



DECISION NOTIFICATION FORM CROWN DEVELOPMENT

Section 131 (19) of the *Planning, Development and Infrastructure Act 2016*

TO THE APPLICANT:

Name: Department for Infrastructure and Transport
Email: michael.davis@sa.gov.au

IN REGARD TO:

Development application: 25004790	Lodged on: 13 March 2025
Proposed development: Change in the use of the land to a spoil re-use facility, filling of land and construction of temporary buildings, facilities and infrastructure (Part 2)	

LOCATION OF PROPOSED DEVELOPMENT: 208 Eastern Parade, Gillman

Allotment /Hundred	Deposited Plan/Section	Title	Address	Suburb
Q501/502	DP 121878	CT 6239/959	208 Eastern Parade	Gillman

DECISION:

Decision type	Decision	Decision date	Conditions	Decision Authority
Development Approval	GRANTED	28 / 7 / 2025	32	Minister for Planning

Building works may commence only when an Accredited Professional issues a Certificate of Compliance with the Building Rules, subject to any conditions imposed by the Minister for Planning (or delegate) and the Accredited Professional.

Hon Nicholas Champion MP
MINISTER FOR PLANNING



PLANNING CONDITIONS

Condition 1

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

Condition 2

The following information shall be submitted to and approved by the Minister for Planning prior to the commencement of construction (when required).

Final design details of site infrastructure and temporary buildings and structures, including external materials.

Condition 3

The following information shall be submitted to and approved by the Minister for Planning prior to the commencement of construction:

- a) A detailed landscape plan, including a proposed schedule of works that favours early implementation, for revegetation of disturbed areas on the site, being buffers to the Port River Expressway and the Magazine Creek Wetlands and opportunities for areas not intended for filling at the entry from Eastern Parade Road.

Condition 4

Prior to the commencement of Stage 1:

A report of baseline conditions shall be prepared by an appropriately qualified and experienced site contamination consultant, in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 and as per the guidance contained in the Environment Protection Authority's Guidelines for the assessment and remediation of site contamination (2019).

The environmental assessment (baseline conditions) report must be prepared in consultation with the Environment Protection Authority and submitted to the reasonable satisfaction of the Minister for Planning prior to the commencement of Stage 1.

The environmental assessment (baseline conditions) must address any identified issues and must be sufficient to identify:

- a. the nature and extent of any site contamination present or remaining on or below the surface of the land
- b. the likely suitability of the land for the proposed use, and
- c. what remediation (if any) is necessary for the proposed use.

Note: The report will be required to be reviewed and endorsed by an Environment Protection Authority accredited site contamination auditor (accredited by the Environment Protection Authority under Part 10A of the Environment Protection Act 1993) as per the guidance contained in the Environment Protection Authority Guidelines for the site contamination audit system (2019). A letter of review and endorsement is not a site contamination audit report.

Condition 5

Prior to the commencement of Stage 1:

Prior to the receipt of any fill as part of Stage 1, a report regarding the nature and the source of material to be received in Stage 1, clarification regarding the nature and the source of material to



be received in Stage 1 shall be prepared in consultation with the Environment Protection Authority and submitted to and approved by the Minister for Planning.

This shall be prepared in accordance with the National Environment Protection (Assessment of Site Contamination) Measure 1999 and as per the guidance contained in the Environment Protection Authority's Standard for the production and use of Waste Derived Fill (2013).

This information contained in the report must be sufficient to inform whether the Environment Protection Authority's Standard for the production and use of Waste Derived Fill (2013) is applicable to this stage.

Condition 6

Prior to the commencement of Stage 1:

A Construction Environment Management Plan (CEMP) must be prepared in consultation with the Environment Protection Authority.

The site contamination components must be prepared by a suitably qualified and experienced site contamination consultant as per the guidance contained in Environment Protection Authority Guideline Construction Environmental Management Plan (CEMP), the Environment Protection Authority's Guidelines for the assessment and remediation of site contamination (2019), the National Environment Protection (Assessment of Site Contamination) Measure (2013) and any other relevant guidelines issued by the Environment Protection Authority. The Construction Environmental Management Plan is expected to address the range of potential contamination issues likely to be associated with the site, based on the proposed land use. The Construction Environmental Management Plan must be prepared in consultation with the Environment Protection Authority and submitted to the Minister for Planning for approval prior to the commencement of Stage 1 site.

