



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 77th Meeting of the State Commission Assessment Panel held on 26 March 2020 commencing at 9.30am ODASA, 28 Leigh St, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Simone Fogarty
Members	Mark Adcock Sally Roberts Helen Dyer
Secretary	Jessie Surace
DPTI Staff	Karen Ferguson (Agenda Item 2.2.1 & 2.2.2) Jason Cattonar (Agenda Item 2.2.1 & 2.2.2)

1.2. APOLOGIES

Chris Branford
Peter Dungey
Dennis Mutton (Deputy Presiding Member)

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 by teleconference to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS – Nil

2.2. NEW APPLICATIONS

2.2.1 Springwood Development Nominees

490/E005/19

Calton Road, GAWLER EAST Lot 9010 CT 6205/146 (Proposed Lot 1006 in DA 490/D025/19

Town of Gawler

Proposal: Construction of a Sales Centre (two storey) comprising Showroom, Office and Café with associated car park and signage.

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

Applicants

- Richard Dwyer, Ekistics
- Kieron Barnes, Ekistics
- Warwick Mittiga, Springwood Development Nominees

Representor

- Ryan Viney, Town of Gawler

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 Springwood Development Nominees for the construction of a sales centre (two storey) comprising showroom, office and café with associated car park and signage at CT 6205/146 subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in Development Application No 490/E005/19.

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

2. Prior to Development Approval being granted, an Engineered Site Works Plan shall be prepared 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 Commission Assessment Panel.

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

Landscaping

3. Prior to development approval, a detailed landscaping plan shall be prepared and submitted to the satisfaction of the relevant authority for the designated landscaped areas and include the following:
 - Landscaping improvements to the southern boundary of the site;
 - The location and species to be planted and irrigation methods; and
 - Pedestrian access and egress arrangements

Reason for condition: to ensure appropriate landscaping is provided for the subject land and maintained and nurtured at all times.

Car Park / Access

4. 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 Commission Assessment Panel prior to the occupation or use of the development.
5. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
6. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the SCAP.
7. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
8. 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.
9. 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.

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

Waste

10. Waste storage areas shall be:
 - a) Where possible undercover or contained within the building
 - 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 for condition: To ensure waste collection from the development is appropriately managed, so as to minimise impacts to on surrounding properties.

Lighting

11. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

Reason for condition: 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

12. 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 for conditions: 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.

Advertising Signage

13. Prior to development approval the applicant shall submit final signage design details including dimensions and specified graphics including colours and illumination levels (if necessary) to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: To ensure an orderly form of development.

14. Illuminated signs shall not be of a light intensity to cause light overspill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.

Reason for condition: to ensure illuminated signs do not cause nuisance to sensitive receivers.

15. The advertisement(s) and support structures shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: to ensure the safety of signs and their support structures.

16. Signage on this site visible from the adjacent roads shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

Reason for condition: to ensure that signs do not cause a hazard for nearby traffic.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 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 Commission Assessment Panel.
- 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 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.
- 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. 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. Environment Protection Authority information sheets, guidelines documents, codes of practice technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>
- e. The applicant is reminded the emission of noise from the premises is subject to control under the *Environment Protection Act and Regulations 1993*, and the applicant (or person with the benefit of this consent) should comply with those requirements.
- f. A Construction Environment Management Plan (CEMP) shall be prepared (in consultation with the Gawler Council) for the construction phase of the redevelopment and any additional works relating to the identified contamination area will inform this CEMP. The CEMP shall 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” 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
- g. The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, with regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact Town of Gawler.
- h. 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.
- i. In regards to condition 10, the applicant is to bear all costs associated with works advised within the agreement.
- j. Prior to occupation of the development, the applicant is reminded of their obligations under S221 of the *Local Government Act 1999* to enter into an agreement with the Town of Gawler, detailing works required to be undertaken to the Gawler East Link Road (GELR) and any adjoining local roads.
- k. 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 submitted for Development Approval and implemented prior to occupation.

2.2.2 Springwood Development Nominees

490/E006/19

Calton Road GAWLER EAST Lot 9010 CT 6205/146 (Proposed lot 2046 DA 490/D026/19)

Town of Gawler

Proposal: Construction of a shopping centre comprising supermarket and six (6) specialty shops, two (2) standalone shops, associated car parking and signage.

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

Applicants

- Richard Dwyer, Ekistics
- Kieron Barnes, Ekistics
- Warwick Mittiga, Springwood Development Nominees

Representor

- Ryan Viney, Town of Gawler

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 Council (CT) Development Plan.
3. To grant Development Plan Consent to the proposal by Springwood Development Nominees for the construction of a shopping centre comprising supermarket and six (6) specialty shops, two (2) standalone shops, associated car parking and signage at CT 6205/146 subject to the following conditions of consent.

