



# COUNCIL ASSESSMENT PANEL

# Minutes

for the meeting  
Wednesday, 28 January 2026  
at 5.30 pm  
in the Colonel Light Room, Adelaide Town Hall



# Minutes of the Meeting of the Council Assessment Panel

Held on Wednesday, 28 January 2026, at 5.30 pm,  
Colonel Light Room, Adelaide Town Hall

**Present -** Presiding Member - Nathan Cunningham  
Panel Members - Councillor Eleanor Freeman, Colleen Dunn,  
Robert Gagetti and Julian Rutt

## Opening and Acknowledgment of Country

At the opening of the Panel Meeting, the Presiding Member stated:

‘The City of Adelaide Council Assessment Panel acknowledges that we are meeting on traditional Country of the Kaurna people of the Adelaide Plains and pays respect to Elders past and present. We recognise and respect their cultural heritage, beliefs and relationship with the land. We acknowledge that they are of continuing importance to the Kaurna people living today.

And we also extend that respect to other Aboriginal Language Groups and other First Nations who are present today.’

## 1 Confirmation of Minutes

### Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 27 October 2025 be taken as read and be confirmed as an accurate record of proceedings.

## 2 Declaration of Conflict of interest

Nil

## 3 Applications assessed under PDI Act 2016 (SA) with Representations

### 3.1 71-75 Tower Street North, North Adelaide

#### Representations listed to be heard

Representors:

- Elbert Brooks on behalf of The North Adelaide Society Inc.

Applicant:

- Domenic Condina

### Decisions

The Council Assessment Panel resolves 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

The Council Assessment Panel resolves that:

2. Development Application Number ID 25031055, by Mr Domenic Condina is granted Planning Consent subject to the following reserved matter, conditions and advices:

### RESERVED MATTER

Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter shall be reserved for further assessment, to the satisfaction of Council's Assessment Manager, prior to the granting of Development Approval:

1. Updated Elevation Plans nominating a lighter shade of grey for the proposed carport in consultation with Council's Senior Heritage Advisor.
2. A report by a suitably qualified structural engineer with specialist heritage experience outlining an appropriate construction methodology for the development to ensure suitable retention of the Local Heritage Place.

Pursuant to Section 127 of the *Planning, Development and Infrastructure Act 2016*, Council's Assessment Manager reserves a decision on the form and substance of any further condition/s of Planning Consent considered appropriate to impose in respect of the Reserved Matter outlined above.

---

### CONDITIONS

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any):
  - Site Plan - Demolition, Project No. DA234451, Rev A, dated 30 September 2025
  - Ground Floor Plans by New Dimension Design and Drafting, Drawing No. 2023/501/02A, dated 29 September 2025
  - East Elevation and Section Detail by New Dimension Design and Drafting, Drawing No. 2023/501/12A, dated September 2025
  - Heritage Impact Statement – Variation by Dash Architects, dated 22 October 2025.
2. The applicant or the person having the benefit of this consent shall ensure that all stormwater run-off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the stormwater run-off shall be installed within the property boundaries of the land to the

reasonable satisfaction of the Relevant Authority.

---

### **ADVISORY NOTES**

#### **1. Development Approval Required**

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.

---

#### **2. Expiration of Approval (Variation)**

Pursuant to the provisions of Regulation 67 of the *Planning, Development and Infrastructure (General) Regulations 2017*, this consent / approval will lapse at the expiration of 2 years from the original operative date (21 February 2025) of the consent / approval (as granted in DA 24005521) unless the relevant development has been lawfully commenced by substantial work on the site of the development within 2 years, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

---

#### **3. Variation applications / Previous consent**

All previous stamped plans and documentation, including conditions, for Development Application ID 24005521 remain valid except where varied by this application and conditions.

---

#### **4. Commencement and Completion**

Pursuant to Regulation 93 of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Council must be given one business days' notice of the commencement and the completion of the building work on the site. To notify Council, contact City Planning via [d.planner@cityofadelaide.com.au](mailto:d.planner@cityofadelaide.com.au) or phone 8203 7185.

---

#### **5. Appeal Rights**

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 8204 0289).

