



## **AGENDA**

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

**27 SEPTEMBER 2016 AT 6:00 PM**

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

### **MEMBERS**

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

### **REQUIRED STAFF**

General Manager City Development, Mr T Sutcliffe  
Manager Development Services, Mr C Zafiropoulos  
Team Leader – Planning, Mr A Curtis  
Planning Consultant, Mr B Green

### **APOLOGIES**

### **PRESENTATION OF MINUTES**

Presentation of the Minutes of the Development Assessment Panel Meeting held on 23 August 2016.

## REPORTS

### *Development Applications*

- 5.1.1      361/935/2015/NB ..... 9**
- Market (Shops) in car park of existing hotel (Non-complying) at 1955 Main North Road, Salisbury Heights for FarmDirect Community Market
- 5.1.2      361/1075/2016/2B ..... 131**
- Change of use from industry to material recovery facility (recycling depot) and service depot (including truck parking), construction of ancillary office and workshop, gas re-fuelling facilities comprising supply lines and storage, freestanding sign, removal of significant tree and associated vehicle parking, manoeuvring area, fencing and perimeter landscaping at 1-2 Gidgie Court and 71-75 Woomera Avenue, Edinburgh for Northern Adelaide Waste Management Authority

## OTHER BUSINESS

- 5.2.1      Status of Current Appeal Matters and Deferred Items
- 5.2.2      Policy Issues is Arising from Consideration of Development Applications
- 5.2.3      Future Meetings & Agenda Items



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## CONFIDENTIAL ITEMS

### 5.3.1 361/1075/2016/2B - Confidential Legal Advice (provided under separate cover)

Pursuant to section 56A(12) (a)(viii), the Development Assessment Panel may exclude the public from attendance at its meeting to consider legal advice. The following advice has been provided by Mr Jeremy Hill, Partner Minter Ellison Lawyers in respect to appeals that have been lodged in relation to Item 5.1.2.

## CLOSE

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

**23 AUGUST 2016**

**MEMBERS PRESENT**

Ms L Caruso (Presiding Member)  
Mr R Bateup  
Ms S Johnston  
Mr G Reynolds  
Mr J Watson  
Mr S White

**STAFF**

General Manager City Development, Mr T Sutcliffe  
Manager Development Services, Mr C Zafiropoulos

The meeting commenced at 6:06pm

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

**APOLOGIES**

Apologies were received from Mr D Wallace.

**PRESENTATION OF MINUTES**

Mr R Bateup moved, and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 26 July 2016,  
be taken and read as confirmed.

## REPORTS

### *Development Applications*

#### 5.1.1 361/938/2016

Change of use from retail (Pet Shop) to Place of Worship (Shop 9) at 1692-1700 Main North Road, Salisbury Plain for Hope Central

Mr Joseph Habermehl, Pastor, attended on behalf of the applicant and responded to questions from the Panel.

Mr R Bateup moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 5<sup>th</sup> May 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/938/2016 for “Change of use from retail (Pet Shop) to Place of Worship (Shop 9)” in accordance with the plans and details submitted with the application and subject to concurrence of the Development Assessment Commission and the following conditions:

#### *Development Plan Consent Conditions*

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

Drawing No.	Plan Type	Date	Prepared By
Dated 06.05.16	Statement of Support	Received by Council dated 11.05.16	Hope Central
Dated 06.05.16	Floor Plan	Received by Council dated 11.05.16	Hope Central
Not Stated	Site Plan	Received by Council dated 11.05.16	Hope Central
2016-0196	Statement of Effect	Received by Council dated 14.07.16	URPS

*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 250.

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

3. The hours of operation, including set-up and close-down time, be limited to 3pm to 6pm Sundays.

*Reason: To ensure the proposal is established in accordance with the submitted documentation, but allowing time for set-up and close-down time.*

4. No amplification devices of any type are to be used outside of the building on the site at any time.

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

#### Advice Notes

1. Except where otherwise in conflict with any condition under this Consent, the conditions imposed herein are in addition to conditions that apply to the subject property from previous approvals that remain active.
2. The kitchen area must comply with the Food Safety Standard under the *Food Act 2001*.

## OTHER BUSINESS

### 5.2.1 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**

The Full Court hearing in the Supreme Court was held on 1<sup>st</sup> August 2016. A judgement is expected in early September 2016.

The non-complying development application for the Farmers Market, that has been submitted separately to this Court hearing, has concluded the public consultation process and no representations have been made.

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

Nil

**5.2.3 Future Meetings & Agenda Items**

Tuesday 27<sup>th</sup> September 2016

The meeting closed at 6:19pm.

PRESIDING  
MEMBER.....

DATE.....

<b>ITEM</b>	5.1.1
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	27 September 2016
<b>APPLICATION NO.</b>	361/935/2015/NB
<b>APPLICANT</b>	Farm Direct Community Market
<b>PROPOSAL</b>	Market (Shops) in car park of existing hotel (Non-complying)
<b>LOCATION</b>	1955 Main North Road, Salisbury Heights
<b>CERTIFICATE OF TITLE</b>	Volume 6050 Folio 968
<b>AUTHOR</b>	Ben Green, Planning Consultant

## 1. DEVELOPMENT APPLICATION DETAILS

<b>Zone/Policy Area</b>	Open Space Zone Recreational Policy Area 15
<b>Application Type</b>	Non-complying
<b>Public Notification Category</b>	3
<b>Public Notification</b>	Representations received: Nil
<b>Referrals - Statutory</b>	Commissioner of Highways Heritage SA
<b>Referrals – Internal</b>	Traffic Development Engineering Environmental Health
<b>Development Plan Version</b>	Salisbury (City) Development Plan Consolidated 20 March 2014
<b>Assessing Officer</b>	Ben Green, Consultant Planner
<b>Recommendation</b>	Development Plan Consent granted subject to conditions and concurrence of Development Assessment Commission
<b>Meeting Date</b>	27 September 2016

## 2. REPORT CONTENTS

### Assessment Report

Attachment 1:	ERD Court Determination
Attachment 2:	Proposal Plans and Supporting Documentation
Attachment 3:	Category 3 Public Notice
Attachment 4:	Relevant Development Plan Provisions - Consolidated 20 March 2014

### 3. EXECUTIVE SUMMARY

The proposed development includes a change in the use of the land for a farmers market (group of shops). The market will operate in the northern car park of the subject land and will be held on Wednesdays and Saturdays between the hours of 8:00am and 1:00pm, independent of the operations of the existing hotel on site.

The subject land contains the Old Spot Hotel and associated freestanding drive-through bottle shop, located predominantly in the south west portion of the subject land. The Old Spot Hotel is a State Heritage item.

An expansive area of car parking (both formal and informal) surrounds the hotel with the main conglomerate of parks to the north east of the hotel.

It is proposed to operate a farmers market (group of shops) consisting of 40 individual stalls in the northern car park.

Market stalls will offer predominantly fresh produce (some local and some sourced elsewhere). Stalls will also include handcrafts, plants, knife sharpening, nuts, olive oil, wine, bakery products and other takeaway foods.

The nature of development has been determined by the Environment Resources and Development Court to constitute a 'group of shops', which is listed as a 'non-complying' form of development within the Open Space Zone.

The application was assessed as a 'non-complying' form of development and was the subject of Category 3 public notification. No representations were received during the notification period.

This report provides a detailed assessment of the application against the relevant provisions of the Salisbury Council Development Plan. The assessment found that:

- a) Despite being situated within the Open Space Zone, the land is already used for commercial and retail purposes including a hotel and ancillary bottle shop and associated car parking.
- b) The proposed stalls are temporary in nature and are setup and removed on market days – 2 days a week between 8:00am and 1:00pm.
- c) The proposed use is to occur in an existing car parking area for the hotel during times of low patronage for the hotel trade (ie mornings).
- d) The temporary nature of the market will not have a detrimental impact on the State Heritage Place.
- e) The proposal is not considered to have a detrimental impact on the character or amenity of the locality given the transient nature of the market.
- f) The proposed use, including taking into consideration the transient nature of the market, is considered to also not jeopardise the attainment of the Objectives or Desired Character of the Open Space Zone or 'centre' zones within the Salisbury Council Development Plan.

This report recommends that Development Plan Consent should be granted subject to conditions and the concurrence of the Development Assessment Commission.



#### 4. BACKGROUND

The Applicant had obtained Development Approval for a produce market on the subject land as a ‘special event’, as defined within Schedule 9 (11) of the *Development Regulations 2008*. The Applicant subsequently operated the market over 4 consecutive Saturdays for a period of 6 hours per day throughout mid-2015.

A subsequent Development Application was then lodged later in 2015 seeking to formalise the arrangement, thereby allowing regular operation of the market.

Development Application 361/935/2015 received Development Plan Consent and Development Approval as an ‘on-merit’ form of development, approved by the Development Assessment Panel on 21 July 2015. The development was approved as a ‘Farmers Market Independent of existing Hotel’ and was processed as an undefined land use based upon legal advice obtained by Council staff during the processing of the application.

Following the granting of Development approval by Council, a third party appeal was subsequently lodged in the ERD Court against that decision. As a preliminary point, the Appellant submitted that the development was for a ‘shop or group of shops’ and, as such, should have been treated as ‘non-complying’ in accordance with the Development Plan.

The ERD Court handed down a judgment on 21 January 2016 (*Johnson v City of Salisbury & Anor* [2016] SAERDC 1) quashing the approval and subsequently remitted the Application back to Council for assessment as a ‘non-complying’ form of development, noting that Council erred in determining the nature of the development and that it should have determined the nature of development to include a ‘group of shops’.

The applicant appealed the judgement of the ERD Court to the Full Bench of the Supreme Court but this appeal has been dismissed.

A copy of the ERD Court and Supreme Court determinations are contained in Attachment 1.

It should be noted that the Court decisions to date have focused on the assessment process followed by Council in determining the application, and have not made a judgement on the planning merits or otherwise of the proposed development.

The development application has been reprocessed as a non-complying form of development and is now being presented to the Council Development Assessment Panel for consideration.

The market land use currently operates on the site without Development Approval. The use is the subject of a Section 84 notice under the Development Act which seeks cessation of the use (in the absence of a Development Approval) but upon appeal against the notice by the applicant, the notice was suspended by order of the ERD Court pending the outcome of the appeal processes outlined above, and the re-assessment of this development application.

It should be noted that this assessment has been undertaken on the assumption that the use has not commenced, and that the current unauthorised use of the land has no influence on the assessment process. This approach is consistent with the *Development Act 1993* and case law.

## 5. SUBJECT SITE

The subject land is formally known as Allotment 200 of Deposited Plan 41172, 1955 Main North Road, Salisbury Heights, Certificate of Title reference Book Volume 6050 & Folio 968.

The subject land is irregular in shape and is bound by Main North Road to the west, the Little Para River to the north, and areas of open space to the east and south. Additional areas of open space are also evident to the west and on the opposite side of Main North Road in the vicinity of Carisbrooke Park.

