



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 113th Meeting of the
State Commission Assessment Panel
held on Wednesday 9th June 2021 commencing at 9.30am
Ground Floor Forum, 28 Leigh Street, Adelaide /
Microsoft Teams Video Conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) Helen Dyer (2.2.1) John Eckert Emma Herriman Paul Leadbeter Grant Pember
Secretary	Ben Sieben, Governance Officer
AGD Staff	Jason Cattonar Jason Bailey (2.2.1) Nick Kretschmer (2.2.1) Ben Scholes (2.2.2)

1.2. APOLOGIES

Rebecca Thomas
Paul Leadbeter

Note: Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Eldercare Inc

090/E024/21

7-21 Victoria Street, Goodwood

Demolition of existing single-storey aged care facility and construction of a two-storey nursing home with associated landscaping and car-parking.

Although not present at the meeting, Presiding Member, Rebecca Thomas, had previously declared a conflict of interest as a result of her employer representing the applicant.

The Deputy Presiding Member, Rebecca Rutschack, declared a conflict of interest as her employer had made a representation and was not present for this item.

The Acting Presiding Member, Helen Dyer, welcomed all in attendance to the State Commission Assessment Panel hearing:

Applicant

- Jane Pickering
- David Boughey
- Scott Morgan
- Mario Derosti
- Ben Wilson
- Nick Henrys
- Richard Dwyer
- Zoe Garnaut

Council

- David Brown

Representors

- Gina Maltman
- Nicholas Emms
- Nick Rossis
- Thomas Jones
- Linda Zschorn
- Anthony Tragarz
- Weifang Ma & Bill Lin
- Penelope Kozlowski
- Daniel Roberts
- Louise Giles & Angus Hall
- Rosemary Dal Pra

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 Unley (City) Development Plan.

- 3) To grant Development Plan Consent to the proposal by Eldercare Inc. for the demolition of an existing single-storey nursing home and construction of a two (2) storey, 100-bed nursing home with associated fencing, car-parking and landscaping at 7-21 Victoria Street, Goodwood 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 for condition: To ensure the development is built in accordance with the approved plans.

2. The recommendations detailed on page 8 of the “Environmental Noise Assessment” by Resonate, dated 9th March 2021: Document Number A200250RP2 Revision B, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Planning Commission. Such measures shall be made operational prior to the occupation or use of the development.

Reason for condition: To reduce the noise impacts and protect the amenity of the locality.

3. The window and balcony treatments comprising fixed obscure glass and lasercut metal fins, measuring 1.5 metres in height from the finished floor level of the first floor, shall be installed prior to occupation of the development and thereafter maintained to the reasonable satisfaction of the State Planning Commission, with the exception of the windows to the two retreats (F73 & F51) and end of corridors on the southern boundary that shall be obscured to 1.7m.

Reason for condition: To maintain the reasonable privacy of adjoining residential allotments.

4. The pergola structure adjacent the southern boundary shall be constructed prior to the occupation of the development and thereafter maintained to the reasonable satisfaction of the State Planning Commission.

Reason for condition: To maintain the reasonable privacy of adjoining residential allotments.

5. Stormwater management shall be undertaken in accordance with the stormwater management plan submitted with the application: Combe Pearson Reynolds Stormwater Management Plan – Job No. 200160, dated 5th March 2021.

Reason for condition: To ensure stormwater management is undertaken in such a way so as to minimise potential for on-site or off-site impacts.

6. 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 road or property.

Reason for condition: To ensure that stormwater is disposed of properly and does not affect adjoining properties.

7. All external lighting of the site, including in car parking areas and external to buildings, shall be designed, located, shielded and constructed to conform to Australian Standard 4282: 2019 ‘Control of the obtrusive effects of outdoor lighting’.

Reason for condition: To protect the amenity of the locality.

8. The recommendations detailed in the Traffic and Parking Report dated 5th May 2021 by Cirqa (Version 1.2) forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Planning Commission. Such measures shall be made operational prior to the occupation or use of the development.