### 3.2 367 Halifax Street, Adelaide

#### Representations listed to be heard

##### Representor:

- Bernadette Cirotzki and Emma Taylor of 11 St John Street, Adelaide (Presented photos to Panel Members, a copy is provided at the conclusion of the minutes of this meeting)

##### Applicant:

- Marcus Rolfe of URPS on behalf of applicant K & D Mattson (not in attendance)

#### Decisions

The Council Assessment Panel resolves 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

The Council Assessment Panel resolves that:

2. Development Application Number 25018478, by K&D Mattson is granted Planning Consent for the following reserved matter, conditions and advices:

#### **RESERVED MATTER**

Pursuant to section 102 (3) of the *Planning, Development and Infrastructure Act of 2016*, the following matter shall be reserved for further assessment, to the satisfaction of Council's Assessment Manager, prior to the granting of Development Approval:

1. Documentation confirming the chimneys will remain and be protected as part of the development.

Pursuant to Section 127 of the *Planning, Development and Infrastructure Act 2016*, Council's Assessment Manager reserves a decision on the form and substance of any further condition/s of Planning Consent considered appropriate to impose in respect of the Reserved Matter outlined above.

---

#### **CONDITIONS**

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).
    - Floor Plans, prepared by D'Andrea Architects, Drawing No. A 2201, dated 24 October 2025
    - Elevations, prepared by D'Andrea Architects, Drawing No. A 2202, dated 24 October 2025
-

2. **The applicant or the person having the benefit of this consent shall ensure that all storm water run off from the development herein approved is collected and then discharged to the storm water discharge system. All down pipes affixed to the Development which are required to discharge the storm water run off shall be installed within the property boundaries of the Land to the reasonable satisfaction of the Relevant Authority.**
- 

3. **All mechanical machinery associated with the heating, cleaning, and filtration of the swimming pool on the Land shall be enclosed in a solid acoustic structure and maintained at all times to the satisfaction of the Relevant Authority.**
- 

### **ADVISORY NOTES**

1. **Development Approval Required**

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.

---

2. **Expiration of Consent**

Pursuant to the provisions of Regulation 67 of the Planning, Development and Infrastructure (General) Regulations 2017, this consent / approval will lapse at the expiration of 2 years from the operative date of the consent / approval unless the relevant development has been lawfully commenced by substantial work on the site of the development within 2 years, in which case the approval will lapse within 3 years from the operative date of the approval subject to the proviso that if the development has been substantially or fully completed within those 3 years, the approval will not lapse.

---

3. **Commencement and Completion**

Pursuant to Regulation 93 of the Planning, Development and Infrastructure (General) Regulations 2017, the Council must be given one business days' notice of the commencement and the completion of the building work on the site. To notify Council, contact City Planning via [d.planner@cityofadelaide.com.au](mailto:d.planner@cityofadelaide.com.au) or phone 8203 7185.

---

4. **Appeal Rights**

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 8204 0289).

---

**5. Consultation with Adjoining Owners**

In addition to notification and other requirements under the Planning, Development and Infrastructure Act and Fences Act, it is recommended that the applicant / owner consult with adjoining owners and occupiers at the earliest possible opportunity after Development Approval, advising them of proposed development work so as to identify and discuss any issues needing resolution such as boundary fencing, retaining walls, trees/roots, drainage changes, temporary access, waste discharges, positioning of temporary toilets etc.

---

**6. Boundaries**

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.

---

**7. Right of Way**

The applicant should ensure that any right of way on the land is not blocked or access restricted during the construction of the development herein approved.

---

**8. Certificate of Titles**

The owner/applicant is advised that consent from any relevant easement, LMA 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>

---

**9. City Works Permit**

Any activity in the public realm, whether it be on the road or footpath (including the Adelaide Park Lands), requires a City Works Permit. This includes activities that have received Development Approval.

The City Works Guidelines detailing the requirements for various activities and fee calculator and online application form can all be found on Council's website at

<https://www.cityofadelaide.com.au/business/permits-licences/city-works/>

When applying for a City Works Permit you will be required to supply the following information with the completed application form:

- A Traffic Management Plan/Site Plan (a map which details the location of the works, street, property line, hoarding/mesh, lighting, pedestrian signs, spotters,

distances etc.);

- Description of equipment to be used;
- A copy of your Public Liability Insurance Certificate, noting the City of Adelaide as an interested party (minimum cover of \$20 Million required);
- Copies of consultation with any affected stakeholders including businesses or residents.

