



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 231st Meeting of the
State Commission Assessment Panel
held on Wednesday 12 August 2026 commencing at 9:00am
Level 9 / 83 Pirie Street Adelaide or Microsoft Teams video conferencing

1. OPENING

1.1. ACKNOWLEDGEMENT OF COUNTRY

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

1.2. PRESENT

Presiding Member	Nathan Cunningham
Ordinary Members	Emma Barnes Mario Dreosti Stuart Headland Emily Nankivell Jenny Newman
Occasional Members	John Eckert Catherine Orford Julie Jansen
Executive Officer	Sharon Butler Senior Governance Officer Department for Housing and Urban Development
DHUD Staff	Andrew Houlihan Hannah Connell Joanne Reid

1.3 APOLOGIES David Altmann (Deputy Presiding Member)

2. DEVELOPMENT ASSESSMENT APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Astute Building Construction & Development 24036351 2794 South Coast Road, Foul Bay

Tourist accommodation (glamping tent) with associated access, car parking area and water tank.

Member, Emma Barnes, declared a conflict of interest due to her previous engagement with the applicant and according, was not present for the item.

Member, Julie Jansen, declared a conflict of interest due to her employer's current engagement with one of the consultants and according, was not present for the item.

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

Applicant:

- Guy Henderson
- Ben Victory

Representors:

- Matthew Redding

The 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) The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
- 2) Development Application Number 24036351, by Astute Building Construction & Development, is GRANTED Planning Consent subject to the following Reserved Matters, Conditions and Advisory Notes:

RESERVED MATTERS

Planning Consent

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

Reserved Matter 1

A bushfire management plan be provided for the safe operation of the tourist accommodation operation, to prepared in consultation with the Country Fire Service, to the satisfaction of the State Planning Commission.

Reserved Matter 2

Plans and details of infrastructure required to service the development shall be provided to the State Planning Commission for assessment and approval.

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

The herein approved development comprising one tourist accommodation, is limited to a maximum of four guests at any one time.

Condition 3

Adequate litter bins, waste storage facilities and waste disposal systems shall be provided.

Conditions imposed by Native Vegetation Council under Section 122 of the Act

Condition 4

Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the *Native Vegetation Act 1991* have been satisfied.

Condition 5

Stockpiled materials, including cleared vegetation and excavated soil is not to be placed under native trees or on top of native understorey outside the approved area.

Condition 6

Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area.

Conditions imposed by Coast Protection Board under Section 122 of the Act

Condition 7

A Guest Information Pack (prepared in consultation with the Coast Protection Board) shall be provided with every booking. This shall incorporate environmental and visitor management guidelines covering the following information:

- Visitor management regarding navigation within the conservation zone, beach access/pathways and restrictions.
- Potential environmental impacts associated with visitation.
- Listing of common native plants and birds.
- Specific information regarding managing human interactions with Hooded Plovers (*Thinornis cucullatus*).

Condition 8

The applicant shall provide clear signage in suitable locations to guide visitors to and from the beach, ensuring that pedestrian access has minimal impact on the coastal environment.

Condition 9

Any earthworks and construction activity shall not adversely affect coastal land or the nearshore marine environment, by erosion, discharge or pollution.

Condition 10

Any imported fill shall be free of weeds and pathogens

Condition 11

Any landscaping shall use local native coastal species, avoiding the spread of exotic plants on the coast. The Northern and Yorke Natural Resources Management Board should be contacted if the applicant requires expert advice including the development of a suitable species list. However, general information can be found in the Coastal Garden Planting Guide found on the following website: [NY-Coastal-Gardens-Planting-Guide.pdf](#)

Condition 12

All stormwater design and construction shall not adversely affect coastal land by erosion, discharge or pollution.

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

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 3

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

Advisory Note 4

All works proposed on Council verge and/or that extends beyond the property boundary requires a permit pursuant to Section 221 of the Local Government Act 1999.

Advisory Note 5

All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the South Australian Public Health Act 2011.

Advisory Notes imposed by Native Vegetation Council under Section 122 of the Act

Advisory Note 6

The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2026/3125/544.

Advisory Notes imposed by Coast Protection Board under Section 122 of the Act

Advisory Note 7

The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not cause environmental harm.

2.2.2 Future Urban

26009707

29-31 Austral Terrace, Morphettville

Construction of a five-storey residential aged care facility comprising 139 accommodation units (supported accommodation), and 17 independent living units with associated fencing, car parking, outbuilding, landscaping and advertising signage and removal of eight (8) regulated trees and two (2) significant trees.

Stage 1: Southern portion of building demolished and construction of Southern portion of new building and tree damaging activity.

Stage 2: Central portion of building demolished and construction of Central portion of new building.

Stage 3: Demolition of remainder of northern building and all remaining work.

Member, Emily Nankivell, declared a conflict of interest due to her employers engagement with the application and according, was not present for the item.

Member, Stuart Hedland, declared a conflict of interest due to his Board role within Resthaven Incorporated and according, was not present for the item.

Member, Mario Dreosti, declared a conflict of interest due to his employers engagement with the application and according, was not present for the item.

Member, Jenny Newman declared a conflict as the firm she works for has previously been involved in offering architectural services relating to this site.

