



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 97th Meeting of the
State Commission Assessment Panel
held on Wednesday, 11 November 2020 commencing at 9.30am
50 Flinders Street,, Adelaide / Microsoft Teams video conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Paul Leadbeter Grant Pember
Secretary	Sara Zuidland
DPTI Staff	Laura Kerber (Agenda Item 3.2.1) Karl Woehle (Agenda Item 2.2.1) Gabrielle McMahon (Agenda Item 2.2.1 & 2.2.2) Simon Neldner (Agenda Item 3.2.1) Jason Cattonar (Agenda Item 2.2.1, 2.2.2)

1.2. **APOLOGIES** Emma Herriman

2. SCAP APPLICATIONS

2.1. **DEFERRED APPLICATIONS** – Nil

2.2. NEW APPLICATIONS

2.2.1 BYLD C/- Planning Chambers

DA 020/A130/20

100 North Terrace, Adelaide

Adelaide City Council

Proposal: Partial demolition and construction of a 17 storey mixed-use building comprising tourist accommodation, residential apartments, ancillary car parking, associated hospitality facilities and retail.

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

Applicants

- Damian Dawson – Planning Chambers (In person)
- Rob Colangelo – Byld (In person)
- Elia Mavrou – Mavtect Designs (Via Teams)

Agency

- Belinda Chan – ODASA
- Kirsteen Mackay – Govt Architect

The applicant presented a materials board of the proposal and confirmed it would form part of the application.

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE 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.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Byld C/- Planning Chambers for the partial demolition and construction of a 17 storey mixed-use building comprising tourist accommodation, associated hospitality facilities and retail at 100 North Terrace, Adelaide subject to the following conditions of consent.

RESERVED MATTERS

1. Pursuant to Section 33(3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the State Planning Commission, prior to the granting of Development Approval:
 - a. A final detailed schedule of external materials and finishes along with a physical materials board, in consultation with the Government Architect.
 - b. Final design detail of the northern sun hoods, in consultation with the Government Architect.
 - c. Final design of the junction between the proposed building and original façade, in consultation with the Government Architect.

PLANNING CONDITIONS

1. The development granted Development Plan Consent / Development Approval shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission, except where varied by conditions below.

Reason: To ensure the development is undertaken in accordance with the plans and details submitted.

2. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS3500.3:2015 (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 runoff in accordance with the necessary standard.

3. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009) prior to the occupation or use of the development.

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

4. All bicycle parks shall be designed and constructed in accordance with Australian Standard AS2890.3-2015.

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

5. The development will 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: To ensure the development does not cause unreasonable nuisance or loss of amenity in the locality.

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 Planning Commission.
- 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 Adelaide (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) 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.
- 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) Approval for the proposed building height and construction methodology is required by the Commonwealth Secretary for the Department of Transport and Regional Services in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.
- i) Any further proposed addition to the structure, including aerials, masts and vent/exhaust stacks, must be subject to a separate assessment by the Commonwealth Department of Infrastructure and Transport. Crane operations associated with construction shall be the subject of a separate application. Adelaide Airport Limited requires 48 days prior notice of any crane operations during the construction.

2.2.1 **WALKER RIVERSIDE DEVELOPMENTS P/L**

DA 020/A012/16 V4

Adelaide Festival Plaza

Adelaide City Council

Proposal: Variation to DA 020/A012/16 for the construction of a car park over 5 basement levels, a 27 level office tower and a retail building of up to three levels – variation includes changes to the building design, internal reconfiguration, inclusion of a new pedestrian walkway, extension of the retail pavilion to the east and the deletion of condition 5 and amendment to condition 6

Rebecca Thomas declared a conflict of interest and was not present for this item.

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

Applicants

- Graeme Dix – JPW (In person)
- Nathan Thompson – Walker (In person)
- Jason Schulz – DASH Architects (In person)
- Jon Whelan – DIT (In person)
- Jessica Jordan – Walker (Via Teams)
- Richard Dwyer – Ekistics (Via Teams)
- Walter Brindle – JPW (Via Teams)

Agency

- Kirsteen Mackay – Govt Architect (In person)
- Belinda Chan – ODASA (In person)
- Peter Wells – Heritage (Via Teams)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) RESOLVE that the refinements to the application, including the changes to the design and materiality of the office tower and retail pavilion, inclusion of a pedestrian walkway, activation of Parliament Lane, and internal re-configuration (including public amenities) are supported as overall positive changes to the original development. The exception to this is the realignment of the eastern corner of the retail pavilion proposed to be located 3m closer to King William Street. The Panel is of the opinion that the proposed alignment, when considered on balance with the purported activation and public realm improvements along King William Street, will unreasonably impact on the context and setting of Parliament House and is thereby at odds with the heritage provisions of the Adelaide (City) Development Plan.
- 2) RESOLVE to DEFER for further consideration of the application pending :
 - a. Reconsideration of the proposed alignment of the eastern retail pavilion, in order for the building footprint to be more respectful of the contextual setting of Parliament House.
 - b. Written confirmation from the land owner that in principal support is given for the encroachment of the retail pavilion to the south and inclusion of Parliament Lane.

2.3. RESERVED MATTERS - Nil

3. CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil

3.1. DEFERRED APPLICATIONS – Nil

3.2. NEW APPLICATIONS – Nil

3.2.1 DEPARTMENT FOR ENERGY AND MINING C/- INFINGEN SAGT PTY LTD

DA 361/V025/20

21 Hodgson Road, Bolivar

City of Salisbury

Proposal: Construction and operation of a 123MW electricity generating plant comprising four dual (diesel/gas) aero-derivative turbines and associated infrastructure

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

Applicants

- Michael Davis – Aurecon (In person)
- Andrew Davis – Infigen Energy (In person)
- Joel Gilmore – Infigen Energy (Via Teams)
- Anna Williams – Infigen Energy (Via Teams)

Representor/s

- Mark Parnell MLC (In person)

The State Commission Assessment Panel discussed the application.

RESOLVED

That the State Commission Assessment Panel provide its recommendation in confidence (included in SCAP Confidential Minutes –11 November 2020) to the Minister for Planning.

Note: a Decision Notification Form will be forwarded to all representors once the Minister has made a decision on the application.

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

5. **OTHER BUSINESS**

- 5.1. RESOLVED to prepare correspondence to the Minister for Planning and Local Government in relation to planning policy and climate change.

6. **NEXT MEETING**

- 6.1. Wednesday, 18 November 2020 at Kardi Munaintya, Ground Floor, 50 Flinders Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing.

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

- 7.1. RESOLVED that the Minutes of this meeting held today be confirmed.

8. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 2.45pm.

Confirmed 11/11/2020



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Rebecca Thomas
PRESIDING MEMBER

Confirmed 12/11/2020



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Dennis Mutton
DEPUTY PRESIDING MEMBER