



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 100th Meeting of the
State Commission Assessment Panel
held on 9 December 2020 commencing at 9.30am
50 Flinders Street, Adelaide / Microsoft Teams video conferencing

1. OPENING

1.1. PRESENT

Presiding Member	Rebecca Thomas
Members	Dennis Mutton (Deputy Presiding Member) John Eckert Emma Herriman Paul Leadbeter Grant Pember
Secretary	Sara Zuidland
DPTI Staff	Ben Williams (Agenda Item 2.2.1) Hannah Connell (Agenda Item 2.2.2) Troy Fountain (Agenda Item 2.2.1 & 2.2.2) Jason Cattonar (Agenda Item 2.2.1 & 2.2.2) Lee Webb (Agenda Item 3.2.1) Simon Neldner (Agenda Item 3.2.1)

1.2. 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 – Nil

2.2. NEW APPLICATIONS

- 2.2.1 **Beresford Estates (No. 2) Pty Ltd & Beresford Estates Pty Ltd c/- Future Urban Pty Ltd**
DA 145/E062/20
252 Blewitt Springs Road, 158 Ingoldby Road, McLaren Flat
City of Onkaparinga
Proposal: Construction of fifteen (15) tourist accommodation pods, shop (restaurant), industry (micro-brewery) and associated car parking, landscaping and removal of one (1) regulated tree.

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

Applicants

- James Levinson – Botten Levinson
- Matt John – Alexander Brown Architects

Council

- Kyle Tapscott (via Video)
- Steve Tilbrook (via Video)

Representor/s

- Sally Bevan
- David McCarthy

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE that the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Onkaparinga Council Development Plan.
- 3) RESOLVE to grant Development Plan Consent to the proposal by Beresford Estates (No. 2) Pty Ltd & Beresford Estates Pty Ltd C/- Future Urban Pty Ltd for the construction of fifteen (15) tourist accommodation pods, shop (restaurant), industry (micro-brewery) and associated car parking, landscaping and removal of one (1) regulated tree (non-complying) at 252 Blewitt Springs Road; 158 Ingoldby Road McLaren Flat, subject to the following conditions of consent.

RESERVED MATTERS

Pursuant to Section 33 (3) of the *Development Act 1993*, the following matters shall be reserved for further assessment, to the satisfaction of the State Planning Commission (SPC), prior to the granting of Development Approval:

- a. A detailed landscaping plan shall be submitted that identifies mature plantings, irrigation methods and other features of the landscaping scheme to demonstrate viability of all plantings and species. The landscaping plan shall be compliant with CFS requirements.
- b. Details of surface materials to the access road and car parking areas shall be submitted, with consideration to dust suppression.

PLANNING CONDITIONS

1. The development granted Development Plan Consent shall be undertaken in accordance with the stamped approved plans, drawings, specifications and other documents submitted to the State Planning Commission to the reasonable satisfaction of the SPC, except where varied by conditions below.

Reason for condition: to ensure the development is constructed in accordance with the endorsed plans and application details

HOURS OF OPERATION

2. The approved restaurant use shall be restricted to the following hours of operation:
 - a. 10:00am to 10:00pm daily

Reason for condition: to minimise potential impacts on adjoining land

3. The approved micro-brewery use shall be restricted to the following hours of operation:
 - a. 7:00am to 10:00pm daily

Reason for condition: to minimise potential impacts on adjoining land

GENERAL OPERATION RESTRICTIONS

4. The number of functions/special events shall be restricted to the following:
 - a. Six (6) functions per calendar year of up to 200 persons.
 - Any functions/special events may only take place between the hours of 12 Noon and 11pm.
 - The noise generated by functions/special events will not exceed 65 dB(A), measured at the closest dwelling, in accordance with the Environmental Noise Assessment, dated October 2020 undertaken by Sonus (S4644C14).

Reason for condition: to ensure special events/functions are limited and appropriately managed.