The subject land contains the Old Spot Hotel and associated freestanding drive-through bottle shop located predominantly in the south west portion of the subject land. The Old Spot Hotel is a State Heritage listed item with the earliest part of the building being constructed within the nineteenth century.

An expansive area of car parking (both formal and informal) surrounds the built form with the main conglomerate of parks to the north east of the hotel. There are approximately 240 car parks and bus bays together with associated landscaping. Of the 240 on site car parks, 210 are paved and line marked adjacent to the hotel with the balance of car parks being informal and unsealed areas at the southern end of the site and at the top of the existing embankment.

The land has the benefit of two vehicle access/egress points from Main North Road. The main access point is north of the built form and provides access to the large expanse of car parks. The second access point is located adjacent to the southern property boundary.

The land contains a 30 metre wide easement in favour of the Transmission Lessor Corporation and Electranet P/L which traverses the northern portion of the land. A second smaller easement in favour of the Distribution Lessor Corporation is located further south. Site photos are provided below:





Photo 1: Looking along aisle between market stalls on market day



Photo 2: Looking north from existing access track toward car park and market stalls



Photo 3: Looking east from Main North Road toward hotel



Photo 4: Looking east from Main North Road toward existing car park



## 6. LOCALITY

The locality is determined primarily by visual reference to the site but may also be defined by the location in which visitors park while using the market.

The locality encompasses recreation land to the west and south, residential properties positioned south of the reserve corridor and a large reserve to the east/north-east within the City of Playford.

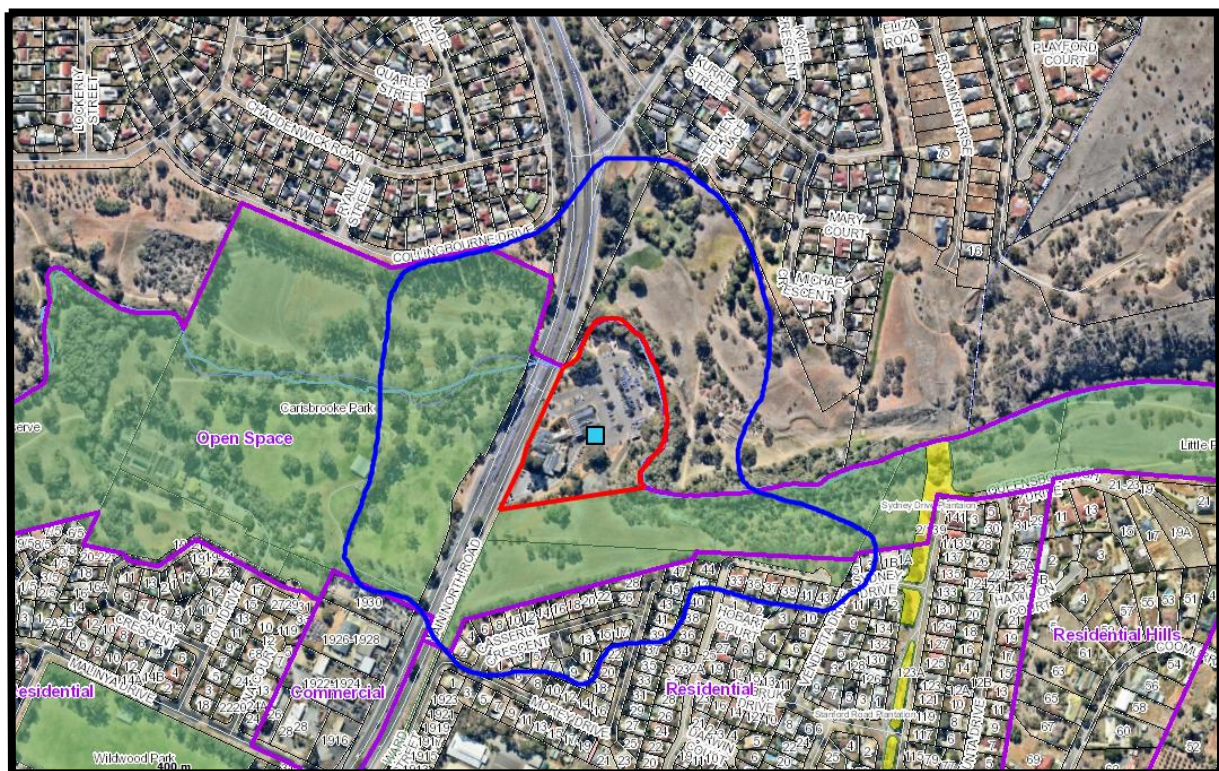
The locality is dominated by the Little Para open space corridor which runs east – west and provides open space for recreational activity, both passive and active. The highly trafficked Main North Road runs through the middle of the locality in a northeast – southwest direction.




Low density residential development exists to the north and south of the open space corridor.

On the western side of Main North Road there is a Commercial Zone that supports a wide variety of uses immediately south of the open space corridor.

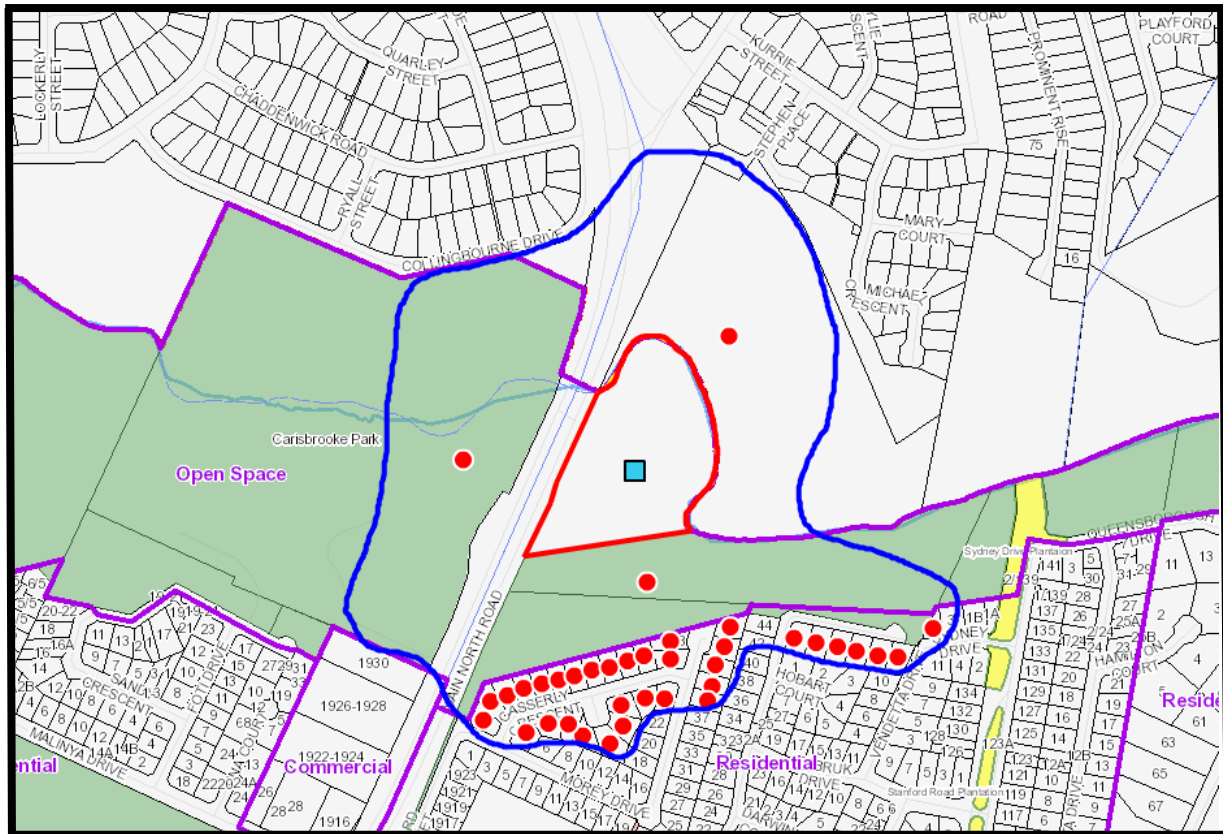
A locality plan and contextual plan are provided below.





### Locality Plan – Aerial



Legend (Source: Dekho)	
	Subject site
	Site boundary
	Locality boundary

## Locality Plan – Cadastre



Legend (Source: Dekho)	
	Subject site
	Site boundary
	Locality boundary
	Properties notified (occupiers within the subject site were also notified)



Contextual Plan:



Legend (Source: Nearmap)	
	Subject site
	Zone boundary
	Council boundary

7. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development includes a change in the use of the land for a farmers market (group of shops). The market will operate in the northern car park of the subject land and will be held on Wednesdays and Saturdays between the hours of 8:00am and 1:00pm, independent of the operations of the existing Old Spot Hotel.

A maximum of 40 individual stalls are proposed, occupying approximately 2,000m<sup>2</sup> of land inclusive of walkways, in the northern car park. This area will occupy 49 car parking spaces and bus parks out of the total 240 formal car park spaces available on the subject land.

The area of each stall is 9m<sup>2</sup> (3 metres x 3 metres). A licence fee is payable by stallholders. Some stalls occupy more than one 3 metre x 3 metres ‘bay’ in which case an increased licence fee is payable.

Stalls usually consist of a shelter in the form of a tent or canvas gazebo erected over the allocated stall area and with trestle table erected beneath. The shelters are usually held down by weights (often containers of water) and are not affixed to the ground.

Each stallholder is responsible for dismantling their stall and the removal of all rubbish generated by their stall during operation.

Market stalls will offer predominantly fresh produce (some local and some sourced elsewhere). Stalls will also include handcrafts, plants, knife sharpening, nuts, olive oil, wine, bakery products and other takeaway foods.

The market will utilise the existing toilet facilities within the Old Spot Hotel and associated bottle shop. Car parking for stallholders will occur in the second informal car park.

A copy of the proposal plans and supporting documentation are contained in Attachment 2.

## **8. CLASSIFICATION**

The classification of the market has been subject to a judgment of the ERD Court and also the Supreme Court of South Australia, following an appeal by the applicant.

The Courts have found that the proposed development:

1. is a “shop” and, therefore, is a non-complying form of development in the Open Space Zone; and
2. constitutes a change of land use and is, therefore, “development” requiring approval under the *Development Act*.

In accordance with these judgements, the proposed development constitutes a ‘shop or group of shops’ pursuant to Schedule 1 of the *Development Regulations 2008*. A ‘shop or group of shops’ is listed as a non-complying form of development within the Procedural Matters section of the Open Space Zone.

## **9. PUBLIC NOTIFICATION**

The proposed development does not fall within the ambit of Schedule 9 of the *Development Regulations 2008* and is ‘non-complying’. Accordingly, the application constitutes a default Category 3 form of development for public notification purposes pursuant to Section 38 and Schedule 9 of the *Development Act 1993* and *Development Regulations 2008*.

