



**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL
CHAMBER, 12 JAMES STREET, SALISBURY ON**

24 JULY 2018

MEMBERS PRESENT

Mr D Wallace (Presiding Member)
Mr R Bateup
Ms L Caruso
Mr J Watson

STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos (Assessment Manager)
Team Leader - Planning, Mr A Curtis
Planning Consultant, Mr M Atkinson

The meeting commenced at 6.00 pm

The Presiding Member welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Apologies were received from Ms S Johnston

LEAVE OF ABSENCE

Mr D Wallace advised that he will be an apology for the meetings in August and September 2018.

DECLARATION OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1

361/491/2018/2T

Removal of a regulated tree on road reserve at Adjacent 9 Ascot Drive, Paralowie SA 5108 for City of Salisbury

REPRESENTATIONS

Mr A Glaser was in attendance but did not speak to his representation.

Mr M Oborn (Coordinator Tree Services), on behalf of the applicant, spoke to their application.

Mr J Watson moved and the Council Assessment Panel resolved that:

1. Development Application 361/491/2018/2T for the Removal of a Regulated Tree on Council Road Reserve adjacent to 9 Ascot Drive, Paralowie is at variance with the Objectives and Principles of the City of Salisbury Development Plan, consolidated 15 December 2016 and therefore Development Approval is REFUSED for the following reasons:
 - a) The tree warrants retention as it provides important aesthetic benefit to the locality and significantly contributes to the character and visual amenity of the locality, consistent with Objective 1 and 2 and Council-wide 'Regulated Trees' module.
 - b) There are no relevant grounds for removal of the tree under Principle of Development Control 2, Council-wide 'Regulated Trees' module.

5.1.2

361/2223/2017/3B

Alterations and additions to a petrol filling station and shop, comprising new storage area and drive-through facility (operate 24 hours), extend height of masonry wall, landscaping and reconfiguration of car parking. at 321 Bridge Road, Para Hills for Matthews Architects

REPRESENTATIONS

Mr H Boyce spoke to his representation.

Mr T Beazley, Consultant Planner, Peregrine Corporation and Mr P Morris, GTA Consultants, spoke on behalf of the applicant.

Ms L Caruso moved and the Council Assessment Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Council Development Plan – consolidated 15 December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/2223/2017/3B for alterations and additions to a petrol filling station and shop, comprising a new storage area and drive-through facility (24 hours), extensions to the height of masonry walls, the reconfiguration of car parking spaces and associated landscaping; in accordance with the plans and details submitted with the application and subject to the following conditions:

Reserved Matter

The following matter shall be submitted for further assessment and approval by Council, as a Reserved Matter under Section 33(3) of the *Development Act 1993*:

1. Civil Plan which shall include:
 - Finished floor levels for all buildings, driveways and impervious surfaces
 - Cut/fill details
 - Retaining walls
 - Kerbing and driveway crossovers
 - Pavement design details and gradients
 - Car parking dimensions and aisle widths
 - Stormwater management / site drainage details

Development Plan Consent Conditions

1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
SK007B	Site Plan	Received by Council dated 13 April 2018	Matthews Architects
SK005B	Floor Plan	Received by Council dated 26 March 2018	Matthews Architects
SK006B	Elevations	Received by Council dated 26 March 2018	Matthews Architects
SK004B	Car parking layout	Received by Council dated 26 March 2018	Matthews Architects
S5496C3	Acoustic Report	Received by Council dated 13 April 2018	Sonus
S1177718	Site Traffic	Received by	GTA

	Compliance Statement	Council dated 24 November 2017	Consultants
N/A	Response to Representations	Date Received by Council 14 June 2018	Peregrine Corporation <ul style="list-style-type: none"> • Appendix 2 – GTA Consultants • Appendix 3 - Sonus

- *All plans and details approved by Council under Reserved Matter 1 form part of this consent and are in addition to those plans and details listed in the table above.*
- *The approved documents referred to above may be subject to change by minor variations permitted through the Building Rules Consent process.*
- *Except where otherwise stated, the development shall be completed prior to the commencement of use. This extends to documents approved as Reserved Matters.*

Reason: To ensure the proposal is established in accordance with the submitted plans.

