



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 186th Meeting of the
State Commission Assessment Panel
held on Wednesday 11 September 2024 commencing at 9:00am
Level 9, 83 Pirie Street Adelaide / Microsoft Teams video conferencing

1. OPENING

1.1. ACKNOWLEDGEMENT OF COUNTRY

The Deputy Presiding Member acknowledged the traditional custodians of the land on which the State Commission Assessment Panel meets, and paid respect to Elders past and present.

1.2. PRESENT

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| Presiding Member | Rebecca Rutschack (Deputy Presiding Member) |
| Members | John Eckert Paul Leadbeter David Altmann Jenny Newman via MS Teams/in person Don Donaldson |
| Secretary | Amy Arbon |
| DHUD Staff | Troy Fountain Morgan Ellis Maria Klimenchuk (Item 2.2.1) Hannah Connell (Item 2.2.1 and Item 2.2.3) Rebecca Fielding (Item 2.2.1 and Item 2.2.3) Karen Ferguson (Item 2.2.2) Jeremy Wood (Item 2.2.2) Nathan Grantham (2.2.3) |

1.3. APOLOGIES

Rebecca Thomas (Presiding Member)

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Paul Tucker

23024259

134 Tapalin Street, Renmark West

Land Division creating one (1) additional allotment, one (1) into two (2)

Member, David Altmann, declared a conflict of interest due to his previous engagement with the application on behalf of Council and accordingly, left the meeting for this agenda item.

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

Applicant

- Nirmal Singh
- Sim Singh
- Dylan Furnell

The Deputy Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

RESOLUTION

The State Commission Assessment Panel resolved that:

- 1) Development Application Number 23024259, by Paul Tucker is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

Condition 1

The development authorisation granted herein 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 (if any).

Condition 2

Prior to Section 138 Clearance being issued, the Applicant shall demonstrate that the existing non-compliant wastewater system has been removed from the site, and that the existing dwelling contained within proposed lot 80 is connected to an approved on-site wastewater disposal system in accordance with Wastewater Works Approval for 134 Tapalin Street Renmark West – dwelling, granted by Renmark Paringa Council on 7 May 2024.

Condition 3

Prior to Section 138 Clearance being issued, the Applicant shall install a new 25mm Domestic water supply connection for proposed allotment 80 in accordance with Domestic Supply Connection guidance document of Renmark Irrigation Trust: <https://rit.org.au/wp-content/uploads/2021/12/Domestic-Supply-Connection-Assessed-Area-August-2021.pdf>

Condition 4

A one month written notification is required by the Renmark Irrigation Trust before any works will be installed. Also proof that the proposal has been approved must be supplied to the Trust.

Condition 5

Any private irrigation, drainage, or domestic pipelines, which extend into or from either of the proposed allotments are to be terminated at the common boundary prior to settlement and the work must conform to the Renmark Irrigation Trust requirements.

Condition 6

Any Renmark Irrigation Trust facility (such as pipeline, supply connections etc.) installed on the proposed allotments or situated in close proximity are not to have any structure built, or tree/shrub planted within 3 meters from the centre of that facility, as the Trust may insist on its removal and no compensation shall be payable.

Land Division Consent

Conditions imposed by SPC Planning Services under Section 122 of the Act

Condition 7

Payment of \$3,394.00 into the Planning and Development Fund (1 allotment/s @ \$3,394.00/allotment). This payment will not become payable until the Certificate of Approval application under Section 138 has been lodged. At that time the Land Division Registration fee (currently \$1,120.00), will also become payable. The total of the two fees must be paid in a single payment.

Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7109 7018, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001.

Condition 8

A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The approved development must be substantially commenced within 24 months of the date of Development Approval, and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. 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 ERD Court if wishing to appeal. The ERD Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 3

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 4

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 5

A person who has made a representation on a development classified as restricted development may appeal the decision. Such an appeal must be lodged at the Environment Resource and Development Court within 15 business days after the date of the decision.