The Category 3 public notification period took place between 1 August and 17 August 2016. No representations were received during the public notification period.

A copy of the Category 3 public notice is contained in Attachment 3.

## **10. REFERRALS – STATUTORY**

In accordance with Section 37 of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*, the following referrals were undertaken:

### Commissioner of Highways

*Traffic flow to and from Main North Road is supported and should be appropriately managed through the course of each market to ensure driver compliance. DPTI strongly recommend that a traffic management plan be developed by the applicant to ensure that satisfactory traffic measures are put in place for market days.*



*Adequate on-site car parking should be provided.*

*All temporary signage promoting the market should be contained on the subject land and shall be installed and removed at the conclusion of each market day.*

### Heritage SA

*The proposed use is considered to have an acceptable level of impact on the heritage significance of the State Heritage Place (Old Spot Hotel), given that the market stalls are temporary structures, are located some distance from the hotel and will not affect the setting of the State Heritage Place.*

## **11. REFERRALS – INTERNAL**

Comments were sought from Council sections as follows:

### Environmental Health

*Control of waste – Steps should be put in place to ensure that waste from the activity is managed in accordance with the South Australian Public Health Act 2011 to prevent offensive odours and access by pets or vermin.*

*Wastewater – All wastewater generated from the activity should be effectively disposed to the SA Water sewerage system to prevent any risk to public health.*

*Food business notification – All new food stall operators must notify Council prior to commencing food handling operations in accordance with Food Safety Standard 3.2.2, Clause 4.*

### Development Engineering

*The site in the vicinity of the market is not identified as being subject to flooding.*

### Traffic

*In order to provide efficient and safe circulation on-site, safety for pedestrians and to minimise impact on traffic movements on Main North Road, a traffic management plan should be prepared and submitted by an accredited Traffic Management consultant.*

## **12. DEVELOPMENT DATA**

<b>Design Characteristics</b>	<b>Proposed</b>
Land Area	26,400m <sup>2</sup> (approx.)
Area of Farmers Market	2000m <sup>2</sup> (approx.)
Site Dimensions	185m approx. (Main North Road frontage); 169m depth (varies)
Easement	Easements exist over the site as follows: - Transmission Lessor Corporation and Electranet Pty Ltd; and - Distribution Lessor Corporation
Car parking	240 car parking spaces total/49 occupied by the market use
Structures	Temporary stalls comprising portable 'gazebo' canopies and trestle tables beneath
Streetscape	No significant change

Regulated / Significant Trees	No Regulated or Significant Trees are affected by the proposed development
Access Point	Existing access/egress point
Hours of Operation	8:00am to 1:00pm on Wednesdays and Saturdays
Signage	Permanent signage is not proposed. Temporary signage will be used on market days

### 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 Development Plan, Consolidated 20 March 2014. The following reasons are given in support of this recommendation:

- Despite being situated within the Open Space Zone, the land is already used for commercial and retail purposes including a hotel and ancillary bottle shop.
- The proposed stalls are temporary in nature (two days a week between 8:00am and 1:00pm) and are setup and removed on market days.
- The proposed use is to occur in an existing car parking during times of low patronage for the hotel (ie. mornings).
- The temporary nature of the market will not have a detrimental impact on the State Heritage Place.
- The proposal is not considered to have a detrimental impact on the character or amenity of the locality given the transient nature of the market.
- The proposed use, including taking into consideration the transient nature of the market, is considered to also not jeopardise the attainment of the objectives or desired character of the Open Space Zone or surrounding commercial centres.

#### Assessment

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

An extract of the relevant Development Plan, Consolidated 20 March 2014, is contained in Attachment 4. The relevant provisions are also highlighted in the Attachment.

#### Zoning and Land Use

The Open Space Zone provides for a range of passive and active recreation land uses and secures a corridor for the Little Para Linear Park and associated wetlands. Envisaged forms of development within the zone are conservation work, farming, recreation areas, sporting clubs and the like.

Development such as 'shop or group of shops' is not envisaged within the Zone or Policy Area (unless ancillary to recreation development) nor is a 'hotel' listed as being envisaged. Despite this, Concept Plan Map Sal/20 titled *Old Spot* Hotel acknowledges the existence of the hotel and its curtilage within the Open Space Zone and is supported by Principle of Development Control 5 of Policy Area 15 which effectively acknowledges the commercial nature of the subject land.

Principle of Development Control 2 of the Policy Area states that ‘shops and groups of shops’ should only be developed where they are ancillary to recreation and sport development, and the total gross leasable area is less than 80m<sup>2</sup>. While it is acknowledged that the proposed development does not satisfy this provision, the proposal is considered to represent a non-permanent expansion to the range of commercial activities occurring on the site, which is clearly identified by the Development Plan as being intended for commercial purposes.

It is acknowledged that the proposed development will be undertaken independently to that of the existing hotel, however given the transient nature and anticipated frequency of the proposed activity, the hotel is considered to remain the dominant use. The proposed development will occur on Wednesdays and Saturdays for a limited period of time when the hotel is not at peak demand times. The market comprises no fixed structures and given its temporary nature, will not detrimentally impact on the Open Space character envisaged within the Zone.

Given the above, the proposed land use is considered to be fundamentally appropriate.

#### Appearance of Land and Buildings

The farmers market is proposed to be sited in the northern end of the car park, as far away as practicably possible from the State Heritage listed Old Spot Hotel and Main North Road.

As mentioned earlier, permanent structures are not proposed. All stalls are temporary in nature and usually comprise a tent or canvas gazebo erected over the allocated stall area with trestle table erected beneath. All shelters are proposed to be clustered together, separated by walkway isles neatly established between the rows. The shelters are usually held down by weights (often containers of water) and are not affixed to the ground.

Principle of Development Control 9 of the Open Space Zone provides guidance for the siting of ‘buildings’ within the Open Space Zone.

#### **9**     *Buildings should be:*

- (a) Restricted in size and number;*
- (b) Sited so as not to detract from the open natural character of the zone;*
- (c) Be well set-back from public roads;*
- (d) Be clustered, where practicable, to ensure that the majority of any site remains open in appearance;*
- (e) Generally be of dark natural colours such as brown and green so as to be unobtrusive and not detract from natural elements of the landscape;*
- (f) Constructed of materials which blend with the landscape.*

Given that the shelters are non-permanent lightweight structures, this provision is not considered to be particularly relevant, however, their siting is considered to be in accordance with the above, given that:

- a) They will be sited so as not to detract from the open natural character of the zone;
- b) They are well setback from public roads;
- c) They are clustered to ensure the majority of the site remains open in appearance;

- d) They are situated in excess of 50 metres from Main North Road, set behind the existing building line and the landscaped buffer;
- e) Any signage used will only be temporary in nature.

Given the transient nature of the proposal and the siting of the proposed shelters, the proposal will have minimal visual impact on the locality and is therefore considered to be acceptable.

#### Car Parking

There are 240 car parks (both formal and informal) on the site. The area occupied by the activity will occupy 49 car parking spaces in the northern end of the car park, thus leaving about 191 spaces available for market customers and hotel/bottle shop patrons.

Applying Table Sal/2 – Off Street Vehicle Parking Requirements, shops located outside of Centre Zones should be served by 7 spaces per 100m<sup>2</sup> of gross leaseable area. If calculated based upon the total area to be occupied by the market, inclusive of aisles and service areas, this would mean that 140 car parks should be provided. However, if based upon the gross leaseable area only (ie. 40 stalls measuring 9m<sup>2</sup> each = 360m<sup>2</sup>), this equates to 26 car parks.

Given that 191 car parks will be available during market days and the fact that the market will operate during non-peak hotel operating times, the level of car parking provided on-site is considered to be acceptable.

In addition to the above, Council staff have been able to observe the operation of the car park demand since operations commenced in 2015. Council staff noted that the peak period for the market is usually 9:30am – 11:30am and that car parking demand sometimes exceeded supply. However, the period of peak demand was usually for short periods only and usually parking was in good supply from about 11:30am until close.

This anecdotal evidence suggests that the amount of car parking provided on-site is about right for the size of the market. It is acknowledged that the popularity of the market may change over time, which may alter the demand for parking on-site during market opening times, however, the size of the market and operating times cannot be changed unless a variation to the approval is obtained.

#### Traffic and Access

The Applicant has submitted a Traffic Management Plan to Council and the Commissioner of Highways for their consideration. This plan identifies the northern access/egress point as being favourable for entry and the southern access/egress point for exit. The Traffic Management Plan also addresses circulation of traffic on-site and how this will be managed.

The Commissioner of Highways has not objected to the traffic and parking arrangements in general, however, they are yet to sign off on the final Traffic Management Plan and accordingly, have requested that a condition be imposed in the event of approval, requiring their final sign-off. A Reserved Matter is included in the recommendation to address this.

Impact on Retail Centres

Under the Council-wide ‘Centres and Retail Development’ module, Principles of Development Control 10 and 12 states that:

- 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.*
- 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;*
  - (c) Be developed taking into consideration its effect on adjacent development.*

The proposal provides for a retail trading area of approximately 1,200m<sup>2</sup>, and given the ERD Court determination that the proposal constitutes a ‘group of shops’, an assessment of the impact of this proposal upon the operation of existing retail centres should be made.

It is important to point out that Development Plan policy has been stagnant in responding to trends such as farmers markets and the like that have been growing in popularity in other suburbs, townships and regional centres of South Australia as trends continue with customers wanting to purchase local fresh produce from the grower and others looking for a more organic/alternative shopping experience.

That said, the State Government has shifted its priorities away from retail centres policy, instead encouraging competition by removing non-complying floor area caps and encouraging retailing more broadly outside of centres. While this does not affect the version of the Development Plan applicable to this application, it is important to recognise that there has been a shift in Government policy.

There are several ‘nearby’ shopping centres including:

- Elizabeth Vale Shopping Centre (1.5km approximately);
- Elizabeth South Shopping Centre (3.2km approximately);
- Elizabeth Town Centre (4.0km approximately); and
- Salisbury Town Centre (4.5km approximately).

These centres are considered to be more for the broader day to day needs of people living within the district, in contrast to the relatively narrow primary product offering fresh produce that is being offered within the current market proposal.

It is understood that the primary purpose of the market is to sell produce, sourced locally and from elsewhere. While there is no supporting evidence to indicate that the level of retail trading will or will not have a detrimental impact on businesses in ‘nearby’ centres, given the transient nature of the proposal and the limited hours of operation, it is my opinion that the proposal is unlikely to jeopardise the attainment of the Objectives and Desired Character of ‘nearby’ existing developed Centre Zones and therefore is an appropriate form of development in the proposed location outside of a Centre Zone.

