



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 227th Meeting of the
State Commission Assessment Panel
held on Wednesday 10 June 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 and present.

1.2. PRESENT

Presiding Member	Nathan Cunningham
Members	David Altmann (Deputy Presiding Member) Emma Barnes Mario Dreosti Stuart Headland Emily Nankivell Jenny Newman
Executive Officer	Amy Arbon Sharon Butler
DHUD Staff	Nathan Grantham Andy Humphries Ben Scholes Hannah Connell Phil Mabbs Duncan Shearer Eric Alessi Simon Neldner

1.3. APOLOGIES

Nil

1. OPENING

1.1. Acknowledgement of Country

1.2. Attendance:

Nathan Cunningham (Presiding Member)
David Altmann (Deputy Presiding Member)
Emma Barnes
Mario Dreosti
Stuart Headland
Emily Nankivell
Jenny Newman

1.3. Apologies: Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Southern Cross Care

25038676

380 Glen Osmond Road and 1-3 Spence Avenue, Myrtle Bank

Retirement Facility and Ancillary Community Hub, Alterations and Additions to State Heritage Place and Tree Damaging Activity

Member, Stuart Headland, declared a conflict of interest due to his Board role within Resthaven Incorporated, and accordingly, was not present for this agenda item.

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

Applicant:

- Leon Patsis
- Lauren Gilder
- Josh Caporaletti
- Lewis Coulls
- David Kwong
- Sam Hosking
- Noelia Aguirre
- Ken Body
- Anthony Balsamo
- Justin Wight
- Greg Vincent via MS Teams

Representors:

- Pamela Macintyre

Agencies:

- Kevin O'Sullivan (Heritage SA)

Council: City of Unley

- Amelia De Ruvo

Observing:

- Dalia Osman (Heritage SA)

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 25038676, by Southern Cross Care 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 provide a revised landscape & vehicle access plan, detailing the location and dimension of the crossover to Spence Avenue, prepared in consultation with the City of Unley, to the satisfaction of the State Planning Commission.

Reserved Matter 2

The applicant shall provide elevations of the proposed bus shelter and signage/advertisement to the satisfaction of the State Planning Commission. The elevations shall include all associated/proposed cladding materials, finishes and building specifications.

Reserved Matter 3

The applicant shall provide a revised materials schedule including all proposed cladding materials, colours and finishes associated with the proposed development, 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

Rainwater tank(s) must be installed in accordance with DTS/DPF 1.1 of the Stormwater Management Overlay in the Planning and Design Code (as at the date of lodgement of the application) within 12 months of occupation of the dwelling(s).

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

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 5

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 6

The planting and landscaping identified on the 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, and any plants which become diseased or die, must be replaced within the next available growing season with suitable species.

Condition 7

Private waste collection shall only occur on the site on weekdays, between the hours of 9am and 7pm.

Conditions recommended by City of Unley

Condition 8

No groundwater is to be discharged into Council's stormwater system.

Condition 9

All stormwater from the building and site shall be disposed of so as not to adversely affect any properties adjoining the site or the stability of any building on the site. Stormwater shall not be disposed of over a crossing place.

Condition 10

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

Condition 11

Temporary debris and sediment control measures shall be installed prior to the commencement of work on site, to ensure that debris, soil, soil sediments and litter are maintained within the construction site. At no time shall debris, soil, soil sediments and litter from the construction site enter Council's drainage system, road network or neighbouring properties.

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

Condition 12

Remediation works must be undertaken in accordance with the Construction Environmental Management Plan - Carmelite Aged Care, Glenn Osmond Rd and Cross Rd, Myrtle Bank, South Australia, prepared by Ennovo (dated 12 March 2026) and must be overseen by a suitably qualified and experienced site contamination consultant.

Condition 13

A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability (in the form described by Practice Direction 14: Site Contamination Assessment 2021) is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.

Condition 14

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 consultant.

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

Condition 15

All access to/from the development shall be gained in accordance with the site plan produced by Walter Brooke, Project No. 23- 0628, Drawing No. DA02, Rev A, Dated 29-10-2025.

Condition 16

The entry and exit points shall be suitably signed and line-marked to reinforce the desired traffic flow. Appropriate traffic control shall be provided at the roundabout adjacent to the Glen Osmond Road ingress to ensure that vehicles entering the site from Glen Osmond Road have priority over all other traffic.

Condition 17

Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

Condition 18

All vehicles shall enter and exit the site in a forward direction. All on-site vehicle manoeuvring areas shall remain clear of any impediments.

Condition 19

All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022.

Condition 20

The largest vehicle permitted to use the access points on Glen Osmond Road shall be restricted to a 7.7 metre vehicle.

Condition 21

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 22

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of 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

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 Note 5

It is recommended that as the applicant is undertaking work on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.

Advisory Note 6

Any retaining walls and fencing which are located outside of the subject site will require separate development approval from the Relevant Authority.

Advisory Notes imposed by Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act

Advisory Note 7

Please note the following requirements of the Aboriginal Heritage Act 1988. (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) is to be notified under Section 20 of the Aboriginal Heritage Act 1988.