2. The noise attenuation measures contained within the Acoustic Report, approved by Council under Development Plan Condition 1, shall be implemented prior to the operation of the proposed drive-through facility.

Reason: To ensure that noise does not cause nuisance to adjoining residential occupiers or owners.

3. Noise measured at the nearest residential property boundary shall remain within the requirements of the Environmental Protection Authority (EPA) guidelines for development within a residential area.

Reason: To ensure that noise does not cause nuisance to adjoining residential occupiers or owners.

4. The development shall be installed and operated in such a manner that any person or persons within or adjacent the site shall not be subjected to any nuisance or inconvenience from odour or fumes at any time.

Reason: To maintain the amenity of the locality.

5. All waste and other rubbish shall be contained and stored pending removal in covered containers and waste containers must not be located within designated car parks or manoeuvring areas.

Reason: To maintain the amenity of the locality.

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6. All waste shall be collected between the hours of 7.00am and 7.00pm Monday to Saturday. Waste collection times shall be limited to between 9.00am and 7.00pm on Sundays and Public Holidays, in accordance with the *Environmental Protection (Noise) Policy 2007*.

Reason: To maintain the amenity of the locality.

7. No materials, goods or containers shall be stored in the designated carparking area or driveways.

Reason: To ensure the carparking areas are always available for the purpose they are designed. Further that the site be maintained in a clean and tidy state.

8. All the existing and proposed landscaping areas shall be planted with evergreen shade trees, shrubs and ground covers as appropriate to complement the buildings and site layout and achieve a high level of amenity. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping is to be completed within three (3) months of the approved use commencing.

Reason: To ensure the subject land is landscaped so as to enhance the visual and environmental amenity of the locality.

9. All loading and unloading of vehicles and manoeuvring of vehicles in connection with the now approved land use shall be carried out entirely within the subject land.

Reason: To ensure that vehicles associated with the land use does not cause disruption or danger to vehicles on adjoining public roads.

10. Outside lighting shall be directed and shaded to prevent light overspill and/or nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

11. The carparking layout including car park spaces and aisle widths are to be designed and constructed to comply with AS 2890.1 – Off-street Parking Part 1 and Austroads “Guide to Traffic Engineering Practice Part 11 – Parking” and AS 2890.2 – Facilities for Commercial Vehicles.

Reason: To ensure that the development complies with Standards and Best Engineering Practice.

12. All driveways and car parking areas shall be constructed with either brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Individual carparking bays shall be clearly linemarked. Driveways and carparking areas shall be established prior to the approved use commencing and maintained at all times to the satisfaction of Council.

Reason: To ensure access and carparking is provided on the site in a manner that maintains and enhances the amenity of the locality.

Advice Notes

1. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the subject property from previous approvals that remain active.
2. This approval does not extend to or incorporate substantive food preparation and/or the operation of a Quick Service Restaurant (QSR), fast food outlet or similar. The applicant and/or operator of the site are advised that if such future use is proposed, development approval for a change of use is likely to be required.

5.1.3

361/1589/2017/2B

Demolition of existing dwelling and associated structures and outbuildings, removal of 40 Regulated Trees (8 being Significant Trees), transplanting of 13 Regulated Trees, the construction of a mixed use retail and entertainment complex comprising major retail shops (2), specialty retail shops (13), cafe (1), bulky goods tenancies (4), entertainment venues (3), indoor recreation centre (gymnasium), fencing and screening structures, 3 fast food restaurants (with associated drive through facility) together with associated siteworks, access/egress to Kings Road, Main North Road and Mengel Court, at-grade car parking and manoeuvring areas, loading docks, pedestrian paths, waste storage areas, outdoor seating and landscaping at 1460 Main North Road, Salisbury Plain for GIC Kings Road Pty Ltd

REPRESENTATIONS

Heard at previous meeting held on 27 February 2018.