Outdoor Advertisements

Council-wide Principle of Development Control 2, under the heading “Advertisements”, states that:

2     *The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:*

- (a) Clutter;*
- (b) Disorder;*
- (c) Untidiness of buildings and their surrounds;*
- (d) Driver distraction.*

As mentioned earlier, all signage will be of a temporary nature only. The main sign promoting the market will be an A-frame sign mounted on a trailer adjacent the northern entry to the site. All other signage apart from stall identification will comprise small directional signs for directing vehicle traffic and pedestrians.

The proposed signage will not disfigure the locality by way of proliferation of signage or adding to visual clutter nor will it result in distraction to drivers using Main North Road given that the signage is non permanent, is not illuminated and does not contain any moving or scrolling messages.

#### **14. CONCLUSION**

Despite being a non-complying form of development, the proposed development is considered to be appropriate, given that it is a temporary use of the land upon an existing commercially established property and is not considered to interfere with the attainment of the Objectives or Desired Character of the Open Space Zone or Development Plan given that:

- a) Despite being situated within the Open Space Zone, the land is already used for commercial and retail purposes including a hotel and ancillary bottle shop and associated car parking.
- b) The proposed stalls are temporary in nature and are setup and removed on market days – 2 days a week between 8:00am and 1:00pm.
- c) The proposed use is to occur in an existing car parking area for the hotel during times of low patronage for the hotel trade (ie mornings).
- d) The temporary nature of the market will not have a detrimental impact on the State Heritage Place.
- e) The proposal is not considered to have a detrimental impact on the character or amenity of the locality given the transient nature of the market.
- f) The proposed use, including taking into consideration the transient nature of the market, is considered to also not jeopardise the attainment of the objectives or desired character of the Open Space Zone or ‘centre’ zones within the Salisbury Council Development Plan.

It is therefore recommended that Development Plan Consent be granted, subject to conditions, advice notes and the concurrence of the Development Assessment Commission.

**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 Development Plan – Consolidated 20 March 2014.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/935/2015/NB for “Market (Shops) in car park of existing hotel (Non-complying)” in accordance with the plans and details submitted with the application and subject to the following conditions and concurrence of the Development Assessment Commission:

*Development Plan Consent Conditions*

- 1. The development shall be carried out in accordance with the details submitted with the application and Council stamped approved plans lodged with the application, except where varied by the conditions herein.

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

- 2. All trade waste and other rubbish shall be contained and stored pending removal in covered containers and screened from public view.

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

- 3. The hours of operation of the farmers market shall be limited to Wednesdays and Saturdays each week from 8:00am to 1:00pm.

*Reason: To ensure orderly development.*

- 4. All advertising signage and displays associated with the development shall be located within the property boundaries and relate to the activity only and be removed at the end of each trading day.

*Reason: DPTI Condition*

- 5. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land at any time.

*Reason: DPTI Condition*

- 6. The proposed vehicle access ramp leading to the unmade car park at the top of the embankment on the subject property shall be graded and surfaced using all-weather materials to the satisfaction of Council to ensure safe vehicle movement to and from the car park at all times.

*Reason: To ensure safe and orderly traffic management.*



7. The proposed unmade car park at the top of the embankment shall be formed of all-weather material such as gravel to the satisfaction of Council to ensure all weather access at all times.

*Reason: To ensure safe and orderly traffic management.*

Reserved Matter

1. The applicant shall prepare a Traffic Management Plan which shall ensure that all traffic accessing the site during market days is managed safely and not impact on the safety and efficiency of Main North Road. The Traffic Management Plan shall be submitted to the Department of Planning, Transport & Infrastructure for Approval prior to the issue of Development Approval.

*Reason: To ensure safe and orderly traffic movement.*

Advice Notes

1. The conditions imposed herein are in addition to the conditions that apply to the subject property from previous approvals that remain active.
2. All wastewater generated by the activity shall be effectively disposed to the SA Water sewerage system to prevent any risk to public health under the Public Health Waste Water Regulations.
3. All food stalls shall notify Council prior to commencing food handling operations in accordance with Food Safety Standard 3.2.2 Clause 4.

**CO-ORDINATION**

Officer:	GMCID	MDS
Date:	14.09.16	09.09.16

**ATTACHMENTS**

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

1. ERD Court Determination
2. Proposal Plans and Supporting Documentation
3. Category 3 Public Notice
4. Relevant Development Plan Provisions - Consolidated 20 March 2014



Attachment 1

ERD Court Determination

# ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA

## JOHNSTON v CITY OF SALISBURY & ANOR

[2016] SAERDC 1

Judgment of His Honour Judge Costello

21 January 2016

### ENVIRONMENT AND PLANNING - ENVIRONMENTAL PLANNING

Appeal and Application for Review - the appellant appealed on the merits against Council's decision granting approval for development described as 'Farmers Market Independent of Existing Hotel' - the appellant also sought to review Council's decision to determine the nature of the development in this way and to classify it as an on-merit form of development - appellant submitted the development was for a shop or group of shops and, as such, should have been treated as non-complying in accordance with Council's Development Plan.

HELD: Council should have determined nature of development to be a group of shops and treated it as a non-complying form of development - Development Approval set aside - application remitted to Council for determination according to law.

*Development Act 1993* ss 4, 6, 32, 33, 35, 86; *Development Regulations 2008* sch 1, referred to. *Parramatta City Council v Brickworks Ltd* (1972) 128 CLR 1; *Simms v Lee* (1945) 45 SR (NSW) 352; *McNamara v Quinn* [1947] VicLawRp 16; *Re: Mayne* [1947] QWN 40; *Turner v York Motors Pty Ltd* (1951) 85 CLR 55; *Skavantzios v Vander-Lee* (1974) 9 SASR 342, considered.

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Appellant: BENJAMIN JOHNSTON Counsel: MR S HENRY SC - Solicitor: GRIFFINS LAWYERS  
First Respondent: CITY OF SALISBURY Counsel: MS V SHUTE - Solicitor: KELLEDY JONES  
Second Respondent: MARK ALDRIDGE In Person  
Hearing Date/s: 08/12/2015  
File No/s: ERD-15-188  
B

**JOHNSTON v CITY OF SALISBURY & ANOR  
[2016] SAERDC 1**

**Introduction**

- 1 This matter involves an appeal pursuant to s 86(1)(b) of the *Development Act 1993* ('the Act') and an application for review pursuant to s 86(1)(f) of the Act. Benjamin Johnston ('the appellant') appeals against a decision of the City of Salisbury ('the Council') to grant Development Approval ('DA') for a development described as 'Farmers Market Independent of Existing Hotel' ('the proposed development') on land at 1955 Main North Road, Salisbury Heights ('the land').

**Preliminary Point**

- 2 In addition to his appeal the appellant has applied for a review of the Council's decision determining the nature of the proposed development to be a farmers' market and, in turn, classifying it as an on-merit form of development.
- 3 The appellant submits that, properly understood, the proposed development is either a shop or a group of shops and that, as such, it should have been processed by the Council as non-complying rather than as on-merit. The parties seek to have this issue determined as a preliminary point.
- 4 The land, the subject of the appeal and the review, is located in the Open Space Zone and Recreation Policy Area 15 of the Council's Development Plan consolidated on 18 December 2014.

**Agreed Facts**

- 5 Prior to the commencement of the hearing the parties filed the following Agreed Facts:
1. The markets, the subject of these proceedings, are located at 1955 Main North Road, Salisbury Heights, more particularly in the northern car park area of the Old Spot Hotel.
  2. The City of Salisbury approved the markets (including Stallholder parking, walkways and other areas required to operate the market in addition to the area required for stalls) to occupy approximately 2000m<sup>2</sup> of the car park of the Hotel...
  3. The markets are open to the public every Wednesday and Saturday from 8am to 1pm.
  4. The markets consist of a maximum of 40 stalls. The area of each stall is 3m x 3m. The licence fee payable by Stallholders for such a stall is \$25 per market day on Saturdays and \$15 on Wednesdays but this fee may be varied by the Market Manager on the day. Some stalls occupy more than one 3m x 3m 'bay' in which case a higher licence fee is payable.
  5. For an individual/business/company to become a Stallholder in the market, the individual/business/company must fill out the required details on the form entitled

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'Farm Direct Community Markets ('Market') Stallholder Licence Application', sign this form and return it to Farm Direct Community Markets.

6. If the application is approved the Stallholder presents at the market, pays the applicable daily licence fee and is provided a receipt from the Market Manager stating 'Stallholder fee payment'.
  7. Upon payment of the fee the Stallholder is then allocated an identified area by the Market Manager. The Stallholder then proceeds to the allocated area and sets up his/her/its stall.
  8. Stalls usually consists of a shelter in the form of a tent/canvas gazebo erected in/over the allocated area and trestle(s) erected under the shelter. The tent/gazebo is weighted down by weights. These are often containers of water. The shelters are not affixed to the surface of ground.
  9. Each Stallholder is responsible for the presentation, cleanliness and staffing of their own stall. Each Stallholder must have a Public Liability Insurance Policy to cover them for partaking in markets.
  10. Each Stallholder is responsible for the dismantling of their own stall and the removal of any and all rubbish generated by their stall during the operation of their stall.
  11. All stalls must be dismantled and removed from their allocated area (and the whole market area) by 2pm.
- 6 Before considering the issues for determination on the preliminary point, it is convenient to set out the relevant parts of the Statutory Scheme pursuant to which the Council made its decisions.

### Statutory Scheme

#### *The Development Act*

- 7 The Act relevantly provides:

#### 4—Interpretation

...

*development* means—

...

- (b) a change in the use of land

...

#### 6—Concept of change in the use of land

- (1) For the purpose of determining whether a change in the use of land has occurred, the commencement or revival of a particular use of the land will, subject to subsection (2), be regarded as a change in the use of the land if—

...

- (c) the use is additional to a previously established use of the land which continues despite the commencement of the new use.

...

- (6) For the purposes of this section, a particular use of land will be disregarded if the extent of the use is trifling or insignificant.

### **32—Development must be approved under this Act**

Subject to this Act, no development may be undertaken unless the development is an approved development.

### **33—Matters against which development must be assessed**

- (1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):
  - (a) the provisions of the appropriate Development Plan (*development plan consent*);

...

### **35—Special provisions relating to assessment against Development Plan**

...

- (3) A development that is of a kind described as a *non-complying* development under the relevant Development Plan must not be granted a development plan consent unless—
  - (a) where the relevant authority is the Development Assessment Commission— the Minister and, if the development is to be undertaken in the area of a council, that council, concur in the granting of the consent;
  - (b) in any other case—
    - (i) unless subparagraph (ii) applies—the Development Assessment Commission;
    - (ii) in prescribed circumstances—a regional development assessment panel, concurs in the granting of the consent.

...

### ***The Development Regulations***

- 8 The *Development Regulations 2008* ('the Regulations') relevantly provide:

#### **Schedule 1—Definitions**

...

