



# STATE COMMISSION ASSESSMENT PANEL

**A COMMITTEE OF THE STATE PLANNING COMMISSION**

Minutes of the 180<sup>th</sup> Meeting of the State Commission Assessment Panel  
held on Monday 3 June 2024 commencing at 8:30am  
at U City Function Centre Level 1, 43 Franklin Street, Adelaide  
/ Microsoft Teams video conferencing.  
Deliberation held on Tuesday 4 June 2024.

## 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 Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert Paul Leadbeter David Altmann Jenny Newman Don Donaldson
Secretary	Amy Arbon
DTI Staff	Troy Fountain Hannah Connell Benjamin Scholes

### 1.3. APOLOGIES

Nil

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## 2. SCAP APPLICATIONS

### 2.1. DEFERRED APPLICATIONS

### 2.2. NEW APPLICATIONS

#### 2.2.1 Adelaide Football Club c/ Future Urban

23037899 Preliminary Works Application  
23037913 Main Works Application

**165 Sir Donald Bradman Drive, Hilton,  
Lot 204 Ashwin Parade, Torrensvile,  
38 Ashley Street, Torrensvile,  
Unit 1/38 Ashley Street, Torrensvile,  
Lot 4001 South Road, Torrensvile,  
Lot 4002 South Road, Torrensvile,  
Lot 4003 Ashley Street, Torrensvile.**

23037899 Preliminary site work including demolition of the Thebarton oval surface, oval seating (outdoor seating excluding the grandstands), fencing, pathways and other small structures and earthworks to create the Thebarton oval pad and building pad for the two-storey administration and training building.

23037913 Thebarton Oval Precinct Development being a staged development and including realignment and resurfacing of Thebarton Oval, installation of training oval at Kings Reserve, partial demolition of existing non-heritage listed grandstand, alterations and additions to the existing grandstands, construction of a two (2)-level building comprising shops, offices, function rooms, indoor recreation facilities, club rooms and swimming pool, installation of five (5) light towers (40.3 metres in height), a camera platform, rectification works to the State Heritage Listed entry gates and ticket stand, removal of six (6) Regulated Trees and four (4) Significant Trees, carparking and associated landscaping

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

#### **Applicant**

- City Collective
- Future Urban
- Mott MacDonald
- Arborman Tree Solutions
- Cirqa
- Wallbridge Gilbert Aztec
- Dsquared
- Rubidium Light
- Botten Levin
- Adelaide Football Club

#### **Representations**

- Various

#### **Agencies**

- Heritage SA
- Department for Infrastructure and Transport

The State Commission Assessment Panel discussed the Main Works Application (23037913).

## RESOLVED

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 23037913, by Adelaide Football Club c/ Future Urban is granted Planning Consent subject to the following conditions and reserved matters:

## RESERVED MATTERS

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

Detailed Landscaping plan prepared by a qualified landscape architect, specifying suitable plant species (including indigenous species), location and size of plantings and ongoing maintenance schedule. The plan shall seek to achieve maximum tree canopy cover, incorporating additional trees in the carparking areas.

### Reserved Matter 2

As part of the detail landscaping plan the Applicant shall investigate the retention of the three (3) Schinus areira trees annotated as E7, E8 and E9 in Demolition Plans (Drawing Numbers P0102 Revision P.1 and P0103 Revision P.1) included in the Arboricultural Impact Assessment and Development Impact Report prepared by Arborman Tree Solutions (reference Number ATS6529-KinResDIR-R1) dated 14 December 2023. In addition, the Applicant shall investigate the possibility of retaining other trees identified for removal on the endorsed plans during design development should other retention opportunities be identified.

### Reserved Matter 3

Final designs for fencing, embankments (including gradients), pathways, and gates prepared in consultation with the City of West Torrens and the Department for Infrastructure and Transport to ensure public access to and through the site is welcoming, safe, free flowing and maximises connectivity.

### Reserved Matter 4

An Event Management Strategy shall be prepared in consultation with the City of West Torrens and the Department for Infrastructure and Transport to guide the management and operation of events with anticipated attendance of over 2,000 people.

### Reserved Matter 5

A final external lighting plan shall be designed to demonstrate conformity with Australian Standard (AS 4282-2023).

### Reserved Matter 6

A final acoustic report demonstrating that the development and its associated activities will function in conformity with the *Environment Protection (Commercial and Industrial Noise) Policy 2023*. The report shall also demonstrate that activities incorporating music shall be designed to achieve suitable acoustic amenity when measured at the boundary of an adjacent sensitive receiver (or lawfully approved sensitive receiver).