Mr Bateup moved and the Council Assessment Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 15th December 2016 (subject to Gazette Notice 19th January 2017);
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1589/2017/2B for “Demolition of existing dwelling and associated structures and outbuildings, removal of 40 Regulated Trees (8 being Significant Trees), transplanting of 13 Regulated Trees, the construction of a mixed use retail and entertainment

complex comprising major retail shops (2), specialty retail shops (13), cafe (1), bulky goods tenancies (4), entertainment venues (3), indoor recreation centre (gymnasium), fencing and screening structures, 3 fast food restaurants (with associated drive through facility) together with associated siteworks, access/egress to Kings Road, Main North Road and Mengel Court, at-grade car parking and manoeuvring areas, loading docks, pedestrian paths, waste storage areas, outdoor seating and landscaping” in accordance with the plans and details submitted with the application and subject to the following Reserved Matters and conditions:

Reserved Matters:

The following matters shall be submitted for further assessment and approval by the Manager – Development Services, as delegate of the Council Assessment Panel, as Reserved Matters under Section 33(3) of the Development Act 1993:

1. A Construction Environmental Management Plan (CEMP) which shall include all of the following:
 - a) Hours of operation;
 - b) Arrangements for management of stormwater, noise and dust; and
 - c) Measures to eliminate drag-out from the site during wet weather events.
2. Final stormwater management plan and accompanying stormwater design calculations, prepared by a qualified and experienced stormwater engineer, which shall be designed to address the following:
 - a) Design of all finished floor levels of buildings above the 1:100 year average return interval flood;
 - b) Water quality measures to ensure water discharged from the site is of a physical, chemical and biological condition that is equivalent to or better than its pre-developed state;
 - c) The post-development rate of discharge from the site shall not exceed the rate of discharge as it existed in pre-development conditions;
 - d) Final underground trunk drainage system design and overland flow design to cater for overland flow and stormwater generated on-site; and
 - e) Final connection details in to the external stormwater network designed to cater for the modelled stormwater flows.
3. Civil Plan, prepared by a qualified and experienced civil engineer which shall include all of the following:
 - a) Finished floor levels for all buildings, driveways and impervious surfaces;
 - b) Cut/fill details;
 - c) Retaining walls (if required);
 - d) Kerbing and driveway crossovers;
 - e) Pavement design details and gradients;
 - f) Car parking dimensions and aisle widths;
 - g) Water quality treatment systems including primary treatment (ie. gross pollutant traps) and secondary treatment using water sensitive design

- elements;
- h) Pedestrian paths, widths, surface treatments and grades (both internal to the site and external);
 - i) Footpath connections between the internal network and external footpath network;
 - j) Inclusion of two dedicated taxi drop-off/pick up facilities (as per the Able Access Design report, dated 31st October 2017) and associated signage and covered seating; and
 - k) Stormwater management system including all sumps, drains, pipes etc., their sizes and fall to ensure appropriate management and discharge of stormwater from the site.
4. Waste Management Plan, prepared by an experienced waste management consultant which incorporates all of the following:
 - a) Provision of public bins in convenient locations for collection of customer recyclable and non-recyclable waste to discourage litter and minimise waste to landfill;
 - b) Arrangements for collection and recycling of waste generated by commercial tenancies such as cardboard, plastics, food waste etc.;
 - c) Provision of an adequate number of bulk waste receptacles to cater for maximum anticipated levels of waste for all tenancies;
 - d) Odour, hygiene management and pest management (ie. birds and rodents);
 - e) Management measures to prevent flocking of birds which may pose a hazard to aircraft movements; and
 - f) Private waste contractor arrangements for periodic collection, including consideration of hours of collection and manoeuvring arrangements.
 5. Final landscaping plan, prepared by a qualified and experienced landscape architect or horticulturalist, which shall include all of the following:
 - a) Final locations for all landscaped areas, including designated areas for trees, shrubs and groundcovers (including replacement trees as required by Development Plan Consent Condition 11);
 - b) Inclusion of advanced growth street tree plantings at regular intervals to the portion of Kings Road identified as “11” on the “Landscape Area Plan” to complement existing street trees in Kings Road;
 - c) Selection of species shall consider:
 - i) Adjacent internal road networks to achieve appropriate clearance for heavy vehicles;
 - ii) Height of trees and locations in reference to obstacle limitation surfaces to avoid conflict with aircraft movements;
 - iii) Need for low level landscaping only within 9.5m of the Main North Road boundary (ie. as per DPTI letter dated 12th December 2017);
 - d) Final locations for all transplanted trees;
 - e) Species to be used, which should predominantly comprise native species;
 - f) Screening trees within the car parking areas; and
 - g) Maintenance methods including irrigation, barriers and protection from vehicles

and pedestrians.