ERDC No. 188 of 2015

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*shop* means—

- (a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or
- (b) a restaurant; or
- (c) a bulky goods outlet or a retail showroom; or
- (d) a personal service establishment,

but does not include—

- (e) a hotel; or
- (f) a motor repair station; or
- (g) a petrol filling station; or
- (h) a plant nursery where there is no sale by retail; or
- (i) a timber yard; or
- (j) service trade premises; or
- (k) service industry;

***The Development Plan***

- 9 The Development Plan relevantly provides:

**Open Space Zone**

...

**PROCEDURAL MATTERS**

...

**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
...	...
Shop or group of shops	...
...	...

...

Shop or group of shops

...



**The Hearing**

- 10 As part of his case the appellant tendered, without objection, a report from a consultant town planner, Mr Smith.<sup>1</sup> In this statement Mr Smith provided an overhead map of the Old Spot Hotel with a Market Stall layout superimposed. He also described, in general terms, the manner in which the Market operates, together with the goods and services on offer on market days. The appellant also tendered a specimen copy of the Market Stallholder Licence Application<sup>2</sup> with some of the personal details 'blacked out'.
- 11 As part of its case the Council tendered a Book of Documents<sup>3</sup> containing, amongst other things, the plans which accompanied the second respondent's application for DA.
- 12 As part of his case the second respondent tendered an affidavit from Garry Temple, the Market manager, which he adopted and endorsed. In his affidavit Mr Temple confirmed that fees for the Saturday markets are set at \$25 for a 3 m x 3 m stall area and that 99% of the stallholders use 3 m x 3 m gazebos. These gazebos are depicted in attachments C and D to Mr Smith's statement.
- 13 In his evidence the second respondent indicated that, as a condition of being granted a licence, an applicant would have to satisfy the Market Operator that the type of produce he or she was proposing to sell was 'up to standard'. Upon receiving an approval, paying the fee and executing the licence application, an applicant would, subject to space being available, be allocated a stall area. Applicants would then be entitled, during trading periods, to occupy these areas exclusively i.e. to the exclusion of other stallholders and/or members of the public.
- 14 He said that the Market area comprised the area generally depicted on the plans at pages 4, 6, 7 and 105 of the Book of Documents and that it operated on only two days per week, between 8:00 am – 1:00 pm on Saturdays and Wednesdays. After 1:00 pm stallholders are required to dismantle the stalls and remove them by no later than 2:00 pm.
- 15 Against the background of this documentary and oral evidence I make the following findings:
- The overall Market area upon which the Market operates comprises only part of the area of the Hotel car park but is, nevertheless, able to be clearly defined;

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<sup>1</sup> Exhibit A1.

<sup>2</sup> Exhibit A2.

<sup>3</sup> Exhibit R1.

- The individual stalls each occupy an open area of land which is understood by both the licensor and licensee to comprise an area of 3 m x 3 m;
- No set or regular stall is allocated to any particular licensee. Stalls are allocated on a first to arrive basis;
- Each individual stallholder is entitled, during the operation of the market, to conduct his or her business to the exclusion of all others, providing he or she pays the agreed fee and obeys the conditions of the licence;
- The overwhelming majority of stallholders operate using only a gazebo and a form of trestle table;
- The structures, comprising each stall, are such that they are easily able to be erected and equally easily later dismantled and removed.

#### Issues for Determination

- 16 With these considerations in mind I now turn to consider the central issue which arises for determination on the preliminary point, namely:

- Does the proposed development constitute a shop or group of shops such that it should have been treated by the Council as non-complying in accordance with the relevant provisions of its Development Plan?

#### Shop

- 17 As indicated earlier the word 'shop' is defined in sch 1 of the *Regulations* to mean *inter alia*:

...

- (a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials... (my emphasis)

...

- 18 There can be little doubt, on the evidence presented, that retail sales and displays of foodstuffs take place on the land when the Market is in operation. However, two supplementary questions remain in issue, namely, whether the Market in general or the individual stalls may be said to constitute 'premises' and, if so, are they 'premises' which are used primarily for sales by retail or for display?



**Premises**

19 In my view the word '*premises*' is not a true term of art. I regard it rather as a protean word that takes its precise meaning from the particular context in which it appears. '*Premises*' is an ordinary English word and when it appears in a Schedule to an Act with as broad a remit as one which provides for '*proper, orderly and efficient planning and development in the State*', there is no reason to construe it in a narrow or overly technical sense.

20 The Macquarie Dictionary<sup>4</sup> defines '*premises*' relevantly to mean:

... 2. (plural) a. the property forming the subject of a conveyance, b. a tract of land, c. a house or building with the grounds, etc belonging to it ...

21 I agree with Mr Henry SC that meaning '2a' (concerned as it is with conveyancing) is unlikely to be the intended meaning in a land use statute.<sup>5</sup> In the context of the meanings identified in 2b and 2c respectively the appellant advanced two propositions, first, that the bare tract of land upon which the Market operates (provided it is an identifiable area of land) is premises and by extension a shop and, secondly, that each stall from which retails sales occur is premises and therefore a shop.

**Premises as Bare Land**

22 During the course of argument I was referred to a series of cases which determined that '*premises*' did not, without more, encompass bare land, but required something in the nature of a building or structure on it before it could be considered to be '*premises*'.<sup>6</sup>

23 Although I have no reason to doubt the correctness of these decisions, it needs to be acknowledged that the reasoning underpinning them was significantly influenced by the definitions of the word '*premises*' in the statutes there under consideration.

24 There is no reason in principle, in my view, why bare land without more cannot constitute '*premises*'. In this respect I note the observations of Williams J in *Turner v York Motors*<sup>7</sup> where his Honour said:

... The word '*premises*' is used in a popular sense and in this sense has a wide meaning. It is wide enough to include bare land. Its true meaning in any particular statute must be ascertained from the context in which it appears and from an examination of the scope and purpose of the statute as a whole...

25 The question then arises as to whether, from an examination of the Act and Regulations, what is intended by the use of the term '*premises*' is simply an area

<sup>4</sup> Revised Third Edition.

<sup>5</sup> cf *Parramatta City Council v Brickworks Ltd* (1972) 128 CLR 1, 23.

<sup>6</sup> *Simms v Lee* (1945) 45 SR (NSW) 352; *McNamara v Quinn* [1947] VicLawRp 16; *Re: Mayne* [1947] QWN 40; *Turner v York Motors Pty Ltd* (1951) 85 CLR 55.

<sup>7</sup> *Ibid* at p 83.

of land upon which business is conducted or whether what is required is that there be a building or structure erected upon it.

26 The Act and the Regulations made under it deal generally with the concept of development which, at its broadest level, concerns both the use of land (or a change in use) and building work which takes place on the land. At this level the Act and Regulations give no clear direction as to whether premises means bare land or something more.

27 However, when one has recourse to the definition of 'shop' in its entirety, the fundamental components of the various land uses there identified, would appear to comprise both an area of land and the buildings or structures erected upon it.

28 In support of his argument that all that is required is an identifiable or definable area of land and nothing more, Mr Henry pointed to the references in the definition of shop to 'service trade premises' and 'timber yard' which, he submitted, were historically understood to comprise nothing more, for practical purposes, than outdoor areas of land from which goods were sold.

29 I do not agree. Even at a basic level these land uses include buildings or structures, often of permanence, erected upon an area of land in order to facilitate the business being undertaken. Obvious examples of typical 'buildings' could include those of an office or administrative nature whereas 'structures' could comprise things such as containers designed to 'house' or protect the merchandise to be sold. In the result, in my view, a common feature which applies to all the businesses identified in the definition is an area of land used in association with one or more buildings or structures erected upon it.

30 Acknowledging that '*premises*' is a word of wide import it seems to me that, in the context of the Act and Regulations in general and the wording of the definition in the Schedule in particular, something more than bare land is required to constitute '*premises*'.

31 Accordingly, I am not satisfied that the bare tract of land itself, upon which the Farmers Market is operated on Wednesday's and Saturday's each week, constitutes '*premises*'. I now turn to consider whether each individual stall may constitute '*premises*'.

#### ***Are the Individual Stalls Premises?***

32 In *Skaventzos v Vander-Lee*<sup>8</sup> the Full Court was concerned with a roadside stall which was used for the purposes of selling fruit and vegetables. Mr & Mrs Skaventzos were charged and convicted *inter alia* of using the land (upon which the stall was erected) as a shop without consent contrary to the Planning Regulations then in force.

<sup>8</sup> (1974) 9 SASR 342.

33 'Shop' was defined in those Regulations as follows: ,

- (1) Any premises used or designed to be used primarily for the sale by retail of goods, merchandise or materials, or for the exposure, offer or display of goods, merchandise or materials;
- (2) A cafe or restaurant; and
- (3) A personal service establishment;  
but does not include a hotel, motor repair station, petrol filling station, bank, post office, timber yard, roadside stall or premises used for the sale, or for the exposure or offer for sale, of motor vehicles or other vehicles or machinery, or of basic equipment or plant for use in industry, primary production or the building trade.  
(my emphasis)

34 In considering whether the structure in question was a roadside stall and therefore excluded from the definition of 'shop', the Court said:<sup>9</sup>

So a shop has a positive attribute, viz. premises used or designed to be used primarily for the sale by retail of goods. Clearly the structure in question comes within this specification. There was some discussion as to the meaning of the word 'premises', but we have already found the point of sale to be a building and whatever wider meaning the word 'premises' may sometimes bear it certainly includes a building used as a shop. So the argument is as to whether it is exempted as being a roadside stall.

The first thing to notice is that a stall is treated as a kind of shop for the purposes of the definition. If it were not so regarded it would be pointless to exclude it by particular reference from the general definition.

It follows, in our opinion, that a stall from which goods are sold by retail must necessarily be a shop, within the meaning of the regulations, but it is none the less necessary to distinguish a 'stall' from a 'shop', for what is excluded from the definition is not a 'roadside shop' but a 'roadside stall'. It seems to us also to follow that the phrase 'roadside stall' is not to be treated as a compound unseverable expression. There may, we think, be various kinds of stalls, and in various situations. They may be on private land on the occasions of fetes or other charity occasions; they may be set up for the sale of food to spectators at games. They may be 'roadside' or not 'roadside' for that adjective merely amounts to a geographical attribute of some kinds of stall. In order to be exempt from the definition of a shop, however, the 'premises' must not only have the characteristics of a 'stall' but they must also have the geographical attribute of 'roadside'. If the geographical attribute is lacking, then a stall, however characterised, is still a shop within the meaning of the regulations. Conversely, if the premises can be properly described as 'roadside', it becomes necessary to determine whether they are the kind of shop which may properly be characterised as a stall.