The Construction Environmental Management Plan must address all land associated with the development and be informed by the environmental assessment (baseline conditions) and must incorporate, without being limited to, the following matters in relation to site contamination:

- a. air quality, including odour and dust
- b. surface water including erosion and sediment control
- c. soils, including fill importation, waste and stockpile management and prevention of soil contamination
- d. acid sulfate soils (ASS), described in the Environment Protection Authority Guideline Site contamination - acid sulfate soil materials (2007), if applicable
- e. soil vapour and ground gas, including potential vapour intrusion
- f. groundwater, including prevention of groundwater contamination
- g. contingencies for unexpected finds
- h. work health and safety
- i. risk communication and engagement, and
- j. environmental assessment following completion of the proposed works, to verify the site is suitable for the intended use.

Note: The CEMP must include site contamination components prepared by a suitably qualified and experienced site contamination consultant (accredited by the EPA under Part 10A of the Environment Protection Act 1993) as per the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019). A letter of review and endorsement is not a site contamination audit report.

Other components of the CEMP shall be prepared with input from other suitably qualified and experienced environmental professionals where relevant.



Note: The Environment Protection Authority expects that, following preparation of the Construction Environmental Management Plan verification of its implementation is provided by an appropriately qualified and experienced site contamination consultant to support the final statement of site suitability for the intended land use by the appropriate practitioner.

Condition 7

Prior to the commencement of Stage 2:

The Construction Environmental Management Plan must be updated in consultation with the Environment Protection Authority and submitted to the reasonable satisfaction of the Minister for Planning prior to the commencement of Stages 2, 3 and 4.

The Construction Environmental Management Plan (site contamination components) must be reviewed and endorsed by a site contamination auditor accredited by the Environment Protection Authority under Part 10A of the Environment Protection Act 1993 as per the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019).

Note: A letter of review and endorsement is not a site contamination audit report.

Condition 8

Prior to the commencement of Stage 2:

Interim audit advice for the use of waste derived fill from bulk earthworks must be prepared by an Environment Protection Authority accredited site contamination auditor (accredited by the EPA under Part 10A of the Environment Protection Act 1993) as per the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019). The interim audit advice is expected to address any identified issues.

Where remediation is or remains necessary for the proposed use, a site remediation plan, which has been reviewed and endorsed by the auditor, must be provided to support the interim audit advice.

The interim audit advice must be reviewed by the Environment Protection Authority and determined to be complying prior to submission to the Minister for Planning. To provide interim audit advice, an auditor must have been engaged to carry out an audit and be satisfied there has been sufficient assessment of the nature and extent of any site contamination to enable the auditor to make informed risk-based decisions.

Note: The auditor is required to provide the interim advice to the Environment Protection Authority and other required persons (including the audit client and the local council) within 14 days of the interim audit advice being completed. The Environment Protection Authority will then complete an administrative review of the interim audit advice to determine if it is consistent with the guidance contained in Environment Protection Authority's Guidelines for the site contamination audit system (2019). The Environment Protection Authority will then notify all relevant persons of the administrative review outcome.

Condition 9

Prior to the commencement of Stage 2:

A Site Management Plan prepared by a site contamination consultant as per the guidance contained in the Environment Protection Authority Publication Guidelines for the assessment and remediation of site contamination (2019) and the Environment Protection Authority's Standard for the production and use of Waste Derived Fill (2013), in consultation with the Environment Protection Authority. The Site Management Plan must have been reviewed and endorsed by the site contamination auditor responsible for carrying out the audit at the site and must form part of the interim audit advice.



