



## **AGENDA**

**FOR DEVELOPMENT ASSESSMENT PANEL MEETING TO BE HELD ON**

**23 FEBRUARY 2016 AT 6:00 PM**

**IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY**

### **MEMBERS**

Mr D Wallace (Presiding Member)  
Mr R Bateup  
Mr C Buchanan  
Ms L Caruso  
Ms S Johnston  
Mr J Watson  
Mr S White

### **REQUIRED STAFF**

General Manager City Development, Mr T Sutcliffe  
Team Leader - Planning, Mr A Curtis

### **APOLOGIES**

Ms S Johnston

### **LEAVE OF ABSENCE**

### **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Development Assessment Panel Meeting held on 27 January 2016.

## REPORTS

### *Development Applications*

#### **5.1.1 361/2465/2015/3B ..... 9**

Shop (Asian Grovery) at 200 Park Terrace, Salisbury Plain for Chin Hills Enterprise Pty Ltd

## OTHER BUSINESS

#### **5.2.1 Review of Operating Procedures and Agenda Format ..... 93**

#### **5.2.2 Status of Current Appeal Matters and Deferred Items**

**361/935/2015/3B** ..... DAP Decision Date 21 July 2015

**Farmers Market Independent of Existing Old Spot Hotel at 1955 Main North Road, Salisbury Heights for Mark Aldridge t/a Farm Direct Community Markets**

Conference set for 1<sup>st</sup> March 2016 concerning suspended enforcement notice.

**361/2343/2014/3X** ..... DAP Decision Date 15 December 2015

**Construction of Brick Wall (to be constructed on Portion of eastern boundary) at 10 David Road, Para Vista for B Stratford**

Preliminary Conference set down for 15<sup>th</sup> February 2016.

#### **5.2.3 Policy Issues Arising from Consideration of Development Applications**

#### **5.2.4 Future Meetings and Agenda Items**

## CLOSE

### **Please note:**

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

**27 JANUARY 2016**

**MEMBERS PRESENT**

Mr D Wallace (Presiding Member)  
Mr R Bateup  
Mr C Buchanan  
Ms L Caruso  
Ms S Johnston (from 6.12 pm)  
Mr J Watson  
Mr S White

**STAFF**

General Manager City Development, Mr T Sutcliffe  
Team Leader – Planning, Mr A Curtis  
Principal Development Engineer – Ms S Chadwick

The meeting commenced at 6.00 pm

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

**APOLOGIES**

Ms S Johnston for late arrival.

**PRESENTATION OF MINUTES**

Mr C Buchanan moved, and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 15  
December 2015, be taken and read as confirmed.

## REPORTS

### *Development Applications*

#### **5.1.1 361/1970/2015/3B**

Part two storey building with attached porch to be used as place of worship at 30-32 Kesters Road, Para Hills West for Ebenezer Pentecostal Assembly

### **REPRESENTORS**

Mr David Bryant, resident, spoke against the proposal.

Mr Daniel Lees (Sagle Constructions), spoke on behalf of the applicant.

Mr C Buchanan moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury (City) Development Plan – Consolidated 10<sup>th</sup> September 2015.
- B. Pursuant to Section 33 of the Development Act 1993, Development Plan Consent is **GRANTED** to application number 361/1970/2015/3B for part two storey building with attached porch to be used as place of worship in accordance with the plans and details submitted with the application and subject to the following conditions:
  1. The proposal shall be developed in accordance with the details and Council stamped approved plans lodged with the application, except where varied by the conditions herein.

Relevant plans and documents are listed as follows:

- *Site Plan, Revision D, Plan No. S3015 DA 1*
- *Floor Plan, Revision D, Plan No. S3015 DA2*
- *Elevation Plan, Revision D, Plan No. S3015 DA 3*
- *Summary of Ebenezer Pentecostal Assembly Place of Worship, received by Council dated 23<sup>rd</sup> October 2015*

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

2. The maximum number of attendees within the facility at any one time shall not exceed 90.

*Reason: To ensure that sufficient car parking is provided commensurate with the maximum number of attendees.*



3. Except where otherwise approved, the operating hours for the place of worship shall not extend beyond the times specified in the Approved Summary of Ebenezer Pentecostal Assembly Place of Worship, received by Council dated 23<sup>rd</sup> October 2015.

*Reason: To ensure that operating hours for the place of worship do not adversely impact upon residential amenity within the locality.*

4. Except where otherwise approved, the external finishes and colours of the new building shall:
  - (a) Be of new non-reflective materials; and
  - (b) Be of colours to the reasonable satisfaction of Council; and
  - (c) Be maintained in good and reasonable condition at all times.

A final materials and colours schedule shall be provided to Council for approval, prior to Development Approval.

*Reason: To ensure the building is of a high external standard and complements existing buildings and uses within the locality.*

5. Except where otherwise approved, no advertisements or advertising displays including flags, streamers or bunting, shall be displayed on or about the subject land at any time.

*Reason: To restrict the proliferation of advertisements on the site.*

6. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers as appropriate to complement the approved building and site layout and achieve a high level of amenity. All landscaping is to be completed prior to use of the building and shall be maintained at all times to the satisfaction of Council.

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

7. All lighting associated with the herein approved use shall be constructed and maintained in such a way as to limit any nuisance or inconvenience to traffic and adjoining properties. All lighting is to be kept in good repair and post construction, should light spillage be deemed unreasonable by Council, further adjustment and/or screening may be required.

*Reason: To preserve the amenity of adjacent properties.*

8. Stormwater systems shall be designated and constructed to cater for minor storm flows (Industrial / Commercial ARI = 10 years). The design of the stormwater system shall ensure that no stormwater is discharged onto any adjoining land. Surface stormwater is to be managed in a manner that ensures no ponding of water against buildings and structures, no creation of any insanitary condition, and no runoff into neighbouring properties for the major storm event ARI = 100 years.

*Reason: To ensure flood protection for the building.*

9. The stormwater drainage system for the development is to demonstrate the incorporation of Water Sensitive Urban Design methods, to ensure that pre-development peak flows are not exceeded and that water quality targets are met.

*Reason: To ensure that stormwater is disposed of in a controlled manner, and ensure the quality of Council's downstream drainage system is maintained.*

10. The Finished Floor Level for the new building is to be a minimum of 150mm above the Q100 flood level adjacent the building.

*Reason: To ensure flood protection for the building.*

11. The car parking 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. 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.*

13. 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 car parking bays shall be clearly linemarked. Driveways and car parking areas shall be established prior to the approved use commencing and shall be maintained at all times to the satisfaction of Council.

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

14. All construction is to be completed to the reasonable satisfaction of Council. Detailed designs and specifications for all civil works are to be provided to Council for comment prior to construction and no construction is to commence until requirements have been met. Damage sustained to any new or existing infrastructure during the course of the works is to be rectified to Council satisfaction prior to the completion of development works.

*Reason: To ensure that the development complies with Standards, best Engineering Practice and Council Policy.*

15. No amplification devices of any type are to be used outside of the building on the subject land.

*Reason: To ensure that noise does not cause nuisance to adjoining occupiers or owners thereby reducing the amenity of the locality.*

16. The growing of fruit and/or vegetables is not permitted on the subject land at any time, unless the owner undertakes a site contamination assessment meeting the requirements of the Environment Protection Authority that demonstrates that the land is suitable for planting of edible vegetation.

*Reason: To ensure that risk to human health is avoided.*

## OTHER BUSINESS

### OB1 Status of Current Appeal Matters and Deferred Items

**361/935/2015/3B** ..... DAP Decision Date 21 July 2015

**Farmers Market Independent of Existing Old Spot Hotel at 1955 Main North Road, Salisbury Heights for Mark Aldridge t/a Farm Direct Community Markets**

Judgement delivered on 21<sup>st</sup> January 2016 which held that a market is a form of “shop”, meaning the application should have been assessed as a non-complying form of development.

The judgement has quashed the previous development approval granted and has reverted the application back to Council to assess as a non-complying form of development.

The current enforcement notice issued by Council against the property has been suspended by the Court until further direction. This matter is due back in Court on 1<sup>st</sup> March 2016.

361/2343/2014/3X.....DAP Decision Date 15 December 2015

**Construction of Brick Wall (to be constructed on Portion of eastern boundary) at 10 David Road, Para Vista for B Stratford**

Third party appeal has been received from neighbour against decision of Council. Preliminary conference has been set for 15<sup>th</sup> February 2016.

**OB2 Policy Issues Arising from Consideration of Development Applications**

Nil

**OB3 Development Assessment Panel Workshop**

At the conclusion of the meeting, the Panel held a workshop to review its Terms of Reference and agenda report format. A report will be presented to the next meeting of the Panel with revised Terms of Reference for consideration.

Ms S Johnston advised that she will be an apology for the February meeting.

The meeting closed at 6.45 pm.

PRESIDING  
MEMBER.....

DATE.....

<b>ITEM</b>	5.1.1
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	23 February 2016
<b>APPLICATION NO.</b>	361/2465/2015/3B
<b>APPLICANT</b>	Chin Hills Enterprise Pty Ltd
<b>PROPOSAL</b>	Shop (Asian Grocery)
<b>LOCATION</b>	200 Park Terrace, Salisbury Plain
<b>CERTIFICATE OF TITLE</b>	Volume 5592 Folio 768
<b>AUTHOR</b>	Aaron Curtis, Team Leader - Planning, City Development

### 1. DEVELOPMENT APPLICATION DETAILS

<b>Zone/Policy Area</b>	Commercial Zone
<b>Application Type</b>	On-Merit
<b>Public Notification</b>	Representations received: 1 Representations to be heard: 1
<b>Referrals - Statutory</b>	Commissioner of Highways (Non-statutory comment)
<b>Referrals – Internal</b>	Development Engineering Urban Policy Environmental Health
<b>Development Plan Version</b>	Salisbury (City) Development Plan Consolidated 10 <sup>th</sup> September 2015
<b>Assessing Officer</b>	Aaron Curtis, Team Leader – Planning, City Development
<b>Recommendation</b>	Grant Development Plan Consent with Conditions
<b>Meeting Date</b>	23 February 2016

### 2. REPORT CONTENTS

#### Assessment Report

Attachment 1:	Proposal Plans
Attachment 2:	Supporting Information
Attachment 3:	Notice of Category 3 Application and Copy of Representations
Attachment 4:	Response to Representations
Attachment 5:	Relevant Development Plan Extracts, Consolidated 10th September 2015 with Relevant Provisions Highlighted

### 3. EXECUTIVE SUMMARY

The applicant seeks approval for a Shop (Asian Grocery) at 200 Park Terrace, Salisbury Plain.

The subject site is a rectangular shaped parcel of land of 752m<sup>2</sup>, being level in grade and devoid of any vegetation. The site contains an existing single storey building of 117m<sup>2</sup> adjacent the Park Terrace boundary and a garage in the north-eastern corner, having an area of 145m<sup>2</sup>. The site has direct frontage to Park Terrace of 20.12m in width.

The site is served by two existing access driveways from Park Terrace, formed of concrete, located adjacent to the sides of the existing single storey building and which join together at the rear of the building as a loop driveway. An existing bitumen car parking area exists at the rear of the site, currently accommodating four x 45 degree angled car parks.

The applicant seeks approval to use the existing single storey building as a Shop (Asian Grocery). The shop will serve members of the Chin, Burmese and Karen communities from Burma/Myanmar, which total between 1,000 and 1,500 in population across metropolitan Adelaide. Presently, there is no grocery shop available in Adelaide to serve their needs.

The business will operate between 9am and 6pm, Monday to Saturday. The maximum number of staff on-site will be two. Changes are proposed to the car parking layout in order to make the car park compliant with Australian Standard 2890. Deliveries will occur via small van at the rear of the existing building.

The site is located within the Commercial Zone and Policy Area 1 – Salisbury Plan. The application was assessed “on-merit” and was subject to Category 3 public notification. One representation was received during the advertising period in opposition to the development who has expressed a desire to be heard at the meeting.

This report provides a detailed assessment of the application against the relevant provisions of the Salisbury (City) development Plan. The assessment found that:

- a) Retail activity is envisaged within the Commercial Zone where the total floor area does not exceed 250m<sup>2</sup> and limited retail activity is contemplated within the Salisbury Plain Policy Area 1;
- b) The use is not expected to undermine the primacy of existing centre retailing, taking into account the limited floor area of the proposed use;
- c) The use is proposed to serve a small niche within the region that is presently poorly served by the market;
- d) The proposed use is complementary to existing uses within the locality;
- e) The development will not involve any construction works, thus resulting in minimal change to the existing site appearance and function;
- f) Changes are proposed to the rear car parking area in order to make the car park compliant with Australian Standard 2890;
- g) Sufficient on-site car parking will be provided at the rear of the site and additional spillover parking is available on the adjacent site to the east;
- h) Existing access and egress arrangements will not be altered as a consequence of the proposed development;
- i) Small deliveries can be accommodated on-site, adequate arrangements are in place to manage waste and the applicant will be required to comply with all *Food Act 2001* requirements.

Given the above, this report recommends that Development Plan Consent be granted, subject to conditions.

#### **4. BACKGROUND**

The applicant contacted Council in early December, seeking advice as to whether development approval would be required to establish an Asian grocery at the site. An investigation of previous approvals for the site subsequently took place in order to establish the previous authorised use of the land.

In 1991, Council granted development approval for a pizza kitchen. It is understood the pizza kitchen use ceased sometime in the late 1990's, after which it was used as a hair dressing salon and training centre until 1<sup>st</sup> October 2012. An application was not lodged for the hair dressing salon and it is assumed this was because it was a continuation of an existing "shop" use.

The site has remained vacant since October 2012. Given that some three years has elapsed since the hair dressing salon and training centre ceased operation, the applicant was advised that a development application would be required. The applicant has subsequently lodged this application seeking approval for the Asian grocery.

#### **5. SUBJECT SITE**

The subject site is 200 Park Terrace, Salisbury Plain, formally described as allotment 1 in D5050, Certificate of Title Volume 5592 Folio 768. The site comprises one rectangular shaped Torrens Title allotment of 752m<sup>2</sup>, having a frontage to Park Terrace of 20.12m and a depth of 37.39m.

The site is level in grade and is devoid of any vegetation. The site contains an existing single storey building of 117m<sup>2</sup> in area, positioned 4m back from the Park Terrace boundary and set in from both side boundaries together with a garage located in the north-eastern rear corner of the site, having an area of 145m<sup>2</sup>.

The site is served by two existing driveways from Park Terrace, both formed of concrete, located adjacent the sides of the existing single storey building and which join together at the rear of the building as a loop driveway. An existing bitumen car parking area exists at the rear of the site, currently accommodating four x 45 degree angled car parks.

#### **6. LOCALITY**

The site is positioned within the Commercial Zone and Salisbury Plain Policy Area 1, Salisbury Plain. The locality is defined principally by visual reference to the site. The locality extends along Park Terrace 75m to the north-west and 60m to the south-west. Several properties fronting Bennett Street are also included in the defined locality.

Park Terrace is defined as the Zone boundary between the Commercial and Residential Zones. The allotment pattern is generally consistent, comprising allotments of regular shape in the order of 600 – 1,000m<sup>2</sup>.

