



Development Assessment Commission

Minutes of the 493rd Meeting of the Development Assessment Commission held on Thursday, 19 December 2013 commencing at 1.00 PM Conference Room 6.2, Level 6, 136 North Terrace, Adelaide

1. OPENING

1.1. PRESENT

Presiding Member	Ted Byrt
Deputy Presiding Member	Megan Leydon
Members	Damien Brown Geoffrey Loveday Carolyn Wigg Simone Fogarty Andrew Ford
Secretary	Sara Zuidland
Principal Planner	Mark Adcock
DPTI Staff	Nitsan Taylor (Agenda Item 2.1) Simon Neldner (Agenda Item 3.1 & 3.2)

1.2. APOLOGIES – Nil.

2. DEFERRED APPLICATIONS

2.1. Peregrine Corporation DA 100/1621/11 **80-84 Oaklands Road, Glengowrie** City of Marion (Residential Zone)

Megan Leydon and Damien Brown declared a conflict of interest and left the meeting for this item.

The Commission discussed the application.

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to GRANT Development Plan consent to Development Application 100/1621/11 by Peregrine Corporation for an 'On The Run' Petrol Filling Station with Shop, Advertising Signage and ancillary structures and associated landscaping and site works at 80-84 Oaklands Road, Glengowrie, subject to the concurrence of the Minister for Planning and the following conditions:

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, including the amended plans as submitted in development application number 100/1621/11.

ADS Architects

Locality Plan, 10JN1016/SK01h, 04/12/13

Floor Plan, 10JN1016/SK02o, 04/12/13

South & West Elevations, 10JN1016/SK03f, 04/12/13

North & East Elevations, 10JN1016/SK04f, 04/12/13

Vehicle Movement Plan – Articulated Vehicle, 10JN1016/SK05a, 04/12/13

Vehicle Movement Plan – B85 Car, 10JN1016/SK06a, 04/12/13

Botten Levinson

Letter dated 10 December 2013 to Mr Mark Adcock, DPTI, from Mr Jamie Botten, Botten Levinson, ref. JRB/211051

GHD

Lighting Report, 31 October 2011, ref/ 33/16070/48339

Phil Weaver & Associates

Traffic and Parking Assessment, 2 April 2013, ref. 071-12

Sonus Pty Ltd

Environment Noise Assessment, December 2013, Ref. S3760C7

Environment Noise Assessment, Response to Submissions, June 2013, Ref.S3760C6

Fyfe

Construction Environment Management Plan, 24/07/13, Ref. 80017-1 Rev B

2. That there shall be no amplified public announcements other than for emergencies or matters of public safety.
3. That there shall be no use of external amplified music at any time.
4. That on site rubbish collection shall only occur between 7am and 7pm Monday to Saturday and between 9am and 7pm on Sunday or Public Holiday.
5. That fuel deliveries shall only occur between the hours of 7am and 10pm Monday to Sunday.
6. That the car wash, vacuum bay and dog wash shall only operate between 7am and 10pm Monday to Sunday.

7. That the northern side of the northern boundary fence shall be Stratco 'Grey Ridge' in colour or such other colour as agreed to by the adjoining owner to the north (Eldercare Incorporated).
8. That an external lighting plan shall be submitted to the Development Assessment Commission prior to the commencement of site works. All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no nuisance or loss of amenity is caused to any person beyond the site.
9. That a fully engineered site works and drainage plan shall be provided to the Marion Council for consideration and approval prior to Development Approval being issued. This plan must detail top of kerb level, existing ground levels throughout the site and on adjacent land, proposed bench levels and finished floor levels, the extent of cut/fill required, the location and height of proposed retaining walls, driveway gradients, and the location of all existing street infrastructure and street trees.
10. That all car parks, driveways and vehicle manoeuvring areas shall conform to Australian Standards 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 Development Assessment Commission prior to the occupation or use of the development.
11. That designated accessible car parking spaces shall be designed and provided in accordance with the provisions contained in Australian Standard AS1428 - 2003.
12. That bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".
13. That wheel stopping devices shall be placed within each parking bay so as to prevent damage to adjoining fences, buildings or landscaping to the reasonable satisfaction of the Council.
14. That where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
15. That driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.
16. That all loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
17. That all industrial and commercial vehicles visiting the site shall enter and exit the land in a forward direction.
18. That the applicant shall submit a detailed landscaping plan for approval by the Development Assessment Commission prior to the commencement of site works. The landscaping shown on that approved plan shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

19. That details of any mechanical plant, air conditioning, or air extraction plant or ducting to be placed on the exterior of the control building in association with this development shall be submitted to and approved by the Development Assessment Commission.
20. That stormwater flows from the site shall not exceed the following coefficients;
 - (i) 5 year average return interval flood event: 0.25;
 - (ii) 100 year average return interval flood event: 0.45.

