



MINUTES

UPPER SPENCER GULF REGIONAL ASSESSMENT PANEL

Minutes of the Upper Spencer Gulf Regional Assessment Panel meeting held in the Port Augusta Council Chamber, 4 Mackay Street, Port Augusta, on Tuesday 5 July 2022, commencing at 4pm.

1. **Welcome – Stewart Payne, Presiding Member**

2. **Present**

Panel Members: S Payne (Presiding Member), R Donaldson
Attendance via Zoom - F Barr Zoom, N Stassinopoulos & Angie Stokes

Staff/advisors: D Altmann (Assessment Manager), L Trevisan, Planning Officer (WCC), Y Burns, Planning Officer (PPRC).
Attendance via Zoom - A Teaha, Planning Officer, (PPRC), J Perone, Manager City Development (WCC), C Schubert, Minute Taker (WCC), D Bills (URPS – for PACC).

3. **Apologies,**

Nil

4. **Confirmation of Minutes**

RAP11/22 **MOVED F Barr** **SECONDED N Stassinopoulos**
That the minutes of meeting held on 23 September 2021 be
received and adopted

CARRIED

5. **Business Arising from the Previous Minutes**

Nil

6. **Conflict of Interest Declarations**

Nil

7. Hearing of Representations – Development Act applications

Nil.

8. Hearing of Representations – Planning, Development and Infrastructure Act applications

Nil.

9. Officer Reports

9.1 Development Act application - Development number 660/64/2020 – LH Perry & Sons Freehold Properties Pty Ltd - Unmanned Petrol Filling Station

MOVED F BARR SECONDED R DONALDSON

- RAP12/22**
- 1. Pursuant to Section 35(2) of the *Development Act 1993*, determines that the proposed development is not seriously at variance with the Port Augusta (City) Development Plan.**
 - 2. Pursuant to Section 33 of the *Development Act 1993*, grants Development Plan Consent to DA 660/64/2020 for the construction of an unmanned petrol filling station canopy and associated road works at 2047 Yorkeys Crossing PORT AUGUSTA WEST (Lot: PCE 86* DP: 36449 CR: 5438/430), subject to the concurrence of the State Commission Assessment Panel and subject to the following conditions and notes.**

Reserved Matters

Pursuant to Section 33(3) of the Development Acts 1993, the following matters are reserved for further assessment by Council prior to granting Development Approval:

- A detailed landscape plan, which includes native indigenous species of trees, shrubs, grasses, and groundcovers.**
- Final engineering designed for the stormwater detention basin shall be submitted to the Council.**

Conditions

Council

- 1. The proposed development shall be undertaken in accordance with the plans and documentation submitted unless otherwise specified as a condition of consent.**
- 2. The northern access point shall allow for vehicles to enter only, and the southern egress point shall allow for vehicles to exit only, the access and egress shall be appropriate line marked and sign posted.**
- 3. That all driveways, parking and vehicle manoeuvring areas**

shall be set out and line marked in accordance with the approved documentation in accordance with Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practices to the reasonable satisfaction of Council and prior to use of the development.

4. During construction activities the property must be managed in a manner so as to prevent erosion and pollution of the subject site and the environment including keeping the area in a tidy state and ensuring any waste material are appropriately contained.
5. A Construction and Environmental Management and Monitoring Plan shall be prepared to reduce impacts during the construction to nearby residents. The plan must be submitted to the Council prior to Development Approval, to the satisfaction of Council.
6. Any lighting shall be shielded to reduce glare to the adjoining residential land use.
7. A colour coated wire mesh security fence shall be constructed around the perimeter of the site to provide for a safety barrier to the adjoining development.
8. All surface and roof stormwater, including that from the proposed canopy (as amended), shall be contained within the bunded area and collected in the grate sumps and then transferred to a Class 1 Contaminate separator (Stormseparator or similar) designed to treat water to 5PPM and have spill capture capacity of 9000 litres at all times to accommodate the full volume of a tanker compartment

