

MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held in the Council Chambers of the Local Government Centre, 6 Dutton Road Mount Barker on Wednesday 18 May 2022, commencing at 9.30 am.

PRESENT **(Members)** Mark Adcock (Presiding Member), Tom Gregory, Sally Roberts and Harry Seager.
(Staff) Manager – Planning, City Development (A Humphries), Senior Planner, City Development (D Henderson), and the Minute Secretary (S Mann).

1. APOLOGIES

Geoff Parsons

2. CONFLICT OF INTEREST DECLARATION

Nil declared.

3. CONFIRMATION OF MINUTES

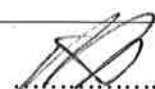
Moved Tom Gregory that the minutes for the meeting held on 16 February 2022 be taken as read and confirmed.

Seconded Harry Seager

CARRIED
CAP20220518.01

4. REPORTS DEFERRED

Nil.



5. REPORTS BY OFFICERS

5.1. DEVELOPMENT ACT APPLICATIONS

5.1.1. NON-COMPLYING APPLICATIONS

5.1.1.1 SUMMARY DETAILS

Application No.	580/678/20
Applicant	Direct Mix Concrete Inc.
Subject Land	1-5 Griffiths Court, Littlehampton LOT: 201 DP: 117801 CT: 6204/768
Ward	North Ward
Proposal	Concrete Batching Plant and associated infrastructure and fencing, temporary concrete batching plant (for up to 24 months), demolition of existing plant/buildings and associated infrastructure, including change in use of a portion of the land from residential to general industry and removal of four (4) regulated trees
Development Plan	Mount Barker District Council Consolidated 8 August 2017
Zone	Light Industry Zone
Form of Assessment	Non-complying
Public Notification	Category 3
Representations	2
Representors to be heard	Nil
Agency Consultation	Environmental Protection Authority (EPA)
Responsible Officer	Derek Henderson – Senior Planner
Main Issues	Land use, interface (noise, dust, amenity), traffic, stormwater management, regulated tree removal, environmental impacts
Recommendation	Planning Consent, subject to conditions and advisory notes

The Panel discussed the application and reached the following decision;

Tom Gregory moved that the Council Assessment Panel:



RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker District Council Development Plan consolidated 8 August 2017.

RESOLVE to GRANT Planning Consent to the application by M Elliott for a Concrete Batching Plant and associated infrastructure and fencing, Temporary Concrete Batching Plant (for up to 24 months), Demolition of Existing Plant/Buildings and associated infrastructure, including Change in Use of a portion of the land from residential to General Industry and removal of four (4) Regulated Trees at 1-5 Griffiths Court, Littlehampton (Development Application 580/678/20) subject to the following reserved matters, conditions and advisory notes:

RESERVED MATTERS

1. A landscaping plan shall be submitted to the Assessment Manager for approval prior to submission for Stage 2 building consent (permanent concrete batching plant). The plan shall include landscaping of areas identified on the tree retention/removal plan and nominate the location and species of all plantings. The landscape plan shall further provide for two replacement trees for each regulated tree removed.
2. A Stormwater Management Plan applicable for each stage shall be submitted to Council for approval which demonstrates the following:
 - i. The flow rate of stormwater leaving the site shall be designed so that it does not exceed the pre-developed flow rate for all recurrence intervals up to 1% AEP or other alternative to the reasonable satisfaction of Council.
 - ii. Stormwater discharged to the kerb shall be via steel kerbed adaptor and restricted to 15L/s per kerb outlet unless otherwise agreed by Council.
 - iii. Stormwater shall be discharged from the site on the southern boundary such that it is discharged directly into the existing spoon drain at the intersection of Childs Road and Griffiths Court.
3. A detailed Civil Plan applicable for each stage shall be provided to Council for approval which includes the following:
 - i. Final design levels of pavements and car parking areas including the verge crossovers at access location into the site.
 - ii. Final extent of earthworks and resultant batter grades and retaining heights.
 - iii. All stormwater infrastructure required to manage stormwater in accordance with the Stormwater Management Plan.
 - iv. Traffic controls including signs and line marking required to delineate movements through the site as proposed in the application including the 'entry only' arrangement of cement trucks on Childs Road and carparking/access off of Griffiths Court.

