



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 210th Meeting of the
State Commission Assessment Panel
held on Wednesday 27 August 2025 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 and present.

1.2. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) David Altmann John Eckert Mark Adcock (Occasional Member)
Secretary	Amy Arbon
DHUD Staff	Troy Fountain Joanne Reid Callum Hastie Hugh Wang Ken Tang Paul Dickson Damon Huntley Jeremy Wood Nathan Grantham
1.3. APOLOGIES	Jenny Newman Paul Leadbeter Don Donaldson

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Pulteney Street Student Accommodation Pty Ltd 25009168 56-62 Pulteney Street, Adelaide

Demolition of existing buildings and structures and construction of a 35-level mixed use building comprising student accommodation with associated amenities and communal areas and ground level shop uses.

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

Applicant:

- James Frolow
- Jon Whittle
- Damien Ellis
- Brett Rogers
- Dean Christian via MS Teams

Agencies:

- Aya Shirai-Doull (ODASA)

Observing:

- Elizabeth Rushbrook

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 25009168, by Pulteney Street Student Accommodation Pty Ltd 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.

Reserved Matter 1

The applicant shall submit a final detailed schedule of external materials and finishes, and a physical samples board prepared in consultation with the Government Architect, to the satisfaction of the State Planning Commission.

Reserved Matter 2

A final stormwater management plan and related architectural and civil drawings which addresses potential flood risk management in consultation with the City of Adelaide, to the satisfaction of the State Planning Commission.

Reserved Matter 3

The applicant shall submit final plans detailing the incorporation of acoustic treatments in accordance with the recommended treatments identified within the Acoustic Assessment (rp250106x0004) prepared by NDY, dated 19 March 2025 to ensure goal noise levels of the *Environment Protection (Commercial and Industrial Noise) Policy 2023* are achieved at all nearby noise sensitive receivers.

Reserved Matter 4

The applicant shall submit a wind tunnel study to quantify the conditions with respect to the recommended comfort criteria identified within the MEL consultants Environmental Wind Assessment and to develop wind mitigation strategies for the outdoor terraces, 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 shall be designed and constructed to be accordance with the Ministerial Building Standard MBS 010 *Construction requirements for the control of external sound (MBS 010)* to mitigate against noise ingress from the roadway and mixed land uses.

Condition 3

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 4

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

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

Condition 5

The application has been assessed and the development with a building height of approximately RL 161.000 metres Australian Height Datum (AHD) the application **will** penetrate the Adelaide Airport Obstacle Limitation Surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 with final approval by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts.

For Adelaide Airport to commence the approval the overall building height including all structures is required to be provided in AHD.

The development will infringe the OLS by approximately 21 metres.

Crane operations associated with construction require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

Conditions imposed by Environment Protection Authority under Section 122 of the Act**Condition 6**

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability is issued certifying that any required remediation has been undertaken and the land is suitable for the proposed use.

Condition 7

For the purposes of the above condition and regulation 3(6) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the statement of site suitability must be issued by a site contamination auditor informed by a completed site contamination audit report prepared in accordance with Part 10A of the *Environment Protection Act 1993*.

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 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.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act**Advisory Note 5**

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

2.2.2 Michael Boerema
25004848
43 Harvey Road, Korunye

Land Division - 1 into 2 allotments with retention of existing dwelling and structures.

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

Applicant:

- Shayne Henning

Observing:

- Ashley Rowan

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) Concurrence with Council's decision to grant planning consent is deferred subject to the provision of further information demonstrating that any future land use can achieve Performance Outcome 12.1 of the Rural Horticulture Zone and Land Division Performance Outcome 1.1.

2.2.3 TAL GP Projects No. 12 Pty. Ltd C/- Future Urban 23036664 82-86 Currie Street, Adelaide

Partial demolition of a Local Heritage Place (including conservation works) and construction of a multi-level student accommodation building with ancillary shop (café) on the ground floor and associated amenities and services.