Condition 10

Prior to the commencement of Stage 3:

Interim audit advice for the use of waste derived fill from the tunnel boring process must be prepared by an auditor accredited by the Environment Protection Authority under Part 10A of the Environment Protection Act 1993 as per the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019). The interim audit advice must be reviewed by the Environment Protection Authority and must be determined to be complying with the Environment Protection Act 1993, Environment Protection Regulations 2003 and relevant Environment Protection Authority guidelines prior to submission to the Minister for Planning. The interim audit advice must address any identified issues. Where remediation is or remains necessary for the proposed use, a site remediation plan, which has been reviewed and endorsed by the auditor, must be provided to support the interim audit advice.

To provide interim audit advice, an auditor must have been engaged to carry out an audit and must be satisfied there has been sufficient assessment of the nature and extent of any site contamination to enable the auditor to make informed risk-based decisions.

Note: The auditor is required to provide the interim audit advice to the Environment Protection Authority and other required persons (including the audit client and the City of Port Adelaide Enfield) within 14 days of the interim audit advice being completed. The Environment Protection Authority will then complete an administrative review of the interim audit advice to determine if it is consistent with the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019). The Environment Protection Authority will then notify all relevant persons of the administrative review outcome.

Condition 11

Following completion of any earthworks as part of Stage 4:

A Statement of Site Suitability must be issued by a site contamination auditor, prior to the occupation and operation of the development. This must be in the form of a site contamination audit report prepared in accordance with Part 10A of the Environment Protection Act 1993 and as per the guidance contained in the Environment Protection Authority's Guidelines for the site contamination audit system (2019). The Statement of Site Suitability must be submitted to the reasonable satisfaction of the Minister for Planning prior to the commencement of site occupation. The site contamination audit report must have been reviewed by the Environment Protection Authority and must be determined to be complying with the Environment Protection Act 1993, Environment Protection Regulations 2003 and relevant Environment Protection Authority guidelines prior to submission to the Minister for Planning.

Condition 12

Prior to operation of the Wastewater Treatment Plant:

A Stormwater Management Plan (or equivalent document) must be prepared in consultation with the Environment Protection Authority, Coast Protection Board and the City of Port Adelaide Enfield and submitted to the reasonable satisfaction of the Minister for Planning. This plan must include, but not be limited to, the following:

- a. the methodology and infrastructure for the collection and treatment of wastewater volumes of wastewater likely to be collected and discharged,
- b. the likely water quality of the influent wastewater and the water quality of the discharged wastewater with consideration of the analytes assessed based on potential contamination sources,



- c. proposed water quality monitoring and reporting to the Environment Protection Authority to ensure that the water quality outcomes are achieved, including triggers for actions to prevent or minimise harm to the environment, and
- d. detail regarding the consideration and management of potential impacts on the receiving environment.

Condition 13

The development shall ensure that appropriate mitigation and management measures are implemented to ensure that construction and operation of the SRF remain within the Footprint Area and avoids further impacts on the Threatened Ecological Communities (TEC). Any associated CEMP and / or Landscape Plan shall be prepared in consultation with the Coast Protection Board.

Condition 14

All stormwater design and construction shall be in accordance with recognised engineering best practice to ensure that stormwater discharge does not adversely affect the Range and Magazine Creek Wetlands.

Condition 15

Vegetation using suitable local native species shall be established on the spoil mound embankments (using suitable methods to ensure soil stability and optimise plant establishment) to mitigate rill erosion and impacts to biodiversity and as a visual buffer between the cycle path running parallel to the Port River Expressway and the subject land.

Condition 16

As outlined in the Development Approval for Development Application 24014973, the following is required:

Prior to the commencement of the Spoil Re-use Facility a Traffic Management Plan (TMP) shall be prepared in consultation with the Commissioner of Highways, SEA Gas and the City of Port Adelaide Enfield and submitted to and approved by the Minister for Planning.

The TMP shall identify the following:

- a. show all traffic devices to be utilised (including variable message signs) and any proposed traffic restrictions/operations.
- b. identify any access upgrades required on Eastern Parade to cater for the largest vehicle expected to require access to the subject development (and or abutting land); and
- c. identify that the haulage route associated with the Spoil Re-use Facility via Eastern Parade shall be restricted to a left turn in and left turn out basis only.
- d. The construction site and any temporary crossing is to be compliant with the load requirements AS 2885, for the Port Campbell to Adelaide High Pressure Gas Pipeline easement.