Land south of Park Terrace is predominantly residential in nature, except for the three allotments at the corner of Cheam Street and Park Terrace, which form part of a place of worship. Uses north of Park Terrace are non-residential in nature and include several service trade premises, a warehouse and car yard/auto repairs.

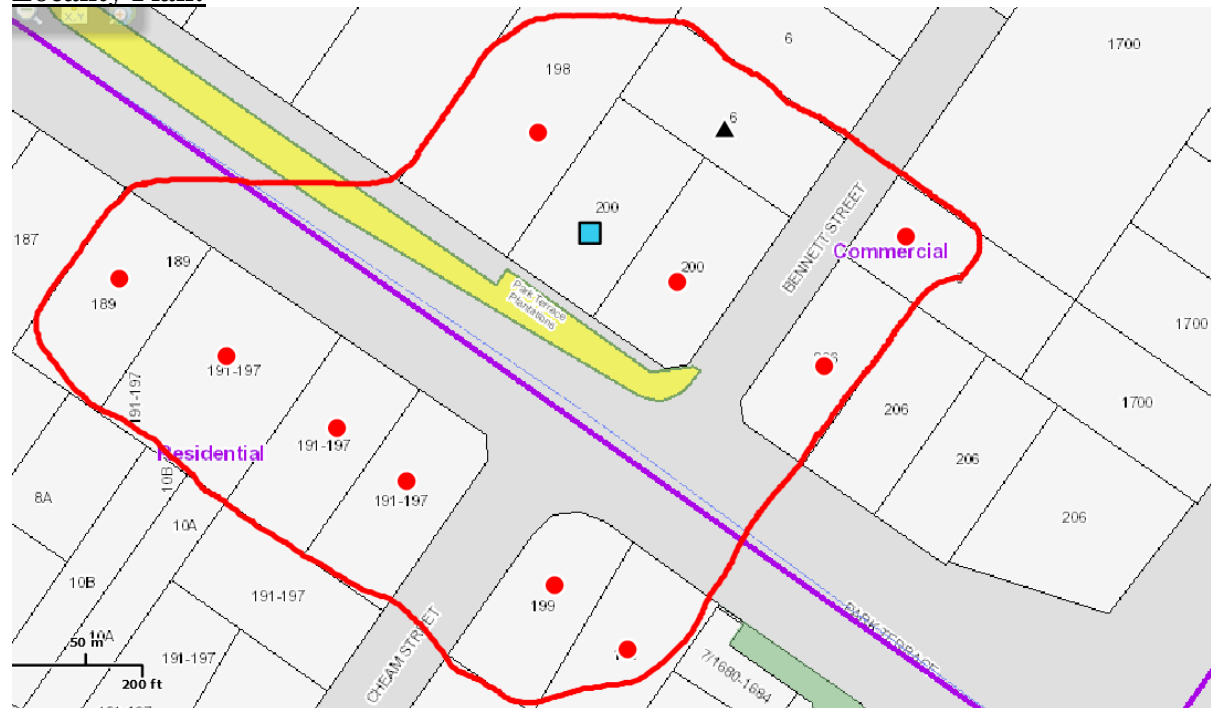


**Contextual Plan:**

Source: Dekho

**Legend**

	Subject site
	Zone boundary

**Locality Plan:**

Source: Dekho





**Legend**

	Subject site
	Properties notified
	Representor
	Locality boundary





Source: Nearmap

Legend	
	Subject site
	Properties notified
	Representor
	Locality boundary



Site Photographs

Item 5.1.1



Photo 1: Looking north-east towards existing building and Tradelink site next door



Photo 2: Looking north-east towards existing building and adjacent site under same ownership

## 7. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks approval to use the existing single storey building as a Shop (Asian grocery). The shop will serve members of the Chin, Burmese and Karen communities from Burma/Myanmar, which total between 1,000 and 1,500 in population across metropolitan Adelaide. Presently, there is no grocery shop available in Adelaide to serve their needs.

The business will operate between 9am and 6pm, Monday to Saturday. The maximum number of staff on-site will be two. Changes are proposed to the rear car parking layout in order to make the car park compliant with Australian Standard 2890. Deliveries will occur via a small van at the rear of the existing building.

## 8. CLASSIFICATION

The site is located within the Commercial Zone and Salisbury Plain 1 Policy Area under the Salisbury (City) Development Plan (Consolidated 10<sup>th</sup> September 2015). Under the non-complying list, it states that a shop or group of shops is non-complying except where it achieves (a) or (b) as follows:

(a) *It achieves one of the following:*

- (i) *It is located outside of **Precinct 1 Salisbury Plain Commercial** and the gross leaseable area is less than 250 square metres;*
- (ii) *Is located within **Precinct 1 Salisbury Plain Commercial** and will not result in additional gross leaseable floor area than that which existed on 23 July 2004;*
- (iii) *It is located within **Precinct 20 Globe Derby Park Commercial** and will not result in shops in the precinct exceeding a total gross leaseable area of 2500 square metres in area, with no single tenancy greater than 1500 square metres in area.*

(b) *It is a bulky goods outlet.*

The subject site is located within the Precinct 1 Salisbury Plain Commercial area, meaning that clauses (i) and (iii) quoted above do not apply. Clause (ii) refers to a development not resulting in additional gross leaseable floor area than that which existed on 23 July 2004. The Urban Policy team have confirmed that the intention of this clause was to prevent additional retail use within that Precinct in excess of that which existed on 23 July 2004.

The problem with this clause, however, is that it does not confirm what the total floor area actually was in the Policy Area at 23 July 2004. In addition, while the intent may have been to apply the floor area limit in total for the Policy Area as a whole, the wording would not necessarily suggest this. It is uncommon for non-complying lists to apply caps to a precinct or Policy Area. Rather, these types of caps usually apply on a site by site basis.

Given the difficulties encountered with the above provision, the approach taken with this Application was to apply the cap to the specific site. As mentioned earlier, the building was used as a hairdressing salon and training centre between the late 1990's and October 2012. Given the use of the site was retail as at 23 July 2004 and the gross leaseable floor area now proposed will not be in excess of that which existed on 23 July 2004, the application was deemed to constitute an "on-merit" form of development.

## 9. PUBLIC NOTIFICATION

Development in the form of a shop is neither listed as being a Category 1 or Category 2 form of development under the Commercial Zone or under Schedule 9 of the *Development Regulations 2008*. Accordingly, the application was deemed to constitute a default Category 3 form of development under Section 38 of the *Development Act 1993*.

The Category 3 public notification period took place between 13<sup>th</sup> and 27<sup>th</sup> January 2016. Council received one representation during the public notification period as follows:

Representations received	
Representations received	Wish to be Heard
James Buckoke 6-10 Bennett Street SALISBURY PLAIN SA 5109	✓

The representation and the applicant's response are both contained as attachments. The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
<i>James Buckoke</i>	
<ul style="list-style-type: none"> <li>Between the hours of 3pm and 5pm on weekdays, traffic banks up from Main North Road to Arcoona Road, meaning it is very difficult to enter or exit Bennett Street;</li> <li>The proposal will be served by six car parking spaces. A lack of on-site car parking will mean that customers are likely to park in Bennett Street, which is likely to compound existing traffic problems associated with Park Terrace;</li> <li>"Keep Clear" markings should be established on Park Terrace;</li> <li>The bus stop adjacent the site should be moved;</li> <li>"No parking" signs adjacent Bennett Street should be considered, but may have negative impact on businesses in terms of customer parking.</li> </ul>	<ul style="list-style-type: none"> <li>In addition to the car parking spaces provided on-site, the Commercial Property Manager has confirmed that customers can use the existing car park on the adjacent property (202 Park Terrace), under the same ownership as 200 Park Terrace.</li> <li>Taking into consideration parking available at 200 Park Terrace and 202 Park Terrace, there will be in excess of 10 car parking spaces available at any given time.</li> </ul>

NOTE: Officer's consideration of the above representation and applicant's response are provided under the assessment section of this report.



## 10. REFERRALS – STATUTORY

The application was not referred to any statutory bodies under Schedule 8 of the *Development Regulations 2008*.

It is noted the site has frontage to Park Terrace, which is identified as a Secondary Arterial Road under Map Sal/35 under the Development Plan. Specifically, clause 3 under Schedule 8 states that an Application for development adjacent to main roads should be referred to the Commissioner of Highways where:

### 3 – *Development adjacent to main roads*

*Development which in the opinion of the relevant authority is likely to –*

- (a) Alter an existing access; or*
- (b) Change the nature of movement through an existing access; or*
- (c) Create a new access; or*
- (d) Encroach within a road widening setback under the Metropolitan Adelaide Road Widening Plan Act 1972,*

*In relation to an existing secondary arterial road.*

The application was not referred to the Commissioner of Highways on the basis that the development will not, in the opinion of the assessing officer, trigger any of the above changes. The existing access arrangements to/from Park Terrace will not be altered, nor will the nature of movement through the existing access.

Despite not triggering formal referral under Schedule 8(3), comments were sought from the Commissioner of Highways regarding the implementation of car parking controls within Park Terrace. An email was sent to their Department on 1<sup>st</sup> February 2016. A response was received from the Operational Services Division, dated 9<sup>th</sup> February 2016 as follows:

*The existing access arrangements have some shortcomings, in particular:*

- a) The existing eastern access is quite close to the bus stop and it is likely that buses stopping at this location will block the access;*
- b) Vehicles turning right into the site are likely to interfere with the free flow of traffic on Park Terrace;*
- c) The design of the car park itself appears not to be fully consistent with AS/NZS 2890.1.*

*The most desirable outcome would be to have a shared car parking arrangement with 202 Park Terrace, accessible via Bennett Street. This arrangement would ensure that vehicles turning right to access the car park would be able to use the existing sheltered right turn at the Park Terrace/Bennett Street junction.*

*Alternatively, it may be possible to provide a link to the rear of 200 Park Terrace over 202 Park Terrace. This would provide better accessibility to the site and would potentially enable the abandonment of the eastern access to 200 Park Terrace, thus maximizing the safety of the bus stop and the site in general.*

*In respect to the proposed parking ban along Park Terrace, the Department would support this arrangement as it will improve sight distances at the access points and would reduce the potential for obstruction to traffic on Park Terrace, thus maximizing the safety and efficiency of the road. It is recommended that the parking ban extend up to Warringa Street.*

**11. REFERRALS – INTERNAL**

Comments were sought from internal customers as follows:

<b>DIVISION</b>	<b>COMMENT</b>
<b><i>Development Engineering</i></b>	<p><i>The existing 45 degree car parking and any proposed 90 degree car parking is not acceptable as it is a blind aisle, meaning that turn-around manoeuvres would not be possible due to the aisle width being less than the Australian Standard.</i></p> <p><i>The access onto or from Park Terrace must be restricted to one way only, and for passenger vehicles only.</i></p> <p><i>Disabled car parking space has not been shown.</i></p>
<b><i>Traffic</i></b>	<p><i>Turn paths should be generated for a standard passenger vehicle for the proposed 6 car parking spaces.</i></p> <p><i>The existing driveways are to be sign posted with directional arrow pavement markings.</i></p> <p><i>On-street parking is not permitted adjacent the site due to statutory parking restrictions applying under the Road Traffic Act 1961. This includes no parking within 10m of a T-junction or within 20m before the bus stop and 10m after the bus stop. In the event of customers parking in this prohibited area, Council reserves the right to “formalise” this via pavement markings and signage for the purpose of maintaining uninterrupted traffic flow during the morning and afternoon peak times.</i></p> <p><i>The internal layout should be designed to cater for any car parking overflow in the event there is an increase in the demand for car parking generated by the business.</i></p> <p><i>Unauthorised parking of vehicles on Council verge is not permitted.</i></p>
<b><i>Environmental Health</i></b>	<p><i>The applicant will need to ensure the kitchen complies with the Food Safety Standards under the Food Act 2001.</i></p>
<b><i>Urban Policy</i></b>	<p><i>The intention behind the current policies that apply to this precinct were established based on Council’s consideration of a Discussion Paper back in 2010 which recommended that the area be rezoned from Industry to Commercial, recognizing that the area contained many non-industrial uses, but recommending that policy be included to limit development of additional shops/floor area due to concerns about potential impact on nearby centres (but enabling bulky goods outlets). Certainly the intent was to enable existing uses to continue,</i></p>

	<p><i>but to limit development of new shops. The site was subsequently rezoned to Commercial in 2013 through the BDP and General DPA.</i></p> <p><i>It was recognised that non-complying provisions that were introduced in 2013 were difficult to administer due to lack of information regarding existing retail floor areas as at 2004 (date the LMA that applies to the Engels site was introduced) and we therefore sought to clarify that through the Main Roads DPA as follows:</i></p> <ul style="list-style-type: none"> <li><i>• The LMA that applies to the Engels site has since been amended to refer to a maximum floor area – and the precinct boundary has been amended to reflect just the Engels site, with non-complying provision also being amended to reflect the LMA floor area;</i></li> <li><i>• The site subject to this application is now located within Precinct 22 Park Terrace and Stanbel Road Commercial (as per Main Roads DPA approved on 7 January). The provisions within this area reflect the original Discussion Paper intent, and seek to restrict development of new shops, other than where it is a bulky goods outlet.</i></li> </ul>
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## 12. DEVELOPMENT DATA

Site Characteristics	Development Plan Guideline	Proposed
Site Area	Not Applicable	752m <sup>2</sup>
Site Dimensions	Not Applicable	20.12m
Site Gradient	None	Generally level
Easement	Not Applicable	None
Design Characteristics	Guideline	Proposed
<i>Site Coverage</i>		
Buildings only	50%	Not Applicable
<i>Building Height</i>		
Storeys	2	Not Applicable
<i>Set-backs</i>		
Primary street	Not Stated	Not Applicable
Side(s)	Not Stated	Not Applicable
<i>Boundary Walls</i>		
Length	Not Stated	Not Applicable
Height	Not Stated	Not Applicable
<i>Car Parking &amp; Access</i>		
Number of spaces	7 spaces per 100m <sup>2</sup> (117m <sup>2</sup> / 1 space per 8.19m <sup>2</sup> = 8.19 spaces)	6 spaces
Driveway width	3m	2.5m – 2.7m
Access gradient	1 : 5	Less than 1:10

### 13. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993* it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury (City) Development Plan – Consolidated 10<sup>th</sup> September 2015. The following reasons are given in support of this recommendation:

- a) Retail activity is envisaged within the Commercial Zone where the total floor area does not exceed 250m<sup>2</sup> and limited retail activity is contemplated within the Salisbury Plain Policy Area 1;
- b) The proposed use is complementary to existing uses within the locality;
- c) Sufficient on-site car parking is able to be provided at the rear of the site and additional spillover parking is available on the adjacent site to the east.

#### Assessment

Detailed assessment of the application has taken place against the relevant provisions of the Salisbury (City) Development Plan and is described below under headings.

An extract of the relevant Development Plan, Consolidated 10<sup>th</sup> September 2015 is contained in Attachment 5. The relevant provisions are also highlighted in the Attachment.

#### Land use

Principles of Development Control 1 and 4 of the Commercial Zone state that:

- 1 The following forms of development are envisaged in the zone:
  - Shop with a gross leaseable area less than 250 square metres
- 4 Shops, other than a bulky goods outlet, should have a gross leaseable area less than 250 square metres, (other than within Precinct 20 Globe Derby Park Commercial).