Advisory Note 8

Please note the following requirements of the Heritage Places Act 1993:

- a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
- b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works. For further information, contact the Department for Environment and Water.

Advisory Notes recommended by City of Unley**Advisory Note 9**

The alteration of the verge to Glen Osmond Road and Spence Avenue shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. Refer to the City of Unley website for Forms & Applications – Specification Crossover Opening, Kerb & Gutter, Footpath Repair. <https://www.unley.sa.gov.au/Page/Forms-Applications>

Advisory Note 10

Residential Parking Permits will not be issued to residents of Community or Strata titled dwellings or other multi dwelling buildings if granted development approval on or after 1 November 2013.

Advisory Note 11

Parking restriction currently in place along Glen Osmond Road, Cross Road, Spence Avenue and surrounding street network will not be altered as a result of the development.

Advisory Note 12

Numerous parts of the Council area have low lying water tables. Where there is sub-surface development occurring, groundwater can be encountered. Issues related to the disposal of this groundwater, either temporarily or permanently, can cause damage to surrounding Council infrastructure and cause problems for adjoining landowners. Where groundwater is encountered during the construction of the development, it will be necessary for measures to be taken to ensure the appropriate containment and disposal of any groundwater.

Advisory Note 13

Any works undertaken on Council owned land (including but not limited to works relating to reserves, crossing places, landscaping, footpaths, street trees and stormwater connections and underground electrical connections), shall require a separate authorisation from Council. Further information and/or specific details can be obtained by contacting Council's Asset Management department on 8272 5111.

Advisory Note 14

That any damage to the road reserve, including road, footpaths, public infrastructure, kerb and guttering, street trees and the like shall be repaired by Council at full cost to the applicant.

Advisory Note 15

The construction of the crossing place(s)/alteration to existing crossing places shall be carried out in accordance with any requirements and to the satisfaction of Council at full cost to the applicant. All driveway crossing places are to be paved to match existing footpath and not constructed from concrete unless approved by council. Refer to the City of Unley website Forms & Applications – Driveway Crossover Specifications. <https://www.unley.sa.gov.au/Page/Forms-Applications>

Advisory Note 16

Driveways Crossovers are not to be constructed from concrete over the footpath area between the kerb to boundary. Driveways and boundary levels at fence line are required to matching

existing footpath level at boundary and or between 2% and 2.5% above kerb Height. Crossover is not to exceed 2.5% or 1:40 cross fall gradient over footpath between boundary to verge and not excess 5% from verge to crossover kerb invert. If a driveway crossover or portion of a driveway crossover is no longer required due to the relocation of a new crossover or alteration to an existing crossover.

The redundant driveway crossover or part of, is required to be closed and returned to kerb and gutter, also raising the footpath level to match the existing paved footpath levels at either side of the crossover being closed. Provisions for Sliding Gate: Note that the high side of concrete plinths / footing for sliding gates should not be higher than existing footpath level. Any level adjustments to gradients to achieve a level plinth for sliding gate railing is required to be within the property boundary.

Advisory Note 17

All redundant crossovers shall be permanently closed and reinstated with kerb and gutter prior to the commencement of use of the development. All costs are to be borne

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

Advisory Note 18

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.

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

Advisory Note 19

The Metropolitan Adelaide Road Widening Plan currently shows a possible requirement for a strip of land up to 12.00 metres in width from the Cross Road and Glen Osmond Road frontages of this site for future road purposes. Additionally, the Plan shows a possible requirement for a strip of land up to 4.5 metres in width from both the Cross Road and Glen Osmond Road frontages of this site for future upgrading of the adjacent intersection, together with additional land from the southeastern 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 requirements. As the proposed development is located within the above areas, the attached consent form should be completed by the applicant and returned to DIT (via email dit.landusecoordination@sa.gov.au), together with a copy of the Decision Notification Form and the approved site plan/s.

Advisory Note 20

In the event that traffic flows on the abutting roads are impacted during construction of the development the applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan.

2.2 RESERVED MATTERS

2.3 VARIATION TO APPLICATION

2.3.1 Buckingham Arms Development Pty Ltd 26010577 1 Walkerville Terrace, Gilberton

Variation to authorised development no. 24029287 for reconfiguration of residential apartments, removal of serviced apartments and associated internal changes to provide additional residential apartments, external changes to form and materials, addition of privacy screening details and removal of one terrace dwelling.

Deputy Presiding Member, David Altmann, declared a conflict of interest due to his previous engagement by a Representor and accordingly, was not present for this agenda item.

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

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

Applicant:

- Matila Asser
- Chelsea Jurek
- Tom Wilson
- Scott Meek
- Ellen Bird
- Kent Cook
- Jole Wilkinson
- James Hilditch
- James lam

Representors:

- Phil Harris via MS Teams
- Greg Vincent via MS Teams
- Cathryn Hamilton via MS Teams
- Phil Brunning
- Mike Duigan
- Phillipa Duigan
- Sophia Czechowicz
- Maria Czechowicz
- Anj Foley

Agencies:

- Aya Shirai-Doull (ODASA)

Council: Town of Walkerville

- Fiona Barr

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 26010577, by Buckingham Arms Development 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 to the satisfaction of the State Planning Commission.