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

Applicant:

- Michael Dickson
- Marc Duncan
- Tim Clarke
- Jason Schulz
- Ben Wilson
- Hayden Kiss

Representors:

- David Billington
- Tullio Tagaliferri
- Louise Rossiter
- Franz-Josef Baska
- Brenton James

Agencies:

- Sophie Newland (ODASA)

Council:

- Steven Burke (City of Adelaide)
- Simon Carter (City of Adelaide)

Observing:

- Tina Law
- Ashley Rowan
- Carmela Luscri
- Xiaochun Li
- Sam Hosking
- Cayleigh Stock
- Mark Economos
- Nick Economos
- Phil Brunning
- Peter Psaltis
- Lu Xue
- Susan Xie
- John Meijer via MS Teams
- Pamela Hunt via MS Teams
- Hannah Newman vis MS Teams

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 23036664, by TAL GP Projects No. 12 Pty. Ltd C/- 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 detailed schedule of high quality and durable external materials and finishes, and a physical samples board prepared in consultation with the Government Architect and to the satisfaction of the State Planning Commission.

Reserved Matter 2

The applicant shall submit a final Stormwater Management Plan detailing stormwater quantity and quality measures in consultation with the City of Adelaide and to the satisfaction of the State Planning Commission.

Reserved Matter 3

The applicant shall submit a detailed Demolition and Conservation Management Plan, including revised plans incorporating the finished details of the heritage façade as well as construction details for the reinstated verandah to satisfaction of the State Planning Commission.

This document must be prepared in consultation with the City of Adelaide and must demonstrate that the proposed demolition and conservation works will not adversely impact the heritage value of the Local Heritage Place, in accordance with the recommendations of the Heritage Impact Assessment prepared by Dash Architects.

Reserved Matter 4

The applicant shall submit amended architectural plans which detail and annotate all acoustic building treatments recommended by Sonus, to the satisfaction of the State Planning Commission.

Reserved Matter 5

The applicant shall submit the results of scaled wind tunnel testing undertaken at the detailed design stage. The testing must quantify wind conditions around the development and inform the design of appropriate wind control measures where required, to the satisfaction of the State Planning Commission.

- Predict wind effects on pedestrian safety and comfort along the verandah area facing Currie Street; and
- Provide recommendations for any necessary mitigation measures to ensure wind impacts are maintained within acceptable levels of comfort for the communal open space areas.

Reserved Matter 6

The verandah shall include pedestrian lighting (Category PP1 -AS1158). The lighting shall not be obtrusive and should be designed so it does not shine into any adjoining residences and shall be operational during the hours of darkness at all times to the reasonable satisfaction of 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 finished floor level at the boundary of the site at all pedestrian and vehicular access locations must match the existing back of footpath levels at the boundary.

Condition 3

All collected drainage water from any bin rooms, carwash areas, internal vehicle loading/parking areas, planter boxes, seepage collection systems, groundwater seepage systems, other internal areas, water features, swimming pools and/or spas located on the land shall be discharged to the sewer system.

Condition 4

The design of the vehicular access and off-street parking facilities shall comply with Australian Standards AS/NZS 2890.1-2004 Parking Facilities - Off-Street Car Parking, AS 2890.2-2018 Parking Facilities - Part2: Off-Street Commercial Vehicle Facilities, and AS 2890.3-2015 Parking Facilities - Bicycle Parking Facilities. The off-street parking facilities must be constructed in accordance with the approved design and relevant Australian Standards prior to occupation of the building.

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 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 4

The application has been assessed and the development with a approx. building height of RL 153.590 metres Australian Height Datum (AHD) the application will penetrate the Adelaide Airport Obstacle Limitation surfaces (OLS) which is protected airspace for aircraft operations.

The application will require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996 with final approval by the Department of Infrastructure, Transport, Regional Development, Communication and the Arts.

The development will infringe the OLS by approximately 55 metres.