As mentioned earlier, the existing building on the site has a total floor area of 117m<sup>2</sup>. Given that the total floor area of the existing building on the site is less than 250m<sup>2</sup>, the proposed land use is clearly envisaged in the Commercial Zone.

In addition to the above-mentioned Zone provisions, there are more specific provisions that apply to Precinct 1 Salisbury Plain Commercial. Principles of Development Control 8 and 10 of the Commercial Zone state that:

- 8 Development in the precinct should principally comprise service trade premises, bulky goods outlets, consulting rooms, offices, low-scale industry and limited retail activities. (my underlining)
- 10 Retail development should not result in an increase in gross leaseable floor area above existing provision, unless it is a bulky goods outlet. (my underlining)

The proposed use will not exceed the total floor area of retail use as it existed as at 23 July 2004. Limited retail activities of this kind are envisaged within the Policy Area and consequently it is concluded that the land use is acceptable.



***Impact on Centre Retailing***

Principles of Development Control 3 and 9 of the Commercial Zone state that:

- 3     *Retail development in the zone should not hinder the development or function of any centre zone.*
- 9     *Development of uses such as offices, consulting rooms, bulky goods outlets and shops should not hinder the function of nearby centre zones.*

As mentioned earlier, the activity will service a small niche market that is not presently well served in Adelaide. Taking into consideration the small floor plate, the history of previous retailing on the site and the unique retail offering, the activity is not expected to hinder the development or function of any centre zone.

Therefore, the development is considered to satisfy Principles of Development Control 3 and 9 quoted above.

***Interface between Land Uses***

Under the Council-wide “Interface between Land Uses” module, Objective 1 and Principle of Development 2 seek:

- Objective 1:***       *Development located and designed to prevent adverse impact and conflict between land uses.*
- 2     *Development should be sited and designed to minimize negative impact on existing and potential future land uses considered appropriate in the locality.*

The proposed land use is not expected to conflict with existing land uses in the locality in terms of noise or odour. The activity will operate between 9am and 6pm, Monday to Saturday, which is consistent with operating hours of adjacent businesses. The activity is also limited in scale in terms of staff numbers, floor area size etc.

At the same time, the activity will not result in any substantive changes on the ground, given that building works are not proposed, other than in order to improve the car parking layout and in the form of a new sign fixed to the fascia of the building, which does not require development approval in its own right.

Taking into account the limited operating hours, the limited scale of the activity and the fact that no major changes are proposed to the site, the activity is unlikely to have any adverse impact on adjacent land uses and is considered to be complementary to existing uses in the locality, as sought by Objective 1 and Principle of Development Control 2, quoted above.

***Car Parking***

Under the Council-wide “Transportation and Access” module, Principle of Development Control 32 states that:

- 32     *Development should provide off-street vehicle parking and specifically marked disabled car parking spaces to meet anticipated demand in accordance with Table Sal/2 – Off Street Vehicle Parking Requirements....*

Table Sal/2 – Off Street Vehicle Parking Requirements states that five car parking spaces per 100m<sup>2</sup> of gross leaseable floor area should be provided for shops within centre zones and seven car parking spaces per 100m<sup>2</sup> of gross leasable floor area for shops outside of centre zones. Given the site is not located within a Centre Zone, the latter car parking rate applies.

The existing building has a total gross leaseable area of 117.37m<sup>2</sup>, meaning that site should be served by 8.21 car parking spaces. The proposed development is to be served by six car parking spaces, two of which will be dedicated for staff. Therefore, the development is short two car parking spaces.

In order to address the shortfall of car parking in the order of two spaces, the applicant has confirmed that the adjacent allotment to the south-east, 202 Park Terrace, under the same ownership as 200 Park Terrace, will be available for spillover car parking, in the event the rear car park is full. The commercial agent, on behalf of the owner, has consented to this.

The adjacent site is used for repair of household appliances. Taking into account the limited floor area of the existing building on that site, the limited demand for car parking likely to be generated by that activity and the large size of the car parking area on that site, which appears capable of accommodating at least 5 car parking spaces, the arrangement appears workable.

While this arrangement would appear to have merit, if the owner decides to sell 202 Park Terrace, then the arrangement would potentially be unworkable. Consequently, there is some question mark as to how much weight should be placed on the provision of car parking on the adjacent site, 202 Park Terrace.

It is acknowledged that the proposed use is short on car parking spaces if spillover car parking is not available. While this is acknowledged, the following reasons are given in support of the level of car parking provided:

- a) The site has previously been used for retail activity, served by a lesser number of car parks (four);
- b) Changes to the internal car parking layout will yield an additional two car parking spaces; and
- c) Car parking rates for shops are proposed to be reduced under a Ministerial Activity Centre Policy Review Development Plan Amendment to six / 100m<sup>2</sup> and concessions will be available where the site is within 200m of a passenger bus stop.

Taking into account the above, together with the fact that spillover car parking will be available at 202 Park Terrace for as long as the two properties are in the same ownership, the level of car parking provided on the site is considered to be reasonable, such that Principle of Development Control 32 is satisfied.

To encourage uptake of the car parking spaces on the adjacent site, it is recommended that the applicant install a sign at the rear of the site (within the car parking area) to make customers aware that spillover car parking is available on the adjacent site at 202 Park Terrace. A condition is included in the recommendation requiring this.

In addition, to ensure that customers have access to all car parking spaces at 200 and 202 Park Terrace during approved operating hours, all security gates must be in an open position at all times. A condition is also included in the recommendation requiring this.

In terms of the design of the car parks, under the Council-wide “Transportation and Access” module, Principles of Development Control 30 and 33 state that:

- 30 Development should be sited and designed to provide convenient access for people with a disability.*
- 33 Development should be consistent with Australian Standard 2890 Parking facilities.*

The existing car parking arrangement includes provision of four x 45 degree angled car parks, adjacent the existing garage at the rear of the site. The existing car parking spaces do not comply with Australian Standard 2890, given that the aisle adjacent the parking spaces is not wide enough to permit vehicles to exit the spaces without undertaking a three point turn.

In order to overcome the above non-compliance, the applicant proposes to create six x 90 degree angled car parking spaces, two of which will be ‘stacked’. All parking spaces will have dimensions of 2.5m wide by 5.5m long. The two ‘stacked’ spaces will be dedicated for staff only, thus leaving four spaces, accessible directly from the internal aisle.

The remaining space to the south-eastern side of the car parking spaces will be linemarked in such a way that no car parking shall occur in this area.

Council’s Development Engineer has reviewed the car parking layout and has confirmed that the amended car parking layout is now generally compliant with AS 2890. All vehicles can enter and exit the site in a forward direction by using the rear manoeuvring aisle. This is considered to be a substantial improvement on the existing car parking layout.

It is noted that the proposed layout (and the previous layout) did not incorporate any dedicated disabled car parking. The development should be served by one disabled space under both the Development Plan and the Building Code, which requires provision of the parking space of 2.4m wide and a painted refuge adjacent of another 2.4m wide.

In order to accommodate a disabled car parking space, car park five would need to be deleted and be instead linemarked as a refuge area. Car park six would then act as a disabled space but would not need to be demarcated as a disabled space under the Building Code because the total number of customer car parks would not exceed five.

It is recommended that a disabled car park not be provided in this instance, given that:

- a) The site is pre-existing and does not provide any disabled car parking;
- b) Introduction of a disabled space would result in loss of 25% of available car parking on-site;
- c) Given a change in classification is not required to the building, the application will not require Building Rules Consent (ie. No disabled parking requirements will apply).

However, if the Panel is of the mind that a disabled car parking space should be provided, then proposed condition 6 can be amended to require this.

In summary, the development will be served by an adequate number of off-street car parking spaces and changes will be made to the car park layout in order to make the car park generally compliant with AS 2890. The development therefore satisfies Principles of Development Control 32 and 33 quoted above.

Due to statutory parking restrictions in place along Park Terrace adjacent the site, customers will not be able to park in Park Terrace, despite there not being formalised markings and signs. If Council experiences problems with customers parking in Park Terrace, Council reserves the right to introduce formalised markings at any time.

There is potential for customers to park on occasions within Bennett Street, which does not have parking restrictions in place, however, the frequency of this occurring is expected to be low, for the reasons mentioned above.

#### **Access**

Under the Council-wide “Transportation and Access” module, Principles of Development Control 25 and 28 state that:

- 25**    *The number of vehicle access points onto arterial roads shown on Overlay Maps – Transport should be minimized, and where possible access points should be:*
  - (a) Limited to local roads;*
  - (b) Shared between developments.*
  
- 28**    *Development with access from arterial roads or roads as shown on Overlay Maps – Transport should be sited to avoid the need for vehicles to reverse on to or from the road.*

The site is served by two separate driveways to Park Terrace designed to permit one way entry from the northernmost driveway and one way exit from the southernmost driveway. As mentioned earlier, the proposed development will not alter the existing access points, their width, location or circulation arrangement.

As mentioned earlier, the existing access and egress arrangements have some shortcomings, specifically because the existing southernmost crossover point is positioned very close to the existing bus stop. In addition, vehicles turning right into the northernmost crossover point may interfere with the free flow of traffic on Park Terrace during peak periods.

While the above shortcomings are acknowledged, the situation already exists and consequently there are limited practical options to improve the situation.

Having said that, the proposed changes to the internal car park together with adherence with the following proposed conditions will ensure that the access arrangements function as intended and in a safe and convenient manner:

- a) *Directional arrow pavement markings shall be installed within the concrete entry and exit driveways in order to direct vehicles in this fashion;*
- b) *Fixed to the exit driveway, a “No Entry” sign shall be installed, to prevent vehicles entering the exit driveway.*

In terms of deliveries to the site, the applicant has confirmed that these will take place using a one tonne van, with all deliveries taking place within a parked area adjacent the rear wall of the existing building. The rear aisle is wide enough such that the parked van will not interfere with traffic circulation within the aisle.

The low height of the eave overhang which extends above the entry and exit driveways is such that there will be a low clearance which could mean some passenger vehicles and light vans may be impeded. Consequently, the applicant is advised that a “Low Clearance” sign should be fixed to the eave overhang fascia to warn approaching vehicles.

Overall, the existing traffic access and egress arrangements are not proposed to be altered other than in order to make the arrangement formalised by way of pavement markings and instructional signage. The layout complies with Principles of Development Control 25 and 28 quoted above.

### ***Waste***

Under the Council-wide “Waste” module, Principles of Development Control 5 states that:

- 5 *Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.*

The applicant intends to use three recycled garbage bins and two landfill waste bins, which are to be stored within the linemarked “no parking area” adjacent the rear car park. The waste refuse bins can be moved on to the Park Terrace verge during bin collection days. This arrangement is workable and consistent with Principle of Development Control 5.

### ***Food Act 2001 Requirements***

While not specifically a Development Plan consideration, the applicant is aware that all requirements under the *Food Act 2001* must be met.

## 14. CONCLUSION

The applicant seeks approval for a Shop (Asian Grocery) at 200 Park Terrace, Salisbury Plain.

This report has provided a detailed assessment of the application against the relevant provisions of the Salisbury (City) development Plan. In summary, the assessment found that:

- a) Retail activity is envisaged within the Commercial Zone where the total floor area does not exceed 250m<sup>2</sup> and limited retail activity is contemplated within the Salisbury Plain Policy Area 1;
- b) The use is not expected to undermine the primacy of existing centre retailing, taking into account the limited floor area of the proposed use;
- c) The use is proposed to serve a small niche within the region that is presently poorly served by the market;
- d) The proposed use is complementary to existing uses within the locality;
- e) The development will not involve any construction works, thus resulting in minimal change to the existing site appearance and function;
- f) Changes are proposed to the rear car parking area in order to make the car park compliant with Australian Standard 2890;
- g) Sufficient on-site car parking will be provided at the rear of the site and additional spillover parking is available on the adjacent site to the east;
- h) Existing access and egress arrangements will not be altered as a consequence of the proposed development;
- i) Small deliveries can be accommodated on-site, adequate arrangements are in place to manage waste and the applicant will comply with all *Food Act 2001* requirements.

Given the above, it is recommended that Development Plan Consent be granted, subject to conditions.

## 15. STAFF RECOMMENDATION

That the Development Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury (City) Development Plan – Consolidated 10<sup>th</sup> September 2015.
- B. Pursuant to Section 33 of the Development Act 1993, Development Plan Consent is **GRANTED** to application number 361/2465/2015/3B for an Asian Grocery (Shop) in accordance with the plans and details submitted with the application and subject to the following conditions:
  1. The proposal shall be developed in accordance with the details and Council stamped approved plans lodged with the application, except where varied by the conditions herein:

Relevant plans and documents are listed as follows:

*Site Plan, Received by Council dated 18<sup>th</sup> January 2016*

*Email from Mang H Sawn, Received by Council dated 18<sup>th</sup> January 2016*

*Front Elevation Plan, received by Council dated 29<sup>th</sup> December 2015*  
*Floor Plan, received by Council dated 29<sup>th</sup> December 2015*

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

2. Except where otherwise approved, the operating hours for the shop shall not extend beyond the hours of 9am – 6pm, Monday to Saturday.

*Reason: To ensure that operating hours for the shop do not adversely impact upon residential amenity within the locality.*

3. Except where otherwise approved, no advertisements or advertising displays including flags, streamers or bunting, shall be displayed on or about the subject land at any time.

*Reason: To restrict the proliferation of advertisements on the site.*

4. The advertisement approved as part of this application shall not:

- (a) Move; or
- (b) Flash; or
- (c) Reflect light so as to be an undue distraction to motorists; or
- (d) Be internally illuminated.

*Reason: To maintain the visual amenity of the locality.*

5. Any lighting associated with the herein approved use shall be constructed and maintained in such a way so as to limit any nuisance or inconvenience to traffic and/or adjoining properties. All lighting is to be kept in good repair and post construction should light spillage be deemed unreasonable by Council, further adjustment and/or screening may be required.

*Reason: To preserve the amenity of adjacent properties.*

6. The car parking layout including car parking spaces and aisle width shall be designed, where practicably achievable, in accordance with Australian Standard 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.*

7. 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.*



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

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

9. The following directional markings/signage shall be completed, prior to commencement of use:
- a) Directional arrow pavement markings shall be installed within the concrete entry and exit driveways to direct vehicles in this fashion; and
  - b) Pavement markings shall be installed for car parking spaces one and two “Staff car park only”; and
  - c) Fixed to the exit driveway, a “No Entry” sign shall be installed, to prevent vehicles entering the exit driveway; and
  - d) Fixed to the eave overhang fascia above the entry and exit driveways, a sign indicating “Low Clearance” should be provided with the dimension shown; and
  - e) At the rear car park, a sign advising customers that spillover car parking is available next door at 202 Park Terrace (for as long as 202 Park Terrace remains in the same ownership as 200 Park Terrace) at times when the car park is full.

*Reason: To ensure access and manoeuvring to and from the site is orderly, safe and does not interrupt the free flow of traffic on Park Terrace.*

10. All security gates servicing 200 and 202 Park Terrace shall be open at all times during approved operating hours.

*Reason: To ensure that customers can access available car parking spaces at 200 and 202 Park Terrace.*

11. 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 Park Terrace.*

12. All trade waste and other rubbish shall be contained and stored pending removal in covered containers which shall be kept at the rear of the proposed building, in an area screened from public view at all times.