Land Division Consent

Advisory Notes imposed by SPC Planning Services under Section 122 of the Act

Advisory Note 7

Under Part 20A of the *Telecommunications Act 1997 (Cth)*, developers are required to install fibre-ready facilities (e.g. pit and pipe) in their developments, unless the development qualifies for an exemption. Developers can face penalties if they sell or lease building lots or units in new developments without fibre-ready facilities installed.

Under the Commonwealth's Telecommunications in New Developments Policy, developers are also expected to contract a telecommunications carrier (being any statutory infrastructure provider (SIP) or NBN Co as the default SIP) to provide services in their development. Carriers should install fixed-line network infrastructure in new developments, unless that is not commercially feasible, in which case they should use fixed-wireless or satellite technologies.

Further details of these requirements can be found at:

www.infrastructure.gov.au/department/media/publications/telecommunications-new-developments

2.2.2 Community Housing Ltd

23034246

472 Regency Road, Prospect

Four (4) storey residential Flat Building of thirty-four (34) dwellings and fourteen (14) parking spaces.

Member, Jenny Newman, declared a conflict of interest due to her employer's engagement by the proponent and according, left the meeting for this agenda item.

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

Applicant

- Nitsan Taylor
- Jason Behrndt
- Nick Grbin
- Chris Bentick
- Joel Phillips

Representations

- Lana Kitik
- Martin Pitt
- Janet Sharoglazov
- Cr. Kristina Barnett
- Leanne Burchard via MS Teams
- Simon Hanson via MS Teams
- Tania Jones via MS Teams

Council

- Susan Giles

Observing

- Martin Sharoglazov
- Elizabeth Rushbrook
- Ben Mrowka via MS Teams

The Deputy Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

RESOLUTION

The State Commission Assessment Panel resolved that:

- 1) Development Application Number 23034246, by Community Housing Ltd is GRANTED Planning Consent subject to the following reserved matters and conditions:

RESERVED MATTERS

Pursuant to section 102(3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter(s) shall be reserved for further assessment to the satisfaction of the State Planning Commission and prior to the granting of Development Approval:

Reserved Matter 1

A final plan detailing retaining walls, steps, fences, other structures and landscaping removed from within the road widening as depicted on the plans and clarified by the Department for Infrastructure and Transport.

Reserved Matter 2

A Revised Stormwater Management Plan (including calculations) be submitted in consultation with the Council and to the satisfaction of the State Planning Commission. The plan should provide evidence that the dwellings are suitably protected from 1% AEP storm events and that post development outflow rates from the site will match pre-development rates in 5% storm events. The location and capacity of on-site detention tanks and related devices shall be clearly described.

Reserved Matter 3

Details of the metal screening that minimises the visibility of the air conditioning units shall be provided.

Reserved Matter 4

Subject to reserved matter 1, a landscaping plan shall be submitted including locations, species (including heights at the time of planting) and ongoing landscaping management details.

CONDITIONS

Planning Consent

Condition 1

The development authorisation granted herein 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 (if any).

Condition 2

Tree(s) must be planted and/or retained in accordance with DTS/DPF 1.1 of the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgement of the application). New trees must be planted within 12 months of occupation of the dwelling(s) and maintained.

Condition 3

The planting and landscaping identified on the stamped and approved plans granted Planning Consent shall be undertaken in the first planting season concurrent with or following substantial completion of the development. Such planting and landscaping shall be irrigated and maintained thereafter with any plants which become diseased, or die must be replaced within the next available growing season with suitable species, to the satisfaction of the State Planning Commission.

Conditions imposed by Commissioner of Highways under Section 122 of the Act

Condition 4

The development, including all setbacks from Regency Road, shall be in accordance with the Swanbury Penglase Floor Plan and Level 1, 2 & 3 plans, Job No 23106, Drawing No. SK002 t and Drawing No SK009 a, dated 24/06/2024.

Condition 5

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

ADVISORY NOTES**Planning Consent****Advisory Note 1**

The approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. 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 ERD Court if wishing to appeal. The ERD Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 3

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the Relevant Authority).

Advisory Note 4

No works, including site works can commence until a Development Approval has been granted.