5. The patron capacities at any one time of various elements herein approved are to comply with the following:
 - a. Micro-brewery/Restaurant – 220 persons including staff (20);
 - b. Accommodation – 30 guests (2 per accommodation pod).

Reason for condition: to minimise potential impacts on adjoining land and associated residential amenity.

ACOUSTIC MEASURES

6. The following acoustic treatment measures shall be adhered too in order to achieve the noise criteria detailed in the Environmental Noise Assessment, dated October 2020 undertaken by Sonus (S4644C14):
 - the roller doors to the Vale Brewing building and boiler shed remain closed other than when in use;
 - the specified noise level for the final plant selections (including the air conditioning and ventilation equipment) shall be no greater than those specified in the Appendix 'Prediction Model Noise Data Input' listed in the Environmental Noise Assessment, dated October 2020 undertaken by Sonus (S4644C14);
 - the forklift used at the brewery shall have a maximum specified sound power level of no greater than 95 dB(A). This specification can be achieved with an electric powered forklift; and
 - the reverse alarm fitted to the forklift shall be of a broadband noise type, in lieu of a tonal type unit, subject to compliance with relevant occupational safety requirements.

Reason for condition: to minimise potential impacts on adjoining land and associated residential amenity.

CONDITIONS – GENERAL

7. A 'Tree Protection Plan' shall be prepared in accordance with the recommendations of the 'Arborman Tree Solutions Aboricultural Impact Assessment and Development Impact Report', dated 7 April 2020 and Australian Standard AS 4970 2009 'Protection of trees on development sites'.

The 'Tree Protection Plan' shall identify 'Tree Protection Zones' measure for trees 2-13 to ensure excavation works associated with water, sewer, electricity are not detrimental to the health of these trees.

Reason for condition: to ensure minimal impacts to existing during and post construction.

REGULATED TREES

8. A payment of \$192.00 shall be made into the Planning and Development Fund (\$192 per regulated tree being removed (1) within three (3) months from the date of Development Approval being granted.

Note: Cheques to be made payable and marked "Not Negotiable" to the SCAP and payment made at 50 Flinders Street, Adelaide or sent to GPO Box 1815 Adelaide 5001. Payment may also be made over the phone with Credit Card (Mastercard or Visa) by calling our Customer Service Officer on 7109 7018. All payments must be accompanied by reference to the Development Application number and the reason for the payment

Reason for condition: to ensure sufficient replacement trees can be provided for following removal.

CFS DIRECTED CONDITIONS

ACCESS TO HABITABLE BUILDING

9. The Code Part 2.3.3.1 requires the mandatory provision for 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.
- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
 - The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - a. A loop road around the building, OR
 - b. A turning area with a minimum radius of 12.5 metres, OR
 - c. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres
 - Private access shall have minimum internal radii of 9.5 metres on all bends; where possible
 - Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
 - Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.
 - Access shall provide safe passage to the turning area and shall not be obstructed by any solid structure (such as a carport) and/or any other structure.

Reason for condition: to ensure bushfire fighting vehicles have appropriate access to buildings in the event of a bushfire.

ACCESS (to a dedicated water supply)

10. The Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwellings.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:
 The dedicated water supply outlet for draughting purposes shall not exceed 5 metre maximum vertical lift (calculated on the height of the hardstand surface to the lowest point of the storage) and no greater than 6 metre horizontal distance.
 The suction outlet pipework from the tank shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

WATER SUPPLY

11. The Code Part 2.3.4.1 mandates a dedicated and accessible water supply to be made available at all times for fire-fighting purposes:
 - A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
 - The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
 - The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
 - The water storage facility (and any support structure) shall be constructed of non-combustible material.
 - The dedicated fire-fighting water supply shall be pressurised by a pump that has
 - i. A minimum inlet diameter of 38mm, AND

- ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
 - The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
 - All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
 - All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
 - A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).
 - All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
 - All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
 - All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
 - All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
 - All fire-fighting hoses shall be readily available at all times.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

VEGETATION

12. The Code Part 2.3.5 requires landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property:
 - A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.

- iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

Reason for condition: to ensure landscaping includes pre-emptive protective measures to prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

SITING

13. The Code Part 2.3.2 requires for buildings to be sited away from areas that pose an unacceptable bushfire risk. This includes areas with rugged terrain or hazardous vegetation.
- The western accommodation dwellings # 1-9 shall be sited no less than 10 metres from the western property boundary, for the establishment of an asset protection zone; or
 - A formal agreement with relevant parties to manage the vegetation in the roadside along Ingoldby road directly adjacent to the accommodation for perpetuity beyond the property boundaries as indicated on the plan 19-033.CFS issue A 25th November 2020 can be achieved.
 - The eastern accommodation dwellings # 10-15 shall be sited no less than 20 metres from the hazardous vegetation associated with the eastern and northern side of the existing dam.

Reason for condition: to ensure buildings are sited appropriately to minimise the risk of damage to buildings in the event of a bushfire.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 24 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Planning Commission.
- b. The applicant is advised to obtain Building Rules Consent from either a private certifier (or the City of Onkaparinga) within 24 months of the date of this Notification, for Development Approval purposes.
- c. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 2 years of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan 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 number 8204 0289).

- e. All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the *South Australian Public Health Act 2011*.
- f. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997 – Control of the obtrusive effects of outdoor lighting).
- g. All stormwater infrastructure design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.
- h. During construction and at all times thereafter, effective measure be implemented in accordance with this consent to:
 - a. Prevent silt run-off from the land to adjoining properties, roads and drains
 - b. Control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land
 - c. Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site in a suitable covered bin or enclosure
 - d. Ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of the land.
- i. The applicant shall provide written confirmation of the agreement with the City of Onkaparinga to the State Planning Commission regarding the management of the vegetation in Ingoldby Road, directly adjacent the proposed accommodation pods, in accordance with CFS recommendations.
- j. The applicant has advised that roadside vegetation along Ingoldby Road (to the south, adjacent the proposed micro-brewery/restaurant may be required to be removed to facilitate a new access point. The applicant is encouraged to engage with the City of Onkaparinga to pursue opportunities to receive necessary approvals from Council prior to undertaking pruning/removal of vegetation should the access point be created.
- k. The applicant, or any person with the benefit of this consent, must ensure that any consent/permit from other authorities or third parties that may be required to undertake the development, have been granted by that authority prior to the commencement of the development.
- l. 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.
- m. The *Environment Protection (Noise) Policy 2007* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to meet indicative noise factors for different land use categories. The policy creates offences that can result in on-the spot fines or legal proceedings. Environment Protection Authority information sheets, guidelines documents, codes of practice, technical bulletins and other materials can be accessed via the following website: <http://www.epa.sa.gov.au>
- n. 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.

- o. Landscaping shown on the approved plans shall be established prior to the operation of the development and shall be maintained, irrigated and nurtured at all times, with any diseased or dying plants being replaced.
- p. Air conditioning or air extraction plant or ducting shall be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality to the reasonable satisfaction of the State Planning Commission.
- q. During construction the applicant must ensure that every effort is made to minimise noise and dust emissions generated from site works, particularly by use of heavy machinery and vehicular movements.
- r. SA CFS recommends:

BUSHFIRE SURVIVAL PLAN

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.
- This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event.
- The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS 'Bushfire Safety and Survival for Business and Organisations' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.
- The applicant should consider reducing operating hours and restrictions on days of extreme weather or bushfire events

MANIFEST BOX (or similar)

- the installation of a Manifest Box at the entrance of the property. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the property. Containing a site plan highlighting vehicle access, turning ability, building location, water i.e. fill locations, and fire protection equipment, and on-site hazards or storage of dangerous materials i.e. LPG, fuels or chemicals with a list of emergency contact phone numbers.

2.2.2 Springwood Development Nominees Pty Ltd

DA 490/D029/20 and 960/D024/20

Calton Road, Gawler East SA 5118 and Kalbeeba

Town of Gawler and The Barossa Council

Proposal: Torrens Title land division creating 1,414 allotments from 36 existing allotments and removal of 45 Regulated Trees and 40 Significant Trees.

