



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 218th Meeting of the
State Commission Assessment Panel
held on Wednesday 14 January 2026 commencing at 9:30am
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 Rutschack
Members	David Altmann (Deputy Presiding Member) Don Donaldson Jenny Newman Mark Adcock (Occasional Member) James Hayter (Occasional Member)
Secretary	Morgan Ellis
DHUD Staff	Nathan Grantham Duncan Shearer Tegan Lewis

1.3. APOLOGIES

Paul Leadbeter

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Junction and Women's Housing Limited C/- Future Urban 25010553 Unit 1-10 / 1 Clifton Avenue 3, 5, 7, 9 & 11 Clifton Avenue, 38, 40 & 42 Dalby Avenue, Morphettville

Construction of three (3) four (4) level residential flat buildings, three (3) water tanks, fencing and tree damaging activity.

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

Applicant:

- Gregg Jenkins
- Tony Cole
- Rowan Barbary
- Alisha Kozirev
- Jess Reid Smith
- Chris Bentick

Representors:

- Colin Bonney via MS Teams
- Lisa Carman via MS Teams

Council:

- Kristen Sheffield
- David Barone

Observing:

- Craig Pickering
- 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 25010553, by Junction and Women's Housing Limited c/ Future Urban is granted Planning Consent subject to the following reserved matters and conditions:

RESERVE MATTER

Reserve Matter 1

The applicant shall submit an updated Arboricultural Tree Impact Assessment and Tree Protection Plan, prepared by a suitably qualified arborist, to the satisfaction of the State Planning Commission.

The documentation shall demonstrate that the development and all associated infrastructure (including stormwater, sewer piping, and fencing) will not unreasonably impact the health or structure of Tree 75 or the TPZs of Trees 49 and 50.

Reserve Matter 2

The applicant shall submit a detailed design and construction plan for the carpark, prepared in consultation with a qualified Arborist and to the satisfaction of the State Planning Commission. The plan shall specify the use of permeable surfacing and appropriate construction methods where required to mitigate impacts on protected and significant trees while maintaining functional parking requirements.

Reserve Matter 3

The applicant shall submit a final Landscaping Plan that nominates the specific species and the minimum height at the time of planting for evergreen trees to be located along the western boundary, to the satisfaction of the State Planning Commission. All screening trees in this location shall be advanced stock to minimise overlooking into neighbouring properties.

Reserved Matter 4

The applicant shall submit final civil and pavement specifications, prepared in consultation with the City of Marion and to the satisfaction of the State Planning Commission. The documentation shall confirm that the crossover, footpath, and internal driveways are designed with a heavy-duty surface suitable for a 10m refuse collection vehicle.

Reserved Matter 5

The applicant shall submit final details of upper level balcony privacy screening being a minimum height of 1.7m above the upper finished floor level on the southern elevation of building 3 and provided to the satisfaction of the State Planning Commission.

Reserved Matter 6

The applicant shall submit final stormwater design to be prepared in consultation with the City of Marion and provided to the satisfaction of the State Planning Commission, which demonstrates an increase in finished floor level of at least 300mm above the highest road fronting kerb level.

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 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 Relevant Authority.

Condition 3

During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of an approved stormwater drainage system.

Condition 4

The dwelling/s shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling/s, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.

Condition 5

The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn, and/or ground cover, and may include some paving, and the like. Such landscaping shall be completed within 12 months of completion of the Residential Flat Building and shall be maintained in good condition at all times and seriously diseased, dying or dead vegetation shall be promptly replaced.

Condition 6

The area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.

Condition 7

All redundant crossovers shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to habitation of the dwellings

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

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.

Advisory Note 5

Please note the removal of the street tree is subject to confirmation by Council's Arborist, a replacement cost (refer to the Schedule of Fees and Charges on Council's website) and to council's reasonable satisfaction.

Advisory Note 6

The owner/applicant is advised that consent from any relevant easement or encumbrance owner may be required prior to any construction.