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

Applicant:

- Gregg Jenkins
- Eddie Typek
- Paul Townsin
- Victoria Sands
- Rebekah Maxwell
- Shanon Govindon
- James Heeks via MS Teams
- Paul Baulch via MS Teams

Representors:

- Nicholas Jack via MS Teams

Council: City of Marion

- Katherine Thrussell
- Alex Wright
- Christopher Izzo
- Harry Stryker

The 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) The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*.
- 2) Development Application Number 26009707, by Future Urban, is GRANTED Planning Consent subject to the following Reserved Matters, Conditions and Advisory Notes:

RESERVED MATTERS

Planning Consent

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

Reserved Matter 1

The applicant shall submit a final Acoustic Report, ensuring that the development satisfies the noise level criteria defined in the *Environment Protection (Commercial and Industrial Noise) Policy 2023* for the mechanical plant equipment, to the satisfaction of the State Planning Commission.

Reserved Matter 2

Plans and final details of the proposed privacy screening measures required to mitigate direct overlooking from windows and balconies of Apartments 1 and 17 and north facing windows located on the first and second floor supported accommodation rooms and the dining decks, to

habitable rooms and private open spaces of adjoining residential uses shall be provided to the satisfaction of the State Planning Commission.

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

The development must be undertaken in accordance with the Tree Protection Zone Guidelines of the *Arboricultural Impact Assessment Report* prepared by Adelaide Arb Consultants dated 7 May 2026.

Condition 3

A tree protection Zone shall be provided to the Significant Silky Oak (*Grevillea Robusta*) on the site and a suitably qualified project arborist engaged to provide tree management solutions and supervise all works within the notional root zone of the tree.

Condition 4

Replacement trees must be planted within 12 months of completion of the development at the following rates:

- if the development relates to a regulated tree—2 trees to replace a regulated tree; or
- if the development relates to a significant tree—3 trees to replace a significant tree.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 3 metres of an existing dwelling or in-ground swimming pool.

Condition 5

Amendment to replace condition 5 - The recommendations of the Echo environmental noise assessment indicated on pages 9,10 and 12 dated 13 March 2026 shall be implemented prior to occupation.

Condition 6

An amended environmental noise assessment and management plan shall be provided for the upper-level terraces for approval by the State Planning Commission.

Condition 7

All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2018 (Part 3) to ensure that stormwater does not adversely affect any building, adjoining property or public road.

Condition 8

All on-site vehicle parking be constructed in accordance with AS/NZS 2890.1:2004 and AS 5124:2017.

Condition 9

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 10

Waste collection and deliveries shall be scheduled to occur between the hours of 9am and 7pm on a Sunday or public holiday and 7am and 7pm on any other day

Condition 11

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

Condition 12

Any external lighting, including any illuminated signage, shall be designed to comply with Australian Standard 4282-2023 'Control of the obtrusive effects of outdoor lighting'.

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

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 3

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

Advisory Note 4

The owner/applicant is advised that infrastructure located within Council road reserve (i.e. area between the kerb and allotment boundary) should be designed and constructed (including modified) in accordance with relevant / current Council standards. This includes, but is not limited to, driveway crossovers, alterations to kerbing and footpaths, stormwater easement connections and domestic stormwater connection to the street water table.

Further information on the standards can be obtained via Council's website.

marion.sa.gov.au> Search Civil engineering > Click 'Civil engineering infrastructure - standard drawing index'

Advisory Note 5

The applicant is reminded of the requirements of the Fences Act 1975. Should the proposed works require the removal, alteration or repair of an existing boundary fence or the erection of a new boundary fence, a 'Notice of Intention' shall be served to adjoining owners. Please contact the Legal Services Commission for further advice on 1300 366 424 or refer to their web site at www.lsc.sa.gov.au.

Advisory Note 6

A Construction Environmental Management Plan (CEMP) should be prepared in collaboration with, and to the satisfaction of, the Local Government Authority prior to the issue of Development Approval. The approved CEMP shall be implemented throughout the development and should incorporate, without being limited to, the following matters:

- Car parking and access arrangements for tradespersons
- Siting of materials storage
- Site offices
- Work in the Public Realm
- Hoarding
- Site amenities
- Traffic requirements including construction access/egress and heavy vehicle routes
- Reinstatement of infrastructure
- Site contamination management, if required (prepared by a suitably qualified and experienced site contamination consultant in accordance with EPA guidelines)

Advisory Note 7

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 relevant Local Government Authority.

Advisory Notes imposed by (Adelaide Airport) The Secretary of the relevant Commonwealth Department responsible for administering the Airports Act 1996 under Section 122 of the Act

Advisory Note 8

Adelaide Airport Limited has no objection to the above proposal.

The Owner/Developer need to be advised of the following:

- a) The development as described (building height at RL 33.5m AHD) does not penetrate the Adelaide Airport Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. Any further proposed addition to the structure, including aerials or masts, must be subject to a separate assessment.
- b) Crane operations associated with construction shall be the subject of separate application. Cranes above 48.5m Australian height Datum (AHD) will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 2026.
- c) Restrictions may apply to lighting illumination. Any lighting proposed shall conform to airport lighting restrictions and shall be shielded from aircraft flight paths.

2.3. VARIATION TO APPLICATIONS

2.3 RESERVED MATTERS

3 CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

3.3. VARIATION TO APPLICATIONS

4. REPORTING

5. BRIEFINGS

6. COURT COMPROMISE

7. PROCEDURAL MATTERS

8. OTHER BUSINESS

9. NEXT MEETING

9.1 Wednesday 26 August 2026, Level 9 / 83 Pirie Street, Adelaide SA 5000 or Microsoft Teams video conferencing.

10. CONFIRMATION OF MEETING MINUTES

10.1 The State Commission Assessment Panel confirmed the Minutes of the meeting.

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

12. MEETING CLOSE

12.1. The Presiding Member thanked all in attendance and closed the meeting at 12.30pm.

Confirmed: 12/08/2026



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Nathan Cunningham
PRESIDING MEMBER