Rebecca Thomas declared a conflict of interest and was not present for this item.

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

Applicants

- Richard Dwyer – Ekistics
- James Levinson – Botten Levinson
- Warwick Mittiga – Springwood

Council

- Ryan Viney – Town of Gawler

Agencies:

- Michael Malavazos – DEM
- Mieka Webb – DEM
- Jonathon Song – EPA
- Jodi Davy – Renewal SA

Representor/s

- Peter Bailey – Video
- Sharen McLeod – Video
- Adrian Shackley – In person

Observers:

- Yuri Poetzl (via Video)
- Ray Cockshell (via Video)
- Joanna Wells (via Video)
- Gary Goland (via Video)
- Jason Katsaras – Messenger (via Video)
- Paul Turner – for SeaGas (via Video)
- Michael Jarosz – SeaGas (via Video)

The State Commission Assessment Panel discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE that the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Gawler and Barossa Development Plans.
- 3) RESOLVE to grant Development Plan Consent (and Land Division Consent) to the proposal by Springwood Development Nominees for Land Division to create 1,414 allotments at Calton Road, Gawler in CT 6244/939, CT 6244/940, CT 6118/249, CT 6162/334, CT 6184/173, CT 6247/863, CT 6247/864, CT 6247/865, CT 6247/866, CT 6247/867, CT 6247/868, CT 6247/869, CT 6247/870, CT 6247/871, CT 6247/872, CT 6247/873, CT 6247/874, CT 6247/875, CT 6247/876, CT 6247/877, CT 6247/878, CT 6247/879, CT 6247/880, CT 6247/881, CT 6247/882, CT 6247/883, CT 6247/884, CT 6247/885, CT 6247/886, CT 6247/887, CT 6247/888, CT 6247/889, CT 6247/890, CT 6247/891 subject to the following conditions of consent.

PLANNING CONDITIONS

DEVELOPMENT PLAN CONSENT CONDITIONS

1. The development shall be undertaken and completed in accordance with the associated stamped plans and documentation, except where varied by conditions below.

Reason for condition: To ensure the development is undertaken in accordance with this consent.

2. Construction of all road, stormwater and footpath infrastructure is to be in accordance with the following construction hold points with a minimum of 48 hours' notice given to the relevant council to attend site:
 - a. Stormwater Hold Points – Excavation; pit and pipe installation; and backfill material.
 - b. Road Hold Points – Subgrade inspection, Subbase inspection, Basecourse inspection, and asphalt installation.

- c. Footpath Hold Points – Formwork prior to concrete pour.

Reason for condition: To ensure that infrastructure is provided in an orderly manner.

3. All fire tracks shall be designed to allow safe and convenient access for fire vehicles to adequately access dwellings for the purpose of fire protection and allow safe evacuation of the community in the event of a fire in accordance with the Ministers Code for Undertaking Development in Bushfire Protection Areas.

Reason for condition: To ensure infrastructure is provided for the purpose of Bushfire fighting purposes.

4. All roads shall be designed in accordance with the Ministers Code for Undertaking Development in Bushfire Protection Areas, where required, for safe and convenient movement of vehicles and have a sealed surface.

Reason for condition: To ensure that Bushfire fighting service vehicles and personnel can operate within the site.

5. All physical infrastructure services, including electricity and telecommunication services are to be provided underground.

Reason for condition: To improve the character and amenity of the locality.

6. Semi-mature native tree species (>1m in height) indigenous to the local area shall be planted on a 2 for 1 basis to compensate for the removal of each regulated tree and on a 3 for 1 basis for each significant tree. The replacement trees must not be a species listed in Regulation 6A(5)(b) of the Development Regulations 2008, or a tree belonging to a class of plant declared by the Minister under Chapter 8 Part 1 of the Natural Resources Management Act 2004. The trees shall be maintained in good condition at all times and replaced if deemed necessary by the relevant authority.