What then distinguishes a 'stall' from other kinds of 'shops'? We think, it must be the transient and unsubstantial character of the structure at which the retail selling of goods is conducted. In saying that, we are not to be understood as saying that a structure which is a 'building' within the meaning of the *Building Act* is not a stall, and indeed, as we shall point out later, a 'building' may include a stall, as we have described it, for *some* purposes of the Planning Regulations. But at least if the structure is, in common parlance, a 'building' it is *ipso facto* less likely to be a 'stall'. Applying that to the present case, we

<sup>9</sup> Ibid at 348-349.



think that the structure used by the respondents, was not only a building but had such attributes of permanence, structural solidity and the like as to take it out of the category of 'stall'. A shop is none the less a shop because it has an open physical plan with movable tables as counters, with goods displayed otherwise than on shelves or counters, and with an absence of clear differentiation between shopkeeper areas and customer areas. (my emphasis)

35 It may be acknowledged that the definition under consideration in *Skaventzos* is 'couched' in different terms from the definition in sch 1 to the Regulations. Importantly, the reference to 'roadside stall' has been removed. However, despite the fact that the present definition is worded differently, the reasoning in *Skaventzos* is to my mind still apposite. In my view, the removal of the phrase 'roadside stall' did not have the effect of removing 'stalls' from the definition of shop in sch 1 but rather served to 'catch' all kinds of stalls regardless of where they were located.

36 So understood, the reference in *Skaventzos* to a shop being '*none the less a shop because it has an open physical plan with movable tables as counters where goods displayed otherwise than on shelves or counters and with an absence of clear differentiations between shopkeeper areas and customer areas*' is apt to describe the operations being conducted by the individual stallholders at the Farmers Market.

37 As a result, I am satisfied that each individual stall, with its specified area of land upon which there is erected a gazebo and trestle and from which goods are displayed and sold, is '*premises*' within the ordinary meaning of the word, namely an area of land with a building or structure erected upon it.

#### *Primarily*

38 The remaining issue for consideration is whether the '*premises*' are being used primarily for the display and sale of goods.

39 It is common ground that the Farmers Market takes place on land comprising part of the car park for the Old Spot Hotel but only on two days a week between 8:00 am and 1:00 pm.

40 Mr Aldridge submitted that because the land is used for market purposes for no more than 10-12 hours per week and as a hotel car park outside those hours, the '*premises*' are not being used primarily for the sale/display of goods by retail.

41 I do not agree. The Act contemplates that land may be used for more than one purpose.<sup>10</sup> Prior to the commencement of the Market the land was being used as a hotel car park. The commencement of the Market operation represented a change in the use of the land with the introduction of an additional and quite independent use to that of the existing car park use. Thereafter there have been two separate and distinct uses operating on the land. As a result, on the days and

<sup>10</sup> s 6(c).

at the times when the Market is operating the area of land occupied by the Market stalls is primarily, if not exclusively, used for the retail display and sale of goods.

- 42 In the result, I am satisfied that the '*premises*' are being used primarily for retail display and sales of the goods provided by the various stallholders.

### Conclusion

- 43 The land occupied by each individual stallholder constitutes '*premises*' used primarily for the sale by retail and display of goods, foodstuffs, merchandise or materials. The Council erred in determining the nature of the proposed development to be Farmers Market Independent of Existing Hotel. The Council should have determined the proposed development to be a group of shops and processed it as a non-complying form of development.

### Formal Order

- 44 The Application for Review is allowed.
- 45 The decision determining the nature of proposed development to be Farmers Market Independent of Existing Hotel is set aside. The decisions granting Development Plan Consent for the proposed development are set aside. The application for development approval for the proposed development is remitted to the Council for processing and determination according to law.

and development approval

**SUPREME COURT OF SOUTH AUSTRALIA**  
(Full Court)

**ALDRIDGE v JOHNSTON & ANOR**

**[2016] SASFC 99**

**Judgment of The Full Court**

(The Honourable Chief Justice Kourakis, The Honourable Justice Kelly and The Honourable Justice Bampton)

**8 September 2016**

**ENVIRONMENT AND PLANNING - ENVIRONMENTAL PLANNING -  
DEVELOPMENT CONTROL - APPLICATIONS - OBJECTIONS**

**ENVIRONMENT AND PLANNING - ENVIRONMENTAL PLANNING -  
DEVELOPMENT CONTROL - EXISTING USES - CONTINUANCE OR  
CHANGE OF USE - PARTICULAR CASES**

**ENVIRONMENT AND PLANNING - COURTS AND TRIBUNALS WITH  
ENVIRONMENT JURISDICTION - SOUTH AUSTRALIA - SUPREME  
COURT - ERRORS OF RELEVANT AUTHORITY**

Appeal against a decision of a Judge of the Environment, Resources and Development (ERD) Court.

The appellant was an applicant for development approval from the second respondent (the Council) to establish a farmers market in a hotel carpark. The Council granted development approval and classified it as an on-merit form of development.

The first respondent objected to the proposal, and appealed to the ERD Court on the grounds that the development was for a shop or group of shops, and should have been treated as non-complying in accordance with the Council's development plan. A Judge of the ERD Court allowed the appeal and set aside the Development Plan Consent and Development Approval, remitting it to the Council for determination.

The appellant appeals against the decision of the ERD Court on the grounds that the Judge erred in determining that the proposed farmers market development was included within the definition of a shop.

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**On Appeal from ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT OF SOUTH AUSTRALIA (HIS HONOUR JUDGE COSTELLO) [2016] SAERDC 1**

**Appellant: MARK MARSHALL ALDRIDGE Counsel: MR B HAYES QC - Solicitor: STEVEN M CLARK PTY LTD**

**First Respondent: BENJAMIN JOHNSTON Counsel: MR I RICE - Solicitor: GRIFFINS LAWYERS**

**Second Respondent: CITY OF SALISBURY Counsel: MS V SHUTE - Solicitor: KELLEDY JONES**

**Hearing Date/s: 01/08/2016**

**File No/s: SCCIV-16-169**

**B**

Held per Kourakis CJ (Kelly and Bampton JJ agreeing), dismissing the appeal:

1. The word premises in the definition of a shop should be construed widely in order to promote the object of the Development Act 1993 (SA).
2. The development of a farmers market added a use to the area of the carpark which was essentially different to its pre-existing use.

*Development Act 1993* (SA) ss 3, 4, 6, 32, 33, 35, 86; *Development Regulations 2008* (SA) sch 1; *Landlord and Tenant (Amendment) Act 1948-1949* (NSW), referred to.  
*Skaventos v Vander-Lee* (1974) 9 SASR 342; *Prestige Car Sales Pty Ltd v Corporation of the Town of Walkerville and Shuttleworth* (1979) 20 SASR 514, distinguished.  
*Turner v York Motors Pty Ltd* (1951) 85 CLR 55, considered.

**ALDRIDGE v JOHNSTON & ANOR**  
**[2016] SASFC 99**

**Full Court: Kourakis CJ, Kelly and Bampton JJ**

- 1 **KOURAKIS CJ:** This is an appeal by Mr Mark Aldridge, the appellant, and applicant for development approval, against a judgment of the Environment, Resources and Development Court (the ERD Court) that his proposed establishment of a farmers market in the carpark of the Old Spot Hotel on Main North Road, Salisbury Heights was a non-complying development.
- 2 Mr Aldridge applied to the City of Salisbury (the Council) for development approval (the application). The Council categorised Mr Aldridge's application as one for a complying development which was to be assessed on the merits.
- 3 The Council gave notice of the proposal in the Advertiser Newspaper on 27 May 2015. However the notification procedures required for a non-complying development were not followed and the consent of the Development Assessment Commission was not obtained because of the Council's decision to categorise the application as complying.
- 4 Mr Benjamin Johnston, the operator of a nearby fruit and vegetable shop, objected to the proposal.
- 5 The Council granted development approval to the appellant on 21 July 2015.
- 6 Mr Johnston both appealed to the ERD Court against the Council's decision to grant consent and sought a review of the Council's categorization pursuant to s 86(1)(b) and s 86(1)(f) of the *Development Act 1993* (SA) (the Act). The Council and Mr Aldridge were respondents to the appeal. Mr Johnston contended on the appeal to the ERD Court that the proposed development was non-complying. The parties agreed to have that ground determined as a preliminary point because, if it were made good, the appeal would necessarily be allowed and the development approval set aside for non-compliance with the necessary procedural requirements.
- 7 The Judge found that the proposed development was non-complying and allowed the application for review. The Judge set aside the decision granting development plan consent and development approval and remitted the proposed development to the Council for processing and determination according to law.
- 8 Mr Aldridge appeals against that decision on the grounds that:
  - 1 The Learned Judge erred in holding that the definition of a shop in the Development Control Regulations included a stall.



- 2 The Judge erred in applying the reasoning of the Full Court in the case of *Skaventzos v Vander-Lee*<sup>1</sup> as the basis for his reasoning in ground 1 hereof.
  - 3 The Judge should have found that the definition of shop in the regulations does not include the transient and unsubstantial character of the structures which are the subject of this appeal.
  - 4 In holding that the proposed use fell within the definition of a shop, the Judge erred in finding that the car park premises upon which the stalls were erected, were premises used primarily for the display and sale of goods.
  - 5 The Judge erred in relying on s 6(1)(c) of the Act for his conclusion in ground 4.
- 9 The notice of appeal joined Mr Johnston as the sole respondent. Mr Johnston informed the Court that he would abide the event and did not otherwise appear on the appeal. The Court gave the appellant permission to join the Council as a respondent to his appeal, but on being satisfied that the Council did not wish to be heard, proceeded to hear the appeal without a contravener.
- 10 I would dismiss the appeal. As to grounds 1 to 3 I would hold that the word 'premises' in the definition of shop should be construed widely in order to promote the object of the Act. On grounds 4 and 5 I would hold that the development of a farmers market added a use to the area of the carpark which was essentially different to its pre-existing use. My reasons follow.

### Statutory scheme

#### *The Development Act*

- 11 The Act relevantly provides:

#### 4—Interpretation

...

*development* means—

...

- (b) a change in the use of land ...

#### 6—Concept of change in the use of land

- (1) For the purpose of determining whether a change in the use of land has occurred, the commencement or revival of a particular use of the land will, subject to subsection (2), be regarded as a change in the use of the land if—

<sup>1</sup> (1974) 9 SASR 342.

...

- (c) the use is additional to a previously established use of the land which continues despite the commencement of the new use.

...

- (6) For the purposes of this section, a particular use of land will be disregarded if the extent of the use is trifling or insignificant.

### 32—Development must be approved under this Act

Subject to this Act, no development may be undertaken unless the development is an approved development.

### 33—Matters against which development must be assessed

- (1) A development is an approved development if, and only if, a relevant authority has assessed the development against, and granted a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):
  - (a) the provisions of the appropriate Development Plan (*development plan consent*);

...

### 35—Special provisions relating to assessment against Development Plan

...

- (3) A development that is of a kind described as a *non-complying* development under the relevant Development Plan must not be granted a development plan consent unless—
  - (a) where the relevant authority is the Development Assessment Commission—the Minister and, if the development is to be undertaken in the area of a council, that council, concur in the granting of the consent;
  - (b) in any other case—
    - (i) unless subparagraph (ii) applies—the Development Assessment Commission;
    - (ii) in prescribed circumstances—a regional development assessment panel,

concurs in the granting of the consent.