Condition 17

All access to/from the development shall be gained in accordance with the previously approved Development Application 24014973.

Condition 18

The shared path adjacent the site shall be kept open during construction and operation of the facility.



Condition 19

Stormwater run-off shall be collected on-site and discharged without impacting the safety and integrity of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Condition 20

Any external lighting, car park, access road and or perimeter lighting shall be designed and or shielded to prevent driver distraction and or hazard to road users.

Condition 21

All external lighting shall be designed and constructed to conform with Australian Standards (AS 4282-2019) and shall be located, directed and shielded and of such limited intensity that there is no unreasonable nuisance or loss of amenity is caused to any person beyond the site.

Condition 22

All buried service crossings over the Pipeline (including stormwater, sewerage, water and common service trenches) must:

- a. be installed such that individual services are not crossing the pipeline, unless the full section of the pipeline has been protected by either concrete (measuring 200mm thick at 20 MPa compressive strength) or 12.5mm thick HDPE protection slabs.
- b. be designed and constructed to ensure that they do not adversely impact the Pipeline, including by:
 - i. crossing the Pipeline at right-angles, where practicable
 - ii. installed above the Pipeline, where practicable
 - iii. a minimum of 500mm vertical separation between the service and the Pipeline;

Details of the method of design and construction of all service crossings (including HDPE protection slab or a concrete slabs) must be provided to the relevant authority prior to construction.

Condition 23

No permanent above ground infrastructure (including poles, fencing or signage) shall be installed within 6 metres of the Pipeline.

Condition 24

Tiger teeth and single point penetration teeth shall not be used within 6m of the SEA Gas Port Campbell to Adelaide High Pressure Gas Pipeline. The maximum size of the excavator operating on the pipeline easement shall be 30 Tonnes or less.

Condition 25

Vibrating equipment must not be used within 10 metres of the SEA Gas Port Campbell to Adelaide Pipeline unless vibration monitoring is installed to demonstrate that vibration remains below 50mm/s peak particle velocity at the surface above the Pipeline.

Condition 26

The Port Campbell to Adelaide Gas Pipeline shall be located by SEA Gas or under SEA Gas site supervision prior to any work on the Port Campbell to Adelaide High Pressure Gas Pipeline easement or within 6m of the pipeline when no easement exists.

Condition 27

Depth of cover for the Sea Gas pipeline must not be altered and must remain as a minimum of 1200mm under road surfaces.



Condition 28

The applicant shall provide a Safe Access Plan which includes details of any permanent or temporary crossing of the Port Campbell to Adelaide High Pressure Gas Pipeline such as the link road between lots 501 and 502.

Condition 29

Any crossing points for heavy vehicles shall be constructed such that the Sea Gas pipeline will continue to comply with the requirements AS2885, including the stress and strain requirements for live and static loads.

Condition 30

Pipeline Marker Signs shall be installed at intervals required by AS 2885 warning of the location of the Port Campbell to Adelaide High Pressure Gas Pipeline.

Condition 31

All contractors working within the pipeline easement or within 6m of the pipeline where no easement exists to the Port Campbell to Adelaide High Pressure Gas Pipeline shall undertake pipeline awareness training provided by SEA Gas.

Condition 32

Fill or objects shall not be stored on the pipeline easement at any time.

- a. There shall be no fill placed on the development site unless engineering analysis demonstrates that the pipeline will continue to comply with the stress and strain requirements of AS2885, including the stress and strain requirements for live and static loads. The engineering analysis will need to be reviewed and approved by Sea Gas.

The development must then be undertaken in accordance with the plans and documents which have met the relevant authority's reasonable satisfaction.

PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016 REQUIREMENTS:

- Pursuant to Section 131(21) of the *Planning, Development and Infrastructure Act 2016* before any building work is undertaken, the building work is to be certified by an Accredited Professional, or by some person determined by the Minister for the purposes of this provision, as complying with the provisions of the National Construction Code (or the Building Rules as modified according to criteria prescribed by the Regulations).
- The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the Minister for Planning.
- Any act or work authorised or required by this Notification must be completed by 11 December 2031 Notification unless this period is extended by Minister for Planning.
- You will require a fresh consent before commencing or continuing the development if you are unable to satisfy these requirements.