All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.

21. That a trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Marion Council.
22. That the stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.
23. That all waste and other rubbish shall be screened from public view and stored in a manner so that it does not create insanitary conditions, unreasonable nuisance or pollution to the environment to the reasonable satisfaction of the Council.
24. That no additional signs shall be displayed upon the subject land other than those identifying the parking area access points and those shown on the approved plans. If any further signs are required, these shall be the subject of a separate application.

EPA conditions

25. That construction must be undertaken in accordance with the Construction Environment Management Plan (CEMP) "Construction Environmental Management Plan, Proposed Glengowrie OTR Petrol Station Final 80017-1 Rev B," prepared by Fyfe Pty Lt, Dated 24 July 2013.
26. That a suitably qualified and experienced site contamination consultant must be engaged to implement the CEMP during construction, including management and disposal of contaminated material in accordance with EPA and other relevant guidelines; and validation of Underground Storage Systems (USS) excavations in accordance with the *National Environment Protection Measures (Site Contamination)* (NEPM) and other EPA Guidelines prior to backfilling or replacement of USS.
27. That all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system that directs the displaced vapours back into the tanker during filling.
28. That all fill lines between the tanks and dispensers must be fitted with pressure leak detection sensors.
29. That following the installation of the in-ground fuel tanks all trafficked areas must be hard surfaced using either bitumen, concrete or other impervious material.

30. That all runoff from hard paved areas in the refuelling and fuel delivery area must be captured and diverted to a blind tank (which is emptied as necessary by a licensed waste contractor licensed by the EPA to carry such waste to an appropriate waste facility).
31. That all stormwater from all other areas including the crossovers (which are fitted with grates) must be collected and diverted to the Class 1 full retention oil separator (with alarm) prior to discharge to the council stormwater system.
32. That any sludge and oily waste collected within the full retention oil separator is considered waste and must be removed by a waste transporter licensed by the EPA to carry such waste to an appropriate waste facility.
33. That any substances stored on-site which have the potential to pollute water or are likely to degrade water (such as oils/lubricants, paints, coolants, degreasing agents and similar substances), whether or not they are waste, must be stored within a bunded compound or area suitable for preventing the escape of material/liquids into surface or underground water resources.
34. That a spill kit containing absorbent material must be maintained on site to deal with spill containment.

DPTI Transport Services Division conditions

35. That any redundant crossovers shall be closed and reinstated to kerb and gutter to the satisfaction of Council, with all costs being borne by the applicant.
36. That the solid painted island within the property at the Diagonal Road access point shall be replaced with a solid raised island.
37. That a centreline with raised pavement bars shall be provided at the Oaklands Road access point to clearly delineate the entry and exit points.
38. That the entry and exit points at the Diagonal Road and Oaklands Road access points shall be appropriately linemarked.
39. That deliveries shall be undertaken outside the normal trading periods and busy customer periods in order to minimise potential conflicts.
40. That a delivery management plan shall be implemented to the satisfaction of the Development Assessment Commission to ensure that deliveries to the site will not impact on the safe and efficient movements of vehicles through and around the site.
41. That any illuminated signage on this site may use LED lighting for the internal illumination of a light box only.
42. That the signs on this site shall not contain any element of LED or LCD display, except for the fuel prices on the pylon signs which shall be limited to white text on a black background only.
43. That the colours and illumination of the signage shall not create a glare or distraction to passing drivers and shall not interfere with the operation of the adjacent traffic signals.
44. That any signage on this site shall not contain any element that flashes, scrolls or moves. LED price signs may change on an infrequent basis.

45. That any signage on this site (including graphic and text) shall be simple, effective and easily assimilated to minimise distraction.
46. That the utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.