EPA

9. Prior to use, the aboveground fuel storage tanks must be double-walled and fitted with a leak detection system and alarm which is connected by telemetry to appropriate off site facilities manager or maintenance personnel.
10. All runoff from the hard paved areas associated with the new petrol filling activity component on the site (which includes the refuelling and fuel delivery areas around the aboveground storage tanks) and as detailed in the drawing titled 'Port Augusta Fuelling Station' Drawing no. C-201027, revision B prepared by Epic projects and Consulting and dated 30/11/2020, must be directed via grates and grade changes to a full retention oil/water separator (no bypass function) that:
 - (a) has as minimum spill capture capacity of 8,000 litres;
 - (b) reduces oil content in the outlet to less than 5 mg/L (as confirmed by independent third party scientific testing);
 - (c) operates effectively in the event of a power failure;
 - (d) has an alarm connected by telemetry to appropriate

maintenance personnel;

11. Any sludge or residues collected within the full retention oil/water separator is considered waste and must be removed by an EPA licensed waste transporter.

Commissioner of Highways

12. Access shall be gained in accordance with URPS site plan, Jon Ref 19ADL-0118, Revision 3 and CIRQA Turn Path Assessment, Project 319073. Sheet #01_SH01, Revision A dated 18 March 2019.
13. All vehicles shall enter and exit the site in a forward direction.
14. Signage shall be installed to reinforce the desired traffic flow through the site.
15. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.

Notes

Council

1. Before any building work is undertaken, the building work is to be certified by a private certified, or by some person determined by the Council for the purposes, as complying with the provisions of the Building Rules.
2. Development Approval must be obtained prior to undertaking any works associated with the development.
3. The development must be substantially commenced within 24 months of the date of this notification, unless this period has been extended by the Planning Authority.
4. You are advised that any act or work authorised or required by this Notification must be completed within three years of the date of the Notification unless this period is extended by the Planning Authority.
5. No site works or clearance of native vegetation is to occur without the prior written authorisation of the Native Vegetation Council under the Native Vegetation Act.
6. Under section 20 of the Aboriginal Heritage Act 1988 (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land if any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, given the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (register or not) without the authority of the Minister for Aboriginal

Affairs and Reconciliation (the Minister). If the planned

activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.

- 7. This approval does not obviate any consideration that may apply to the Environment Protection and Biodiversity Conservation Act 1999 (cth). For further information visit: <http://www.environment.gov.au/epbc>.**

Commissioner of Highways

- 8. In the event that Restricted Access Vehicles will gain access to the site, the applicant must ensure that all necessary approvals/permits are obtained from the National Heavy Vehicles Regulator. Refer link: www.nhvr.gov.au**

EPA

- 9. 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 activity on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.**
- 10. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. information on applying for a licence (including licence application form) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence**
- 11. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environmental Protection Authority.**
- 12. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can accessed on the following web site: <http://www.epa.sa.gov.au>**

CARRIED

9.2 PDI Act application – Development number 21023971, Augusta Collective Pty Ltd – Retail Fuel Outlet

MOVED R Donaldson

SECONDED A Stokes

RAP13/22

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21023971, by Augusta Collective Pty Ltd, for a retail fuel outlet with associated car parking, stormwater works, landscaping and advertisements, including two freestanding pylon signs, acoustic fence up to 4.5 metres in height and alteration to public roads (Stuart Highway and Daw Street, Port Augusta), is granted Planning Consent subject to the following reserved matter, conditions and advisory notes:

RESERVED MATTERS

Reserved Matter 1

The applicant shall obtain the required section 221 authorisation from the Council pursuant to the *Local Government Act 1999* for the proposed road upgrades prior to obtaining development approval.

