



A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 226th Meeting of the
State Commission Assessment Panel
held on Wednesday 27 May 2026 commencing at 9:00am
Level 10, 83 Pirie Street Adelaide / 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	Rebecca Rutschack
Members	David Altmann (Deputy Presiding Member) Don Donaldson Paul Leadbeter Jenny Newman
Secretary	Sharon Butler
DHUD Staff	Ben Scholes Hannah Connell Phil Mabbs Ben Williams Hugh Wang Andy Humphries

1.3. APOLOGIES Nil

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 178 East Pty Ltd 25040023 178 East Terrace, Adelaide

Change of use to and construction of a 10-level residential flat building and removal of two significant trees and four regulated trees.

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

Applicant:

- Chelsea Jurek (URPS)
- Lauren Price (Whitmore)
- Enzo Caroscio (Enzo Caroscio)
- Dylan Tempest (TT Consulting)
- Alex Game (Landskap)

Representors:

- Mark Thomson
- Wilfrid Prest
- Alexander Reilly
- Greg Vincent
- Sarah Kelly (MS Teams)
- Peter Psaltis
- David Klingberg AO
- Elizabeth Rushbrook

Agency

- Damien Heffernan (ODASA)

Observers

- Dr Sabina Flannagan
- Christine Psaltis
- Emma Turnbull (MasterPlan)
- Richard Duddy (MS Teams)
- Jan & Peter Davis (MS Teams)
- Leanne Frederikson (MS Teams)
- Naz Barbato & Jo Walker (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*.; and

2. Development Application Number 25040023 by 178 East Pty Ltd, is GRANTED Planning Consent subject to the conditions and reserved matters:

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

A final schedule of external material selections (supported by provision of physical material samples) prepared in consultation with the Government Architect, with appropriate consideration given to material finishes, durability and environmental performance.

Reserved Matter 2

A final stormwater management plan prepared in consultation with the City of Adelaide, including:

- a detailed site drainage / hydraulic services plan;
- confirmation of the calculation of pre-development and post-development areas; and
- confirmation of strategies to be implemented for stormwater retention / reuse within the development.

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 recommendations detailed in the Principal's Project Requirements - ESD Report, dated 29 July 2025 prepared by Living Building Solutions shall be fully incorporated into the development. Such measures shall be made operational prior to the occupation or use of the development and maintained at all times to the satisfaction of the State Planning Commission.

Condition 3

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 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

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.

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

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 Note 6

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 7

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 8

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 9

The City of Adelaide (Council) has indicated that if a Council waste collection service is expected to service the development, provision of 240-litre organic bins would be required as the Council does not provide (or cater for collection of) 660-litre organic bins.

**2.2.2 Kyanite North Terrace Landowner Pty Ltd ATF Kyanite North Terrace Landowning Trust
26005260
274-275 North Terrace, Adelaide**

Construction of a 21-level student accommodation and mixed-use tower, ground floor retail tenancies, communal facilities, associated landscaping, five internally illuminated signs, and rooftop sports court with mesh fencing and lighting.

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

Applicant:

- Zoe Garnaut
- Ian Davidoff
- Thomas Cornelius
- Simon Harris
- Adam Hannon
- Johannes Lupolo-Chan
- Kate Russo
- Tom Wilson
- Tim Conybeare

Agency:

- Belinda Chan (ODASA)

Council

- Janaki Benson
- Sean Howie

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. Pursuant to Section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 26005260, by Kyanite North Terrace Landowner Pty Ltd ATF, is GRANTED Planning Consent subject to the following reserved matter(s) and condition(s):

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 details of loading bay operation and service scheduling vehicle tracking and measures to minimise conflict between servicing and waste collection be provided in consultation with the City of Adelaide and to the satisfaction of the State Planning Commission to ensure that vehicles do not queue in Vaughan Place and/or Frome Street.

Reserved Matter 2

Final façade articulation, material selection and detailing, including detailed façade material schedules, samples and finishes, to be provided in consultation with the Government Architect, to ensure a high-quality and durable architectural outcome to the satisfaction of the State Planning Commission.

Reserved Matter 3

Detailed documentation demonstrating the implementation of the Sustainability Management Plan prepared by ADP Consulting dated 23 January 2026, with opportunities to express sustainability initiatives within the building design, in consultation with the Government Architect and 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

All illuminated signage shall:

- be designed to avoid glare and light spill;
- not flash, move or vary in intensity; and
- not obscure or impair the visibility of traffic control devices.

Illumination levels shall minimise the impact to sensitive receiver and road user.

Condition 3

All acoustic treatments and recommendations outlined in the Acoustic Assessment prepared by ADP Consulting dated 9 February 2026 shall be implemented, including:

- building envelope treatments to achieve internal noise criteria (MBS 010);
- acoustic screening of plant and equipment; and
- operational controls for servicing and waste collection.

All noise emissions must comply with the *Environment Protection (Commercial and Industrial Noise) Policy 2023*.

Condition 4

Any wind mitigation measures identified in the Wind Impact Assessment prepared by MEL Consultants dated 5 December 2025, including screening or treatment to outdoor communal areas, shall be incorporated into the detailed design to ensure acceptable pedestrian comfort and safety.