*Reason: To maintain the amenity of the locality.*



**CO-ORDINATION**

Officer: GMCiD  
Date: 10.02.16

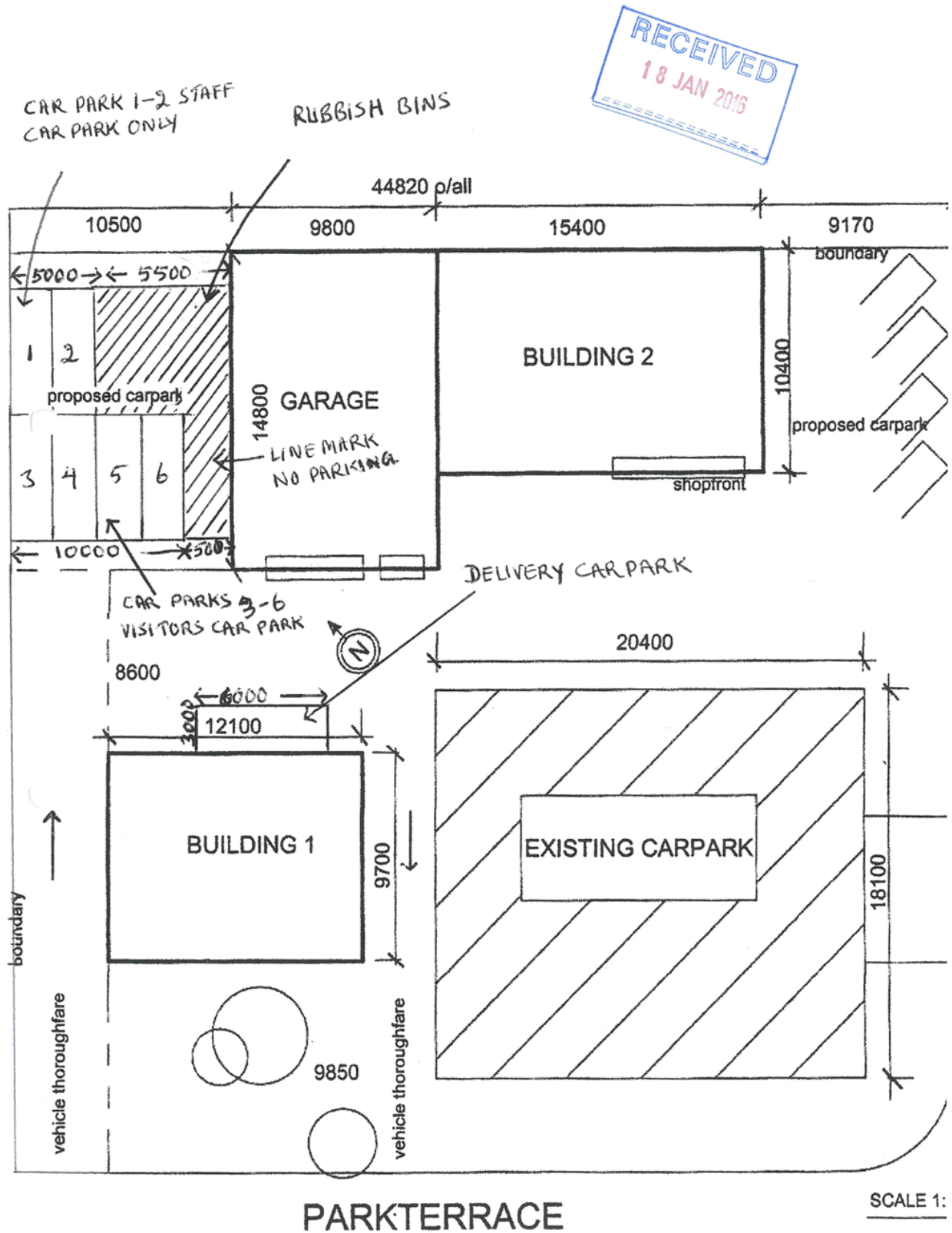
**ATTACHMENTS**

This document should be read in conjunction with the following attachments:

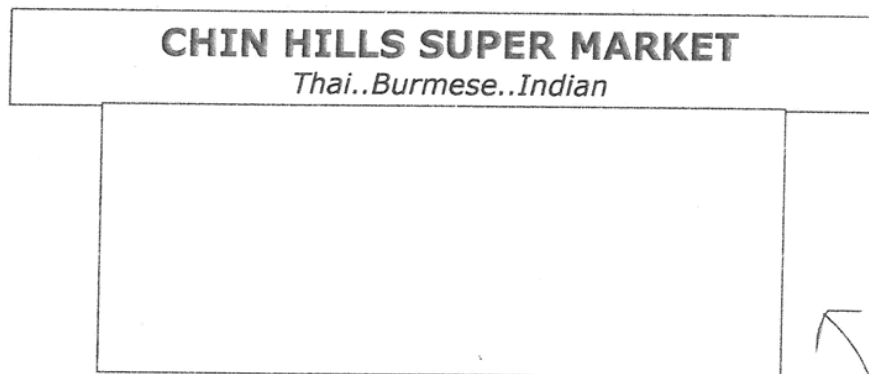
1. Proposal Plans
2. Supporting Information
3. Notice of Category 3 Application and Copy of Representations
4. Response to Representations
5. Relevant Development Plan Extracts, Consolidated 10th September 2015 with Relevant Provisions Highlighted



**Attachment 1:  
Proposal Plans**

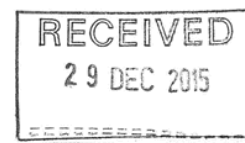


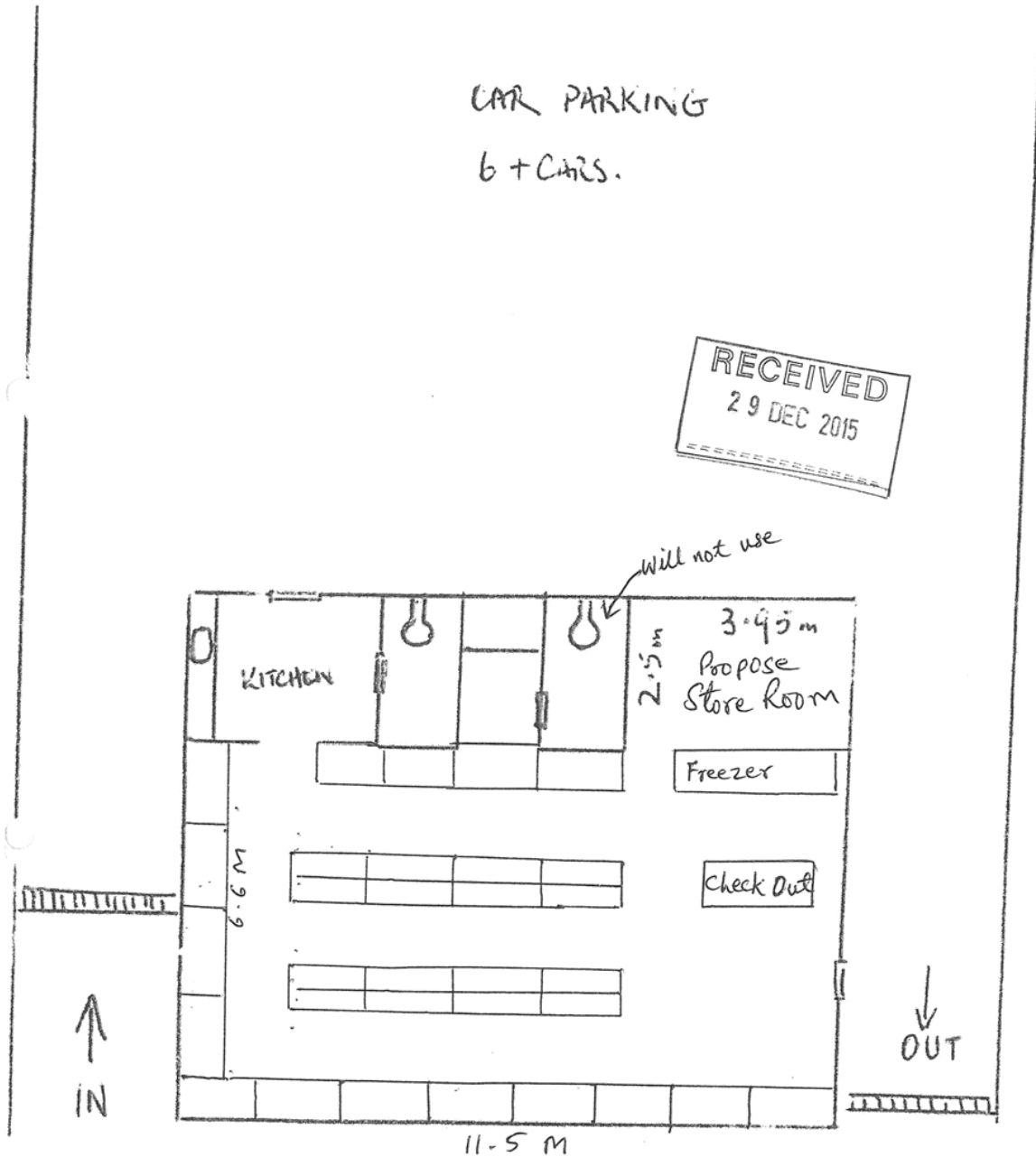
MANG SAUN  
0402 545 231  
salai\_manga@yahoo.com  
200 Park Tce.  
Sal Plain  
Commercial.



Entrance

Park Terrace





**Attachment 2:  
Supporting Information**



# CITY OF SALISBURY DEVELOPMENT APPLICATION FORM

361/ 2465 /2015/18

Please use BLOCK LETTERS and Black or Blue Ink

APPLICANT NAME: CHIN HILLS ENTERPRISE PTY. LTD		
POSTAL ADDRESS: 141 WATERLOO CORNER ROAD, SALISBURY NORTH, SA 5108		
OWNER NAME: (This must be completed) VOZZO INVESTMENTS PTY LTD & CROWN PROPERTY PTY LTD <input type="checkbox"/> as above		
OWNER POSTAL ADDRESS: C/O LT HOOKER GLYNDE, 516 LOWER NORTH EAST RD, CAMPBELL TOWN SA 5094 <input type="checkbox"/> as above		
OWNER PHONE NO: 08 8336 3899	OWNER FAX NO: 08 8337 2566	OWNER EMAIL: glynde@ljh.com.au
CONTACT PERSON FOR FURTHER INFORMATION <input type="checkbox"/> as above		
NAME: MANG H SAUN	TELEPHONE (W): (M): 0402 545 231	
EMAIL: salai_manga@yahoo.com	FAX: N/A	
BUILDER NAME:	BUILDERS EMAIL:	
BUILDER POSTAL ADDRESS:	CONTACT NO.: LICENCE NO.:	
CURRENT USE OF PROPERTY: HAIR DRESSING SALON AND TRAINING CENTRE		
DESCRIPTION OF PROPOSAL: CHANGE IN USE (ASIAN GROCERY RETAIL SHOP)		DEVELOPMENT COST \$ 8,500
LOCATION OF PROPOSAL		
Street No: 200	Street: PARK TERRACE	Suburb: SALISBURY PLAIN
Lot No: 1	Section:	Plan: D5050 Volume: 5592 5836 Folio: 768 2.
OFFICE USE ONLY		
Registration Date: 29 / 12 /2015	Zone: C	Ward: Central
BUILDING RULES CLASSIFICATION		
Classification sought:		
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees		
Male: Female:		
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:		
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:		

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations, 1993. Developments requiring public notification will be made available to the public for comment via Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

SIGNATURE: M. Sam

DATE: 29 / 12 / 15



## Chin Hills Enterprise Pty Ltd

141 Waterloo Corner Road, Salisbury North, SA 5108 | 0402 545 231 | salai\_manga@yahoo.com

29 December 2015

City of Salisbury  
12 James Street  
Salisbury, SA 5108

To Whom It May Concern:

**SUBJ: Development Application for Change of Use – 200 Park Terrace, Salisbury, SA 5108**

We would like to submit application for a change of use of the property at 200 Park Terrace, Salisbury, SA 5108.

We wish to open a retail shop at the above property selling Asian Groceries, serving members of Chin, Burmese and Karen communities from Burma/Myanmar residing in the surrounding areas as well as the local community. Between 1,000 and 1,500 people from Burma/Myanmar, mostly refugees, settled in the surrounding areas and currently there is no grocery shop in the area selling products from Burma/Myanmar. We are hopeful that you would consider our application favourably so that we can serve the need of the communities.

The property had already been used for retail, the last one being Hair Dressing Salon and Training Centre until October 2012.

Enclosed with this letter, for your consideration, are:

1. Completed City of Salisbury Development Application form
2. Site Plan
3. Floor Plan
4. Signage Plan

Sincerely Yours,



Mang Hlei Sawn, Director  
Chin Hills Enterprise Pty Ltd



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	16/12/2015 12:26PM
Customer Reference	
Order ID	20151216005613
Cost	\$27.25

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Registrar-General

## Certificate of Title - Volume 5592 Folio 768

Parent Title(s) CT 4014/888  
Dealing(s) CONVERTED TITLE  
Creating Title  
Title Issued 04/11/1998  
Edition 4  
Edition Issued 15/07/2009

REAL PROPERTY ACT, 1885



South Australia

## Estate Type

FEE SIMPLE

## Registered Proprietor

VOZZO INVESTMENTS PTY. LTD. (ACN: 050 294 285)  
OF 55 GLYNBURN ROAD GLYNDE SA 5070  
50 / 100 SHARE

CROWN EQUITY PTY. LTD. (ACN: 122 829 476)  
OF 55 GLYNBURN ROAD GLYNDE SA 5070  
50 / 100 SHARE

## Description of Land

ALLOTMENT 1 DEPOSITED PLAN 5050  
IN THE AREA NAMED SALISBURY PLAIN  
HUNDRED OF YATALA

## Easements

NIL

## Schedule of Dealings

NIL

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

and Services Group



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	16/12/2015 12:26PM
Customer Reference	
Order ID	20151216005613
Cost	\$27.25

NIL

#### Notations on Plan

NIL

#### Registrar-General's Notes

TEXTUAL AMENDMENT VIDE 10190952  
APPROVED FX42890

#### Administrative Interests

NIL

\* Denotes the dealing has been re-lodged.



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	16/12/2015 12:26PM
Customer Reference	
Order ID	20151216005613
Cost	\$27.25



## Aaron Curtis

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**From:** Aaron Curtis  
**Sent:** Monday, 18 January 2016 1:59 PM  
**To:** 'Mang H Sawn'  
**Subject:** RE: DA 361/2465/15

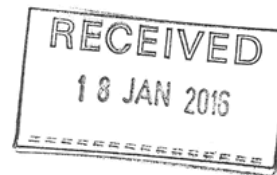
Hi Mang,

Thank you for your email.

I will review as soon as possible.