Reason for condition: To satisfy the requirements of Section 42(4) of the Development Act 1993.

7. If required by the Department for Energy and Mining, the applicant must participate in any Safety Management Study arising from the grant of this consent and initiated by the pipeline operator that takes place in relation to the land the subject of this land division application.

Reason for condition: To ensure the gas pipeline operates in accordance with the requirements of the Department for Energy and Mining.

8. The applicant shall provide detailed landscape design drawings and specifications, prepared by a suitably qualified landscape architect, for all proposed landscape works in proposed road reserves and open space areas to be vested in the Town of Gawler and/or The Barossa Council ("council"). The detailed landscape design drawings and specifications, in relation to relevant stage of development for which clearance is being sought, shall be to the satisfaction of the relevant council and provided to the State Planning Commission.

Reason for condition: To ensure the open space areas are appropriately vegetated and provide visual amenity to the local area.

9. The detailed design of the stormwater management system must be implemented in accordance with the Stormwater Management Strategy Report for the Springwood Urban Development prepared by WGA, dated 24 August 2020 (Revision G) and must:

- a. meet the following water quality targets:
 - i. total nitrogen - 45 per cent reduction of the typical urban annual load with no treatment

- ii. total phosphorus - 60 per cent reduction of the typical urban annual load with no treatment
 - iii. suspended solids - 80 per cent reduction of typical urban annual load with no treatment
- b. ensure runoff is maintained at pre-development levels.

Reason for condition: To ensure all the treatment measures proposed for the site meet the stormwater runoff objectives.

LAND DIVISION CONSENT CONDITIONS

10. The detailed designs of all civil works, infrastructure, public open space and other works or assets proposed to be vested in a council must be undertaken in consultation with the relevant council in whose area the work will be constructed (hereafter in these conditions referred to as 'relevant Council') in accordance with:
- a. specifications prescribed in Part 9, Division 2 – Prescribed requirements – general land division of the Development Regulations 2008; and
 - b. relevant Council's design standards; and
 - c. relevant Australian Standards; and
 - d. Minister's Code for Undertaking Development in Bushfire Protection Areas.

Reason for Condition: To ensure that infrastructure proposed to be vested in a relevant Council is designed to an appropriate and agreed standard.

11. The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. SA Water H0103300.

Reason for condition: To satisfy the requirements of SA Water.

12. The augmentation requirements of the SA Water Corporation shall be met.

Reason for condition: To satisfy the requirements of SA Water.

13. The necessary easements shall be granted to the SA Water Corporation free of cost.

Reason for condition: To satisfy the requirements of SA Water.

14. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.

Reason for condition: To satisfy the requirements of the Registrar General.

15. Detailed civil engineering design plans and specifications for all infrastructure, works and assets proposed to be vested in a relevant Council must be prepared by a suitably qualified engineer in relation to a relevant stage of development (i.e. the relevant stage for which clearance is being sought) and must be approved in writing by the relevant Council prior to Section 51 clearance for that stage.

Reason for Condition: To ensure that civil design details are provided and agreed to by the relevant Council.

16. A Stormwater Management Plan will be provided for each stage (including provision for WSUD features), prepared by a suitably qualified hydrological engineer, in consultation with and to the reasonable satisfaction of the relevant council. These shall be provided to the State Planning Commission, in relation to the relevant stage of development for which clearance is being sought, prior to the issue of Section 51 clearance for the relevant stage.

The stormwater management plan should consider that overall peak discharge rate from the land post-development shall be limited to the predevelopment flow rate for all storm events up to and including the 1 in 100-year ARI storm event with detention storage provided inside and outside of watercourse environments (where appropriate).

Reason for condition: To ensure impact on the environment is minimised as a result of development.

17. The person or entity with the benefit of this approval must provide evidence that the relevant Council consents to the vesting of any land in the Council prior to Section 51 clearance for the relevant stage.

Reason for condition: To ensure that the relevant Council consents to the vested of any land, and any conditions of that consent are satisfied.

