



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 208th Meeting of the
State Commission Assessment Panel
held on Wednesday 23 July 2025 commencing at 9:00am
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 Thomas |
| Members | Rebecca Rutschack (Deputy Presiding Member) David Altmann Don Donaldson John Eckert Paul Leadbeter Jenny Newman |
| Secretary | Amy Arbon |
| DHUD Staff | Troy Fountain Ben Scholes Tegan Lewis Daniel Marotti |

1.3. APOLOGIES

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Smith Motor Group Pty Ltd

21042215

279 Commercial Road and 41 Lipson Street, Port Adelaide

Construction of five (5) bulky goods outlets with associated at-grade vehicle parking and landscaped areas to be developed over three (3) stages.

The Presiding Member, Rebecca Thomas, declared a conflict of interest due her employer's previous engagement with the application and according, was not present for this agenda item.

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

Applicant:

- Rick Htutchins
- Sascha Frost
- John Byleveld

Agencies:

- Belinda Chan via MS Teams

The Deputy 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 21042215, by Smith Motor Group Pty Ltd is GRANTED Planning Consent subject to the following Reserved Matters, Conditions and Advisory Notes:

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 external material selections, including confirmation of high-quality integral finishes supported by the provision of physical samples.

RESERVED MATTER 2

A final external lighting plan designed to conform with requirements of Australian Standard 4282-2023 - Control of the obtrusive effects of outdoor lighting.

RESERVED MATTER 3

A final landscaping plan which includes all planting selections and sizes, soil volumes and depths, as well as an irrigation and maintenance strategy 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

The development shall be undertaken in accordance with the recommendations set out in the approved Preliminary Site Investigation report prepared by FMG Engineering (reference S27299 - 281749 dated 12 August 2022), including preparation of a Construction Environmental Management Plan.

CONDITION 3

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.

CONDITIONS IMPOSED BY COMMISSIONER OF HIGHWAYS UNDER SECTION 122 OF THE ACT**CONDITION 4**

The Metropolitan Adelaide Road Widening Plan shows a requirement for a 4.5 metres x 4.5 metres corner cut-off at the junction of Commercial Road and Cleave Street from CT 5293/702. All built form shall be clear of this requirement and any landscaping proposed in this area shall be low growing to ensure that the sightlines in Urban Transport Routes Overlay DTS/DPF 5.1, a) are provided to maximise driver sightlines at the Commercial Road and Cleave Street intersection.

CONDITION 5

Access to Commercial Road, Cleave Street and Lipson Street shall be located as shown on John Byleveld Architects, Project No. 2443, Site Plan – Revised, Drawing No. P111, Revision SK.1, dated 18 March 2025). The Commercial Road access points shall be suitably designed to cater for the simultaneous two-way movements of a Small Rigid Vehicle (SRV) and a B99 vehicle.

CONDITION 6

Any modifications to the existing traffic control at the Commercial Road and Cleave Street intersection and adjacent to the Commercial Road access points (e.g. modify chevron marking and parking controls) shall be to the satisfaction of the Commissioner of Highways and Council with all costs borne by the applicant.

CONDITION 7

All vehicles shall enter and exit Commercial Road in a forward direction.

CONDITION 8

The access points, loading bays and all parking areas shall be suitably line marked and signed to achieve the desired flow through the site.

Condition 9

The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with AS 2890.2:2018 and all car parking areas shall be designed and constructed in accordance with AS/NZS 2890.1:2004 and 2890.6:2022.

CONDITION 10

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.

CONDITION 11

Any redundant crossover/s on Commercial Road, Cleave Street and Lipson Street shall be closed and reinstated to Council's satisfaction at the applicant's cost prior to the development becoming operational.

CONDITION 12

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

ADVISORY NOTES

Planning Consent

ADVISORY NOTE 1

This consent or approval will lapse at the expiration of 24 months from its operative date (unless this period has been extended by the State Planning Commission).

ADVISORY NOTE 2

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 3

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 4

No works, including site works can commence until a Development Approval has been granted.

ADVISORY NOTE 5

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 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

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 8

The development is expected to be undertaken in the following stages:

- Stage 1 - demolition and site works
- Stage 2 - substructure
- Stage 3 - superstructure

ADVISORY NOTES IMPOSED BY CITY OF PORT ADELAIDE ENFIELD UNDER SECTION 122 OF THE ACT

ADVISORY NOTE 9

The applicant is reminded that approval must be obtained from any encumbrancer prior to any works commencing on the land.

ADVISORY NOTE 10

The granting of this consent does not remove the need for the Applicant to obtain all other consents that may be required by other statutes or regulations. The Applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.

The consent does not override the authority of any encumbrance or easement that might be present on the land.

ADVISORY NOTE 11

Where an application proposes development within close proximity to an allotment boundary, the Applicant must ensure that the development is undertaken entirely on the subject land and that no part of the structure approved, including the guttering, encroaches any property boundary. To ensure that the proposed development is constructed within the allotment and at the approved set back, it is recommended that a site survey be undertaken to confirm the location of the relevant boundaries.

ADVISORY NOTE 12

The Applicant is advised that any works affecting Council owned land, either temporarily or permanently, requires arrangements to be made with Council's City Assets Department prior to any works been undertaken. This includes (but not limited to):

- Stormwater Connections;
- Driveways;
- Scaffolding on Footpaths;
- Outdoor Dining

Further Information can be obtained online at

<https://www.cityofpae.sa.gov.au/development/development-services/permits> or the City Assets Department on telephone 8405 6600.