Reserved Matter 2

The final landscaping plan shall be provided to the reasonable satisfaction of the Assessment Manager prior to Development Approval. The plan shall include a 'plant schedule' table and note on quantity of plantings, pot size, expected mature growth size and key code to indicate planting location. The plan shall also include an irrigation plan to respond to the extreme climate conditions at the site.

CONDITIONS

Conditions imposed by the Planning Authority

Condition 1

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

Condition 2

A fence shall be constructed along the extent of the northern boundary to a height of 3.0m, other than for the section to be 4.5m as depicted on plan PA-01 Rev I prepared by Piteo Architects included in the Resonate Environmental Noise

Assessment A200564RP1 Revision G. The fence shall be constructed in accordance with the following:

- **The fence shall be constructed from a material such as 0.48 BMT sheet (“Colorbond” or similar) and fibre cement.**
- **The fence shall be sealed airtight at all junctions including at the ground and other fences.**

The fencing shall be installed prior to the occupation of the development herein approved and maintained in good condition to the reasonable satisfaction of Council.

Condition 3

Waste collection and deliveries shall be restricted to the hours of:

- **7am to 7pm, Monday to Friday and**
 - **9am to 7pm Sunday and public holidays**
- to the reasonable satisfaction of Council.**

Condition 4

Details of the location and noise output of mechanical plant shall be provided to council prior to the issue of Development Approval. Noise output from the site prior to 7.00am shall be no greater than 44 dB(A) at the adjacent Cabin Park and 48dB(A) at the Standpipe Motor Inn to the reasonable satisfaction of Council.

Condition 5

A light spill plan be provided prior to the issue of Development Approval that demonstrates lighting from the site meets AS 1158.

Condition 6

All on-site car parking spaces are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 “Parking Facilities part 1: Off-street car parking” and to the reasonable satisfaction of Council.

Condition 7

All on-site car parking spaces for People with Disabilities are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 “Parking Facilities part 6: Off-street car parking for People with disabilities” and to the reasonable satisfaction of Council.

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

Condition 1

All access to the subject development shall be in general accordance with Piteo Architects’ Drawing No. PA-01 Rev I dated 22 February 2022 and MFY Plan Daw Street, Port Augusta, Stuart Highway Access, Project No. 19-0251, Drawing

No. mfy_19-0251_12_SK02, Revision A dated 21 December 2021. The new Stuart Highway access shall be provided with an auxiliary left turn lane and a solid median shall be installed on Stuart Highway to ensure that the access operates on a left turn in and left turn out basis only.

Condition 2

All road works shall be designed and constructed in accordance with Austroads Guidelines and Australian Standards and to DIT's satisfaction. All associated costs (including project management and any necessary road lighting and drainage upgrades shall be borne by the applicant. The applicant should contact Mr Bonaventure Tan, Senior Asset Engineer, DIT on 8648 5243, mobile 0417 767 452, or bonaventure.tan@sa.gov.au to discuss the department's requirements for any proposed works. All road works shall be completed prior to commencement of operation of the development.

Condition 3

All vehicles shall enter and exit the site in a forward direction.

Condition 4

All off-street parking and vehicle manoeuvring areas shall be designed in accordance with AS/NZS 2890.1:2004, AS/NZS 2890.6:2009 and 2890.2:2018. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004 and Figure 3.4 in AS 2890.2:2018, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.

Condition 5

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 6

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. There shall be no net increase of discharge/run off from the development site into the existing stormwater infrastructure.

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

Condition 1.

Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being

fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.

Condition 2.

Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that direct vapours back into the tank during vehicle refuelling.

Condition 3.

Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operations of underground petroleum storage systems.

Condition 4.

Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems.

Condition 5.