18. All works proposed for the construction of proposed public roads, infrastructure (including stormwater) and the proposed reserves (including landscaping) must be carried out in a manner satisfactory to the council and in conformity with approved construction plans and specifications.

Reason for condition: To provide for the construction of satisfactory public roads and reserves vesting in to Council ownership.

19. An allotment plan shall be provided to, and approved by, the State Planning Commission showing the extent and the depth of filling on the allotments approved as part of this division.

A compaction and clean fill certificate issued by a suitably qualified engineer shall be provided to the reasonable satisfaction of the State Planning Commission, in relation to relevant stage of development for which clearance is being sought, indicating that the compacted fill is suitable to support standard footings for residential development prior to the issue of Section 51 Clearance.

Reason for condition: To ensure the subject land is suitable for its intended use.

20. Construction works associated with any bridge structure must be inspected and certified by a suitably qualified and experienced structural engineer that the works have been constructed in accordance with the approved plans and specifications, with such certification being provided to the relevant Council and State Planning Commission within 60 days of completion.

Reason for Condition: To ensure structural components of bridged structures have been constructed appropriately prior to these assets vesting into Council ownership.

21. A Soil Erosion and Drainage Management Plan (SEDMP) must be provided to and approved by the relevant Council prior to commencement of the approved works.

Reason for Condition: To ensure appropriate measures will be implemented to minimise the impact of soil erosion caused by stormwater run-off.

22. Any stage of allotments proposed to be deposited shall be provided with necessary vehicle turnaround areas and road and allotment drainage (either temporary or permanent) to accommodate safe and convenient vehicle movements and the proper drainage of the land pending completion of the whole land division.

Reason for Condition: To ensure appropriate traffic movement and safety during staged construction.

23. For any fill to be located within proposed road reserves or open space a compaction and clean fill certificate issued by a suitably qualified engineer shall be provided to the Council certifying that the compacted fill is suitable for its intended purpose, with

such certification being provided to the relevant Council and State Planning Commission within 60 days of completion of the filling and compaction works.

Reason for Condition: To ensure the subject land is suitable for its intended use.

24. All stormwater drains and associated stormwater drainage works serving more than one allotment and not wholly located within roads or reserves vesting in a relevant Council pursuant to Section 223 LG (2) of the Real Property Act 1886 must be contained within an easement for drainage purposes and provided on the relevant final plan of division. Such easements must be a minimum width of 3.0 metres and delineated to the reasonable satisfaction of the Council.

Reason for Condition: to ensure appropriate easements are provided.

25. A site contamination audit report by an Environment Protection Agency accredited site contamination auditor demonstrating the suitability of the land for its intended future use shall be provided to the State Planning Commission prior to the issue of Section 51 clearance for any stage incorporating APEI 6,7,10 and 11 as nominated in the Preliminary Site Investigation (PSI) prepared by LBWco dated 13 June 2019.

Reason for Condition: To ensure land is suitable for its future intended purpose.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 10 years from the date of this Notification, unless final Development Approval has been received within that period or this Consent has been extended by the State Planning Commission.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval and substantially completed within 10 years of the date of final Development Approval, unless that Development Approval is extended by the State Planning Commission.
- c. All local Residential Roads for traffic volumes up to 3,000 vehicles per day should have a 14 metre wide road reserve with a 7.4 metre wide road carriageway and include a 1.5m wide concrete footpath constructed on one side of the roadway in accordance with the relevant council standard.
- d. All Collector Roads Type 1 for traffic volumes between 8,000 vehicles per day and 15,000 vehicles per day should have a road reserve width of 20 metres and include 1.5 metre wide bike lanes, 3.5 metre wide traffic lanes, a 3 metre wide central median and 2.1 metre wide on-street parking to both sides of the roadway with 1.5 metre wide concrete footpath to both sides of the roadway in accordance with the relevant council standard.
- e. All Collector Roads Type 2 for traffic volumes between 3,000 vehicles per day and 8,000 vehicles per day should have a road reserve width of 20 metres and include 2.1 metre wide on-street parking to both sides of the roadway and 3.5 metre wide traffic lanes and a 1.5 metre wide concrete footpath to one side of the roadway, a 3.0 metre wide shared path to one side of the roadway and barrier kerb and gutter in accordance with the relevant council standard.
- f. All shared paths should be 3m in width and constructed in accordance with the relevant council standard.
- g. All roads should be designed to facilitate safe and convenient movement of vehicles by achieving a sign posted speed environment of 50 kilometres per hour unless specified otherwise by the relevant council.
- h. Access roads within high pedestrian volume areas including town centre area should be designed as shared streetscapes and create pedestrian friendly environments designed generally in accordance with the most recent 'Streets for People: Compendium for South Australian Practice'.