6. An Elevation Plan for the eastern wall on Major Tenancy 2 that incorporates design treatments to articulate and soften the appearance of the wall.
7. A final Traffic Control Layout, prepared by a qualified and experienced traffic engineer, which shall include all of the following:
 - a) Internal circulating road network;
 - b) All traffic control devices including signs, line marking etc.;
 - c) Car park and aisle widths;
 - d) Final loading/delivery arrangements including turning templates; and
 - e) Design detail for all access points to Mengel Court.
8. Final plans and details for all screening devices of roof and ground level plant and equipment including fire hydrant boosters and pad mount transformers.

Development Plan Consent Conditions

1. The development shall be carried out in accordance with the details submitted with the application and the following stamped approved plans and documents, except where otherwise varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
<i>Planning Report</i>			
Dated August 2017	Planning Statement	Received by Council dated 28.08.17	Intro Design Pty Ltd
<i>Correspondence</i>			
Letter dated 02.11.17	Letter to Council – Response to RFI	Received by Council dated 02.11.17	Intro Design Pty Ltd
Letter dated 21.11.17	Letter to Council – Proposed Re-categorisation	Received by Council dated 22.11.17	Intro Design Pty Ltd
Letter dated 08.12.17	Response to RFI	Received by Council dated 08.12.17	Intro Design Pty Ltd
Letter dated 28.12.17	Response to Valid Representations	Received by Council dated 28.12.17	Intro Design Pty Ltd
Letter dated 05.02.18	Response to RFI and Invalid Representations	Received by Council dated 05.02.18	Intro Design Pty Ltd
Letters dated 05.02.18	Response to RFI and Invalid Representations	Received by Council dated 05.02.18	Mellor Olsson Lawyers
Letter dated 05.02.18	Addendum to Tree Report AYTS4703-MaiNorRdKinRdDIR	Received by Council dated 05.02.18	Arborman Tree Solutions
<i>Architectural Plans</i>			
DWG No. SK01 Revision I dated 26.10.17	Site Context	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK02	Site Land Area Plan	Received by Council	Intro Design Pty

Revision H dated 26.10.17		dated 02.11.17	Ltd
DWG No. SK03 Revision I dated 26.10.17	Airport Building Heights	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK04 Revision B dated 26.10.17	Demolition Plan	Received by Council dated 08.12.17	Intro Design Pty Ltd
DWG No. SK05 Revision U dated 20.12.17	Site Plan 1	Received by Council dated 20.12.17	Intro Design Pty Ltd
DWG No. SK05 Revision R dated 26.10.17	Site Plan – Foodstuffs Tenancies	Received by Council dated 16.02.18	Intro Design Pty Ltd
DWG No. SK08 Revision H dated 26.10.17	Site Movement Plan	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK09 Revision H dated 26.10.17	Roof Plan	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK10 Revision I dated 06.02.18	Landscape Area Plan	Received by Council dated 06.02.18	Intro Design Pty Ltd
DWG No. SK11 Revision E dated 26.10.17	Landscape – Details 1	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK12 Revision F dated 26.08.17	Landscape – Details 2	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK13 Revision B dated 22.08.17	Landscape – Details 3	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK14 Revision B dated 22.08.17	Landscape – Details 4	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK50 Revision G dated 22.08.17	Elevations – Site	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK51 Revision G dated 06.02.18	Elevations – North Side	Received by Council dated 06.02.18	Intro Design Pty Ltd
DWG No. SK52 Revision H dated 06.02.18	Elevations – South Side	Received by Council dated 06.02.18	Intro Design Pty Ltd
DWG No. SK100 Revision J dated 26.10.17	Perspective 1 – Aerial 1	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK101 Revision I dated 26.10.17	Perspective 2 – Aerial 2	Received by Council dated 02.11.17	Intro Design Pty Ltd