Advisory Note 5

Prospective tenants should be advised of the limited carparks available on site and the surrounding streets for both tenants and visitors. It is recommended that this also be noted in the tenancy agreement.

Advisory Notes imposed by Commissioner of Highways under Section 122 of the Act**Advisory Note 6**

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Regency Road frontage of this site for future upgrading of the Main North Road/Regency Road intersection, together with a 4.5 x 4.5 metre cut-off from the Regency Road / Struan Avenue corner.

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. The attached consent form and a copy of the approved plan/s and decision notification form should be provided to DIT (via dit.landusecoordination@sa.gov.au) for consent purposes.

2.2.3 Glenn Vollebregt

24008545

16 Adelphi Terrace, Glenelg North

Variation to application ID 23021776.

Variation involves:

- increase the number of dwellings by 10 (40 to 50);

- increase building height by two additional levels from 6 levels (18.48m) to 8 levels (24.04m);
- reconfiguration of the ground floor level, waste room layout including new two-way access;
- relocation of lift core, waste chute and apartment layouts; and
- reduction of car spaces and changes to the basement car park

Member, David Altmann, declared a conflict of interest due to an immediate family members engagement by the proponent and according, left the meeting for this agenda item

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

Applicant

- Glen Vollbregt
- Jason Cattonar
- Tom Jarrett
- Tom Game
-
- Thomas Wilson via MS Teams

Representations

- Jerome Maguire
- Gregory McDonald
- Christine Smart via MS Teams
- Damian Smart via MS Teams

Agencies

- Aya Shirai-Doull

Council

- Michael Gates

Observing

- Elizabeth Rushbrook
- Dianne Gillespie
- Stephen Ludlam
- Richard Holloway
- Geoffrey Smart

The Deputy Presiding Member thanked all in attendance and closed the public hearing.

The State Commission Assessment Panel discussed the application.

RESOLUTION

The State Commission Assessment Panel resolved that:

- 1) Development Application Number 24008545, by Glenn Vollebregt is GRANTED Planning Consent subject to the following reserved matters and conditions:

RESERVED MATTERS

Planning Consent

Reserved Matter 1

A final stormwater management plan detailing stormwater quantity and quality measures shall be prepared in consultation with the City of Holdfast Bay and be to the satisfaction of the State Planning Commission.

Reserved Matter 2

The applicant shall submit a final detailed Schedule of high quality and durable external materials and integral finishes and a physical samples board in consultation with the Government Architect.

Reserved Matter 3

Final elevations which are consistent with floorplan layouts (including rear setback for level 1 balcony).

CONDITIONS

Planning Consent

Condition 1

The development granted Planning Consent 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 (if any)

Condition 2

The plans and conditions with respect to Development Application 23021776 must be fully complied with except where varied by this variation application and conditions.

Condition 3

The planting and landscaping identified on the stamped and approved plans granted Planning Consent shall be undertaken in the first planting season concurrent with or following substantial completion of the development. Such planting and landscaping shall be irrigated and maintained thereafter with any plants which become diseased, or die must be replaced within the next available growing season with suitable species, to the satisfaction of the State Planning Commission.

Condition 4

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

Condition 5

All on-site vehicle parking be constructed in accordance with AS/NZS 2890.1:2004, including provision for off-street parking for people with disabilities.

ADVISORY NOTES

Planning Consent

Advisory Note 1

The approved development must be substantially commenced within 24 months of the date of Development Approval and completed within 3 years from the operative date of the approval, unless this period has been extended by the relevant authority.

Advisory Note 2

The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development (ERD) 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 ERD Court if wishing to appeal. The ERD Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

Advisory Note 3

This variation consent or approval will lapse at the expiration of 24 months from the operative date of the original consent or approval (unless this period has been extended by the Relevant Authority).

Advisory Note 4

No works, including site works can commence until a Development Approval has been granted.

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 25 September 2024 at Level 9, 83 Pirie 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 4:00PM.

Confirmed: 11/09/2024



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Rebecca Rutschack
DEPUTY PRESIDING MEMBER