. 0901-339-PA16;
  - Townhouse Type B1 by Studio Nine Architects- Drawing No. 0901-339-PA17;
  - Townhouse Type B2 by Studio Nine Architects- Drawing No. 0901-339-PA18;
  - Townhouse Type C by Studio Nine Architects- Drawing No. 0901-339-PA19;
  - Set of Oxigen plans including PLAN A, B, Fencing Plan and Planting;
  - Civil Plan by WGA, drawing No ADL189287 C01 Rev C (including Sheet 1 and 2)
2. Prior to full Development Approval being issued for Stage 1 (Third Avenue Townhouses), amended plans shall be provided to the State Commission Assessment Panel that demonstrate increased on-street car parking availability to Third Avenue (i.e. narrowing of vehicle crossovers).
3. Prior to full Development Approval for Stage 2 (Northern and Southern Apartment Building), the applicant shall provide Details of the management of the shared car parking spaces for occupants of the apartments and patrons of the retail spaces (i.e. how will the spaces be allocated) to the satisfaction of the State Commission Assessment Panel.
4. Directional signage in the central communal space shall be installed to reinforce and advise commercial customers to exit via Anzac Highway.
5. The acoustic attenuation measures recommended in the Resonate Report (A180389RP1 Rev B Dated 20 August 2018), 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.
6. In accordance with the requirements outlined in the Arborman Tree Solutions report, the installation of protective fencing will be required during construction (around the Date Palm to be retained).
7. Landscaping shown on the approved plans by Oxigen 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.
8. 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.

9. 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.
10. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
11. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the SCAP.
12. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).
13. 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.
14. Prior to Development Approval for superstructure works, the applicant shall submit a final detailed schedule of external materials and finishes in consultation with the Government Architect to the reasonable satisfaction of the SCAP.
15. Waste and service vehicles only visit the site between 7:00am to 7:00pm Monday to Saturday, excluding public holidays and peak traffic periods between 7:00 to 9:00am and 4:00 to 6:00pm Monday to Friday.
16. The building Finished Floor Levels be in accord with submitted Stormwater Management Plan details, except for the townhouses within the site and to Third Avenue that could be reduced to a Finished Floor Level of 26.800 (versus 26.850 and 26.900) to limit overall height while affording adequate protection.
17. Stormwater management on-site be in accordance with the submitted details, other- than the two retention/detention tanks each being a minimum capacity of 25,000 litres.

#### **DPTI – Traffic Division**

18. The largest vehicle permitted on-site shall be restricted to a 10.2-metre rigid truck.
19. All commercial vehicle facilities shall be designed in accordance with AS 2890.2-2002.
20. All redundant crossovers shall be permanently closed and reinstated to Council's standard kerb and gutter at the applicant's expense.
21. A traffic management plan of the construction phase of the development shall be developed in consultation with and to the satisfaction of DPTI and Council.
22. All vegetation within the Anzac Highway verge shall be low growing < 1 metre to ensure that driver sight lines are not compromised at the access to the subject and adjacent sites.
23. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

## ADVISORY NOTES

- a. This Development Plan Consent operative period is valid for 5 years 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 first stages of Development Approval issued by Council and substantially completed within 3 years of the date of final/stage 2 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. 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.
- e. A Construction Environment Management Plan (CEMP) shall be prepared in collaboration with the City of Unley (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.

### City of Unley

- f. Public realm configuration, damage, alterations and improvements in relation to encroachments, footpaths, verges and street trees (i.e. replacement of removed Claret Ash on Anzac Highway with at least an additional 2 and replacement of 3 existing trees with at least 5 Coral Gum on Third Avenue) are to be resolved with, and approved by, the City of Unley at the expense of the owner/applicant.
- g. The application be advised that pursuant to the policy of the City of Unley On-street Parking Exemption, permits are not issued for occupants of new development (post 2013).

### 3. MAJOR DEVELOPMENTS - Nil

### 4. ANY OTHER BUSINESS

5. **NEXT MEETING – TIME/DATE**

5.1. Thursday 6 December 2018 at 50 Flinders Street, Adelaide SA 5000

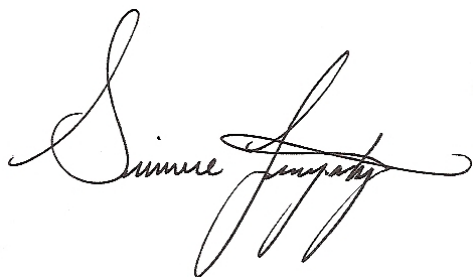
6. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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 4.00pm.

Confirmed 22/11/2018

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

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Simone Fogarty  
PRESIDING MEMBER