DWG No. SK103 Revision H dated 26.10.17	Perspective 3 – North 1	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK104 Revision B dated 22.08.17	Perspective 4 – North 2	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK105 Revision C dated 26.10.17	Perspective 5 – South 1	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK106 Revision C dated 26.10.17	Perspective 6 – South 2	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK107 Revision C dated 26.10.17	Perspective 7 – Main Road 1	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK108 Revision B dated 26.10.17	Perspective 8 – Main Road 2	Received by Council dated 02.11.17	Intro Design Pty Ltd
Not stated	Perspective – Main North Road, Major Tenancy 2 Eastern Wall.	Received by Council dated 06.02.2018	Intro Design Pty Ltd
DWG No. SK300 Revision E dated 26.10.17	Material Schedule Plan	Received by Council dated 02.11.17	Intro Design Pty Ltd
DWG No. SK04.1 Revision A dated 20.12.17	Site Plan – Significant and Regulated Trees	Received by Council dated 20.12.17	Intro Design Pty Ltd
DWG No. SK04.2 Revision A dated 20.12.17	Site Plan – Significant Tree Protection Zone	Received by Council dated 20.12.17	Intro Design Pty Ltd
DWG No. SK04.3 Revision – dated 06.11.17	Site Plan – Northern Tree Locations	Received by Council dated 05.11.17	Intro Design Pty Ltd
DWG No. SK02 Issue 02 dated 22.08.17	Fast Food Restaurant 1	Received by Council dated 28.08.17	MCA Studio
DWG No. SK03 Issue 02	Fast Food Restaurant 2	Received by Council dated 28.08.17	MCA Studio
DWG No. SK04 Issue 02	Fast Food Restaurant 4	Received by Council dated 28.08.17	MCA Studio
<i>Reports and Technical Details</i>			
Reference S114920 dated 29.08.17	Traffic Impact Assessment	Received by Council dated 28.08.17	GTA Consultants
Reference S114920	Letter to Council – Response to Council comments RE: Traffic	Received by Council dated 07.11.17	GTA Consultants
Not Stated	Bus Stop Design Detail	Received by Council dated 02.11.17	Intro Design Pty Ltd
Reference 17033-2-C	Site Based Stormwater Management Plan	Received by Council dated 28.08.17	Southfront
24 August 2017	Concept Stormwater Drainage Plan	Received by Council dated 28.08.17	Southfront

DWG No. SK03 Revision B dated 06.11.17	Main North Road Cross Sections – Conceptual	Received by Council dated 08.12.17	FMG Consulting Engineers
DWG No. SK02 Revision B dated 06.11.17	Conceptual Drainage Layout	Received by Council dated 08.12.17	FMG Consulting Engineers
Reference LCE13136 August 2017	Sustainability Report	Received by Council dated 28.08.17	Lucid Consulting Australia
Reference LCE13136- 003a	Town Planning Authority Services Infrastructure Report	Received by Council dated 28.08.17	Lucid Consulting Australia
Reference LCE13136- 005a	Lighting Concept Design and Compliance Report	Received by Council dated 28.08.17	Lucid Consulting Australia
Reference LCE13136- ESK01	Concept Design and Obtrusive Lighting Assessment	Received by Council dated 28.08.17	Lucid Consulting Australia
Not Stated	Pierlite Quantum LED Floodlight	Received by Council dated 28.08.17	Gerard Lighting
Reference S35706 – 255881 dated 18 August 2017	Preliminary Site Investigation – Stage 1 Environmental Site Assessment Report	Received by Council dated 28.08.17	FMG Engineering
ATS4703- MaiNorRdKinRdDIR dated 08.12.17	Arboricultural Impact Assessment	Received by Council dated 08.12.17	Arborman Tree Solutions
Map 1 of 4 – 08.12.17	Tree Protection Zones and Encroachment	Received by Council dated 08.12.17	Arborman Tree Solutions
Map 2 of 4 – 08.12.17	Tree Protection Zones and Encroachment – Zoom 1	Received by Council dated 08.12.17	Arborman Tree Solutions
Map 3 of 4 – 08.12.17	Tree Protection Zones and Encroachment – Zoom 2	Received by Council dated 08.12.17	Arborman Tree Solutions
Map 4 of 4 – 08.12.17	Tree Protection Zones and Encroachment – Zoom 3	Received by Council dated 08.12.17	Arborman Tree Solutions
Dated 08.12.17	Tree Assessment Summary	Received by Council dated 08.12.17	Arborman Tree Solutions
Reference 4-1352_1	Disability Access Advice	Received by Council dated 02.11.17	Able Access Design
Reference 30N-17- 0206-TNT-634465-1 dated 06.11.17	Wind Impact Assessment	Received by Council dated 07.11.17	Vipac Engineers & Scientists
Reference 30N-17- 0206-TRP-642177-0 dated 01.06.18	Windshear and Turbulence – Wind Tunnel Test	Received by Council dated 05.06.18	Vipac Engineers & Scientists