Stormwater runoff from all hardstand areas of the petrol station (including the refuelling and fuel delivery areas) must be managed in accordance with 'Andrash Commercial Port Augusta Truckstop Pty Ltd Stormwater Management Plan' prepared by WGA and dated 12 August 2021 and The Stormwater Management Plan (with document number WGA190817-SK, revision F) prepared by WGA and dated 13 March 2022 and must be directed via grates and grade changes to the SPEL Purceptor full retention oil/water separator (no bypass function) that:

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

ADVISORY NOTES

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

Authorisation under section 221 of the *Local Government Act 1999* is required for all works on Council land including alterations to the road and establishment and continued maintenance of landscaping.

Advisory Note 4

You are advised that removal of any native vegetation is covered under the *Native Vegetation Act 1991*. Separate approval is required.

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

Advisory Note 1

A Deed of Agreement will be required with the Commissioner of Highways of the required road/Infrastructure works. All road works and related infrastructure upgrades should be coordinated with City of Port Augusta to ensure the provision of public infrastructure is integrated and undertaken in a timely manner.

Advisory Note 2

Daw Street is not gazetted for use by vehicles larger than General Access Vehicles. The applicant will need to apply to the National Heavy Vehicle Regulator via www.nhvr.gov.au for permits to utilise these roads for access by Restricted Access Vehicles.

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

Advisory Note 1

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

Advisory Note 2

The applicant/owner/operator are reminded that any sludge or oily residue collected within the forecourt full retention oil/water separator is required to be removed by an EPA licensed waste transporter to a licensed waste depot.

Advisory Note 3

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

Advisory Note 4

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

Advisory Note 5

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

CARRIED

9.3 PDI Act application – Development number 22014527 Augusta Collective Pty Ltd _
Bunnings Variation

- RAP14/22** **MOVED F Barr** **SECONDED N Stassinopoulos.**
1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
 2. Development Application Number 22014527, by Augusta Collective Pty Ltd, for Variation to Application 21010773 to increase the finished level of the site (Bunnings Variation), is granted Planning Consent subject to the following conditions and advisory notes:

CONDITIONS

Conditions imposed by the Planning Authority

Condition 1

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

Condition 2

The proposed landscaping must be established on site and on council land in accordance with the approved Landscaping Plans prior to the occupation of the development and must always be maintained in good condition to the reasonable satisfaction of Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of Council.

Condition 3

Goodenia ovata species shall be replaced with species Sticky Goodenia (*Goodenia varia*) to the reasonable satisfaction of Council.

Condition 4

A fence shall be constructed along the extent of the northern boundary to a height of 2.4m and along the western boundary to a height of 2.4m, other than for the section to be 4.5m as depicted on plan ES0_02 Rev C. The fence shall be constructed in accordance with the following:

- The 4.5m high fence shall be constructed from a material such as 6mm thick fibre cement sheeting.

- The 2.4m high extent shall be constructed from a material such as 0.42 BMT sheet (“Colorbond” or similar).
- The fence shall be sealed airtight at all junctions including at the ground and other fences.

The fencing shall be installed prior to the occupation of the development herein approved and maintained in good condition to the reasonable satisfaction of Council.

Condition 5

Waste collection and deliveries shall be restricted to the hours of:

- 7am to 7pm, Monday to Friday and
 - 9am to 7pm Sunday and public holidays
- to the reasonable satisfaction of Council.

Condition 6

Details of the location and noise output of mechanical plant shall be provided to council prior to the issue of Development Approval. Noise output from the site prior to 7.00am shall be no greater than 44 dB(A) at the adjacent Cabin Park and 48dB(A) at the Standpipe Motor Inn to the reasonable satisfaction of Council.

Condition 7

A light spill plan be provided prior to the issue of Development Approval that demonstrates lighting from the site meets AS 1158.

Condition 8

All on-site car parking spaces are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 “Parking Facilities part 1: Off-street car parking” and to the reasonable satisfaction of Council.

Condition 9

All on-site car parking spaces for People with Disabilities are to be designed, line marked and constructed in accordance with AS/NZ 2890.1-2004 “Parking Facilities part 6: Off-street car parking for People with disabilities” and to the reasonable satisfaction of Council.