Condition 5

Landscaping shall be established in accordance with the Landscaping Plan by Aspect Studios, 13 February 2026, prior to occupation and maintained thereafter.

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

Remediation works must be undertaken in accordance with the *Remediation Validation Plan for Auditor Endorsement, 274-275 North Terrace, Adelaide. Dated 13 February 2026*, prepared by AM Consulting (dated 13 February 2026) and must be overseen by a suitably qualified and experienced site contamination consultant.

Condition 7

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 8

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

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

Any encroachment over public land, including awnings, must obtain separate approval under the *Local Government Act 1999* prior to installation.

Advisory Note(s) imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 6

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.

2.2.3 Minuzzo Project Management Pty Ltd 26003352 135 Greenhill Road, Unley

Construction of an eight (8) level residential flat building and two (2) three (3) level dwellings, and partial demolition of a Local Heritage Place.

Member, Don Donaldson, declared a conflict of interest due to his employment with the City of Unley and was not present for this agenda item.

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

Applicant:

- Chelsea Jurek
- Gary Minuzzo
- Kirsty Sander
- Kendall Aplin

- Marlew Cook
- Dave Reynolds
- Daniel Minuzzo
- Emily Reed

Representors:

- Lesley Kelly
- Terry Nicholls
- Garth Heynen

Agency:

- Damien Heffernan (ODASA)

Council: City of Unley

- Amelia De Ruvo

Observing:

- Brain Stacey via 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 26003352, by Minuzzo Project Management Pty Ltd is GRANTED Planning Consent subject to the following conditions and reserved matters:

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

Final architectural detailing and external material selections (supported by provision of physical material samples) prepared in consultation with the Government Architect, with appropriate consideration given to matters including final junction details between the existing heritage fabric and new building elements.

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 undertaken in strict accordance with the tree protection measures set out in the approved Arboricultural Impact Assessment, Tree Protection Specification and Tree Protection Plan report (Revision C) prepared by Tertiary Tree Consulting Pty Ltd dated 26 May 2026.

Condition 3

All stormwater from the buildings 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 4

Waste collection and general delivery vehicles shall only service the development, between the hours of 9am and 3pm Monday to Friday. No waste collection is to occur on Saturday, Sunday or Public holidays.

Condition 5

Notional Protection Zones (NRZ) shall be provided for the regulated and street trees sited within the verge of Greenhill Road and Salisbury Street, that are to be retained. The development must be undertaken in accordance with the Tree Protection Plan and recommendations of the *Arboricultural Impact Assessment Report and Tree Protection Plan* prepared by Tertiary Tree Consulting Pty. Ltd, dated 26 May 2026, and any pruning of regulated or significant trees should be undertaken under the guidance of a qualified arborist.

Additionally:

- Protect Arborist must be on site to supervise all works within the Notional Root Zones of the retained regulated and significant trees;
- Documentation should be provided to Council certifying all works within the Notional Root Zones have been completed in accordance with the plans within 24 hours of inspection;
- No major trenching shall occur within the Notional Root Zone (NRZ) and no services shall traverse the NRZ;
- Signage shall be erected indicating that no building materials shall be stored or disposed of within the NRZ and vehicles shall not traverse over the area or be stored within the NRZ;
- Nothing shall be attached to the canopy of the trees by any means;
- It is recommended that the dead wood in the canopy be removed prior to construction and absolutely no live wood is to be removed.

Condition 6

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

Condition 7

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 by the applicant.

Condition 8

All stormwater from the buildings 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 9

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 Commissioner of Highways under Section 122 of the Act**Condition 10**

All access to/from the development shall be gained in accordance with the basement and ground level floor plan produced by Aplin Cook Gardner, Drawing No. 19018 SK200, Rev J, Dated 08/01/2026.

Condition 11

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.

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

Condition 12

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 13

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

Advisory Note 4

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from portion of the Greenhill Road frontage of this site for future upgrading of the of Greenhill Road/ Unley Road intersection. The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all new building works located on or within 6 metres of the possible requirements. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is therefore required to all new building works located on or within 6.0 metres of the possible requirements.

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.

Advisory Note 5

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.

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

Advisory Note 6

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 recommended by City of Unley

Advisory Note 7

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 8

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 9

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Advisory Note 10

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Advisory Note 11

Parking restriction currently in place along Greenhill Road, Salisbury Street and surrounding street network will not be altered as a result of the development.

Advisory Note 12

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 13

You are advised that it is an offence to undertake *tree damaging activity* in relation to a regulated or significant tree without the prior consent of Council. *Tree damaging activity* means:

- The killing or destruction of a tree; or
 - The removal of a tree; or
 - The severing of branches, limbs, stems or trunk of a tree; or
 - The ringbarking, topping or lopping of a tree; or
 - Any other substantial damage to a tree, (including severing or damaging any roots),
- and includes any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree.

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

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 8372 5111.

Advisory Note 16

The alteration of the verge to Greenhill Road, Salisbury Street or Park Lane 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 17

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>

2. 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 10 June 2026 at Level 9, 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 3.45PM.

Confirmed: 29/05/2026



Rebecca Rutschack
PRESIDING MEMBER