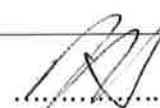


.....

- v. Construction detail of the verge crossovers to a commercial/industrial standard suitable of the operations of the site.
- vi. Reinstatement of the redundant crossover on Griffiths Court with kerbing and rehabilitation of the verge fronting the development site.

CONDITIONS OF PLANNING CONSENT

1. The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions.
2. Regulated Trees 1, 2, 11 and 13 listed within the Arboricultural Impact Assessment and Development Impact Report (Ref: ATS6310-1-5GriCtDIR) prepared by Arborman Tree Solutions are approved for removal via this consent.
3. The temporary batching plant and associated infrastructure must be removed from the subject land within three (3) months of the reconstructed permanent batching plant commencing operation.
4. All operational and infrastructure measures to manage dust, noise and wastewater must be installed and managed in accordance with the stamped plans and applicable environmental authorisation/s issued by the Environment Protection Authority.
5. The hours of operation are to be in accordance with the approved documentation and detailed in the Environmental Noise Assessment Report of Sonus, with daily operations commencing no earlier than:
 - 5:00am Monday – Friday inclusive
 - 6:00am Saturday
 - No operations on Sunday
 - 4:00am on days forecast by the Bureau of Meteorology to exceed 39 degrees Celsius.
6. All landscape plantings shall be maintained in good condition at all times, with any losses replaced in a timely manner. The plantings are to be completed within three (3) months of the commencement of operations for the permanent concrete batching plant.



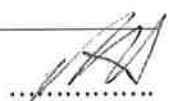
-
7. Effective soil erosion and drainage control measures are to be implemented during the construction of the development that would:
 - i. Prevent silt runoff from the land to adjoining properties, roads and drains;
 - ii. Control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - iii. Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - iv. Ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure;
 - v. Following construction of each stage, ensure all disturbed land is managed to prevent silt runoff and dust nuisance.
 8. All requirements in regard to the construction of driveways and carparks are to be met, including:
 - i. The driveway crossovers shall be designed, drained, constructed and sealed with asphalt or concrete suitable for commercial/industrial traffic providing both structural integrity and traction in both wet and dry conditions and include adequate stormwater drainage in accordance with Council's standards. The use of unbound materials (gravel, or quarry rubble) is not acceptable.
 - ii. The driveway internal to the property shall be hard surfaced such that it is trafficable in all weather conditions and mitigates dust generated by vehicles.
 - iii. The driveway and car parking areas shall be paved or surfaced, drained and marked to accepted engineering standards prior to the occupation of the development and shall be maintained in good condition at all times.
 - iv. Carparks and any traffic control devices are to be designed and constructed in accordance with AS 2890 –Off-Street Car parking, AS 1742 Manual of Uniform Traffic Control Devices and the Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999).
 - v. The car parking shall be in accordance with AS2890 and include the blind aisle requirements at the eastern end.
 - vi. The redundant crossover on Griffiths Court shall be reinstated with kerbing and include the rehabilitation of the verge fronting the development site.



9. All requirements in regard to the management of stormwater shall be in general accordance with the drainage plan submitted in support of the application (except as varied below) and achieved the following:
 - i. The flow rate of stormwater leaving the site shall be designed so that it does not exceed the pre-developed flow rate for all recurrence intervals up to 1% AEP or other alternative to the reasonable satisfaction of Council.
 - ii. Stormwater discharged to the kerb shall be via steel kerbed adaptor and restricted to 15L/s unless otherwise agreed by Council.
 - iii. Stormwater shall be discharged from the site on the southern boundary such that it is discharged directly into the existing spoon drain at the intersection of Childs Road and Griffiths Court.
 - iv. A system to improve stormwater quality shall be provided and constructed in a location and of a design to the reasonable satisfaction of Council to ensure that pollutants are trapped prior to exiting the site or entering the natural watercourse. The treatment system shall have a high capture efficiency for oils and petroleum/hydrocarbons.