### *The Development Regulations*

- <sup>12</sup> The *Development Regulations 2008* (SA) ('the Regulations') relevantly provide:

#### Schedule 1—Definitions

...

**shop** means—

- (a) premises used primarily for the sale by retail, rental or display of goods, foodstuffs, merchandise or materials; or
- (b) a restaurant; or
- (c) a bulky goods outlet or a retail showroom; or
- (d) a personal service establishment,

but does not include—

- (e) a hotel; or
- (f) a motor repair station; or
- (g) a petrol filling station; or
- (h) a plant nursery where there is no sale by retail; or
- (i) a timber yard; or
- (j) service trade premises; or
- (k) service industry;

### ***The Development Plan***

- 13 The Salisbury Council Development Plan schedules ‘shop or group of shops’ as a non-complying development, except if it is a ‘bulky goods outlet’ or the shop is a restaurant.

### **The Judge’s Reasons**

- 14 The Judge made the following findings of fact about the operation of the proposed market:
- The overall Market area upon which the Market operates comprises only part of the area of the Hotel car park but is, nevertheless, able to be clearly defined;
  - The individual stalls each occupy an open area of land which is understood by both the licensor and licensee to comprise an area of 3 m x 3 m;
  - No set or regular stall is allocated to any particular licensee. Stalls are allocated on a first to arrive basis;
  - Each individual stallholder is entitled, during the operation of the market, to conduct his or her business to the exclusion of all others, providing he or she pays the agreed fee and obeys the conditions of the licence;
  - The overwhelming majority of stallholders operate using only a gazebo and a form of trestle table;

- The structures, comprising each stall, are such that they are easily able to be erected and equally easily later dismantled and removed.

15 The market was to operate from 8.00 am to 1.00 pm on Wednesdays and Saturdays.

16 The Judge's reasons for finding the stalls to be shops were:

[37] As a result, I am satisfied that each individual stall, with its specified area of land upon which there is erected a gazebo and trestle and from which goods are displayed and sold, is '*premises*' within the ordinary meaning of the word, namely an area of land with a building or structure erected upon it.

17 The Judge's reasons for finding the development of the farmers market to be a new additional use of the land to its pre-existing use as a carpark were:

[40] Mr Aldridge submitted that because the land is used for market purposes for no more than 10-12 hours per week and as a hotel car park outside those hours, the '*premises*' are not being used primarily for the sale/display of goods by retail.

[41] I do not agree. The Act contemplates that land may be used for more than one purpose.<sup>2</sup> Prior to the commencement of the Market the land was being used as a hotel car park. The commencement of the Market operation represented a change in the use of the land with the introduction of an additional and quite independent use to that of the existing car park use. Thereafter there have been two separate and distinct uses operating on the land. As a result, on the days and at the times when the Market is operating the area of land occupied by the Market stalls is primarily, if not exclusively, used for the retail display and sale of goods.

### The Appeal

18 It is convenient to deal first with grounds 1 to 3 and the question of whether a stall is included in the definition of a shop.

19 The question whether 'shop' should be read to include a stall in a planning context was considered by this Court in *Skaventzos v Vander-Lee*.<sup>3</sup> The definition of shop in the planning regulations then in force provided that a shop was 'any premises used or designed to be used primarily for the sale by retail of goods, merchandise or materials' but the definition expressly excluded roadside stalls. The construction of the primary definition of shop was therefore necessarily informed by the express exclusion of roadside stalls. Not surprisingly the Court in *Skaventzos* held that 'a stall from which goods are sold by retail must necessarily be a shop' and that only those stalls which were also roadside stalls were excluded from the definition. *Skaventzos* is therefore not authority for the proposition that a stall is a shop within the current definition in the Regulations which does not expressly exclude stalls. The Judge's reliance on that decision was therefore misplaced.

<sup>2</sup> s 6(1)(c).

<sup>3</sup> (1974) 9 SASR 342.



20 Be that as it may the Judge's ultimate conclusion was nonetheless correct. As the Judge observed the word 'premises' is a protean term which takes its meaning from the context in which it appears. The word premises may in one context include a bare tract of land, but in another mean only a substantial building.

21 In *Turner v York Motors Pty Ltd*<sup>4</sup> the defendants were the tenants of vacant land which they used as a caryard. They contested a notice to quit land on the ground that the bare land was prescribed premises and that they were therefore entitled to special procedural protections pursuant to the *Landlord and Tenant (Amendment) Act 1948-1949* (NSW). Dixon and Williams JJ held that the trial Judge had correctly directed the jury that the premises were not prescribed premises because bare land did not fall within the statutory definition of premises.

22 Dixon J relied on earlier authority on the construction of the word 'premises' in landlord and tenant legislation from three jurisdictions which had held that the word did not include vacant land without more but as requiring something in the nature of buildings before land could be considered as 'premises'. Justice Dixon explained that the meaning of the word premises is uncertain but that in landlord and tenant legislation it was advantageous to adopt a definition which was an objective, and readily ascertainable, physical fact.

23 Williams J observed:<sup>5</sup>

... The word "premises" is used in a popular sense and in this sense has a wide meaning. It is wide enough to include bare land. Its true meaning in any particular statute must be ascertained from the context in which it appears and from an examination of the scope and purpose of the statute as a whole...

24 The statutory context of the word here is very different to that considered in *Turner*. The purpose of the definition of shop is to define a certain use of land. The use of a shop has extensive planning implications beyond the nature of the structure out of which the use is pursued. A shop use affects the movement of people and traffic, and is capable of generating noise and other inconveniences or nuisances. Moreover the construction of a physical structure itself requires other building approvals under the Act.

25 The objects of the Act include:

### 3—Objects

The object of this Act is to provide for proper, orderly and efficient planning and development in the State and, for that purpose—

...

<sup>4</sup> (1951) 85 CLR 55.

<sup>5</sup> *Turner v York Motors Pty Ltd* (1951) 85 CLR 55 at 83.



- (c) to provide for the creation of Development Plans—
  - (i) to enhance the proper conservation, use, development and management of land and buildings; and
  - (ii) to facilitate sustainable development and the protection of the environment; and
  - (iia) to encourage the management of the natural and constructed environment in an ecologically sustainable manner; and
  - (iii) to advance the social and economic interests and goals of the community ...

26 Drawing distinctions based on the nature of the structure from which retail activities are conducted would undermine the planning purposes of the Act.

27 To adopt an illustration derived from the facts of this case there is no apparent reason to distinguish between stalls erected in an undercover carpark which makes use of the built structure of the carpark and stalls erected in an open air carpark using awnings and gazebos. Indeed distinctions of that nature undermine the purpose of organising and planning land use through Development Plans. Such distinctions encourage the selection of temporary structures which are likely to exacerbate adverse planning consequences of retail activity whilst at the same time avoiding the rigorous planning assessments applicable to non-complying uses. The Judge was correct to find that the proposed stalls fell within the definition of a shop.

*Has there been a change in use?*

28 A use is more than a bare activity. The proposed farmers market was to operate regularly. Even though its hours of operation were limited to Wednesday and Saturday mornings they were substantial. The activities to be generated by the proposed development were organised retail businesses. The proposed farmers market was more than a bare activity. The proposal was therefore for a use which was essentially different in nature to that of a carpark.

29 The farmers market was therefore an additional use within the meaning of s 6(1)(c) of the Act, which was not trifling. The appellant's submission was that the proposed farmers market was not a use within the meaning of s 6(1)(c) of the Act unless it changed the essential nature of the pre-existing use. The appellant relied on *Prestige Car Sales Pty Ltd v Corporation of the Town of Walkerville and Shuttleworth*.<sup>6</sup> That submission is misplaced. The discussion in that case concerned the alteration of premises on an existing caryard to turn offices into a car showroom.

30 Here the existing use as a carpark and the proposed use as a farmers market are plainly different uses. Land may be put to multiple uses. An additional use

<sup>6</sup> (1979) 20 SASR 514.

*Kourakis CJ**[2016] SASCF 99*

8

need not change the essential nature of the pre-existing use if it is, in itself, essentially different to the pre-existing use. If it were otherwise the concept of multiple use, and s 6(1)(c) of the Act, would serve no useful purpose.

**Conclusion**

31       The appeal must be dismissed.

32   **KELLY J:**       I agree.

33   **BAMPTON J:**       I would dismiss the appeal for the reasons given by  
the Chief Justice.



Attachment 2

Proposal Plans and Supporting Documentation

### APPLICATION FOR HOLDING A WEEKLY MARKET in the Car Park of the Old Spot Hotel

**Market details;** Farm Direct Community Markets to hold 2 weekly markets in the Car Park of the Old Spot Hotel, every Wednesday and Saturday, opening hours start at 8.00 am until 1.00 pm, for the sale and promotion of Australian produce direct to the public.

**Products to be sold;** Farm Direct specialises in fresh local produce, we only allow the sale of produce or value added products that are grown and produced in Australia.

**Saturday's use;** For a Market consisting of approximately 30 stall holders, covering an area of around 40 x 26 meters, stall holders start erecting temporary stalls from 6.00 am, with the majority setting up from 7.00 am, and taking down their stalls by 1.00 pm.

**Wednesday's use;** Will be all about the promotion of healthy eating, with a Market consisting of approximately 6 stall holders, covering an area of around 20 x 12 meters, stall holders start erecting temporary stalls from 6.00 am, with the majority setting up from 7.00 am, and taking down their stalls by 1.00 pm.

**Proposed Location;** The maximum use of approximately 20% of the Old Spot hotels present car parking area (please see attached site map) for a temporary period between 6.00 am and 2.00 pm every Saturday and Wednesdays mornings.

**Impact on existing hotel operations;** A study over the past two weeks, clearly shows the car parking area remains unused on the site until after around 12.00 pm, even then only the Southern car park is used by the Hotels customers. The majority of Farm direct customers arrive and leave between the hours of 8 am and 12 pm, ensuring no adverse impact on the existing use.

**Expected attendance (Saturday being the largest);** Farm Direct expects a customer base of around 600 people over the 5 hours of operation, expanding to as many as 800 per Saturday over coming months, some will walk or take public transport, those with vehicles attend for an average of 15 minutes turnaround time to do their shopping.

**Parking facilities;** On-site carparks number around 200, with a run off facility capable of holding up to 500 cars, which will be upgraded in the coming weeks.

**Site Access;** The site has easy access from the Main north road from both directions, with a cut in lane that can accommodate 6 vehicles for those turning right from Main north road, the site has held regular special events of a much greater proportion without causing any traffic congestion.

The site has to exit points at either end of the property directly onto main north road, with the most northern exit allowing exit in either direction.

**The Markets Impact on the site;** The market stall holders are all experienced market operators, all stalls will be erected and dismantled without impact on the land, at completion of the market, the site will be cleaned and in the same condition as when we arrived.



**insurances;** Farm Direct will be covered for event/market management insurances and every stall holder is required to have stall holder insurances as well as any licences and food accreditation where needed.