- i. Stormwater detention and WSUD systems should be integrated within public open space areas and be designed to consider function, amenity, safety, future maintenance and be rationalised where possible.
- j. A Soil Erosion and Drainage Management Plan (SEDMP) should be provided to the relevant council prior to commencement of the approved works.
- k. The applicant is reminded of their statutory obligations under the *Native Vegetation Act 1991* and the *Environment Protection and Biodiversity Conservation Act 1999* and should comply with those obligations before undertaking the approved development.
- l. All traffic control devices and roadway intersections should be designed to the relevant Australian Standards, Austroads Guidelines, the Manual of Legal Responsibilities and Technical Requirements for Traffic Control Devices and to the reasonable satisfaction of the relevant council.
- m. Street name signs should be in accordance with the relevant council's standard design detail.
- n. The design detail for the formed surface of roads should be based on Chapter 12 of the Austroads Guide to Pavement Technology, Part 2: Pavement Structural Design should be utilised for pavement design and construction.
- o. Public street lighting and public area lighting should comply in all respects with the Australian Standard AS1158.
- p. Light Emitting Diode (LED) Lighting should be provided to all public roads, laneways, cyclist paths and open spaces as well as around public facilities such as toilets, bus stops, seating, bins, and carparks.
- q. All open space areas should be designed in accordance with the relevant council's open space guidelines.
- r. Street trees should be planted in accordance with the relevant council policy. The species and location of trees should be to the satisfaction of Council and consider the common service trench location, street light location and setback from the kerb.
- s. Irrigated areas should be designed in accordance with the relevant council's open space guidelines and consider the sustainable use of water to the satisfaction of the relevant council.
- t. Design should be developed considering Crime Protection through Environmental Design (CPTED) principles and a safety in design assessment provided to the relevant council.
- u. "As constructed" drawings should be provided to the relevant council prior to the date of Practical Completion in respect of all infrastructure constructed as part of the development. The drawings should be provided in hard copy format and electronic "DWG" or "DXF" and "PDF" format.
- v. All required road works should be designed and constructed in accordance with Austroads Guides/Australian Standards and to the reasonable satisfaction of the relevant council. All associated costs (including project management and any necessary road lighting and drainage upgrades) should be borne by the applicant.
- w. Temporary turnaround areas and appropriate road and allotment drainage should be provided to the reasonable satisfaction of the relevant council to facilitate proposed staging or works.
- x. All costs for the design and construction of all infrastructure should be borne by the applicant. Following a certificate of practical completion from the relevant council the applicant should be responsible for all maintenance for a period to be agreed with the relevant council (defects liability period).