### Reserved Matter 7

The final stormwater management plan, detailing capture and reuse of stormwater collected from rooftop surfaces, shall be prepared.

## 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

Tree protection measures, including establishment of Tree Protection Zones and Structural Root Zones as recommended in the advice prepared by Arborman Tree Solutions included in application details (dated 14 December 2023, reference ATS6529-KinResDIR-R1) shall be maintained during all development activity to ensure the health and viability of all significant and regulated trees existing on the subject land.

#### Condition 3

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 – two (2) trees to replace a regulated tree: or
- if the development relates to a significant tree – three (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 4

Members of the public shall be permitted access to and through the oval and associated public realm at all times, other than when the oval and facilities are being used for activities hereby approved.

#### Condition 5

The latest hours of operation of the five (5) authorised lighting towers to be installed around the perimeter of Thebarton Oval are as follows:

- Event periods / game days - operation until 11:00pm
- Other periods - operation until 10:00pm

Any variation to these hours of operation will require a further planning consent.

#### Condition 6

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.

#### 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 7

The application has been assessed and the proposed light towers at a height of RL 55.70m 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 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. The development will infringe the OLS by approximately 7.2 metres.

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

**Conditions imposed by the Minister responsible for the administration of the Heritage Places Act 1993 under Section 122 of the Act**

**Condition 8**

Final details of proposed fence (FE03) must be provided to the satisfaction to Heritage SA of the Department for Environment and Water prior to construction.

**Condition 9**

Repair method for cracked parapet must be provided to the satisfaction of Heritage SA of the Department for Environment and Water prior to repair taking place.

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

**Condition 10**

Access to the subject site is to be in general accordance with the Overall Site Plan – Overall Precinct by City Collective, Drawing No. P1001, Revision P1, dated 5/12/2023 and the Precinct Car Parking plan by City Collective, Dated December 2023. The final location and design of access to Ashwin Parade and South Road shall be to the satisfaction of the Department for Infrastructure and Transport.

**Condition 11**

Event Management Traffic Plans shall be developed in consultation with and to the satisfaction of the City of West Torrens and the Department for Infrastructure and Transport prior to events being held on-site. All access to the site and management of traffic/people movements associated with the site shall be in accordance with the plans.

**Condition 12**

The largest vehicle permitted on-site shall be restricted to a 19m long vehicle. The largest vehicle to utilise the South Road access shall be limited to a 11m long service vehicle.

**Condition 13**

All off-street carparking and vehicle manoeuvring areas shall be designed in accordance with AS/NZS 2890.1:2004, AS/NZS 2890.6:2009 and AS2890.1:2018. 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 adjacent to the access points to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

**Condition 14**

Any infrastructure (e.g. road signs, drainage infrastructure, lighting, etc.) 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 15**

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**

**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**

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**

The development will be undertaken in stages, as follows:

1. demolition of non-heritage and sundry site items;
2. site works and infrastructure;
3. substructure;
4. superstructure;
5. architectural and services fit-out; and
6. landscaping and balance of works.

#### **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 imposed by the Commissioner of Highways under Section 122 of the Act**

##### **Advisory Note 9**

The Metropolitan Adelaide Road Widening Plan shows a possible requirement for strips of land up to 170 and 204.5m from the land abutting Ashwin Parade and South Road for Torrens to Darlington project. 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 6.0 metres of the possible requirement. The attached consent form should be completed by the applicant and returned to DIT ([dit.landusecoordination@sa.gov.au](mailto:dit.landusecoordination@sa.gov.au)), together with a copy of the Decision Notification Form and the approved site plan/s.

##### **Advisory Note 10**

The subject development is impacted by the Tunnel Protection Overlay. It should be noted that Ministerial Building Standard 11 (MBS) applies to certain development within the Tunnel Protection Overlay and the provisions of the Standard should be considered during detailed design, noting that the Deemed to Satisfy Provisions are thresholds for referral to the Commissioner only.

As per Clause 2.3 of the MBS, if the applicant determines that they are unlikely to meet the DTS provisions of the Standard, the applicant should contact the Department for Infrastructure and Transport on 1300 951 145 or via email [T2D@sa.gov.au](mailto:T2D@sa.gov.au) to discuss design options. A copy of the Ministerial Building Standard can be found at: [https://plan.sa.gov.au/\\_data/assets/pdf\\_file/0007/1270474/MBS-011-Additional-requirements-for-designated-Tunnel-Protection-Areas-version-1.pdf](https://plan.sa.gov.au/_data/assets/pdf_file/0007/1270474/MBS-011-Additional-requirements-for-designated-Tunnel-Protection-Areas-version-1.pdf).