Advisory Notes:

1. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Development Assessment Commission.
2. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the Commission.
3. The applicant will require a fresh consent before commencing or continuing the development if unable to satisfy these requirements.
4. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, 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.
5. If in carrying out the removal or installation of underground storage tanks 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 actual or potential harm to water that is not trivial, the applicant must remediate that contamination in accordance with the relevant EPA guidelines.
6. If at any stage during site works, site contamination is detected that harms or threatens underground water, there is a requirement to provide a Section 83A notification to the EPA as soon as reasonably practicable in accordance with the EPA Guideline "Site Contamination: Notification of Site Contamination that Affects or Threatens Underground Water pursuant to Section 83A of the *Environment Protection Act 1993*". This requirement falls on an owner, an occupier or a site contamination consultant or auditor (pursuant to Section 83A(1)(a) and (b) of the Act). The applicant should discuss this duty with their consultant or auditor to ensure that there is no confusion in reporting obligations.
7. The Petroleum Underground Storage Systems (USS) must be removed and disposed of in accordance with *Australian Standard 4976—2008: The Removal and Disposal of Underground Petroleum Storage Tanks* and other appropriate regulations (e.g. SafeWork SA regulations).
8. In order to comply with the general environmental duty (Section 25 of the *Environment Protection Act 1993*), the Underground Storage Systems (USS) should be installed in accordance with the following Australian Standards:
 - AS 4897-2008: 'Design, Installation and Operation of Underground Petroleum Storage Systems'
 - All new petroleum USS must be designed and installed in accordance with equipment level 1 as defined in Table 3.1 of Australian Standard 4897-2008: 'Design, Installation and Operation of Underground Petroleum Storage Systems'
 - AS 4977-2008: 'Petroleum Products - Pipeline, Road Tanker Compartment and Underground Tank Identification'

- AS 1940-2004: 'Storage and Handling of Flammable and Combustible Liquids'
 - AS 1692-2006 'Steel Tanks for Flammable and Combustible Liquids'.
9. All hard surfaced areas must be kept clean by regular sweeping such that dust generation does not impact off-site and so that potential for off-site transfer of material is minimised.
 10. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au>
 11. The Metropolitan Adelaide Road Widening Plan shows that a strip of land up to 4.5 metres in width may be required from the Oaklands Road and Diagonal Road frontages of this site for the possible future upgrading of the Oaklands Road/Diagonal Road intersection. The consent of the Commissioner of Highways is therefore required under the Metropolitan Adelaide Road Widening Plan Act for all new building works located on or within 6.0 metres of the possible requirements.

The attached consent form should be completed by the applicant and forwarded to this department with three copies of the approved site plan.

3. NEW APPLICATIONS

- 3.1. **Malcolm Cleggett**
DA 455/D033/11
Langhorne Street, Langhorne Creek
Alexandrina Council (Flood Zone, Country Township (Langhorne Creek) Zone)

RESOLVED

- 1) RESOLVE to DEFER for further consideration.

- 3.2. **Michael Palmer**
DA 312/D005/13
Paddysbridge Road, Redbanks
Mallala Council (Primary Production Zone)

RESOLVED

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to NOT CONCUR with the decision of the Mallala Council to grant Development Plan Consent and Land Division Consent to a division of land (1 into 2 - creation of 1 additional allotment) by Michael Palmer at Paddysbridge Road, Redbanks (DA 312/D005/13).

4. MAJOR DEVELOPMENTS Nil.

5. ANY OTHER BUSINESS

- 5.1. **Inner Metropolitan Development Assessment Committee**

RESOLVED

- i) RESOLVE to, pursuant to regulation 107(2) of the *Development Regulations 2008*, establish the Inner Metropolitan Development Assessment Committee

with membership as determined by the Minister for Planning pursuant to regulation 107(2a), (2b), (2c) and (2d).

ii) RESOLVE to, pursuant to section 20(2)(b) of the *Development Act 1993*, sub-delegate the powers of DAC for applications and IMDAC as set out in the attached instrument of delegation (Attachment A).

iii) RESOLVE to, pursuant to section 16(a) of the *Development Act 1993*, adopt the attached operating procedures (Attachment B) for the discharge of the duties and functions of the IMDAC under the Act.

6. NEXT MEETING – TIME/DATE

6.1. Thursday, 30 January 2014 in Conference Room 6.2, Level 6, 136 North Terrace, Adelaide SA

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 1.35 PM

Confirmed / /2013

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Ted Byrt
PRESIDING MEMBER