Regards

Aaron Curtis  
Team Leader - Planning  
City of Salisbury  
12 James St  
Salisbury  
5108  
D: 84068367  
T: 08 8406 8222  
F: 82815466



TTY: 08 8406 8569  
E: <mailto:ACurtis@salisbury.sa.gov.au>  
W: <http://>

-----Original Message-----

**From:** Mang H Sawn [[mailto:salai\\_manga@yahoo.com](mailto:salai_manga@yahoo.com)]  
**Sent:** Monday, 18 January 2016 12:09 PM  
**To:** Aaron Curtis  
**Subject:** RE: DA 361/2465/15

Hi Aaron,

Thank you for your email. Please find below the information you requested.

1. a) Hours of operation: 9AM to 6PM, Monday to Saturday  
b) Maximum number of staff: (2)
2. Please find the revised proposed car parking arrangement in the attached updated plan. Please note that the maximum number of staff is (2) and we need only two parking spaces for them.
3. An area of 2.5m X3.95 Sqm inside the store will be used to store the stock. If required, additional stock will be stored at home. Deliveries will need to be done in a one ton van, and the delivery parking is shown in the revised drawing.
4. We will request for 3 recycle bins (yellow lid) and 2 landfill waste bins (red lid) from the council and use their service for waste disposal. The designated space for these bins are near the staff parking and can be seen in the attached revised drawing.
5. We will comply with the Foid Safety Regulations and will in form the council in writing before commencing operations.

Please let me know if you have any questions or need additional information.

Regards,  
Mang

-----  
On Fri, 15/1/16, Aaron Curtis <ACurtis@salisbury.sa.gov.au> wrote:

Subject: RE: DA 361/2465/15  
To: "salai\_manga@yahoo.com" <salai\_manga@yahoo.com>  
Cc: "scollins.glynde@ljh.com.au" <scollins.glynde@ljh.com.au>  
Received: Friday, 15 January, 2016, 2:31 PM

Hi Mang,

I refer to the above  
Development Application.

The Application is  
presently on Category 3 public notification – this is due to end on 27th January.

I have now received a  
referral response from Council's Development Engineering team and Environmental Health team. I have also  
reviewed the proposal in detail. As a result of this process, some further information is required. With this  
in mind, please respond to the following matters, requested under Section 39 of the Development Regulations  
2008.

1.  
Please confirm:

a)  
Hours of operation;

b)  
Maximum number of staff.

2.  
The Development Engineering team have concern with the design of the 4 x proposed car parking spaces,  
specifically that vehicles would need to reverse back a considerable distance into the one way circulation driveway  
in order to leave  
the site in a forward direction. To avoid such, it is recommended that you consider an alternative car parking  
arrangement as per the attached mark-up plan.



**Attachment 3:**

**Notice of Category 3 Application and**

**Copy of Representations**

**DEVELOPMENT ACT 1993  
CITY OF SALISBURY**

**NOTICE OF APPLICATION FOR CATEGORY 3 DEVELOPMENT**  
Pursuant to Section 38(5) of the Development Act, 1993

An application for development has been lodged with the Council for assessment. The details are as follows:

<b>DEVELOPMENT NO:</b>	361/2465/2015/3B
<b>APPLICANT:</b>	Chin Hills Enterprise Pty Ltd 141 Waterloo Corner Rd SALISBURY NORTH SA 5108
<b>NATURE OF THE DEVELOPMENT:</b>	SHOP (ASIAN GROCERY)
<b>LOCATED AT:</b>	200 Park Terrace, Salisbury Plain SA 5109
<b>CERTIFICATE OF TITLE:</b>	CT-5592/768, CT-5836/2
<b>ZONE:</b>	Commercial

The application may be examined at the Office of the Council located at 12 James Street, Salisbury during business hours (8.30am – 5pm Monday to Friday) and on Council's web site at [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au). Any person or body may make representations in writing, or by email to [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au), concerning this application and should address their representation to the Chief Executive Officer at PO Box 8, Salisbury or [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au). Representations must be received **no later than Wednesday 27<sup>th</sup> January 2016**.

Each person making a submission should indicate whether they wish to appear personally, or be represented by another party, in support of their submission. Please note that should you nominate to be heard in support of your representation, you will be required to attend a Development Assessment Panel meeting held at the Council offices, scheduled on the fourth Tuesday of each month at 6.00pm (unless otherwise advised).

Please note that, pursuant to Section 38(8) of the Development Act, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Aaron Curtis, Development Officer

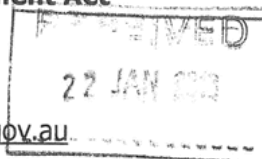
Date: 11 January 2016

***THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE***



# STATEMENT OF REPRESENTATION Pursuant to Section 38 of the Development Act

To: City of Salisbury  
PO Box 8, SALISBURY SA 5108  
Email: [representations@salisbury.sa.gov.au](mailto:representations@salisbury.sa.gov.au)



THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

Development Number: 361/2465/2015/3B  
Applicant: Chin Hills Enterprise Pty Ltd  
Location: 200 Park Terrace, Salisbury Plain SA 5109  
Proposed Development: SHOP (ASIAN GROCERY)

**YOUR DETAILS:** (this information must be provided to ensure that this is a valid representation)

NAME(S): JAMES HENDRY BUCKLOKE

ADDRESS: 6-10 BENNETT ST SALISBURY SA

PHONE NO: [REDACTED] EMAIL: [REDACTED]

I am: (please tick one of the following boxes as appropriate)

☒ The owner/occupier of the property located at: .....

☐ Other (please state): .....

## YOUR COMMENTS:

I/We: (please tick the most appropriate box below)

☐ Support the proposed development.

☒ Oppose the proposed development.

**Whether you support or oppose this proposal you must provide written reasons below to ensure that this is a valid representation.**

BETWEEN THE HOURS OF 3pm AND 5pm  
ON WEEKDAYS TRAFFIC BANKS UP FROM  
MAIN WYTH RD TO ARCONA RD IT IS  
VERY HARD TO ENTER OR EXIT  
BENNETT ST.

PTO

Item 5.1.1 - Attachment 3 - Notice of Category 3 Application and Copy of Representations

361/2465/2015/3B

OUTSIDE THE PROPOSED DEVELOPMENT THERE IS A BUS STOP. THE PROPOSAL HAS 6 CAR PARKS AND MORE THAN 6 WILL HAVE TO PARK IN BENNETT ST. (A DEAD END) AND COMPOUND THE EXISTING TRAFFIC PROBLEMS ASSOCIATED WITH PARK TCE.

My concerns would be addressed by: (state changes/actions to the proposal sought)

- 1) POSSIBLE "KEEP CLEAR" MARKINGS ON PARK TCE AT BENNETT ST.
- 2) MOVE BUS STOP
- 3) NO PARKING SIGNS BENNETT ST. BUT THIS WOULD AFFECT EXISTING BUSINESSES AND BE A NAIL IN THE COFFIN FOR THIS LITTLE BUSINESS AREA.

PTO

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard or not. Please note that if you do not indicate that you wish to be heard, it will be taken that you do not wish to be heard by the Panel.

I/We:

☐ Do not wish to be heard in support of my representation.

☒ Wish to be heard in support of my representation, and I will be:

☒ Appearing personally,

**OR**

☐ Represented by the following person: .....


Contact details: .....

*(Please note, matters raised in your written representation will be considered during the assessment and do not need to be repeated at the hearing).*

**Your written representation must be received by Council no later than 11.59pm on Wednesday 27<sup>th</sup> January 2016, to ensure that it is a valid representation and taken into account.**

**Representor's Declaration:**

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993, and may be uploaded to the Council's website as an attachment to the hearing agenda.

Signature:  .....

Date: 22 / 1 / 16

---

**Please complete this checklist to ensure your representation is valid:**

- ☒ Name and address of person (or persons).
- ☒ If more than one person, details of person making the representation.
- ☒ Detail of reasons for making the representation.
- ☒ Indication whether or not the person (or persons) wishes to be heard.
- ☒ Submitted no later than 11.59pm on **Wednesday 27<sup>th</sup> January 2016.**





**Attachment 4:**  
**Response to Representations**

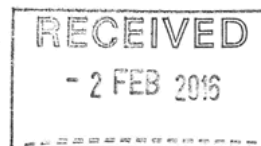
## Chin Hills Enterprise Pty Ltd

141 Waterloo Corner Road, Salisbury North, SA 5108 | 0402 545 231 | salai\_manga@yahoo.com

2 February 2016

To:

Aaron Curtis  
Team Leader – Planning  
City of Salisbury  
12 James Street  
Salisbury, SA 5108



**SUBJ: Development Number 361/2465/2015/3B – 200 Park Terrace, Salisbury, SA 5108**

I refer to the representation the Council received for the above Development Application. I wish to respond to the concerns with respect to car parking availability raised in the representation.

We have discussed the issue with the commercial property manager, Stephen Collins of LJ Hooker Glynde, who confirmed that our customers will have access to the existing car park on the adjacent property (202 Park Terrace), including, but not limited to, during the peak-hour period from 3PM to 5PM weekdays. With these additional car parking the shop will have over 10 parking spaces available at any given time.

**Sincerely Yours,**

Mang Hlei Sawn, Director  
Chin Hills Enterprise Pty Ltd  
Phone: 0402 545 231  
Email: salai\_manga@yahoo.com

CC: Stephen Collins  
Commercial Leasing Manager  
LJ Hooker Glynde  
516 Lower North East Road  
Campbelltown, SA 5074

**Attachment 5:**

**Relevant Development Plan Extracts, Consolidated 10<sup>th</sup>  
September 2015 with Relevant Provisions Highlighted**

# Development Plan

**Salisbury Council**

Consolidated – 10 September 2015

Please refer to the Salisbury Council page at  
[www.sa.gov.au/developmentplans](http://www.sa.gov.au/developmentplans) to see any  
amendments not consolidated.



**Government of South Australia**  
Department of Planning,  
Transport and Infrastructure



### Department of Planning, Transport and Infrastructure

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136 North Terrace  
Adelaide

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Adelaide SA 5001

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Email [dplgwebmaster@sa.gov.au](mailto:dplgwebmaster@sa.gov.au)  
Internet [www.dpti.sa.gov.au](http://www.dpti.sa.gov.au)



### City of Salisbury

12 James Street  
Salisbury

Postal Address  
PO Box 8  
Salisbury SA 5108

Phone (08) 8406 8222  
Fax (08) 8303 0782

Email [city@salisbury.sa.gov.au](mailto:city@salisbury.sa.gov.au)  
Internet [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

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Consolidated - 10 September 2015

# Introduction Section



## Amendment Record Table

The following table is a record of authorised amendments and their consolidation dates for the Salisbury (City) Development Plan since the inception of the electronic Development Plan on 12 December 1996 for Metropolitan Adelaide Development Plans. Further information on authorised amendments prior to this date may be researched through the relevant Council, Department of Planning, Transport and Infrastructure or by viewing Gazette records.

CONSOLIDATED	AMENDMENT – [Gazetted date]
12 December 1996	Miscellaneous Amendments – Metropolitan Adelaide Development Plans PAR (Interim) (Ministerial) – [12 December 1996]
19 December 1996	MFP (The Levels) Amendment Act – [19 December 1996]
26 June 1997	Miscellaneous Amendments – Metropolitan Adelaide Development Plans PAR (Ministerial) – [26 June 1997]
31 July 1997	Statewide Marine Aquaculture and Offshore Development PAR (Ministerial) – [5 June 1997] Rural, MOSS/Public Lands PAR – [17 July 1997]
30 April 1998	Burton/Direk Residential PAR – [30 April 1998] Section 29(2) Amendment – [15 January 1998]
18 March 1999	Section 29(2) Amendment – [18 March 1999]
26 August 1999	Section 29(2) Amendment – [12 March 1998] Waste Disposal (Landfill) PAR (Ministerial) – [19 August 1999]
16 September 1999	Republished – [19 August 1999]
9 December 1999	Commercial Road PAR – [9 December 1999] Section 29(2) Amendment – [9 December 1999]
23 March 2000	Metropolitan Adelaide – Industrial Land and Development PAR (Ministerial) – [25 November 1999] Section 27(5) Amendment - Waste Disposal (Landfill) PAR (Ministerial) – [9 March 2000] Salisbury Downs District Centre PAR – [23 March 2000]
4 May 2000	Walkley Heights PAR – [4 May 2000] Section 29(2)(a) Amendment – [4 May 2000]
29 June 2000	Horticulture in the Hills Face Zone PAR (Interim) (Ministerial) – [22 June 2000]
24 August 2000	Section 28(4)(a) - Termination of the Interim Operation of the 'Horticulture in the Hills Face Zone PAR' (Ministerial) and its removal from the Development Plan – [17 August 2000] Hills Face Zone Amendment PAR (Interim) (Ministerial) – [17 August 2000]
Not consolidated	Telecommunications Facilities State-wide Policy Framework PAR (Interim) (Ministerial) – [31 August 2000]
8 February 2001	Metropolitan Adelaide Significant Tree Control PAR (Ministerial) – [21 December 2000] Surplus Defence Land PAR – [8 February 2001]
17 May 2001	Ann Street Precinct - Salisbury Town Centre PAR – [17 May 2001]
19 July 2001	Globe Derby Park Recreation Zone PAR – [19 July 2001]
1 November 2001	Hills Face Zone Amendment PAR (Ministerial) – [16 August 2001] Telecommunications Facilities State-wide Policy Framework PAR (Ministerial) – [30 August 2001] Bushfire Management PAR (Ministerial) – [6 September 2001] Salisbury East Policy Area PAR (Interim) – [26 October 2001]
9 May 2002	Development Plan Format Review and Orderly Residential Development Concept Plans PAR – [9 May 2002]

Salisbury Council  
Introduction Section  
Amendment Record Table

CONSOLIDATED	AMENDMENT – [Gazetted date]
24 October 2002	Salisbury East Policy Area PAR – [24 October 2002]
12 June 2003	Industry (Gepps Cross Gateway) PAR ( <i>Ministerial</i> ) – [5 June 2003]
16 October 2003	Wind Farms PAR ( <i>Ministerial</i> ) – [24 July 2003]
27 May 2004	Hills Face Zone (Interim Operation) PAR ( <i>Ministerial</i> ) (Interim) – [27 February 2004] Parafield Gardens Industrial/Residential PAR – [27 May 2004]
10 March 2005	Hills Face Zone (Interim Operation) PAR ( <i>Ministerial</i> ) – [24 February 2005]
18 August 2005	Catchment Water Resources PAR – [18 August 2005]
25 January 2006	Industry Zone Burton PAR – [25 January 2006]
21 December 2006	Bushfire Management (Part 2) PAR ( <i>Ministerial</i> ) – [14 December 2006] Place of Worship PAR – [21 December 2006]
17 May 2007	Industrial Land Review – Gepps Cross and Pooraka PAR ( <i>Ministerial</i> ) – [19 April 2007] Direk PAR – [17 May 2007]
18 October 2007	Residential (Happy Home Reserve) PAR – [18 October 2007]
24 January 2008	Residential Parks and Caravan and Tourist Parks DPA ( <i>Ministerial</i> ) (Interim) – [13 December 2007]
11 December 2008	Residential Parks and Caravan and Tourist Parks DPA ( <i>Ministerial</i> ) – [11 December 2008]
15 July 2010	Bushfires (Miscellaneous Amendments) DPA ( <i>Ministerial</i> ) (Interim) – [10 December 2009] Statewide Bulky Goods DPA ( <i>Ministerial</i> ) (Interim) – [1 June 2010] Section 29(2)(b)(ii) Amendment – [15 July 2010]
6 October 2011	Bushfires (Miscellaneous Amendments) DPA ( <i>Ministerial</i> ) – [9 December 2010] Statewide Bulky Goods DPA ( <i>Ministerial</i> ) – [13 January 2011] Rural (Aircraft Noise)/Direk West Sector: Industry DPA – [6 October 2011]
19 April 2012	Regulated Trees DPA (Interim) ( <i>Ministerial</i> ) – [17 November 2011] Salisbury Plain Neighbourhood Centre Zone DPA – [19 April 2012]
22 August 2013	Regulated Trees DPA ( <i>Ministerial</i> ) – [15 November 2012] Section 29(2)(c) Amendment – [29 November 2012] Better Development Plan (BDP) and General DPA – [22 August 2013]
20 March 2014	Section 29(2)(b)(ii) Amendment – [12 September 2013] Greater Edinburgh Parks Employment Lands (Part 1) DPA ( <i>Ministerial</i> ) – [19 December 2013] Section 29(2)(b)(i) Amendment – [20 March 2014]
18 December 2014	Section 29(2)(b)(ii) Amendment – 2 October 2014 Mixed Use (Bulky Goods, Entertainment and Leisure) Zone DPA – [18 December 2014]
9 July 2015	Salisbury Heights Residential DPA – [2 July 2015] Walpole Road, Paralowie Residential DPA – [6 August 2015]
10 September 2015	Globe Derby Park Surplus Lands DPA – [3 September 2015] Saints Road Neighbourhood Centre Retail Limit Review DPA – [10 September 2015]

Consolidated: The date of which an authorised amendment to a Development Plan was consolidated (incorporated into the published Development Plan) pursuant to section 31 of the *Development Act 1993*.