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

9. The recommendations (excepting proposed waste collection times) detailed in the Waste Management Plan dated 25th February 2021 by Rawtec, forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Planning Commission. Such measures shall be made operational prior to the occupation or use of the development.

Reason for condition: To ensure waste management is undertaken in such a way so as to minimise potential of off-site impacts.

10. Waste collection associated with the development shall occur during the following times:

Monday to Saturday: 7:00am to 7:00pm
Sunday and Public Holidays: 9:00am to 7:00pm.

Reason for condition: To reduce the noise impacts and protect the amenity of the locality.

11. Landscaping schedule detailed in the Outer Space Landscape Concept Report, dated February 2021, and addendum 'Screen Planting Plan: Species Selection & Landscape Boundary Sections', dated 6th May 2021, shall be established prior to the occupation or use of the development. Plantings shall be irrigated, maintained, and nurtured at all times with any missing, damaged, diseased or dying plants being replaced to the reasonable satisfaction of the State Planning Commission.

Reason for condition: To ensure landscaping plan is implemented.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 24 months from the date of this Notification, unless final Building Rules Consent 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 2 years 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 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

- 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. Section 779 of the Local Government Act provides that where damage to Council footpath / kerbing / road pavement / verge occurs as a result of the development, the owner / applicant shall be responsible for the cost of Council repairing the damage.
- 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 Unley.
- 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. Pursuant to the City of Unley On-street Parking Exemption Policy, permits are not issued for occupants of new development (post 2013).
- i. Provision for all bicycle parking shall be designed and constructed in accordance with Australian Standard AS2890.3-2015.
- j. 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.

2.2.2 **88 Jetty Road Glenelg Pty Ltd C/- Future Urban Pty Ltd**

110/M017/20

88 Jetty Road, Glenelg

Demolition of an existing building and construction of a 5 storey mixed-use building comprising a ground level shop, residential apartments and associated car parking.

Helen Dyer was an apology for this item and was not present.

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

Applicant

- Kayla Gaskin-Harvey
- Paul Morris

Council

- Michael Gates

Representors:

- Natasha Kay

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 refuse Development Plan Consent for the following reasons:
 - a) The development does not achieve the highest possible standards of urban design as required by the Desired Character Statement of the Glenelg Policy Area 2.

- b) The proposed podium with the inset balcony on level 1 and singular façade treatment does not respect the established rhythm and pattern of facades as sought by the Glenelg Policy Area 2 Desired Character statement and Policy Area PDC 6 that seeks a clearly defined podium.
- c) The orientation of the apartments does not achieve a satisfactory short range visual outlook to public or communal space as required by Medium and High Rise Development PDC 5(b) and to protect residential amenity from impacts of adjoining development.
- d) The balconies of numerous apartments are not afforded a reasonable level of privacy or amenity as a result of overlooking as required by General Section Design and Appearance PDC 11.
- e) The development is not designed and sited to conserve energy as required by General Section Energy Efficiency Objective 1.
- f) There is inadequate car parking for the commercial component of the development as required by the General Section Transportation and Access Objective 2(c) and District Centre Zone PDC 14.

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

4. MAJOR DEVELOPMENTS – VARIATIONS

5. REPORTING

6. COURT COMPROMISE

7. BRIEFINGS

8. PROCEDURAL MATTERS

9. OTHER BUSINESS

10. NEXT MEETING

- 10.1. Wednesday 16 June 2021 at Ground Floor, 50 Flinders Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing.

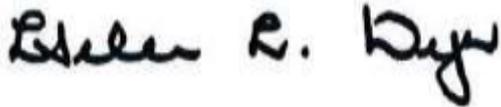
11. REVIEW OF SCAP INSTRUCTIONS TO STAFF AND UPCOMING AGENDA ITEMS

12. CONFIRMATION OF THE MINUTES OF THE MEETING

13. **MEETING CLOSE**

13.1. The Deputy Presiding Member thanked all in attendance and closed the meeting at 3.01pm.

Confirmed 9/06/2021



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Helen Dyer
ACTING PRESIDING MEMBER



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Rebecca Rutschack
DEPUTY PRESIDING MEMBER