ADVISORY NOTES IMPOSED BY COMMISSIONER OF HIGHWAYS UNDER SECTION 122 OF THE ACT

ADVISORY NOTE 13

Should traffic flows on Commercial Road be impacted during the construction phase of the development, the applicant is required to obtain approval from DIT's Traffic Management Centre (TMC) for the implementation of a traffic management plan. Before any construction works the contractor(s) will be required to complete a 'Notification of Works' form via the following link: https://www.dit.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations

2.2.2 Antunes Group C/- Future Urban Pty Ltd**24039446****14-18 Sutton Terrace, 11-13 Desmond Terrace and 254-262 Richmond Road, Marlestone**

Construction of a bulky goods outlet and a childcare centre with associated advertising signage and removal of two (2) significant trees.

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

Applicant:

- Marc Duncan
- Bethany Potter
- Melissa Mellen

Council:

- Kai Wardle
- Nicholas Timotheou
- Frank Siow
- Richard Tan

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 Application Number 24039446, by Antunes Group C/- Future Urban Pty Ltd is REFUSED Planning Consent subject to the following reasons:
 - 1) The proposal does not achieve Performance Outcome 1.2 and Desired Outcome 1 of the Urban Corridor (Living) Zone as:
 - the proposed bulky goods outlets do not provide a range of small to medium scale non-residential uses, services and facilities that meet the day-to-day needs of the local community
 - the proposal does not provide compatible non-residential land uses oriented towards the primary road corridor with bulky goods outlets that significantly exceed the corresponding DTS/DPF 1.2 that seeks shops, offices or consulting rooms not exceeding a maximum gross leasable floor area of 500m².
 - 2) The proposal does not achieve Performance Outcome 1.3 and Desired Outcome 1 of the Urban Corridor (Living) Zone as:
 - The proposal does not provide for diverse medium density accommodation options nor achieve a strong residential focus providing a diverse range of housing options.
 - 3) The proposed building siting does not achieve Performance Outcome 2.5 of the Urban Corridor (Living) Zone that seeks setbacks from rear boundaries to enable building separation to provide adequate access to sunlight and minimise impacts on open space.
 - 4) The proposed building siting and scale along the southern boundary does not meet General Development Policies 'Fences and walls' Performance Outcome

9.1 as the wall height would unreasonably impact on visual amenity and the adjoining land's access to sunlight and the amenity of public spaces.

- 5) The proposed building siting and scale along the southern boundary does not meet General Development Policies 'Interface Between Land Uses' Performance Outcome 3.2 as it results in unacceptable overshadowing and inadequate access to direct winter sunlight to the lawfully approved residential allotments.
- 6) The proposal does not achieve General Development Policies 'Interface Between Land Uses' Performance Outcome 4.2 as it will unreasonably impact upon the future amenity of lawfully approved residential allotments by virtue of noise impacts from on-site manoeuvring of service and delivery vehicles.

**2.2.3 Carrington Collective
25002013
125-129 Carrington Street, Adelaide**

Construction of a six (6) level building comprised of ground floor retail tenancy and stacked car parking, with five (5) levels of residential development above

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

Applicant:

- Phillip Brunning
- Eleanor Clausen
- Scott Meek
- Tim Hastwell
- Ian Bishop via MS Teams

Representors:

- Paul Russell
- Richard Blight via MS Teams

Agencies:

- Belinda Chan 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 25002013, by Carrington Collective is GRANTED Planning Consent subject to the following Reserved Matters, Conditions and Advisory Notes:

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

A final detailed schedule of external materials and finishes and a physical samples board in consultation with the Government Architect to the satisfaction of the State Planning Commission.

RESERVED MATTER 2

A Final environmental noise assessment report detailing acoustic measures proposed to appropriately attenuate noise generated by mechanical plant and equipment to be included in the development's rooftop plant enclosure

CONDITIONS

Planning Consent

CONDITION 1

The development granted Planning Consent 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

Where provided for by any relevant off-set scheme established under section 197 of the Planning, Development and Infrastructure Act 2016 (as at the date of lodgment of the application), payment of an amount calculated in accordance with the off-set scheme may be made in lieu of planting/retaining 1 or more trees as set out in the Urban Tree Canopy Overlay in the Planning and Design Code (as at the date of lodgment of the application). Payment must be made prior to the issue of development approval.

CONDITION 3

Waste Management shall be undertaken in accordance with the Approved Waste Management Plan prepared by SALT and dated 23 January 2025.

CONDITION 4

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.

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

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

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 4

No works, including site works can commence until a Development Approval has been granted.

ADVISORY NOTE 5

The applicant is reminded of its 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 construction and management of the authorized development, please contact the City of Adelaide on (08) 8203 7203 or via customer@cityofadelaide.com.au.

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

Development must not impact on the health and sustainability of Council's street trees.

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 13 August 2025, 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 2:15pm

Confirmed: 25/07/2025



.....
Rebecca Rutschack
DEPUTY PRESIDING MEMBER (Item 2.2.1)



.....
Rebecca Thomas
PRESIDING MEMBER