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

Condition 1

All access to the subject development shall be gained as shown and described in the following:

- a. MFY Consolidated Access Plan – Entire Site, Project No. 21-0144, Drawing No. mfy_21-0144_01_04_SK01, Revision B dated 28 July 2021.

- b. **Bunnings Proposed Site Plan Drawing No. SP0_01, Revision F dated 3 August 2021.**

Condition 2

The new Stuart Highway access (at the right of way adjacent the northern neighbouring property) shall be provided with an auxiliary left turn lane and a solid median shall be installed on Stuart Highway to ensure that the access operates on a left turn in and left turn out basis only. The relocated Eyre Highway/Daw Street connection shall cater for left in and left out movements only.

Condition 3

All road works shall be designed and constructed in accordance with Austroads Guidelines, Australian Standards and DIT's Master Specification. All associated costs including but not limited to project management and any necessary road lighting and drainage upgrades shall be borne by the applicant. The applicant should contact Mr Bonaventure Tan, Senior Asset Engineer, DIT on ph 8648 5243, mobile 0417 767 452, or email: bonaventure.tan@sa.gov.au to discuss the department's requirements for the proposed works. All road works shall be completed prior to commencement of operation of the development.

Condition 4

The existing Eyre Highway/Daws Street connection shall be decommissioned to the satisfaction of DIT and Council. All costs shall be borne by the applicant.

Condition 5

All vehicles shall enter and exit the site in a forward direction.

Condition 6

The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.

Condition 7

Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

Condition 8

Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. There shall be no net increase of discharge/run off from the

development site into the existing stormwater infrastructure.

ADVISORY NOTES

Advisory Note 1

No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Advisory Note 2

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Advisory Note 3

Authorisation under section 221 of the *Local Government Act 1999* is required for all works on Council land including alterations to the road and establishment and continued maintenance of landscaping.

Advisory Note 4

You are advised that removal of any native vegetation is covered under the *Native Vegetation Act 1991*. Separate approval is required.

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

Advisory Note 1

A Deed of Agreement will be required with the Commissioner of Highways of the required road/infrastructure works. All road works and related infrastructure upgrades should be coordinated with City of Port Augusta to ensure the provision of public infrastructure is integrated and undertaken in a timely manner.

Advisory Note 2

Eyre Highway was proclaimed as controlled access road on 30 September 1976 pursuant to Part 2A of the Highways Act 1926. Departmental records show that there is a proclaimed means of access to Daws Street from Eyre Highway. As the proposed road works alter this access departmental records will be amended to reflect the relocated Daws Street connection.

Advisory Note 3

It is recommended that measures such as either kerbing, fencing or parking controls, be considered to prevent potential overflow parking on the southern area of Daws Road and between Eyre and Stuart Highways.

Advisory Note 4

Daw Street is not gazetted for use by vehicles larger than General Access Vehicles. The applicant will need to apply to the National Heavy Vehicle Regulator via www.nhvr.gov.au for permits to utilise these roads for access by Restricted Access Vehicles.

CARRIED

10. Other business

10.1 Term of Members

David Altmann addressed the Members regarding the Term of Membership will expire in March 2023. All members indicated they would be willing to remain for another term.

Stewart Payne asked if there was any opportunity for Councils to provide some refresher training. David Altmann advised that could be arranged and to provide any requests for training to him so he can arrange for a session, possibly prior to a meeting.

10.2 Level 2 accreditations

All accreditation is up to date. Fiona Barr advised she has lodged her renewal and for completion in August.

10.3 Ordinary Returns

David Altmann advised the Ordinary Returns have been completed.

10.4 Regional Plans

Fiona Barr asked if there was any information in relation to Regional Plans. David Altmann advised that the Planning Commission is preparing Regional Plans.

11. Meeting Closed: 4:47pm

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Stewart Payne
PRESIDING MEMBER