* All plans and details approved by Council under Reserved Matters 1-8 inclusive form part of this Consent and are in addition to those plans and details listed in the table above.

- * The approved documents referred to above may be subject to change by minor variations permitted through the Building Rules Consent process.
- * Except where otherwise stated, the development shall be completed prior to the commencement of use.

Reason: To ensure the proposal is established in accordance with the submitted plans.

2. Staging of construction and commencement of use of the entertainment precinct (comprising the indoor bowling facility, cinema, children's active playspace and gymnasium) is not permitted (ie. the commencement of construction and use of the entertainment precinct shall take place prior to or concurrently with other uses approved under the application).

Reason: To ensure compliance with the Development Plan by ensuring that the entertainment precinct is established.

3. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.

Reason: To ensure the car parking areas are always available for the purpose they are designed. Further, that the site be maintained in a clean and tidy state.

4. Except where otherwise approved, the external finishes of all approved building works shall:
 - a) Be of new non-reflective materials;
 - b) Be finished in colours as specified on the Approved Plans; and
 - c) Be maintained in good condition at all times.

Reason: To ensure the building appears as one and maintains the amenity of the locality.

5. All mechanical services to the building and in conjunction with the proposed use shall be designed, installed and operated in such a manner that any person or persons working within or adjacent to the site should not be subjected to any nuisance or inconvenience from noise or fumes.

Reason: To limit the effect of the mechanical services for activities on the subject land within the site, thereby maintaining the amenity of the locality.

6. All loading and unloading of vehicles and manoeuvring of vehicles shall be carried out entirely within the subject land.

Reason: To ensure that vehicles associated with the land use do not cause disruption or danger to vehicles on adjoining public roads.

7. All car parking and internal manoeuvring areas be designed and constructed in accordance with AS 2890.1 – Off-street parking, Part 1, AS 2890.6 – Parking for people with disabilities and Austroads “Guide to Traffic Engineering Practice Part 11 – Parking”.

Reason: To ensure access and car parking is provided on the site in a manner that is safe and convenient.

8. All areas subject to use by commercial vehicles shall be designed in accordance with AS 2890.2-2002.

Reason: To ensure access and manoeuvring for commercial vehicles is provided on the site in a manner that is safe and convenient.

9. All landscaping identified on the Landscaping Plan, Approved by Council under Reserved Matter 5, shall be completed prior to commencement of use and shall be maintained at all times thereafter (including the replacement of diseased or dying plants and the removal of weeds and pest plants).

Reason: To ensure the site is landscaped so as to enhance the visual and environmental amenity of the locality.

10. The buildings shall be constructed in accordance with Australian Standard AS2022: - Acoustics - Aircraft Noise Intrusion – Building Siting and Construction.

Reason: To manage aircraft noise intrusion in the approved buildings.

11. Anti roosting and nesting measures shall be incorporated into the building design (ie. netting, spikes etc.) to discourage the attraction and congregation of birds.

Reason: To discourage attraction and congregation of birds which may increase risk of conflict with aircraft movements.

12. Excluding Regulated Trees to be transplanted, semi-mature native tree species (1m > height at planting) indigenous to the local area shall be planted on a two for one basis to compensate for the removal of each Regulated Tree and on a three to one basis to compensate for the removal of each Significant Tree. The replacement plantings shall form part of the landscaping works, completed under Development Plan Consent Condition 9. The replacement tree planting shall occur prior to the commencement of use (of any stage) and shall be maintained in good health and condition at all times thereafter. Any diseased or dead trees shall be replaced immediately.

Reason: To comply with the requirements of Regulation 117(2) of the Development Regulations 2008.