Gazetted: The date of which an authorised amendment was authorised through the publication of a notice in the Government Gazette pursuant to Part 3 of the *Development Act 1993*.

Salisbury Council  
General Section  
Centres and Retail Development

## Centres and Retail Development

### OBJECTIVES

- 1 Shopping, administrative, cultural, community, entertainment, educational, religious and recreational facilities located in integrated centres.
- 2 Centres that ensure rational, economic and convenient provision of goods and services and provide:
  - (a) a focus for community life
  - (b) safe, permeable, pleasant and accessible walking and cycling networks.
- 3 The provision of a safe pedestrian environment within centres which gives high priority to pedestrians, public and community transport.
- 4 Increased vitality and activity in centres through the introduction and integration of housing.
- 5 Centres developed in accordance with a hierarchy based on function, so that each type of centre provides a proportion of the total requirement of goods and services commensurate with its role.
- 6 Development of centres outside of Greater Adelaide in accordance with the following hierarchy:
  - (a) Regional Centre
  - (b) District Centre
  - (c) Town Centre (for smaller towns with a single centre zone)
  - (d) Local Centre (subsidiary centres for towns with a regional or district centre).
- 7 The central business district of the City of Adelaide providing the principal focus for the economic, social and political life of Greater Adelaide and the State.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development within centres should:
  - (a) integrate facilities within the zone
  - (b) allow for the multiple use of facilities and the sharing of utility spaces
  - (c) allow for the staging of development within the centre
  - (d) be integrated with public and community transport.
- 2 Development within centres should be designed to be compatible with adjoining areas. This should be promoted through landscaping, screen walls, centre orientation, location of access ways, buffer strips and transitional use areas.
- 3 Development within centres should provide:
  - (a) public spaces such as malls, plazas and courtyards



- (b) street furniture, including lighting, signs, litter bins, seats and bollards, that is sited and designed to complement the desired character
  - (c) unobtrusive facilities for the storage and removal of waste materials
  - (d) public facilities including toilets, infant changing facilities for parents, seating, litter bins, telephones and community information boards
  - (e) access for public and community transport and sheltered waiting areas for passengers
  - (f) lighting for pedestrian paths, buildings and associated areas
  - (g) a single landscaping theme
  - (h) safe and secure bicycle parking
- 4 Development should be designed to minimise energy consumption for lighting, heating, cooling and ventilation.
- 5 A single architectural theme should be established within centres through:
- (a) constructing additions or other buildings in a style complementary to the existing shopping complex
  - (b) renovating the existing shopping complex to complement new additions and other buildings within the centre
  - (c) employing a signage theme.
- 6 The design of undercroft or semi-basement car parking areas should not detract from the visual quality and amenity of adjacent pedestrian paths, streets or public spaces.
- 7 Undercroft or semi-basement car parking areas should not project above natural or finished ground level by more than 1 metre.

**Arterial Roads**

- 8 Centres should develop on one side of an arterial road or in one quadrant of an arterial road intersection.
- 9 Centre development straddling an arterial road should:
- (a) concentrate on one side of the arterial road or one quadrant of the arterial road intersection
  - (b) minimise the need for pedestrian and vehicular movement from one part of the centre to another across the arterial road.

**Retail Development**

- 10 A shop or group of shops with a gross leaseable area of greater than 250 square metres should be located within a centre zone.
- 11 A shop or group of shops with a gross leaseable area of less than 250 square metres should not be located on arterial roads unless within a centre zone.
- 12 A shop or group of shops located outside of zones that allow for retail development should:
- (a) be of a size and type that will not hinder the development, function or viability of any centre zone
  - (b) not demonstrably lead to the physical deterioration of any designated centre

Salisbury Council  
General Section  
*Centres and Retail Development*

(c) be developed taking into consideration its effect on adjacent development.

13 Bulky goods outlets should only be located in centres, commercial and bulky goods zones.

14 Bulky goods outlets located within centres zones should:

(a) complement the overall provision of facilities

(b) be sited towards the periphery of those centres where the bulky goods outlet has a gross leaseable area of 500 square metres or more.

## Interface between Land Uses

### OBJECTIVES

- 1 Development located and designed to prevent adverse impact and conflict between land uses.
- 2 Protect community health and amenity and support the operation of all desired land uses.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
  - (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
  - (b) noise
  - (c) vibration
  - (d) electrical interference
  - (e) light spill
  - (f) glare
  - (g) hours of operation
  - (h) traffic impacts.
- 2 Development should be sited and designed to minimise negative impact on existing and potential future land uses considered appropriate in the locality.
- 3 Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of nearby residential properties.
- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses considered appropriate for the zone should not be developed or should be designed to minimise negative impacts.

### Noise

- 6 Development should be sited, designed and constructed to minimise negative impacts of noise and to avoid unreasonable interference.
- 7 Development should be consistent with the relevant provisions in the current *Environment Protection (Noise) Policy*.

### Rural Interface

- 8 The potential for adverse impacts resulting from rural development should be minimised by:
  - (a) not locating horticulture or intensive animal keeping on land adjacent to townships



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General Section  
*Interface between Land Uses*

- (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 9 Traffic movement, spray drift, dust, noise, odour, and the use of frost fans and gas guns associated with primary production activities should not lead to unreasonable impact on adjacent land users.
- 10 Existing primary production uses and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.
- 11 Development within 300 metres of facilities for the handling, transportation and storage of bulk commodities should:
  - (a) not prejudice the continued operation of those facilities
  - (b) be located, designed, and developed having regard to the potential environmental impact arising from the operation of such facilities and the potential extended operation of activities.

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Transportation and Access

## Transportation and Access

### OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
  - (a) provide equitable access to a range of public, community and private transport services for all people
  - (b) ensure a high level of safety
  - (c) effectively support the economic development of the State
  - (d) have minimal negative environmental and social impacts
  - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
  - (a) provides safe and efficient movement for all motorised and non-motorised transport modes
  - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
  - (c) provides off street parking
  - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks.
- 5 Safe and convenient freight movement throughout the State.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

#### Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail and road corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport networks.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.
- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.

- 5 Land uses that generate large numbers of visitors such as shopping centres and areas, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by existing transport networks and encourage walking and cycling.
- 6 Development generating high levels of traffic, such as schools, shopping centres and other retail areas, entertainment and sporting facilities, should incorporate passenger pick-up and set down areas. The design of such areas should ensure interference to existing traffic is minimised and give priority to pedestrians, cyclists and public and community transport users.
- 7 The location and design of public and community transport set-down and pick-up points should maximise safety and minimise the isolation and vulnerability of users.
- 8 Development should provide safe and convenient access for all anticipated modes of transport including cycling, walking, public and community transport, and motor vehicles.
- 9 Development at intersections, pedestrian and cycle crossings, and crossovers to allotments should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users and pedestrians.
- 10 Driveway crossovers affecting pedestrian footpaths should maintain the level of the footpath.
- 11 Development should discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses such as schools.
- 12 Industrial/commercial vehicle movements should be separated from passenger vehicle car-parking areas.
- 13 Development should make sufficient provision on site for the loading, unloading and turning of all traffic likely to be generated.

#### **Cycling and Walking**

- 14 Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, public and community transport stops and activity centres.
- 15 Development should provide access, and accommodate multiple route options, for cyclists by enhancing and integrating with:
  - (a) open space networks, recreational trails, parks, reserves and recreation areas
  - (b) Adelaide's Metropolitan Open Space System.
- 16 Cycling and pedestrian networks should be designed to be permeable and facilitate direct and efficient passage to neighbouring networks and facilities.
- 17 New developments should give priority to and not compromise existing designated bicycle routes.
- 18 Where development coincides with, intersects or divides a proposed bicycle route or corridor, development should incorporate through-access for cyclists.
- 19 Developments should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
  - (a) showers, changing facilities, and secure lockers
  - (b) signage indicating the location of bicycle facilities



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*Transportation and Access*

- (c) secure bicycle parking facilities provided at the rate set out in *Table Sal/3 - Off Street Bicycle Parking Requirements*.
- 20 Pedestrian facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 13*.
- 21 Cycling facilities and networks should be designed and provided in accordance with the relevant provisions of the *Australian Standards and Austroads Guide to Traffic Engineering Practice Part 14*.

**Access**

- 22 Development should have direct access from an all weather public road.
- 23 Development should be provided with safe and convenient access which:
  - (a) avoids unreasonable interference with the flow of traffic on adjoining roads
  - (b) provides appropriate separation distances from existing roads or level crossings
  - (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
  - (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised, and where possible access points should be:
  - (a) limited to local roads
  - (b) shared between developments.
- 26 The number of access points for cyclists and pedestrians onto all adjoining roads should be maximised.
- 27 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse on to or from the road.
- 28 Development with access from arterial roads or roads as shown on *Overlay Maps - Transport* should be sited to avoid the need for vehicles to reverse on to or from the road.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
  - (a) follow the natural contours of the land
  - (b) minimise excavation and/or fill
  - (c) minimise the potential for erosion from run-off
  - (d) avoid the removal of existing vegetation
  - (e) be consistent with *Australian Standard AS 2890 Parking facilities*.

**Access for People with Disabilities**

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

### Vehicle Parking

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table Sal/2 - Off Street Vehicle Parking Requirements unless an agreement is reached between the Council and the applicant for a reduced number of parking spaces where one of the following applies:
- (a) a financial contribution is paid into the Council Car Parking Funds specified by the Council, in accordance with the gazetted rate per car park associated with the 'Car Park Fund Areas' identified on Concept Plan Map Sal/27 - Salisbury District Centre Car Park Fund Area and Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area.
  - (b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.
- 33 Development should be consistent with Australian Standard AS 2890 Parking facilities.
- 34 Vehicle parking areas should be sited and designed in a manner that will:
- (a) facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development
  - (b) include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network
  - (c) not inhibit safe and convenient traffic circulation
  - (d) result in minimal conflict between customer and service vehicles
  - (e) avoid the necessity to use public roads when moving from one part of a parking area to another
  - (f) minimise the number of vehicle access points to public roads
  - (g) avoid the necessity for backing onto public roads
  - (h) where reasonably possible, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for access points
  - (i) not dominate the character and appearance of a site when viewed from public roads and spaces
  - (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas.
- 35 Vehicle parking areas should be designed to reduce opportunities for crime by:
- (a) maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads
  - (b) incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places
  - (c) being appropriately lit
  - (d) having clearly visible walkways.
- 36 Where parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to customers.



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- 37 Parking areas that are likely to be used during non daylight hours should provide floodlit entrance and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the car park.
- 38 Parking areas should be sealed or paved in order to minimise dust and mud nuisance.
- 39 To assist with stormwater detention and reduce heat loads in summer, vehicle parking areas should include soft (living) landscaping.
- 40 Parking areas should be line-marked to indicate parking bays, movement aisles and direction of traffic flow.



## Waste

### OBJECTIVES

- 1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.
- 2 Development that includes the treatment and management of solid and liquid waste to prevent undesired impacts on the environment including, soil, plant and animal biodiversity, human health and the amenity of the locality.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:
  - (a) avoiding the production of waste
  - (b) minimising waste production
  - (c) reusing waste
  - (d) recycling waste
  - (e) recovering part of the waste for re-use
  - (f) treating waste to reduce the potentially degrading impacts
  - (g) disposing of waste in an environmentally sound manner.
- 2 The storage, treatment and disposal of waste materials from any development should be achieved without risk to health or impairment of the environment.
- 3 Development should avoid as far as practical, the discharge or deposit of waste (including wastewater) onto land or into any waters (including processes such as seepage, infiltration or carriage by wind, rain, sea spray, stormwater or by the rising of the water table).
- 4 Untreated waste should not be discharged to the environment, and in particular to any water body.
- 5 Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.
- 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:
  - (a) screened and separated from adjoining areas
  - (b) located to avoid impacting on adjoining sensitive environments or land uses
  - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system
  - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water

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Waste**

- (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours
- (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.

**Wastewater**

- 7 The disposal of wastewater to land should only occur where methods of wastewater reduction and reuse are unable to remove the need for its disposal, and where its application to the land is environmentally sustainable.
- 8 Wastewater lagoons should not be sited in any of the following areas:
  - (a) within land subject to a 1-in-100 year average return interval flood event
  - (b) within 50 metres of the top of the bank of a watercourse
  - (c) within 500 metres of the coastal high water mark
  - (d) where the base of the lagoon would be below any seasonal water table.
- 9 Artificial wetland systems for the storage of treated wastewater, such as wastewater lagoons, should be:
  - (a) sufficiently separated from adjoining sensitive uses to minimise potential adverse odour impacts
  - (b) sited and designed to minimise potential public health risks arising from the breeding of mosquitoes.

**Waste Treatment Systems**

- 10 Development that produces any sewage or effluent should be connected to a waste treatment system that complies with (or can comply with) the relevant public and environmental health legislation applying to that type of system.
- 11 The methods for, and siting of, effluent and waste storage, treatment and disposal systems should minimise the potential for environmental harm and adverse impacts on:
  - (a) the quality of surface and groundwater resources
  - (b) public health
  - (c) the amenity of a locality
  - (d) sensitive land uses.
- 12 Waste treatment should only occur where the capacity of the treatment facility is sufficient to accommodate likely maximum daily demands including a contingency for unexpected high flows and breakdowns.
- 13 Any on-site wastewater treatment system/ re-use system or effluent drainage field should be located within the allotment of the development that it will service.
- 14 A dedicated on-site effluent disposal area should not include any areas to be used for, or could be reasonably foreseen to be used for, private outdoor open space, driveways, car parking or outbuildings.
- 15 The spreading or discharging of treated liquid or solid waste onto the ground should only occur where the disposal area consists of soil and vegetation that has the capacity to store and use the waste without contaminating soil or surface or ground water resources or damaging crops.

