



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 153rd Meeting of the
State Commission Assessment Panel
held on Wednesday 8th February 2023 commencing at 9.30am
Level 9, 83 Pirie Street Adelaide / 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, present and emerging.

1.2. PRESENT

Presiding Member	Rebecca Thomas
Members	Rebecca Rutschack (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember David Altmann
Secretary	Jaclyn Symons, Governance Officer
DTI Staff	Troy Fountain (2.2.1, 3.2.2) Margaret Smith Brittany Anderson Brett Miller (2.2.1) Gabrielle McMahon (3.2.1, 3.2.2) Eric Alessi

1.3. APOLOGIES

Nil

Note: Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.2. NEW APPLICATIONS

2.2.1 Perry's Fuel Distributors

22033439

Lot 10 and 12 Railway Terrace, Yunta

Self-serve retail fuel outlet including above ground fuel-cell (tank), canopy and advertising sign.

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

Applicant

- Phil Harnett (URPS)
- Andrew Perry
- Thomas Wilson (Cirqa)

Representors

- Melanie Lewis

The State Commission Assessment Panel discussed the application.

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 22033439, by Perry's Fuel Distributors is granted Planning Consent subject to the following reserved matter and conditions:

RESERVED MATTER

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

- 1) The applicant shall supply an amended landscaping plan (inclusive of irrigation), that includes the provision of an appropriate deterrent to the Main Street frontage to prevent vehicles from accessing the site from Main Street and give the proposed landscaping sufficient time to establish 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

Any lighting of the site, including lighting of any vehicle parking areas, the illuminated price board and the canopy, shall be designed and constructed to conform with Australian Standards and must be located,

directed or shielded and be of such limited intensity that no demonstrable nuisance or loss of amenity is caused to any person beyond the site.

Condition 3

All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface (asphalt or concrete pavement) and must always be maintained in a good condition.

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

Condition 4

Access to the site shall be gained as shown on the URPS, Site Plan & Landscape Plan, Job No. 22ADL-1109, Revision 1 dated 23 September 2022 and CIRQA, Perry's Fuel (Unmanned), Yunta, Site Configuration (36.5m Road Train), Project # 22463, Sheet # 01_SH01, Revision A dated 21 September 2022. The access points shall be sealed (AC treatment or concrete pavement) from the edge of Railway Terrace to a minimum of 20m into the site and cater for the swept path of vehicles shown on CIRQA Sheet# 01_SH01, dated 21 September 2022. All road works shall be complete prior to the development becoming operational.

Condition 5

Vehicular access to/from the Main Street frontage shall be physically restricted with suitable installations (e.g. kerbing, signage and or raised landscaping) that will be maintained for the life of the development. All landscaping is to be installed on private property.

Condition 6

The access points shall be suitably signed and line marked to achieve the one-way flow through the site and all vehicles shall enter and exit the site in a forward direction.

Condition 7

The largest vehicle permitted to access the site shall be restricted to a 36.5m Road Train (PBS Level 3A).

Condition 8

The final location of the fuel cell shall ensure that all vehicles accessing the site can store clear of the road reserve and do not overhang into the abutting road.

Condition 9

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 10

All manoeuvring areas for commercial vehicles shall be designed and constructed in accordance with AS 2890.2:2018.

Condition 11

The stobie pole located at the eastern corner of the site shall be suitably protected with the installation of a bollard and hazard signage. DIT shall be consulted regarding the sign installation and all costs shall be borne by the applicant.

Condition 12

The fuel price board sign shall be installed completely within private property and be set back from the Railway Terrace / Main Street corner a minimum of 3 metres to ensure driver sightlines are maintained.

Condition 13

Stormwater run-off shall be collected on-site and discharged without impacting Railway Terrace and Main Street. Additionally, longitudinal drainage along Railway Terrace and Main Street shall be maintained adjacent and across the access points in order to minimise the impact on the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Conditions imposed by Environment Protection Authority under Section 122 of the Act

Condition 14

Stormwater runoff the refuelling and fuel delivery hardstand area of the petrol station must be managed in accordance with 'Site Works and Drainage Plan Lot 10-12 Railway Terrace, Yunta' prepared by Epic Projects and Consulting and dated 27 November 2022 and must be directed via grates and grade changes to the Hydroprotector full retention oil/water separator (no bypass function) that:

- a. Has a minimum spill capture capacity of 10,000 litres;
- b. Reduces oil content in the outlet to less than 5mg/L at all times (as confirmed by independent third-party scientific testing); and
- c. Operates effectively in the event of a power failure.