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13. All Gross Pollutant Traps shall be maintained in good working order at all times and shall be maintained in accordance with the manufacturers recommended schedule.

Reason: To ensure that the development complies with best engineering practice.

Commissioner of Highways conditions

14. The development shall have a single left-in, left-out access point on Main North Road. The access shall be provided with channelised turning treatments (left turn deceleration lane and acceleration lane) to the satisfaction of the Commissioner of Highways. No additional access (other than emergency access) to Main North Road shall be permitted).
15. The development shall have a single point of access to Kings Road, which shall be fully integrated into the existing Kings Road/Horrie Miller Drive signalised junction, thus converting the junction to a four-way signalised intersection.
16. The required roadworks to provide safe access to Main North Road and Kings Road shall be completed to the satisfaction of the Commissioner of Highways, with all costs being borne by the applicant. These works shall be completed prior to the operation of the development.
17. All development (other than car parking and low level landscaping) shall be set back clear of a strip of land 9.5 metres in width along the Main North Road frontage and Main North Road/Kings Road corner cut-off.
18. All obsolete crossovers (and/or any portion thereof) shall be reinstated to upright kerb and gutter at the applicant's expense prior to operation of the development.
19. The obsolete access to Kings Road and associated left turn deceleration lane located just to the east of the existing Kings Road/Horrie Miller Drive junction shall be removed and remediated to the satisfaction of the Commissioner of Highways.
20. All vehicles shall enter and exit the site in a forward direction.

Advice Notes

1. The conditions imposed herein shall be in addition to conditions that apply to the subject property from previous approvals that remain active.

2. 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.
3. 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>.
4. Council's Tree Services Committee have given approval for removal of two street trees in the Mengel Court verge adjacent to the new access point adjacent allotment 22 at cost (ie. The applicant meeting costs for removal and replacement). Tree Services will formalise the tree removal consent by sending a letter of cost for removal of the two trees to the applicant.
5. This approval does not incorporate any advertising of any kind. A future application shall be lodged and approved under the *Development Act 1993*. A comprehensive and integrated signage strategy shall be submitted for approval.
6. Should any works be required on Council land that fall outside of the DPTI work, footpath connections and street tree planting, for example, structures affixed to or overhanging Council road reserve, approval must be obtained from Council under the *Local Government Act 1993* and will be subject to an annual agreement.
7. In the application documentation, it states that connection will be sought to Council's recycled water network. This process will require a separate agreement with Salisbury Water. Should you wish to pursue this matter further, please contact Council's Manager – Salisbury Water, on (08) 8406 8575 or bnaumann@salisbury.sa.gov.au.
8. Tenancy fit-out applications will be required for all individual tenancies and shall be approved under the *Development Act 1993*. In addition, any use not consistent with that proposed under this application shall be subject to a further application. In addition to the above, the following requirements will apply to premises from an environmental health perspective:
 - The structure and design of any food premises must be constructed in accordance with the *Food Act 2001* and Food Safety Standard 3.2.3;
 - Any high risk manufactured water systems which may include cooling water systems be installed and maintained in accordance with the *South Australian Public Health (Legionella) Regulations 2013*;
 - If any swimming or spa pool is installed as part of the entertainment venue, ensure it is installed and maintained in accordance with the *South Australian Public Health (General) Regulations 2013*.

9. Council's records suggest the site may be subject to Aboriginal objects or remains within the meaning of the *Aboriginal Heritage Act 1988*. To determine if this Act applies to this site, it is recommended that you contact the Department of State Development, Aboriginal Affairs and Reconciliation on 8226 8900.
10. The applicant is reminded that demolition and construction is required to be carried out so that it complies with the mandatory construction noise provisions of Part 6, Division 1 of the *Environment Protection (Noise) Policy 2007* and the provisions of the *Local Nuisance and Litter Control Act 2016*. Under the *Local Nuisance and Litter Control Act 2016*, construction noise is declared to constitute a local nuisance as follows:

The noise has travelled from the location of the construction activity to neighbouring premises –

 - *On any Sunday or public holiday; or*
 - *After 7pm or before 7am on any other day.*
11. The applicant shall notify Parafield Airport Ltd fourteen (14) days prior to the commencement of any crane operations associated with the development.