ADVISORY NOTES

Advisory Note 1

A current list of Accredited Professionals registered in South Australia is available here: https://plan.sa.gov.au/accredited_professionals_register

Advisory Note 2

At completion of the project all certified documents should be retained by the responsible agency for the life of the asset.

**Advisory Note 3**

For additional information relating to the certification of government building projects, contact Mr John Callea, Professional & Advisory Services, Department for Infrastructure and Transport (telephone 7133 1430) 83 Pirie Street, Adelaide, 5000.

Advisory Note 4

Prior to the time period specified above, any request for an extension of time must be lodged with Planning and Land Use Services, Department for Housing and Urban Development (spcapplications@sa.gov.au).

Advisory Note 5

Given that chemicals for water treatment will be stored on site, the applicant/operator should ensure that the storage of chemicals is undertaken as per the guidance contained in the Environment Protection Authority's Guidelines Bunding and spill management (May 2016).

Advisory Note 6

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.

Advisory Note 7

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 8

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

Advisory Note 9

Applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the construction phase. Before any construction works the contractor(s) shall complete a 'Notification of Works' form via the following link:

https://www.dit.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations

Advisory Note 10

Any infrastructure (e.g. road signs, drainage infrastructure, lighting, etc) 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.

Advisory Note 11

The development is to be in accordance with an approved Safety Management Study as it relates to any services crossing the pipeline or road upgrades in the vicinity of the Pipeline.

**Advisory Note 12**

The proposed development is within the vicinity of the Port Campbell to Adelaide Pipeline (PCA). The applicant is reminded that under section 93 of the Energy Resources Act 2000 (ER Act), a person must not interfere with activities regulated under the ER Act which are lawfully conducted under a licence.

Advisory Note 13

The South Australian section of the PCA is licenced to SEA Gas. Direct contact with SEA Gas on this matter should be through Michael Jarosz on (08) 8236 6836 or via email at development.application@seagas.com.au.

Advisory Note 14

All parties carrying out works approved herein are recommended to attend a pipeline awareness session administered by the pipeline licensee prior to commencing work.

Advisory Note 15

Once all Detailed Design has been submitted to the relevant authority to its reasonable satisfaction in accordance with the conditions attached to this authorisation, if any service crossings of the pipeline or road upgrades are proposed the applicant need to engage with the Licensee to undertake a Safety Management Study.

Advisory Note 16

Any development below 3.7m AHD, including the proposed temporary development, is potentially at increased risk of coastal flooding and the applicant is responsible for any damage or consequences associated with this risk. The applicant may consider implementing a flood emergency management plan to address potential coastal flooding events.

Advisory Note 17

It is noted that Gillman is protected by a coastal levee bank, which may require repair and/or upgrade to minimise flood hazard risks now and in the future. The owner of the land occupied by the levee bank has responsibility to assess the condition and suitability of it to ensure it addresses potential risk.

Advisory Note 18

Prior to the final design being completed, consideration should be given to mitigation measures (e.g. appropriate buffer areas, design eg mound gradient, staging of the fill landscaping and operational measures) that minimise impacts on the environmental values of the nearby Magazine Creek wetland (eg impacts to wildlife, including migratory birds).

Advisory Note 19

Any future landscaping should consist of local native coastal species, to improve coastal biodiversity, amenity and minimise the spread of exotic plants on the coast.

Advisory Note 20

The land over which the development is situated may have the potential to develop acid sulfate conditions if exposed to oxygen. The Coast Protection Board has released a set of guidelines which should be followed in areas where acid sulfate soils are likely to occur. These can be found at:

http://www.environment.sa.gov.au/about-us/boards-and-committees/Coast_Protection_Board/Coastal_acid_sulfate_soils



Advisory Note 21

Before any construction works, the contractor(s) shall complete a 'Notification of Works' form via the following link:

https://www.dit.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations

Advisory Note 22

All fill entering the site shall be free of weeds to ensure noxious weeds are not introduced into the coastal environment.