



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 86th Meeting of the State Commission Assessment Panel held on Thursday 11 June 2020 commencing at 9.30am via Cisco Webex 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	Jessie Surace
DPTI Staff	Hannah Connell (Agenda Item 2.2.1) Jason Cattonar (Agenda Item 2.2.1) Troy Fountain (Agenda Item 2.2.1)

1.2. APOLOGIES

Rebecca Thomas (Agenda Item 2.2.1)

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 **Leyton Properties Pty Ltd**
490/E014/20
Calton Road, Gawler East, Lot 9010 CT 6205/146 (Proposed lot 2044 and 2050 in DA 490/D026/19)
Town of Gawler

Proposal: Car wash with associated vacuum bays, car parking, landscaping and signage.

Rebecca Thomas declared a conflict (due to her employer's representation of the proponent as the applicant) and left the meeting for this item.

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

Applicants

- Richard Dwyer, Ekistics - presented
- Warwick Mittiga, Springwood Communities
- Hamish Brown, Leyton Properties Pty Ltd

Council

- Ryan Viney, Town of Gawler - presented

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. 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 (CT) Development Plan.
3. To grant Development Plan Consent to the proposal by Leyton Properties Pty Ltd for Proposed Car Wash with associated vacuum bays, car parking, landscaping and signage at proposed Lots 2044 and 2050 (comprising portion of CT 6205/146) subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development shall be undertaken in strict accordance with the stamped plans and details forming Development Application No. 490/E014/20.

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

2. Prior to Development Approval being granted, a Site Works Plan shall be prepared by a civil engineer with site levels and access gradients required on site, including the amount and type of fill, in consultation with the Council and to the reasonable satisfaction of the State Planning Commission.

Reason: to ensure that the site can be developed at levels appropriate to surrounding localities.

Hours of Operation

3. The hours of operation of the car wash facility (inclusive of the vacuum bays), shall be limited to the hours of 7:00am to 10:00pm.

Reason: to preserve the amenity of surrounding residents.

Noise

4. All sound attenuation measures, treatments and operational restrictions recommended in the Sonus Environmental Noise Assessment (Report Number: S6185C2) dated September 2019 entitled "Retail Development Springwood" must be implemented prior to the occupation of the site and adhered to on a continuous basis.

Reason: to ensure appropriate noise attenuation measures are in place.

Car Park /Access

5. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the State Planning Commission prior to the occupation or use of the development.

Reason: to ensure safe and functional parking and manoeuvring areas.

6. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.

Reason: to ensure safe and functional parking and manoeuvring areas.

7. All loading and unloading, parking and manoeuvring areas shall be designed and constructed to ensure that all vehicles can safely enter and exit the subject land in a forward direction.

Reason: to ensure safe and functional parking and manoeuvring areas.

8. All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface and must be maintained in a good condition at all times to the reasonable satisfaction of the State Planning Commission.

Reason: to ensure safe and functional parking and manoeuvring areas

Waste Collection

9. Prior to occupation of the development a waste management plan shall be submitted to the reasonable satisfaction of the State Planning Commission. This plan should include details of waste containment and removal from site arrangements.

Reason: to ensure waste collection from the development is appropriately managed, so as to minimise impacts to on surrounding properties.

10. Waste storage areas shall be:
 - a) Enclosed and contained within the site
 - b) Constructed or bunded to prevent the entry of external stormwater
 - c) Constructed to drain to a stormwater treatment system/device capable of removing pollutants

Reason: to ensure waste collection from the development is appropriately managed, so as to minimise impacts to on surrounding properties.

11. Waste collection associated with the hereby approved use shall be limited to the following hours:
 - 9am to 7pm on Sundays and public holidays; and
 - 7am to 7pm on any other day

Reason: to ensure waste collection from the development is appropriately managed, so as to minimise impacts to on surrounding properties.

Lighting

12. External lighting shall be restricted to that necessary for security and safety purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties or motorists.

Reason: to ensure external lighting does not introduce undue potential for hazards to users of the adjacent road network or adjacent properties in accordance with the necessary standard

Stormwater

13. All stormwater 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.

Reason: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.

Landscaping

14. Landscaping shall be carried out in accordance with the Landscaping Plan submitted by Brown Falconer Drg. No. 3298 DA 14 Rev 5.

Reason: to ensure the landscaping is maintained and nurtured at all times

15. Landscaping shown on the approved plans and established prior to the operation of the development and shall be irrigated, maintained and nurtured at all times with any diseased or dying plants being replaced.

Reason: to ensure the landscaping is maintained and nurtured at all times

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless Building Rules Consent has been granted 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 3 years of the date of final Development Approval, unless that Development Approval is extended by the relevant authority.
- c. 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).

- d. A Construction Environmental Management Plan (CEMP) shall be prepared in collaboration with the Town of Gawler (Council) and be implemented in accordance with current industry standards – including the *Local Nuisance and Litter Control Act 2016*, the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction.

The management plan should incorporate, without being limited to the following matters:

- Timing, staging and methodology of the construction process and working hours;
 - Traffic management strategies;
 - Control and management of construction noise, vibration, dust and mud;
 - Management of infrastructure services during construction and re-establishment of local amenity and landscaping;
 - Stormwater and groundwater management during construction;
 - Site security, fencing and safety and management of impact on local amenity for residents, traffic and pedestrians;
 - Disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
 - Protection and cleaning of roads and pathways;
 - Overall site clean-up;
 - Work in the public realm;
 - Hoardings; and
 - Tradesperson vehicle parking.
- e. All stormwater and wastewater disposal from the site shall be connected to Council infrastructure and be engineered to the satisfaction of the Town of Gawler.
- f. Prior to occupation of the development, the applicant is reminded of their obligations under S221 of the *Local Government Act 1999* in relation to works required to be undertaken to the Gawler East Link Road (GELR) and any adjoining local roads.
- g. A final detailed Stormwater Management Plan prepared in consultation with the Town of Gawler shall be implemented for the site. The details of the plan shall be incorporated within the Building Rules Consent documentation.
- h. The applicant advises that under the *Real Property Act 1886* it will register free and unrestricted rights of way where required to maintain access to the subject land.
- i. It is recommended that should amendments be required to this approval, that the applicant contact the relevant authority to assist in determining whether a variation is required, pursuant to s39(6) of the *Development Act 1993* or regulation 47A of the *Development Regulations 2008*.

2.3. **RESERVED MATTERS - Nil**

3. **CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil**

3.1. **DEFERRED APPLICATIONS – Nil**

3.2. **NEW APPLICATIONS - Nil**

4. **MAJOR DEVELOPMENTS – VARIATIONS - Nil**

5. **OTHER BUSINESS**

6. **NEXT MEETING**

6.1. **Thursday 25 June 2020 via Cisco Webex 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 1.11pm.

Confirmed 11/06/2020



.....
Rebecca Thomas
PRESIDING MEMBER
Items forming Confidential Agenda

Confirmed 11/06/2020



.....
Dennis Mutton
DEPUTY PRESIDING MEMBER
Agenda item 2.2.1