Reserved Matter 1

A final plan confirming on-site parking spaces to be made available for resident's visitor parking purposes.

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 plans and conditions with respect to Development Application IDs 24029287 and 25035311 must be fully complied with except where varied by this variation application and conditions.

Condition 3

All waste collection activities shall be scheduled to occur between 10:00am to 3:00pm Monday to Saturday.

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

Condition 4

The Northcote Terrace access and the Walkerville Terrace access points shall be located in accordance with the SMFA, Job No. 24045, Ground Floor Plan, Drawing No. B2.22, Drawing Issue: Planning Amendment, Revision 09 dated 3 February 2026 with traffic movements undertaken as shown in CIRQA, Traffic and Parking Report, Project #22486/TAW, dated 11 December 2025. The Northcote Terrace access point shall operate on a left turn in and left turn out basis only and the Walkerville Terrace access shall cater for left turn in, left turn out and right turn in movements only. The access points shall be suitably signed (externally and internally), and be line marked to reinforce the desired traffic flow to/from the abutting roads.

Condition 5

The Walkerville Terrace bus stop shall be relocated (including bus pad, shelter, tactiles and stop, etc) to the satisfaction of Department for Infrastructure and Transport and Council with all costs being borne by the applicant.

Condition 6

All road works deemed required to facilitate safe access to the development (including relocation of road signs, bus stops, side entry pits and other road infrastructure, etc) shall be designed and constructed to the satisfaction of the Department for Infrastructure and Transport, with all costs (including design, construction, project management and any changes to road drainage, lighting, vegetation removal, etc. required) being borne by the applicant. All works shall be completed prior to operation of the development.

Note: Prior to undertaking any construction works, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 7133 3208, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to obtain approval and discuss any technical issues regarding the required road works. The applicant may be required to enter into a Developer Agreement with DIT to undertake and complete this work.

Condition 7

The largest vehicles permitted on-site shall be restricted to a 10-metre service vehicle.

Condition 8

All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009 and all commercial vehicle facilities shall be designed in accordance with AS 2890.2:2018.

Condition 9

Any infrastructure within the road reserve (e.g. road signs, side entry pits, etc) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 10

All redundant crossovers to Northcote Terrace and Walkerville Terrace shall be reinstated with council standard kerb and gutter prior to the development becoming operational. All costs shall be borne by the applicant.

Condition 11

A final stormwater management plan shall be developed in conjunction with DIT (and Council) and be in accordance with DIT Master Specification RD-DK-D1 Road Drainage Design and other relevant guidelines. All drainage infrastructure is to be to the satisfaction of Council and DIT.

Condition 12

All stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of Northcote Terrace and Walkerville Terrace. 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

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 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 5

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 Note 6

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 Commissioner of Highways under Section 122 of the Act

Advisory Note 7

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a 4.5m strip of land from the Northcote Terrace frontage for future upgrading of the Northcote Terrace / Robe Terrace / Park Road / Walkerville Terrace intersection. The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all building works on or within 6.0m of the possible requirement.

As the proposed development is located within the above areas, the attached consent form should be completed by the applicant and returned to DIT (via email dit.landusecoordination@sa.gov.au), together with a copy of the Decision Notification Form and the approved site plan/s.

Advisory Note 8

Should traffic flows on Northcote Terrace and Walkerville Terrace be impacted during the construction/demolition works, the applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the construction phase.

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)**3.1. DEFERRED APPLICATIONS****3.2. NEW APPLICATIONS****3.3. VARIATION TO APPLICATIONS****3.3.1 Department for Energy and Mining****26001439****278 Nikalapko Road, Stuart**

Variation to Crown application 711/V030/17 to modify transmission line connection point, shift approved Battery Electric Storage System area, location of associated infrastructure and increase in capacity to 300MW/1200MWh

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

Applicant:

- Kaylah Malishev via MS Teams
- Catherine Way via MS Teams

Representor:

- Lynette La Black via MS Teams
- Rafe Champion via MS Teams

Agencies:

- Jess Page (SA CFS) via MS Teams

Council: Mid Murray Council

- Nick Bates
- Jordan Hunt

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 State Commission Assessment Panel provide its recommendation in confidence (published in the State Commission Assessment Panel Confidential Minutes, 10 June 2026) to the Minister for Planning.

4. REPORTING
5. BRIEFINGS
6. COURT COMPROMISE
7. PROCEDURAL MATTERS
8. OTHER BUSINESS
9. NEXT MEETING

9.1. Wednesday 24 June 2026, Level 9, 83 Pirie Street, Adelaide SA 5000 / Microsoft Teams video conferencing.

10. REVIEW OF SCAP INSTRUCTIONS TO STAFF AND UPCOMING AGENDA ITEMS
11. CONFIRMATION OF THE MINUTES OF THE MEETING
12. MEETING CLOSE

12.1. The Presiding Member thanked all in attendance and closed the meeting at 4:33PM.

Confirmed: 10/06/2026



.....
Nathan Cunningham
PRESIDING MEMBER