PLANNING CONDITIONS

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans submitted in Development Application No 490/E006/19.

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

2. Prior to Development Approval being granted, an Engineered Site Works Plan shall be prepared 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 Commission Assessment Panel.

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

Landscaping

3. Prior to development approval, a detailed landscaping plan shall be prepared and submitted to the satisfaction of the relevant authority for the designated landscaped areas and include the following:
 - Landscaping improvements to the perimeter of the site;
 - Landscaping and tree species associated with the car park;
 - The location and species to be planted and irrigation methods; and
 - Pedestrian access and egress arrangements

Reason for condition: to ensure appropriate landscaping is provided for the subject land and maintained and nurtured at all times.

Car Park / Access

4. 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 Commission Assessment Panel prior to the occupation or use of the development.
5. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
6. All car parking areas, driveways and vehicle manoeuvring areas shall be maintained at all times to the reasonable satisfaction of the State Commission Assessment Panel.

7. All materials and goods shall be loaded and unloaded within the boundaries of the subject land.
8. 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.
9. 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.
10. The largest vehicle permitted on-site shall be restricted to a 19 metres articulated vehicle (AS 2890.2-2002).

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

Waste

11. Waste storage areas shall be:
 - a) Where possible undercover or contained within the building
 - 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
12. Prior to occupation of the development, final details of the waste collection arrangements which identify how waste would be stored, transported and disposed of, shall be submitted to the satisfaction of the State Commission Assessment Panel.

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

Lighting

13. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

Reason for condition: 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

14. 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 for conditions: 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.

Advertising Signage

15. The applicant shall submit, final signage design details including dimensions and specified graphics including colours and illumination levels (if necessary) to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: To ensure an orderly form of development

16. Illuminated signs shall not be of a light intensity to cause light overspill nuisance to adjacent occupiers, or cause a distraction to drivers on adjacent public roads.

Reason for condition: to ensure illuminated signs do not cause nuisance to sensitive receivers.

17. The advertisement(s) and support structures shall be prepared and erected in a professional and workmanlike manner and maintained in good repair at all times, to the reasonable satisfaction of the State Commission Assessment Panel.

Reason for condition: to ensure the safety of signs and their support structures.

18. Signage on this site visible from the adjacent roads shall not contain any element that flashes, scrolls, moves or changes, or imitates a traffic control device.

Reason for condition: to ensure that signs do not cause a hazard for nearby traffic.

ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 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 Commission Assessment Panel.
- 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 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.
- 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. 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. Environment Protection Authority information sheets, guidelines documents, codes of practice technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>
- e. The applicant is reminded the emission of noise from the premises is subject to control under the *Environment Protection Act and Regulations 1993*, and the applicant (or person with the benefit of this consent) should comply with those requirements.
- f. A Construction Environment Management Plan (CEMP) shall be prepared (in consultation with the Gawler Council) for the construction phase of the redevelopment and any additional works relating to the identified contamination area will inform this CEMP. The CEMP shall 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” 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
- g. The applicant is reminded of their obligations under the *Local Nuisance and Litter Control Act 2016* and the *Environment Protection Act 1993*, with regard to the appropriate management of environmental impacts and matters of local nuisance. For further information about appropriate management of construction sites, please contact Town of Gawler.
- h. 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.
- i. In regards to condition 11, the applicant is to bear all costs associated with works advised within the agreement.
- l. Prior to occupation of the development, the applicant is reminded of their obligations under S221 of the *Local Government Act 1999* to enter into an agreement with the Town of Gawler, detailing works required to be undertaken to the Gawler East Link Road (GELR) and any adjoining local roads.
- m. 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 submitted for Development Approval and implemented prior to occupation.

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

4. **OTHER BUSINESS**

5. **NEXT MEETING**

5.1. Thursday 9 April 2020.

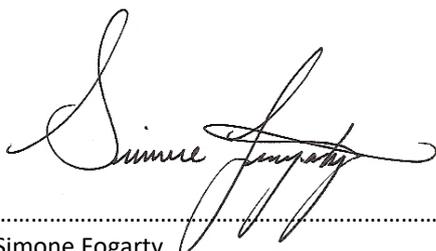
6. **CONFIRMATION OF THE MINUTES OF THE MEETING**

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

7. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 12.17pm.

Confirmed 26/03/2020



.....
Simone Fogarty
PRESIDING MEMBER