



# COUNCIL ASSESSMENT PANEL

# Minutes

for the meeting  
Monday, 22 June 2026  
at 5.30 pm  
in the Colonel Light Room, Adelaide Town Hall



# Minutes of the Meeting of the Council Assessment Panel

Held on Monday, 22 June 2026, at 5.30 pm,  
Colonel Light Room, Adelaide Town Hall

**Present -**

Presiding Member -	Nathan Cunningham
Panel Members -	Colleen Dunn and Robert Gagetti
Deputy Panel Member -	Councillor Arman Abrahamzadeh David Cooke

**Apologies -**

Panel Members -	Councillor Eleanor Freeman and Julian Rutt
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## Opening and Acknowledgment of Country

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

'The City of Adelaide acknowledges the Kaurna People of the Adelaide Plains as the Traditional Custodians of the land on which we meet today.

We acknowledge and honour their spiritual and cultural stewardship of this Country and recognise their deep and enduring relationship with its lands, waters, the sky, and all living things.

We pay our respects to Kaurna Elders past and present and recognise the important role of emerging leaders in sustaining and strengthening culture.'

## 1 Confirmation of Minutes

### Decision

That the Minutes of the meeting of the City of Adelaide Council Assessment Panel held on 25 May 2026, 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 38 Tucker Street, Adelaide

#### Representations listed to be heard

Representors:

- Genevieve Rowe of 1009/297 Pirie Street, Adelaide (not in attendance)
- Alex Gersch of 5/25 Hutt Street, Adelaide
- Michael Pilkington of 9 Richmond Street, Kensington (not in attendance)
- Elbert Brooks of The North Adelaide Society Inc, North Adelaide

Applicant:

- Faros Omidvour

#### Decision

That the public be excluded from this part of the meeting of the City of Adelaide Council Assessment Panel dated 22 June 2026, (with the exception of members of Corporation staff who are hereby permitted to remain) to enable the Panel to receive legal advice, pursuant to Regulation 13 (2)(a)(viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

Members of City of Adelaide staff not directly involved with the matter and members of the public left the Colonel Light Room at 6.31pm.

The meeting re-opened to the public at 6.51pm.

### Decisions

That 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

That the Council Assessment Panel resolves that:

2. Development Application Number ID 26006456, by Mr Faros Omidvour, is GRANTED Planning Consent subject to the following conditions and advices:

### 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):**
    - **Engineering Inspection Report undertaken by KB Consulting Engineers, inspection date 2 September 2025**
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2. **Prior to the issue of Development Approval or any demolition, the Relevant Authority shall be provided with a dilapidation report including colour photos showing the existing condition of the neighbouring character building at 40 Tucker Street, Adelaide.**
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### 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.

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#### 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.

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### 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.

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### 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).

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### 5. 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. Planning Policy Updates including Suggestions from Panel**

- Council's Assessment Manager referred to recent judgement issued by the Supreme Court (20 Hindmarsh Square Pty Ltd v State Planning Commission & Anor. [2026] SASC 72)
- The judgement provides a degree of comfort for Panel Members to be able to take notes without exposing a decision of the Assessment Panel to challenge by way of judicial review.

**6.2. Other Business raised at Panel Meeting**

Nil

**6.3. Next Meeting - Monday 27 July 2026**

**Closure**

The meeting closed at 7.12 pm

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

Documents Attached:

Nil