Condition 15

Prior to operation, all aboveground fuel storage tanks must be double-walled and designed and installed in accordance with clause 5.9 of the *Australian Standard 1940-2017 The storage and handling of flammable and combustible liquids*.

ADVISORY NOTES

Planning Consent

Advisory Note 1

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 ERC Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).

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 State Planning Commission).

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 Notes imposed by Commissioner of Highways under Section 122 of the Act

Advisory Note 4

The illuminated price board sign will need to operate in accordance with DIT "Advertising Signs - Assessment Guidelines for Road Safety" (August 2014). The document is available via the following link:

http://www.dpti.sa.gov.au/__data/assets/pdf_file/0019/145333/DPTI-Advertising-Signs-Assessment-Guidelines.pdf

Advisory Note 5

In relation to condition 4, the applicant should contact Mr Bonaventure Tan, Asset & Maintenance Manager at the Department for Infrastructure and Transport on ph 8648 5243, mobile 0417 767 452, or bonaventure.tan@sa.gov.au to discuss the Department's requirements for any proposed works. All road works shall be completed prior to commencement of operation of the development.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

Advisory Note 6

The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.

Advisory Note 7

An environmental authorisation (licence) is required for this development. Before commencing operation, the applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.

Advisory Note 8

A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.

Advisory Note 9

More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

2.3. RESERVED MATTERS

3. CROWN DEVELOPMENTS (ADVISORY ITEMS)

3.1. DEFERRED APPLICATIONS

3.2. NEW APPLICATIONS

3.2.1 South Australian Sports Institute (Office for Recreation, Sport and Racing and the Department for Infrastructure and Transport)

211/V149/22

145 Railway Terrace, Mile End and 155 Railway Terrace, Keswick Terminal

The construction of a multi-level sports training and research facility including offices, learning/teaching areas and café, along with associated car parking and landscaping at the Mile End Sports Precinct.

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

Applicant

- Layton Waters (DIT)
- Adam Trottmann (ORSR)
- Chelsea Crawford (ORSR)
- Adam Hannon (COX Architecture)
- Patrick Scott (COX Architecture)
- Brenton Burman (AECOM)
- Paul Froggatt (Stantec)
- Tim Henderson (Fyfe)
- Gerald Barrie (KBR)
- Tom Hateley (AECOM)

- Will Chapman (KBR)
- Jeremy Chu (DIT)

Representors

- Shane Fuller
- Sarah Chinner
- Andrew Herringer

Agencies

- Ellen Liebelt (ODASA)
- Phil Hazell (EPA)
- Wendy Boyce (EPA)
- Marc Hryciuk (DIT)

Council

- Nicholas Timotheou (City of West Torrens)
- Andrew King (City of West Torrens)
- Frank Siow (for City of West Torrens)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) That the State Commission Assessment Panel provide its recommendation in confidence (published in the SCAP Confidential Minutes – 8 February 2022) to the Minister for Planning.

Note: A Decision Notification Form will be forwarded to all representors once the Minister has made a decision on the application.

3.2.2 Office for Recreation, Sport and Racing C/- URPS

211/V148/22

145 Railway Terrace, Mile End South

Construction of an Aerodynamics building.

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

Applicant

- Grazio Maiorano (URPS)
- Sarah Lowe (URPS)
- Madeleine Steele (Hames Sharley)
- Adam Trottman (ORSR)
- Chelsea Crawford (ORSR)
- Layton Waters (DIT)
- Jeremy Chu (DIT)

Agencies

- Ellen Liebelt (ODASA)

Council

- Nicholas Timotheou (City of West Torrens)
- Andrew King (City of West Torrens)

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4. MAJOR DEVELOPMENTS – VARIATIONS

5. REPORTING

6. COURT COMPROMISE

7. BRIEFINGS

8. PROCEDURAL MATTERS

9. OTHER BUSINESS

10. NEXT MEETING

- 10.1. Wednesday 22 February 2023 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 1.52pm.

Confirmed 8/02/2023



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Rebecca Thomas
PRESIDING MEMBER