- 16 Stock slaughter works, poultry processors, saleyards, piggeries, cattle feedlots, milking sheds, milk processing works, fish processing works, wineries, distilleries, tanneries and fellmongeries, composting works, waste or recycling depots and concrete batching works should have a wastewater management system that is designed so as not to discharge wastes generated by the premises:
- (a) into any waters
  - (b) onto land in a place where it is reasonably likely to enter any waters by processes such as:
    - (i) seepage
    - (ii) infiltration
    - (iii) carriage by wind, rain, sea spray, or stormwater
    - (iv) the rising of the watertable.
- 17 Winery waste management systems should be designed to ensure:
- (a) surface runoff does not occur from the wastewater irrigation area at any time
  - (b) wastewater is not irrigated onto waterlogged areas, land within 50 metres of a creek, or swamp or domestic or stock water bore, or land subject to flooding, steeply sloping land, or rocky or highly permeable soil overlaying an unconfined aquifer
  - (c) wastewater is not irrigated over an area which is within 50 metres of any residence on neighbouring land or 10 metres of any type of publicly owned land
  - (d) wastewater is released using low trajectory low pressure sprinklers, drip irrigators or agricultural pipe, and is not sprayed more than 1.5 metres into the air or in fine droplets if there is a potential for the spread of diseases from the wastewater
  - (e) stormwater run-off from areas which are contaminated with grape or grape products is drained to winery waste management systems during vintage periods
  - (f) stormwater from roofs and clean hard paved surfaces is diverted away from winery waste management systems and disposed of in an environmentally sound manner or used for productive purposes.

# Zone Section



## Commercial Zone

Refer to the Map Reference Tables for a list of the maps that relate to this zone.

### OBJECTIVES

- 1 A zone accommodating a range of commercial and business land uses.
- 2 Development that minimises any adverse impacts upon the amenity of the locality within the zone.
- 3 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

The **Precinct 20 Globe Derby Park Commercial** will be a vibrant commercial area that provides a range of commercial based employment opportunities and facilities for local residents and workers in the area taking advantage of the proximity and visual exposure to Port Wakefield Road. Due to the controlled access and strategic nature of Port Wakefield Road, direct driveway access to individual sites to/from Port Wakefield Road is not envisaged. Rather access should be provided via a common roadway from Port Wakefield Road along with access points to/from Globe Derby Drive and Daniel Avenue.

Landscaping (including the use of taller vegetation) will be used extensively along site boundaries and within car parks and public areas to provide shade, enhance amenity and mitigate building bulk and scale. Landscaping will incorporate Water Sensitive Urban Design measures and be linked to on-site stormwater detention and reuse or regional schemes.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 The following forms of development are envisaged in the zone:
  - bulky goods outlet
  - caravan park within **Precinct 20 Globe Derby Park Commercial**
  - consulting room
  - harness racing associated facilities within **Precinct 20 Globe Derby Park Commercial**
  - light industry
  - motel within **Precinct 20 Globe Derby Park Commercial**
  - motor vehicle related business other than wrecking yard
  - non-residential club
  - office
  - petrol filling station
  - service trade premises
  - shop with a gross leasable area less than 250 square metres (except in **Precinct 20 Globe Derby Park Commercial** where shops should have a gross leasable area 2500 square metres in area, with no single tenancy greater than 1500 square metres in area)
  - store
  - tavern/hotel within **Precinct 20 Globe Derby Park Commercial**
  - warehouse.
- 2 Development listed as non-complying is generally inappropriate.
- 3 Retail development in the zone should not hinder the development or function of any centre zone.

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Commercial Zone

- 4 Shops, other than a bulky goods outlet, should have a gross leasable area less than 250 square metres, (other than within **Precinct 20 Globe Derby Park Commercial**).

**Form and Character**

- 5 Offices should not:
- (a) hinder the development or function of any centre zone or centres generally
  - (b) occupy a gross leasable floor area in excess of 250 square metres (except in **Precinct 20 Globe Derby Park Commercial**).
- 6 Freestanding advertisements and advertising displays should not exceed 4 metres in height.

**Land Division**

- 7 Land division should create allotments that vary in size and are suitable for a variety of commercial and business activities.

**PRECINCT SPECIFIC PROVISIONS**

Refer to the [Map Reference Tables](#) for a list of the maps that relate to these precincts.

**Precinct 1 Salisbury Plains Commercial**

- 8 Development in the precinct should principally comprise service trade premises, bulky goods outlets, consulting rooms, offices, low-scale industry and limited retail activities.
- 9 Development of uses such as offices, consulting rooms, bulky goods outlets and shops should not hinder the function of nearby centre zones.
- 10 Retail development should not result in an increase in gross leasable floor area above existing provision, unless it is a bulky goods outlet.
- 11 Bulky goods outlets should have a minimum retail floor area of 500 square metres per individual tenancy.
- 12 New development should not rely on direct access to or from Main North Road.

**Precinct 20 Globe Derby Park Commercial**

- 13 Development in the precinct should principally comprise service trade premises, bulky goods outlets, consulting rooms, offices, low-scale industry and small scale retail activities.
- 14 Development of uses such as offices, consulting rooms, bulky goods outlets and shops should not hinder the function of nearby centre zones.
- 15 Shops, other than a bulky goods outlet, should have a gross leasable area 2500 square metres in area, with no single tenancy greater than 1500 square metres in area.

**PROCEDURAL MATTERS**

**Complying Development**

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.



### Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development	Exceptions
Dairy	
Dwelling	
Educational establishment	
Farm building	
Farming	
Fuel depot	
General Industry	Except where it is located within <b>Precinct 1 Salisbury Plains Commercial</b> .
Horticulture	
Hospital	
Intensive animal keeping	
Nursing home	
Place of worship	Except where it is located in within <b>Precinct 20 Globe Derby Park Commercial</b> .
Pre-school	Except child care where it is located in within <b>Precinct 20 Globe Derby Park Commercial</b> .
Prescribed mining operations	
Residential flat building	
Road transport terminal	
Shop or group of shops	Except where it achieves (a) or (b): (a) it achieves one of the following: (i) it is located outside of <b>Precinct 1 Salisbury Plains Commercial</b> and the gross leasable area is less than 250 square metres (ii) is located within <b>Precinct 1 Salisbury Plains Commercial</b> and will not result in additional gross leasable floor area than that which existed on 23 July 2004 (iii) it is located within <b>Precinct 20 Globe Derby Park Commercial</b> and will not result in shops in the precinct exceeding a total gross leasable area of 2500 square metres in area, with no single tenancy greater than 1500 square metres in area. (b) it is a bulky goods outlet.
Special industry	
Stadium	
Stock sales yard	

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Form of development	Exceptions
Stock slaughter works	
Waste reception, storage, treatment, or disposal	
Winery	
Wrecking yard	

### Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.

Further, the following forms of development within **Precinct 20 Globe Derby Park Commercial** (except where the development is classified as non-complying) are designated:

Category 1	Category 2
Bulky goods outlet	All forms of development that are not Category 1.
Caravan park	
Consulting room	
Harness racing associated facilities	
Light industry	
Motel	
Motor vehicle related business other than wrecking yard	
Non-residential club	
Office	
Petrol filling station	
Service trade premises	
Shop with a gross leasable area less than 250 square metres (except in <b>Precinct 20 Globe Derby Park Commercial</b> where shops should have a gross leasable area 2500 square metres, in area with no single tenancy greater than 1500 square metres in area)	
Store	
Tavern/hotel	
Warehouse	

# Table Section

Table Sal/2 - Off Street Vehicle Parking Requirements

**Table Sal/2 - Off Street Vehicle Parking Requirements**

The following vehicle parking requirements do not apply to the Mixed Use (Bulky Goods, Entertainment, Leisure) Zone except where the form of development is Light Industry whereby the rates for *Industry, warehouse, stores* are applicable.

Form of Development	Number of Required Car Parking Spaces
<b>Accommodation</b>	
Aged Care / retirement home	1 space per unit
Serviced apartment	1 space per unit plus 1 space per employee
Motel	1 space per unit
<b>Commercial</b>	
Bulky goods outlet	3 spaces per 100 square metres of gross leasable floor area
Cinema	1 space per 4 cinema seats
Hotel	1 space per 2 square meters of floor area available to the public
Public bar	1 space per 6 square metres of floor area available to the public
Lounge or beer garden	1 space per 6 square metres of floor area available to the public
Gaming room	1 space per 2 machines
Office	1 space per 25 square metres, with a minimum of 4 spaces per office
Restaurant	Greater of 1 space for every 3 seats or 1 space for every 15 square metres of dining area
Service trade premises	3 spaces per 100 square metres
Shop	7 spaces per 100 square metres of gross leasable area for shops outside of centre zones 5 spaces per 100 square metres of gross leasable area for shops within centre zones
<b>Community/civic</b>	
Child care centre	1 space per 4 children
Community centre	10 spaces per 100 square metres of total floor area
Library	4 spaces per 100 square metres
Place of worship	Greater of 1 space for every 3 seats or every 3 attendees
<b>Dwellings</b>	
Detached dwelling Semi Detached Dwelling Row Dwelling	2 spaces per dwelling, one of which is to be covered



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Table Sal/2 - Off Street Vehicle Parking Requirements

Form of Development	Number of Required Car Parking Spaces
Residential flat building Multiple dwelling Group dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
Industry, warehouses, stores	
Office component	1 space per 30 square metres
Plus	Plus
Non-office component	
Up to 200 square metres	1 space per 50 square metres
Plus 200-2000 square metres	1 additional space for every 75 square metres
Plus greater than 2000 square metres	1 additional space for every 150 square metres
Or	Or
For labour intensive industries, inclusive of office component (whichever ever is greater)	0.75 car parking spaces per employee
Medical	
Consulting room	10 per 100 square metres of total floor area, with a minimum of 3 spaces per tenancy
Hospital	2.5 spaces per bed
Nursing home	1 space for every 4 beds
The following vehicle parking requirements apply to development specifically within the <b>Mixed Use (Bulky Goods, Entertainment and Leisure) Zone</b> :	
Form of Development	Minimum number of required vehicle parking spaces
All forms of development (except Light Industry)	3 spaces per 100 square metres of gross leasable floor area

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Table Sal/3 - Off Street Bicycle Parking Requirements

**Table Sal/3 - Off Street Bicycle Parking Requirements**

Form of development	Employee/resident (bicycle parking spaces)	Visitor/shopper (bicycle parking spaces)
Residential component of multi-storey building/residential flat building	1 for every 4 dwellings	1 for every 10 dwellings
Office	1 for every 200 square metres of gross leasable floor area	2 plus 1 per 1000 square metres of gross leasable floor area
Shop	1 for every 300 square metres of gross leasable floor area	1 for every 600 square metres of gross leasable floor area
Tourist accommodation	1 for every 20 employees	2 for the first 40 rooms plus 1 for every additional 40 rooms



# **Mapping Section**

## **Map Reference Tables**

## **Spatial Extent Maps**

## **Bushfire Risk Maps**

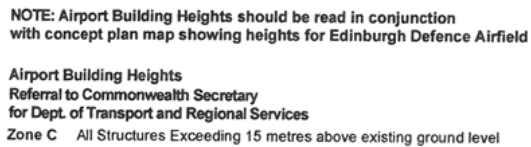
## **Concept Plan Maps**











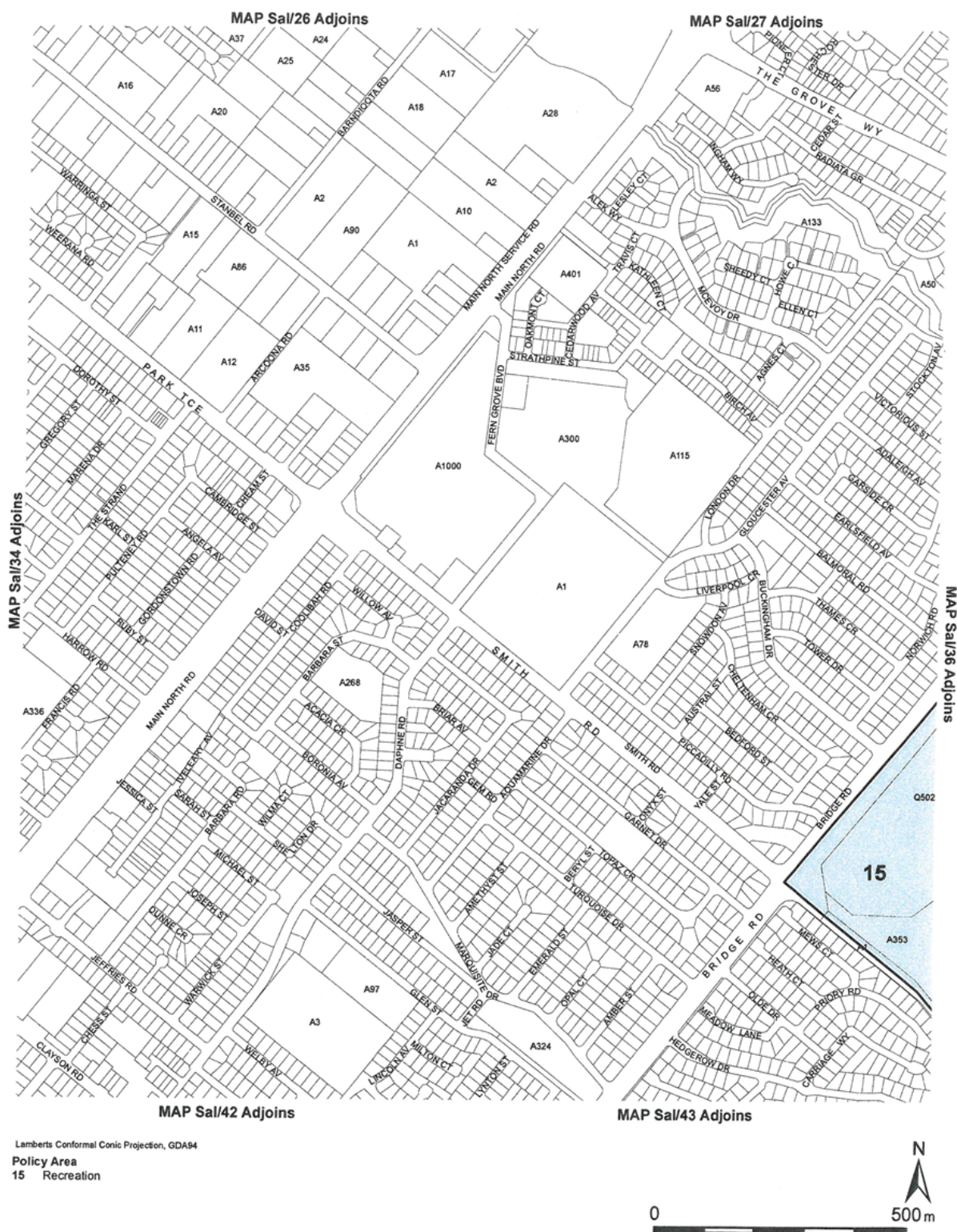
## Overlay Map Sal/35

 Airport Building Heights









## Policy Area Map Sal/35

Policy Area Boundary

SALISBURY COUNCIL







<b>ITEM</b>	5.2.1
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	23 February 2016
<b>HEADING</b>	Review of Operating Procedures and Agenda Format
<b>AUTHOR</b>	Terry Sutcliffe, General Manager City Development, City Development
<b>CITY PLAN LINKS</b>	4.4 To ensure informed and transparent decision-making that is accountable and legally compliant 4.6 To provide our customers with excellent service that meets their needs
<b>SUMMARY</b>	At the conclusion of its meeting on 27 January 2016, the Development Assessment Panel held a workshop to discuss improvements to its operations and agenda format and content. This report provides feedback on the outcomes of the workshop and revised Operating Procedures for the consideration of the Panel.