Easements may include, but are not limited to drainage, Council easements (i.e. stormwater, encroachments, access etc), power transmission (SA Power Networks), telecommunications, or other forms of access (such as vehicle) rights of way.

Easements and encumbrances would be registered on the relevant Certificate of Title. The location of easements on the land would be shown on the Deposited Plan. A copy of the Certificate of Title and Deposited Plan can be obtained from the South Australian Integrated Land Information System (SAILIS) at: <https://sailis.lssa.com.au/home/auth/login>

Advisory Note 7

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

Advisory Note 8

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 watertable.

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 9

If you are a developer or owner-builder, there are important Commonwealth telecommunications rules you need to comply with. For more information visit www.infrastructure.gov.au/tind

Advisory Note 10

If excavating, it is recommended you contact Before You Dig Australia (BYDA) (www.byda.com.au) to keep people safe and help protect underground infrastructure.

Advisory Note 11

Street tree removal requires further action from you (the applicant). Council's Open Space team will send you a letter explaining the process associated with payment, street tree removal and street tree replacement. Following Development Approval, please contact Council's Open Space team to arrange for payment to be made. Please note that removal/replacement may only be undertaken by Council, and removal/replacement will not occur until after payment has been received. Please see Council's 'Development and Street Trees' Factsheet for further information.

**2.2.2 108 Franklin Pty Ltd C/- Future Urban
25028994
108-112A Franklin Street, Adelaide**

Variation to DA 23037672 - student accommodation in lieu of tourist accommodation, increase building height.

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

Applicant:

- Fabian Barone
- Renae Grida
- Jim Apostolou
- Peter Petrou
- Nic Wong
- James Guo

Agency:

- Aya Shirai-Doull

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 25028994, by 108 Franklin Pty Ltd C/- Future Urban is granted Planning Consent subject to the following reserved matters and conditions:

RESERVE MATTER

Reserve Matter 1

Final details, including the specific design and material privacy screens, shall be submitted to the satisfaction of the State Planning Commission for balconies that abut within the North (residential) Tower. Such details shall demonstrate that:

- a. The screens effectively mitigate direct overlooking between abutting balconies to maintain a high standard of residential amenity.
- b. The screens are constructed of durable, low-maintenance materials that are integrated with the overall architectural language of the facade.
- c. The method of fixing ensures the screens are permanent and cannot be easily removed by occupants.

Reserve Matter 2

Following consultation with the Government Architect, the applicant shall submit a final detailed external material and finishes schedule and physical samples board. Materials are to be high quality and durable with integral colours, and tones selected to consider optimum environmental performance. These details submitted shall also clarify the final building column locations at ground level and an articulated / patterned finish to the northern elevation of the southern tower to reflect the design as being conceived "in the round."

Reserve Matter 3

The applicant shall submit a final Stormwater Management Plan detailing stormwater quantity and quality measures prepared in consultation with the City of Adelaide

Reserve Matter 4

The applicant shall submit final details of the illuminated advertisement signage proposed on the southern tower, confirming that the signage will not move, flash, blink or rotate in any manner; and that the illumination of the signage will be kept to a level which ensures that no hazard, discomfort or nuisance is caused to adjoining residents.

Reserve Matter 5

A final wind assessment report shall be submitted for the proposed development which provides clear recommendations and adopted strategies for any wind mitigation measures.

CONDITIONS

Planning Consent

Condition 1

The plans and conditions with respect to Development Application 23037672 must be fully complied with except where varied by this variation application and conditions.

Condition 2

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 3

Waste Management shall be undertaken in accordance with the Approved Waste Management Plan prepared by ColbyPhillips and dated 16 September 2025.

Condition 4

The recommendations detailed in the Environmental Noise Assessment, dated 08 December 2025 prepared by Bestec 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 Relevant Authority.

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 129.900 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 federal 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.

This approval process is separate to the South Australian Development Approval.

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 34 metres.

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

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.

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 28 January 2026, Level 9, 83 Pirie Street, Adelaide SA 5000 / 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 2:10PM

Confirmed: 14/01/2026



Rebecca Rutschack
PRESIDING MEMBER