Note: Crane assessment may also have to be conducted by the Civil Aviation Safety Authority (CASA).
12. The site falls within the Parafield Obstacle Limitation Surface (OLS) airspace protected for aircraft operations. As a result, restrictions apply to heights of structures including buildings, masts, towers, plume emissions and lighting illumination.
13. Any development within this area may be subject to noise emanating from overflying aircraft.
14. Any further proposed buildings and/or structures constructed upon this site must be subject to a separate assessment.
15. If plumes emissions exceed 4.3m² from the top of any ventilation stack, a separate assessment will be required.

Commissioner of Highways

The Commissioner of Highways have requested the following advice notes be included:

16. Prior to Development Approval being granted, the applicant shall undertake the following to the satisfaction of the Commissioner of Highways:
 - a) Traffic assessment, including modelling of the traffic impacts on the

adjacent arterial road network caused by the subject development and the development of the whole site;

- b) A Traffic Intervention Plan to mitigate the traffic impacts of the proposed development (Stage 1) and the development of the whole site. The applicant will be required to fund the traffic interventions required as a direct result of the traffic impacts of the proposed development.
 - c) A final Deed with DPTI for the delivery of traffic interventions required as a direct result of the traffic impacts of the development of the site.
17. A final concept design of the access arrangements, including the traffic interventions identified as a direct result of the proposed development (Stage 1) and any land that will need to be vested to road associated with the interventions associated with Stages 1 and 2, to ensure existing verge widths are maintained following the interventions for both Stages 1 and 2. All land required for the interventions shall be dedicated to road at no cost to the Commissioner of Highways or Council.
18. A Traffic Management Plan for the construction period of the development shall be produced to the satisfaction of the Commissioner of Highways and Council prior to the commencement of construction. This plan shall detail the types, volumes and distributions of traffic and how they will be managed. All traffic movements shall be in accordance with this plan.
19. The site abuts sections of Main North Road and Kings Road that were proclaimed controlled-access roads pursuant to Part 2A of the *Highways Act 1926* on 22 December 1960 and 19 September 1991 respectively.

Upon the construction of the access points to the site, the applicant must contact Mr Daniel Sladic, Traffic Access Officer, Traffic Operations on (08) 8226 8277 or via email at daniel.sladic@sa.gov.au to apply for the issue of permits for the approved access points associated with this development. The existing four authorized access points will be revoked.

20. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 20.0 metres in width from the Main North Road frontage of this site for possible future road purposes. Additionally, the Plan makes provision for a strip of land up to 4.5 metres in width from portion of the Main North Road frontage, together with additional land from the Main North Road/Kings Road corner, for the possible future upgrading of the Main North Road/Kings Road intersection. The consent of the Commissioner of Highways under the Metropolitan Adelaide Road Widening Plan Act is therefore required to all new building works located on or within 6.0 metres of the possible requirements.

Should the final design of the development result in encroachments within the above areas, the attached form and three copies of the approved plans should be submitted to DPTI for consent purposes.

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21. The site is subject to a Road Infrastructure Design and Delivery Deed (*the Deed*) between Engel Holdings Pty Ltd (the owner) and the Minister for Transport and Infrastructure and Commissioner of Highways, as well as a Land Management Agreement (*the LMA*) between the Minister for Planning, the Minister for Transport and Infrastructure and Engel Holdings Pty Ltd. Although the applicant (GIC Kings Road Pty Ltd) is not a signatory to the Deed or LMA, the LMA stipulates that it is incumbent on the owner to ensure that occupiers and persons having enjoyment of the site also comply with the terms of the Deed. Consequently, in accordance with the terms of the above agreements, the applicant must not seek Development Approval until all of the requirements of the Deed are met to the satisfaction of the Commissioner of Highways and Minister for Transport.

OTHER BUSINESS

5.2.1 Status of Current Appeal Matters and Deferred Items

Information received.

5.2.1 Policy Issues is Arising from Consideration of Development Applications

Nil

5.2.2 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 28 August 2018.

ADOPTION OF MINUTES

Mr R Bateup moved, and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 7.02 pm.

PRESIDING MEMBER: Mr Doug Wallace

DATE: 24 July 2018
(refer to email approving minutes registered in Dataworks
Document Number 4956243)