Additional information relating to the Tunnel Protection Overlay in the attached fact sheets.

**Advisory Note 11**

Approval for temporary traffic control for each event will need to be obtained from DIT – Roadworks via <https://www.roadworks.sa.gov.au>.

The Traffic Management Centre Roadworks team can be contacted on 1800 434 058 or email [dit.roadworks@sa.gov.au](mailto:dit.roadworks@sa.gov.au).

The event traffic management will need to be developed in accordance with: [https://dit.sa.gov.au/\\_data/assets/pdf\\_file/0020/121394/DOCS\\_AND\\_FILES-8197504-v5-Guidelines for Events on SA Roads.pdf](https://dit.sa.gov.au/_data/assets/pdf_file/0020/121394/DOCS_AND_FILES-8197504-v5-Guidelines_for_Events_on_SA_Roads.pdf).

**Advisory Note 12**

Should traffic flows on South Road or Ashwin Parade be affected during the construction phase, Approval for temporary traffic control will need to be obtained from DIT's Traffic Management Centre (TMC) via <https://www.roadworks.sa.gov.au>. The company engaged for traffic control will need to provide the TMC with a copy of the traffic management plan and seek approval for any temporary traffic control/signage. The Traffic Management Centre Roadworks team can be contacted on 1800 434 058 or email [dit.roadworks@sa.gov.au](mailto:dit.roadworks@sa.gov.au).

**Advisory Note 13**

As access to Main South Road requires use of land owned by the Commissioner of Highways, appropriate authorisations will need to be in place prior to creation and use of this access.



The State Commission Assessment Panel discussed the Preliminary Works Application (23037899).

## RESOLVED

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 23037899, by Adelaide Football Club c/ Future Urban is granted Planning Consent subject to the following conditions and reserved matters:

## RESERVED MATTERS

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 Vehicle Access Methodology Plan prepared in consultation with the City of West Torrens and the Department for Infrastructure and Transport detailing the intended arrangements for all vehicle access to the land for the purposes of the proposed development including:

- nature, timing, and frequency of vehicle movements through all available access points throughout the proposed development; and
- strategies intended to minimise potential safety risks for motorists, cyclists, and pedestrians.

### Reserved Matter 2

A Construction Environmental Management Plan prepared in consultation with the City of West Torrens detailing the intended arrangements for management of (without being limited to) the following matters:

- vehicle parking and access arrangements for tradespersons
- site hoarding
- generation of noise and vibration
- air quality, including emissions of odour and dust
- water quality, including prevention of groundwater contamination
- soils, including fill importation, waste and stockpile management and prevention of soil contamination.
- soil vapour and ground gas, including potential vapour intrusion
- surface water including stormwater management and control of erosion and sediment
- erosion and sediment control
- waste minimisation and management
- storage and handling of hazardous substances
- flora and fauna
- public safety
- emergency response planning
- complaints handling and management
- work health and safety
- risk communication and engagement

## 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**

Tree protection measures, including establishment of Tree Protection Zones and Structural Root Zones as recommended in the advice prepared by Arborman Tree Solutions included in application details (dated 18 December 2023, reference ATS6529-KinResTPZ) shall be maintained during all development activity to ensure the health and viability of all significant and regulated trees existing on the subject land.

## **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**

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**

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 Notes imposed by City of West Torrens under Section 122 of the Act**

#### **Advisory Note 7**

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 8**

If you are building up to a common boundary, you are strongly encouraged to consult with the adjoining property owner before commencing any work.

Section 5 of the *Fences Act 1975* requires you to give formal notification to, and consult with, the adjoining property owner if you are replacing an existing fence or building a freestanding wall along the common boundary that would, for all purposes, be a dividing fence. A wall that forms part of a building to be located along the boundary is also subject to this formal requirement.

For more information, please refer to the Legal Services Commission brochure titled "Fences and the Law". Copies are available at Council's Administration Centre, or online at <http://www.lawhandbook.sa.gov.au/ch31s02.php>.

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

#### **Advisory Note 9**

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 10**

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.

### 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 12 June 2024 at Level 9, 83 Pirie Street, Adelaide SA 5000 / Via 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 5:30PM.

Confirmed 04/06/2024.



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Rebecca Thomas  
PRESIDING MEMBER