The following conditions are imposed on the direction of the Environment Protection Authority (EPA):

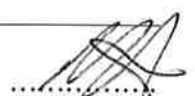
10. There must be no concurrent operation of the temporary batching plant and the permanent batching plant.
11. Prior to operation of the permanent batching plant, a boundary fence must be constructed to a height of no less than 4.5m above the ground level of the slumping area, for the extent shown as 'red' in the diagram on page 8 of the Direct Mix Littlehampton Upgraded Batching Plant Environmental Noise Assessment, prepared by Sonus, dated September 2021 (Ref: S6599C3). The fence must be sealed air tight at all joints including at the ground and constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar), which may be installed on concrete blocks.
12. The slumping activity for the permanent batching plant must be located as close to the barrier as practical as specified in 'orange' in the diagram on page 8 of the Direct Mix Littlehampton Upgraded Batching Plant Environmental Noise Assessment, prepared by Sonus, dated September 2021 (Ref: S6599C3).
13. Prior to operation of the temporary batching plant, the height of the existing site boundary fence must be increased (from approximately 3.5m) to 4.5m above the floor level of the temporary facility for the extent shown as 'red' in the diagram on page 7 of the Direct Mix Littlehampton Temporary Batching Plan Environmental Noise Assessment, prepared by Sonus, dated September 2020 (S6599C2).



14. Prior to operation of the temporary batching plant, a barrier must be constructed around the area used for slumping (adjacent the concrete loading area) and must be a minimum of 4.5m high and for the extent shown as 'orange' in the diagram on page 7 of the Direct Mix Littlehampton Temporary Batching Plan Environmental Noise Assessment, prepared by Sonus, dated September 2020 (S6599C2). The barrier must be constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar), which may be installed on concrete blocks and must be sealed air tight at all joins, including at existing fences. The barrier must remain in place for the operational life of the temporary batching plant.
15. Prior to operation of the temporary batching plant, a barrier must be constructed to the east of the area being used for the loader and must be a minimum of 4.5m high and for the extent shown as 'blue' in the diagram on page 7 of the Direct Mix Littlehampton Temporary Batching Plan Environmental Noise Assessment, prepared by Sonus, dated September 2020 (S6599C2). The barrier must be constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar), which may be installed on concrete blocks and must be sealed air tight at all joins, including at existing fences. The barrier must remain in place for the operational life of the temporary batching plant.

ADVISORY NOTES

1. The proposed development has been consented as a staged development – Stage 1 being the temporary concrete batching plant and Stage 2 the demolition of the existing plant and reconstruction of the new permanent concrete batching plant.
2. A permit approval for removal of any trees within the road verge area must be gained from Council. All obligations associated with the removal of these must be satisfied prior to the removal occurring (including financial requirements in accordance with Council tree removal policy).
3. The authorisation includes retaining walls (as part of required infrastructure). Engineering design of all retaining that would retain a difference in ground levels exceeding 1 metre is required to be submitted for assessment with the building rules documentation.
4. Any person proposing to undertake building work within the district of Mount Barker is reminded of their obligation to take all reasonable measures to protect Council infrastructure. Any incidental damage to the infrastructure - pipes, footpath, verge, street trees etc., must be reinstated to a standard acceptable to Council at the applicants' expense.



5. As your proposed development includes construction works on Council roads or connections to Council assets you are advised that an authorisation to undertake works that impact on Council infrastructure, Council Streets or Roads or Council is required to be issued by Council prior to construction.
6. A Wastewater Works application is required for any new septic tank, disposal area/s and plumbing work to service the staff facilities.

The following advisory notes are included on the request of the Environment Protection Authority (EPA):

7. 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.
8. 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 forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence.
9. Concrete batching works licence conditions are likely to include the requirement to prepare and implement a Noise Management Plan.
10. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
11. 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>

Seconded Sally Roberts

CARRIED
CAP20220518.02

5.1.2. CATEGORY 3 APPLICATIONS

Nil.



5.1.3. CATEGORY 2 APPLICATIONS

Nil.

5.1.4. CATEGORY 1 APPLICATIONS

Nil.

5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

Nil.

6. REVIEW OF ASSESSMENT MANAGER DECISIONS

Nil.

7. INFORMATION REPORTS

Nil.

8. CONFIDENTIAL REPORTS

Nil.

9. POLICY MATTERS ARISING FROM THIS AGENDA

Nil.

10. OTHER BUSINESS

Nil.

11. CLOSURE

Meeting declared closed at 9:45hrs



CHAIRMAN

15/6/22

DATE