## RECOMMENDATION

1. That the revised City of Salisbury Development Assessment Panel Operating Procedures forming an attachment to the agenda report be adopted.
2. That the revised agenda and report content and format be noted, and feedback be provided by the Panel in relation to the revised content and format.

## ATTACHMENTS

This document should be read in conjunction with the following attachments:

1. Draft revised Operating Procedures - marked up
2. Draft revised Operating Procedures - Final

## 1. BACKGROUND

- 1.1 On 27 January 2016 at the conclusion of its scheduled meeting, the Panel held a workshop to discuss improvements to its Operating Procedures, and to the Panel Agenda format and report content and format.
- 1.2 From that workshop a number of suggestions were made, which are reported to the Panel in this report for formal consideration and adoption.
- 1.3 The Panel has the discretion to establish its own Operating Procedures within the confines of the provisions of the Development Act 1993, but is not constrained by the meeting procedures under the Local Government Act 1999 as the Panel does not operate under that Act.

**2. CONSULTATION / COMMUNICATION****2.1 Internal**

- 2.1.1 Development Assessment Panel members via a workshop held 27 January 2016
- 2.1.2 Development Services Planning Team staff

**3. REPORT**

- 3.1 Attached are two versions of draft revised Panel Operating Procedures – one with changes tracked to enable comparison with the current Operating Procedures adopted in December 2014 (attachment 1), and the second as a ‘clean’ final draft for ease of reading (Attachment 2).
- 3.2 Key changes proposed to the Operating Procedures relate to:
  - 3.2.1 Clarifying that the preferred decision-making process is by consensus;
  - 3.2.2 Providing direction on the voting process when consensus is reached, and in the event that consensus is unable to be reached (Sections 3.5 and 3.6 of the Operating Procedures);
  - 3.2.3 Providing additional guidance to the Panel on hearing of representors and applicants (Sections 3.14-3.17 of the Operating Procedures); and
  - 3.2.4 Introducing a requirement for the Panel to provide an Annual Report to Council on its operations with the option of the Presiding Member presenting that report to the appropriate standing committee of Council – currently the Policy and Planning Committee (Section 4.6 and 4.7 of the Operating Procedures).
- 3.3 In addition, a number of suggestions were made at the workshop regarding the revision of application assessment reports content and format. The opportunity has been taken through the assessment report in the current agenda to ‘test’ a revised format with Panel and obtain feedback. It is proposed that this be sought through discussion by the Panel in relation to this report on revised Operating Procedures and Agenda Format.
- 3.4 Key changes made to the report are:
  - 3.4.1 Removing tables and providing the report more in a discussion/prose style;
  - 3.4.2 Citing only key provisions of the Development Plan in the report discussion/assessment, with the balance of relevant provisions included as an appendix for reference by the Panel and other readers of the report;
  - 3.4.3 Inclusion of a ‘context map’ showing the location of the development site in the context of its wider locality; and
  - 3.4.4 Improvement in the quality and legibility of plans and photos embedded in reports and attachments.



- 3.5 In relation to the agenda format, a standing item has been introduced flagging future reports and meetings, which will be advised to the Panel by staff at the meeting.

**4. CONCLUSION / PROPOSAL**

- 4.1 The proposed changes to the Panel Operating Procedures and agenda and report format and content are presented for the Panel's consideration and for formal adoption of the Operating Procedures.
- 4.2 The Panel is able to re-visit its Operating Procedures at any time, and seek changes to the agenda report format and content, should improvements be identified and agreed by the Panel, consistent with the principles of continuous improvement.

**CO-ORDINATION**

Officer: GMCiD  
Date: 11.02.16





**City of Salisbury  
DEVELOPMENT ASSESSMENT PANEL  
General Operating Procedures**

Adopted ~~16 December 2014~~ - ~~Expiring 15 December 2016~~

**1. TIMING & NOTICE OF MEETINGS**

- 1.1 DAP meetings will be scheduled by the DAP on the fourth Tuesday of the month, or another date as determined by the Presiding Member, subject to there being business to consider.
- 1.2 The DAP will meet in the Council Civic Centre at 12 James Street Salisbury or at such other place as the Presiding Member may determine.
- 1.3 The ~~Delegated Officer pursuant to the Development Act 1993 Public Officer, or the nominated representative~~, must provide written notice detailing the date, time and place of a meeting to all DAP members at least three working days before the meeting. The notice shall include the Agenda for the meeting. The Presiding Member may include late items in the Agenda of a meeting, with the leave of the DAP.
- 1.4 Notice of DAP meetings may be given to DAP members by email, to an email address nominated by a DAP Member, or by personal delivery or post to the usual residence of a DAP Member, or via such other means as authorised by a DAP Member.
- 1.5 A copy of the Agenda (without attachments) for every ordinary meeting of the DAP shall be available for viewing by the public at the Council's offices and on the Council's web site at least three working days before the meeting of the DAP *(Due to copyright restrictions it is not ~~appropriate~~possible to provide copies of building plans for the public agenda).*
- 1.6 A special meeting of the DAP may be convened by the Presiding Member, at any time, to consider urgent business by giving not less than two working days written notice to all DAP Members.
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special meeting must only deal with the business for which the meeting has been convened.

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- 2.3 A quorum for a meeting of the DAP is four (4) DAP Members.
- 2.4 If the number of apologies received by the ~~Delegated Officer~~Public Officer, or the nominated representative, in advance of a meeting indicate that a quorum will not be present at a meeting, the Presiding Member may, by notice from the ~~Delegated Officer~~Public Officer or the nominated representative, provide to all DAP Members in advance of the meeting, a notice adjourning the meeting to a future time and date as specified in the notice (a copy of this notice will be displayed at the Council Offices and on the Council's website).
- 2.5 If a meeting is required to be adjourned by the Presiding Member, the reason for the adjournment, and the date and time to which the meeting is adjourned will be recorded in the Minutes.
- 2.6 A Deputy Presiding Member of the DAP must be appointed by resolution of the DAP, and will preside at any meeting, or part thereof, when the Presiding Member is not present.
- 2.7 If both the Presiding Member and Deputy Presiding Member are absent from a DAP meeting (or part thereof), a DAP Member will be appointed from those present by means of resolution, and will preside at the meeting. That member will have all of the powers and duties of the Presiding Member.
- 2.8 Subject to the Act and these Operating Procedures, the Presiding Member will facilitate the meeting in a manner which promotes relevant, orderly, constructive, respectful and expeditious discussion, but not repetitious discussion, with the intent of ensuring well-informed decisions and debate leading to a determination of any matters before the Panel.



- 2.9 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a DAP Member, an applicant, a representor, or any other person present at the DAP meeting, until such time as the disruption or disturbance ceases.
- 2.10 The Presiding Member may ask a member of the public who is present at a meeting of a DAP, who is:
- 2.10.1 behaving in a disorderly manner; or
  - 2.10.2 causing an interruption; or
  - 2.10.3 using audio and video recording devices, without the prior agreement of the Presiding Member, to leave the meeting.

### 3. DECISION MAKING

- 3.1 The DAP will conduct its meetings, and undertake all considerations, in accordance with [s](#)Section 56A(11) and (12) of the Act.
- 3.2 Subject to circumstances where it excludes the public from attendance at a meeting or part thereof pursuant to Section 56A(12)(a) of the Act, the Panel will generally discuss and determine applications for Development Plan Consent in public
- 3.3 The Presiding Member will invite all [Panel](#) members to speak on any matter before the Panel prior to calling for a motion.
- [3.4](#) Subject to a DAP Member having a direct or indirect personal or pecuniary interest in a matter before the DAP (other than an indirect interest that exists in common with a substantial class of persons), each DAP Member present at a meeting of the DAP must vote on a question arising for decision.
- [3.5](#) Decisions of the Panel will be where possible by consensus determined through debate and discussion of the agenda item, and where a consensus is reached the Presiding Member shall then call for a mover and put the matter to a formal vote to confirm the consensus.
- [3.6](#) Where it is evident through debate and discussion that a consensus will not be reached by the Panel, the Presiding Member shall call for a mover and a seconder and put the matter to a formal vote to determine.

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~~3.5~~3.7 Each DAP Member present at a meeting is entitled to one vote on any matter arising for decision and, if the votes are equal, the Member presiding at the meeting is entitled to a second or casting vote.

3.8 All decisions of the DAP shall be made on the basis of a majority decision of the Members present and the Minutes shall record that decision only (Votes for/against will not be recorded, and are not relevant once the majority is determined).

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~~3.7~~3.9 The DAP must use the Development Plan as the basis for its decisions, having had regard to any relevant written and verbal representations made in accordance with the provisions of the Act, or any other relevant legislation.

~~3.8~~3.10 The DAP will, for each and every application, determine whether the proposal is seriously at variance with the Development Plan, and expressly record its determination on this matter in the Minutes. If the DAP determines that the proposal is seriously at variance with the Development Plan, the DAP must provide reasons for its determination, and must expressly record those reasons in the Minutes.

~~3.9~~3.11 A development application that is assessed by the DAP as being seriously at variance with the Development Plan will be refused.

~~3.10~~3.12 The DAP must, for each and every application, provide reasons for granting or refusing Development Plan Consent, and for the imposition of any conditions, and express or record those reasons in the Minutes.

3.13 Subject to the Act, a person who has lodged a valid representation in relation to a Category 2 or 3 development application, and has indicated their desire to be heard on their representation, is entitled to appear before the DAP and be heard in support of their representation, in person or by an agent.

~~3.11~~3.14 Applicants and Representors will be allowed 5 minutes to address the DAP, unless a longer time is allowed by the Presiding Member. Where a person is nominated in a representation or by notice of the representors as representing three or more representors (including themselves) the Presiding Member may allow a longer time to address the Panel. Where an applicant is responding to a significant number of representations or a significant number of issues raised in representations, the Presiding Member may allow a longer time to address the Panel.

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3.15 Should there be no Representor wishing to be heard for a non-complying development application, Category 2 or Category 3 development application, and the recommendation is for a refusal, the Applicant will be entitled to appear

before the DAP and be heard in support of the application. Applicants will be allowed 5 minutes to address the DAP, unless a longer time is allowed by the Presiding Member.

~~3.123.16~~ Should there be no Representer wishing to be heard for a non-complying development application, Category 2 or Category 3 development application, and the recommendation is for approval, the Presiding Member may allow the Applicant to address the Panel to seek clarification and/or further information that may be required by the Panel in order to determine the application.

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~~3.133.17~~ At the discretion of the Presiding Member, any new or additional material to be submitted to the DAP by a person who has made a development application or a valid representation in relation to a matter may be accepted and considered by the DAP. A copy of any additional material accepted shall be provided to the applicant or representors by the party presenting the additional material.

~~3.143.18~~ A DAP Member may ask questions of any person appearing before the DAP. Subject to the Presiding Member's determination, all questions shall be relevant to the subject of the development application before the panel.

#### **4. MINUTES AND REPORTING**

4.1 The ~~Delegated Public Officer, or the nominated representative,~~ is responsible for ensuring that accurate Minutes are kept of ~~Panel~~~~DAP~~ meetings, and that they are confirmed by the ~~Panel~~~~DAP~~ and signed by the Presiding Member.

- 4.2 The Minutes of the proceedings of a DAP meeting will record:
  - 4.2.1 the names of the DAP Members present;
  - 4.2.2 the name and time that a DAP Member enters or leaves the meeting;
  - 4.2.3 the name of a person who has made a representation to the DAP at the meeting;
  - 4.2.4 the decision of the DAP, including an express opinion on whether the proposed development is seriously at variance with the Development Plan (including reasons as appropriate);
  - 4.2.5 [detailed](#) reasons for granting or refusing Development Plan Consent, and for the imposition of any conditions on a Development Plan Consent;
  - 4.2.6 in the absence of a decision, the deferral of the application including the reasons for the deferral;
  - 4.2.7 any disclosure of interest, or reasonably perceived interest, in a matter, made by a DAP Member and the nature of the interest;
  - 4.2.8 a decision to exclude public attendance; and
  - 4.2.9 a notation, describing the confidential nature of the information and matter, in the event a matter has been excluded from the Minutes.
- 4.3 Minutes shall not be formal Minutes of a meeting until adopted by the DAP at its next meeting. This does not, however, preclude the issue of a Decision Notification under the Act, or advising of the determination of the DAP of Development Applications immediately after a meeting at which the DAP determined the particular application.
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- 4.5. The Minutes of a DAP meeting must be forwarded to the Council and must be publicly available within two business days after their confirmation by the DAP.
- 4.6 [The Panel shall prepare and consider an Annual Report for presentation to the Council via the appropriate Standing Committee. The Annual Report may be presented by the Presiding Member and may contain \(but not be limited to\) statistical information in relation to the number of items considered, the outcomes of decisions on those items, and matters identified by the Panel in the course of its](#)



assessment of development applications that warrant referral to Council for consideration of Development Plan policy, legislative, or procedural change.

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## **5. DAP PROCEDURES & SUPPORT**

- 5.1 Insofar as the Act and these Operating Procedures do not prescribe the procedure to be followed at a DAP meeting, the DAP may determine the procedure at the time. Any such determination may be added to these Operating Procedures.
- 5.2 The DAP will permit and encourage the active participation of Council staff in attendance at a meeting in providing advice to the DAP.
- 5.3 The DAP may call for and consider such professional assistance from Council staff and other professional advisors as it deems necessary and appropriate.
- 5.4 For the purpose of facilitating constructive debate on a development application under consideration by DAP, electronic communication or other telecommunication devices may be acceptable delivery method, at the discretion of the Presiding Member, for the purpose of conducting the meeting and hearing verbal representation from a person, or their representative, in support of their representation concerning a development application, and providing the applicant, or their representative, the opportunity to verbally respond to any relevant matter. Should electronic communication or other telecommunication devices be utilised they should ensure fair and equitable communication to all attendees to the DAP meeting.
- 5.5 Should electronic communication or other telecommunication devices be utilised for the conduct of a DAP meeting, all voting shall be conducted on the voices, with the Presiding Member verbally acknowledging each individual vote before declaring the outcome of the vote, and noted in the minutes of the meeting, consistent with Part 3 of the Operating Procedures.
- 5.6 Should electronic communication or other telecommunication devices be utilised for the conduct of a DAP meeting, the Presiding Member and the Delegated Officer ~~Minutes Secretary~~ shall be present at the meeting place as nominated in the DAP Agenda for that meeting.



**City of Salisbury**  
**DEVELOPMENT ASSESSMENT PANEL**  
**General Operating Procedures**

Adopted -

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