Applications will require a minimum notice period of five business days. For more information, contact [cityworks@cityofadelaide.com.au](mailto:cityworks@cityofadelaide.com.au)

---

#### **4 Applications assessed under PDI Act 2016 (SA) without Representations**

Nil

#### **5 Appeal to CAP for Assessment Manager's Decision Review**

Nil

#### **6 Other Business**

##### **6.1 Delegations, Meeting Procedures and Meeting Schedule for 2026/27**

###### Decision

That the CAP:

1. Delegates powers of an Assessment Panel as Relevant Authority under the *Planning, Development and Infrastructure Act 2016* (SA) as follows:
  - 1.1. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* (SA) the powers and functions under the *Planning, Development and Infrastructure Act 2016* (SA) and statutory instruments made thereunder contained in the proposed Instrument of Delegation (Attachment A to this report dated 28 January 2026 and entitled 'Instrument C' – Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel) are hereby delegated from 28 January 2026 to the City of Adelaide Assessment Manager, subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
  - 1.2. Such powers and functions may be further delegated by the City of Adelaide Assessment Manager in accordance with Section 100(2)(c) of the *Planning Development and Infrastructure Act 2016* (SA) as the City of Adelaide Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
2. Endorses and adopts the Meeting Procedures set out in Attachment B to Item 6.1 on the Agenda for the meeting of the CAP held on 28 January 2026.
3. Endorses the 2026/2027 Meeting Schedule set out in Attachment C to Item 6.1 on the Agenda for the meeting of the CAP held on 28 January 2026.



## 6.2 CAP Annual Report 2025

### Decision

Endorses submission of the Council Assessment Panel Annual Report 2025 to Council, included in the Agenda for the Council Assessment Panel meeting held on 28 January 2026, subject to the following inclusions in section 6.2 – CAP Advice to Council in the Council Assessment Annual Report 2025:

- Car Parking
  - The Planning and Design Code requirement for no minimum car parking in various zones in the city is a complex issue often not aligned with community expectations. Additional messaging to the public from the State Government explaining the intent for these policies could be beneficial and raise community awareness and align them with the reality of Code policy.
  - Research and evidence on the impact of high-rise developments without parking, or case studies on people living in these developments without a car could be beneficial now that numerous examples in the city have been delivered.
- Interface Concerns
  - There is significant transformational policy in the Planning and Design Code showing a direction of change of built form in the city, particularly at the interface between low scale residential zones and high scale mixed use and commercial zones. The CAP notes this has been a regular community concern in several meetings.
  - Additional messaging to the public from the State Government explaining the reasons for this is encouraged to assist the community to understand this policy.
- CAP Volume
  - There is a reduced number of development applications being assessed by the Panel, and Panels generally across South Australia.
  - As the planning system continues to evolve, changes resulting in Panels being the Relevant Authority for a greater number of appropriate developments is encouraged.
  - CAP considers such changes would better align with community expectations regarding the role of a Council Assessment Panel, which includes Accredited Professionals assembled to utilise their skills to assess and determine complex applications.
- SCAP Threshold
  - Reiterate the view that the SCAP threshold should be reviewed, possibly removed given the level of change in the planning system since it was established or at the very least increased from the \$10 million figure initially set.
  - Supports progress Administration is making in this regard.
- Demolition
  - The CAP notes an increase in demolition in the city not requiring development approval since the planning reforms in March 2021. This can deliver poor outcomes and is resulting in an increase in open lot car parks.

### **6.3 Planning Policy Updates including Suggestions from Panel**

- Adult Entertainment and Historic Area Statement Update Code Amendments currently with Minister for Planning
- Minister for Planning declined Waste Management Code Amendment on 21 November 2025

### **6.4 Other Business raised at Panel Meeting**

Nil

### **6.5 Next Meeting - Monday 23 February 2026**

### **Closure**

The meeting closed at 8.20 pm

**Nathan Cunningham**  
**Presiding Member**  
**City of Adelaide Council Assessment Panel**

Documents Attached:

Item 3.2 - Representor Photos – Presented to the Panel at this Meeting