- y. During construction, precautions should be taken to prevent the pollution of stormwater by mud, silt, dust or other debris from the site in accordance with Environment Protection Agency's Code of Practice for the Building and Construction Industry.
- z. An Open Space Maintenance and Management Plan should be prepared for any areas of open space that are proposed to be vested in a council.
- aa. Road pavement design and construction should have a design life of 30-years, including allowance for predicted road traffic, future road construction traffic, residential construction traffic, future potential bus routes and the construction of future stages of the land division to the satisfaction of the relevant council.
- bb. All bridge structures should be designed by a suitably qualified professional engineer in accordance with the relevant Australian Standards.
- cc. Construction works associated with bridge structures should be inspected and certified that it has been constructed in accordance with the approved plans and specifications by a suitably qualified and experienced structural engineer.
- dd. All activities on the site should be undertaken cognisant of the *Local Nuisance and Litter Control Act 2016*.
- ee. Approvals from all service authorities to modify services infrastructure are required to be obtained prior to commencement of construction and a copy of the approvals provided to the relevant council.
- ff. Noise levels should comply with the Environment Protection (Noise) Policy 2007.
- gg. The applicant should be responsible for liaison with SA Power Networks in respect to both public lighting and for the provision of an underground electricity service to all new allotments in the development.
- hh. The appropriate Council Officer(s) shall be notified prior to commencing the various stages of infrastructure installation in order to inspect installation and traffic management.
- ii. No retaining walls are approved as part of this land division application. Any retaining wall exceeding one (1) metre in height or combination of retaining wall and fence exceeding the height of 2.1 metres or any addition to an existing retaining wall and/or fence exceeding the afore mentioned heights shall require Development Approval.
- jj. No blasting should occur on the subject land.
- kk. Open Space maintenance access tracks should be provided along the top of embankments to the satisfaction of the relevant council, in relation to relevant stage of development (i.e. the relevant stage for which clearance is being sought), in accordance with the following:
- Access tracks should be 3 metres in width and if forming part of a cycling connection shall be of asphalt type in accordance with the relevant council standard requirements.
 - Access tracks should be 3 metres in width and if not forming part of a cycling connection should be of cement stabilised crushed rock type in accordance with the relevant council requirements.
 - Include appropriate drainage systems, retaining structures and scour control measures to the satisfaction of the relevant council.
 - Provide safe and convenient access to stormwater basins, stormwater water quality.

- Devices and any other public infrastructure in accordance with Australian Standard AS2890, Austroads Guidelines and ARRB Group 'Unsealed Roads Manual: Guidelines for Good Practice.'

EPA Advisory Notes

- ll. 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 practicable 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.
- mm. The applicant is reminded that due care should be taken to prevent or minimise adverse impacts and to appropriately manage stormwater runoff during construction and post-construction. Guidance can be found in the EPA's *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry*: http://www.epa.sa.gov.au/files/47790_bccop1.pdf
- nn. If during any site works, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines
- oo. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

2.3. RESERVED MATTERS - Nil

3. CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil

3.1. DEFERRED APPLICATIONS – Nil

3.2. NEW APPLICATIONS

3.2.1 Neoen Australia Pty Ltd

DA 422/V009/20

Various Land Parcels, south of Burra and north of Robertstown over 30,000ha

Proposal: Goyder South Hybrid Renewable Energy Facility

Emma Herriman declared a conflict of Interest and was not present for this item.

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

Applicants

- Megan Ward - Neoen
- Tom Jenkins - Neoen
- Alison Darry – EBS – Ecology

Representor/s

- Peter Knapp
- June Edwards
- Ally Fricker
- Jim Coffey
- James Dunstan

Ally Fricker (Representor) tabled additional information.

The State Commission Assessment Panel discussed the application.

RESOLVED

That the State Commission Assessment Panel provide its recommendation in confidence (included in SCAP Confidential Minutes – 9 December 2020) to the Minister for Planning and Local Government.

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

4. MAJOR DEVELOPMENTS – VARIATIONS - Nil

5. OTHER BUSINESS

6. NEXT MEETING

6.1. Thursday 10 December 2020 at Ground Floor, 77 Grenfell Street, Adelaide SA 5000/ Via Microsoft Teams video conferencing

7. CONFIRMATION OF THE MINUTES OF THE MEETING

7.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

8. MEETING CLOSE

The Presiding Member thanked all in attendance and closed the meeting at 5.03pm.

Confirmed 10/12/2020



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Rebecca Thomas
PRESIDING MEMBER

Confirmed 10/12/2020



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Dennis Mutton
DEPUTY PRESIDING MEMBER