Crane operations associated with construction require approval in accordance with the Airports Act 1996 and the Airports (Protection of Airspace) Regulations 1996.

Advisory Note 5

The relocation or removal of any existing infrastructure, including the street sign and hydrant, will require separate approval from the relevant infrastructure owner or authority.

Advisory Note 6

Prior to the issue of Development Approval or any demolition, the applicant must prepare a dilapidation report, including colour photos showing the existing condition of the footpath and roadway adjacent to the site in consultation with the City of Adelaide and to the satisfaction of the State Planning Commission.

Advisory Note 7

Prior to any occupation or use of the building, all redundant vehicular crossings and property drainage connections to the site and any other redundant assets related to the development shall be removed and Council land restored in accordance with Council's requirements including City Works Guide – Works.

2.2.4 Kym Obst

22012294

Lot 378 Richard Street, Penrice

Construction of a single storey detached dwelling and associated outbuilding, rainwater tank and landscaping

Presiding Member, Rebecca Thomas, declared a conflict of interest due her employer's engagement with the application and according, was not present for this agenda item.

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

Applicant:

- Kym Obst
- Catherine Orford

Representors:

- Christine Rogers

Council:

- Aaron Curtis (The Barossa Council)

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) 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 22012295, by Kym Obst 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

Final detailed plans shall be provided which include a site plan, floor plan, roof plan and batter detailing consistent with the civil plan, to the satisfaction of the State Planning Commission.

Reserved Matter 2

An Environmental and Landscape Plan shall be prepared by a suitably qualified person, which provides the following details:

- A landscape plan and schedule for a domestic garden zone
- Re-vegetation plan and schedule including timeframes for works and completion
- Measures to control noxious and environmental weeds
- Measures to control pest animals
- Future reinstatement of borrow pits
- Compliance with relevant bushfire requirements

Reserved Matter 3

A detailed design for the access and driveway from Richard Street shall be submitted, in consultation with the Council, that is compliant with Council's invert and driveway crossover requirements, 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).

ADVISORY NOTES

Planning Consent

Advisory Note 1

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

Advisory Note 2

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 3

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 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.

Advisory Note 6

The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 7

The applicant is advised of the need to obtain approval for the proposed on site wastewater disposal system from Barossa Council. Details on how to obtain this approval can be found here: <https://www.barossa.sa.gov.au/development-business/wastewater-management/onsite-wastewater-applications>

Advisory Note 8

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.

**2.2.5 Alano Water
25003541
53 Wasleys Road, Mallala**

Variation to DA 24014163 - Create one additional allotment plus changes to the location of the wastewater treatment plant infrastructure for an operative period of ten (10) years.

Presiding Member, Rebecca Thomas, declared a conflict of interest due her employer's previous engagement with the application and according, was not present for this agenda item.

The State Commission Assessment Panel discussed the application and supported the granting of concurrence. The applicant was advised of this support prior to the item being heard.

The applicant was offered the opportunity to present to the State Commission Assessment Panel; however, they declined this opportunity due to the supportive position on the concurrence request.

The public hearing of the item was therefore vacated.

Applicant:

- Tony Catalano
- Daniel Toms
- Catherine Orford

RESOLUTION

The State Commission Assessment Panel resolved that:

- 1) The objectives of the Environment and Food Production Areas – to ensure that areas of rural, landscape, environmental or food production significance are protected from urban encroachment - will not be compromised as a result of the proposed development.
- 2) The State Commission Assessment Panel concurs with the decision of the Council to **GRANT** Planning and Land Division Consent to Development Application 25003541.

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 3 September, Level 10, 83 Pirie Street, Adelaide SA 5000 or 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 Presiding Member thanked all in attendance and closed the meeting at 4:15PM

Confirmed: 28/08/2025



.....
Rebecca Thomas
PRESIDING MEMBER



.....
Rebecca Rutschack
DEPUTY PRESIDING MEMBER