**Toilet Facilities;** the Old Spot hotel will make available toilet facility's from the opening hour of 8.00 am every market day

**Site security;** Farm direct staff will handle any security or emergency measures with support of Hotel staff, and a dedicated volunteer who is a licensed security officer.

**Site maintenance;** Farm Direct will ensure the site is left clean and in the same condition found upon arrival, rubbish and site clean-up will be performed by Farm Direct management and staff.

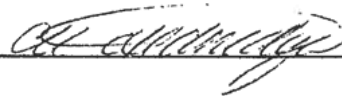
Farm Direct Community Markets is a registered business **name of Mark and Helen Aldridge.**

**ABN; 98629147742 Phone numbers 08 82847482 / 0403379500 / Fax 08 82847487**

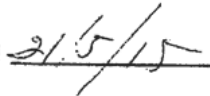
**Email; [aldridgemark@bigpond.com](mailto:aldridgemark@bigpond.com)**

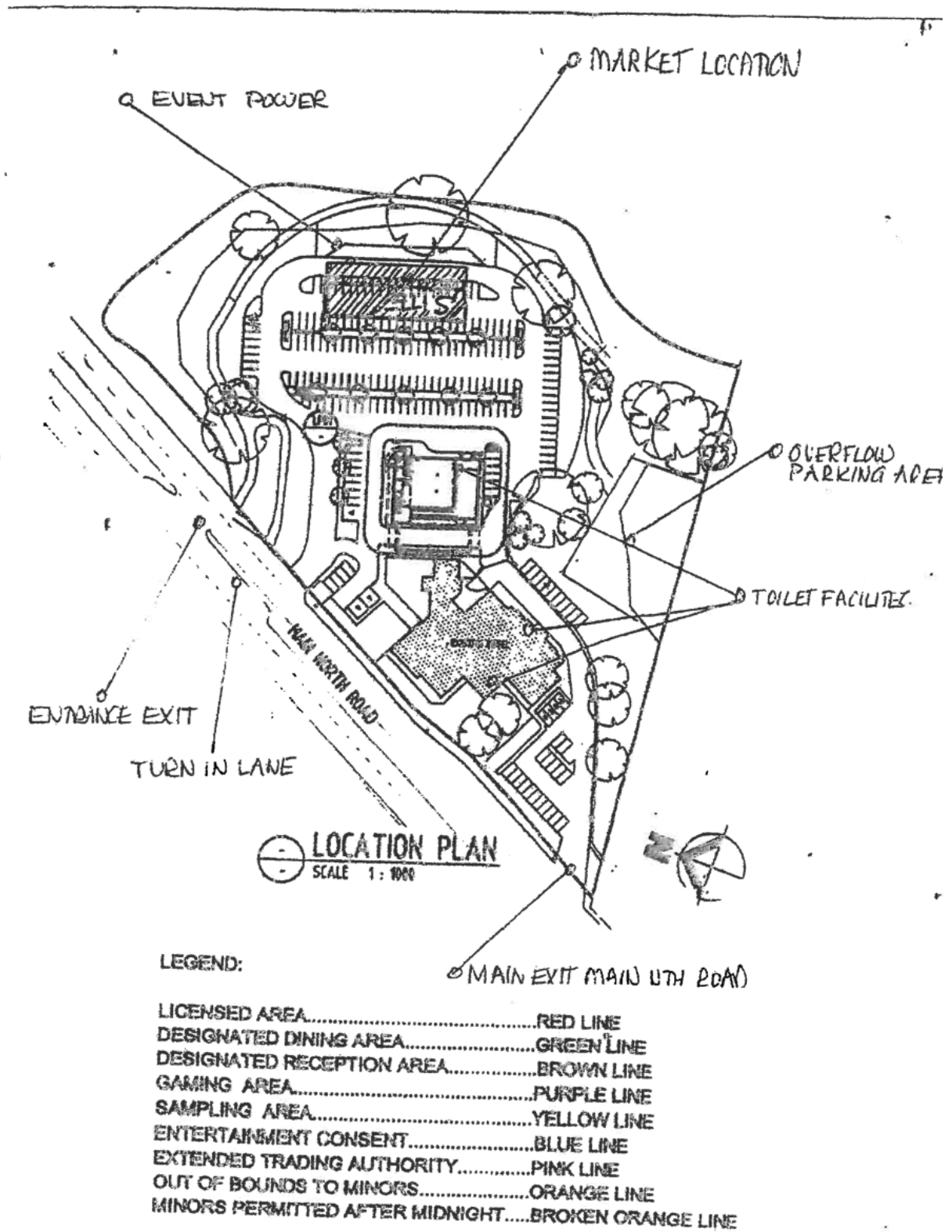
**Market Manager; Garry Temple 0439931241**

Mark Aldridge



Dated











**Alan Taylor**

**From:** aldridgemark@bigpond.com  
**Sent:** Thursday, 11 June 2015 11:53 AM  
**To:** Terry Sutcliffe  
**Cc:** Alan Taylor; George Pantelos; Gillian Aldridge; David Bryant  
**Subject:** Farm Direct Planning consent update (old spot hotel)  
**Attachments:** img027.jpg

## FARM DIRECT Community markets

**Attention; Salisbury Council Planning section**

**Copies sent to; DPTI and Heritage SA**

**REGARDING; FARM DIRECT Community markets development applications for their relocation to 1955 Main north road Salisbury heights "Old Spot Hotel"**

The Market has run successfully under event planning consents for 3 weeks, on each occasion the market ran well without issue, traffic from and back onto Main North road ran smooth and without causing any congestion.

Car parking on site did endure some pressure due to the nature of our Grand Opening marketing, for a brief period on the first and second events, but even though this was the case, there still was no adverse effects on local traffic, and site clean-up was fast and effective, ensuring we left no foot print on the area used by the market.

For our third event, we altered the way in which traffic flowed on site and around the parking areas, which overcame mild congestion on site; a site plan is attached to explain.

The run of parking has been made usable, and will be utilised for staff parking only at this stage, for Market and Hotel staff, to increase available parking during busy times, should they arise.

The Hotel management are very pleased with the markets operations, and have reported no adverse effects to their business; in fact they have seen an increase in trade, so are very happy with the decision to entertain the market.

The market is now operating as it will under final planning consent, without any further changes being needed; the once minor change will actually improve the running of the market.

Once final planning consent is received, we will trade also on Wednesdays, the effect will be taking 15% of the customers attending on a Saturday and having them attend on a Wednesday instead, making access on a Saturday even easier for our customers.

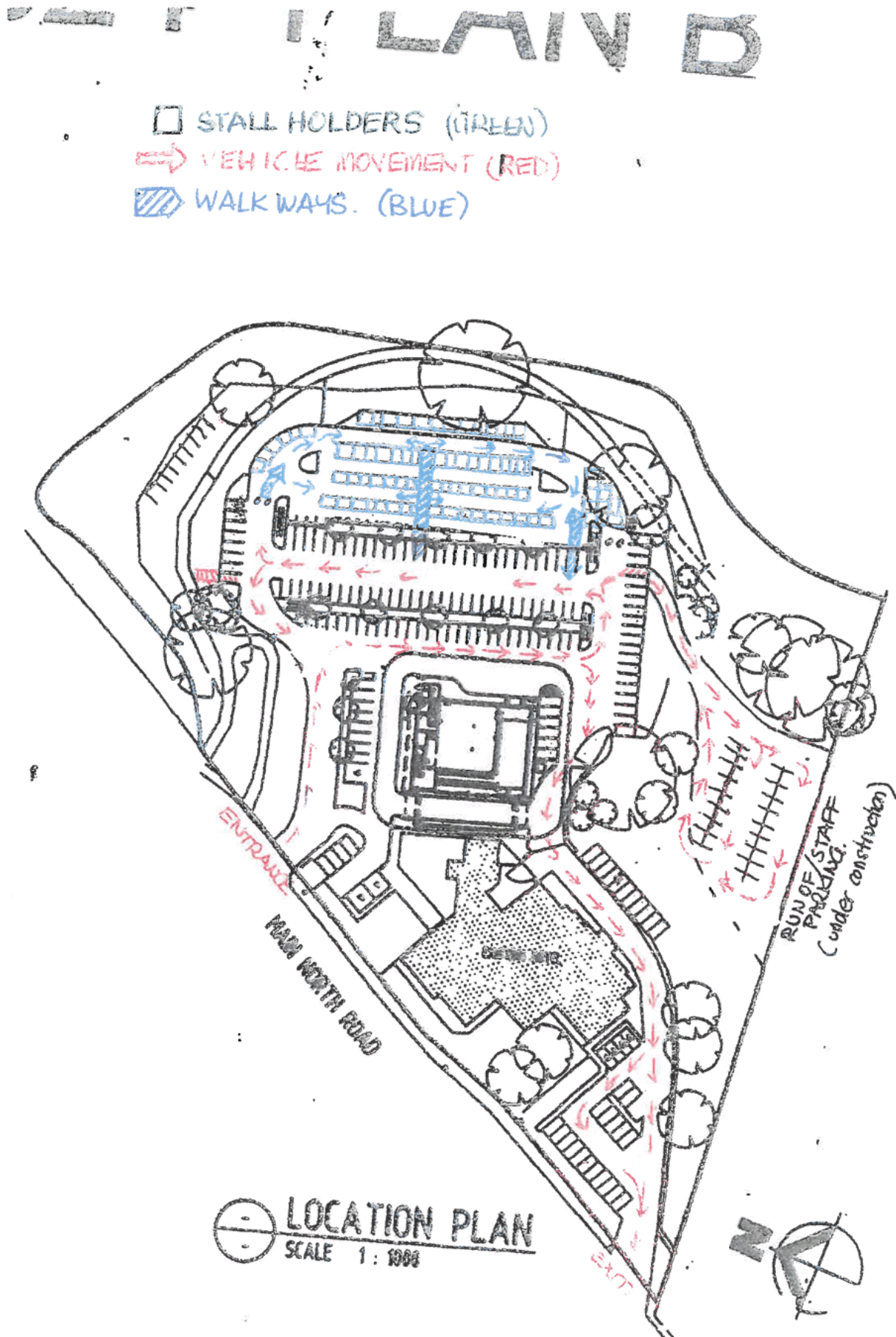
Wednesdays will be a much smaller event using around 30% of the area presently covered by the Saturday market, so will have no impact on the site or the traffic flow.

I would ask that each stake holder involved in the planning consent, please act in a timely manner, as our event consent expires on Saturday the 20<sup>th</sup> of June, and if final consent is not received within this time, shutting down the market will have various ramifications to our stall holders and our customers alike.

Our Farmers and producers are only small operators, and the loss of income that would occur should the market be forced to close, could have devastating consequences for many.

Farm Direct is all about backing up these smaller growers and producers to keep them on the land, and allow them to expand, without our service, they have very little avenues to sell their produce in a time when the big names in the grocery industry lean their support towards the larger operators.



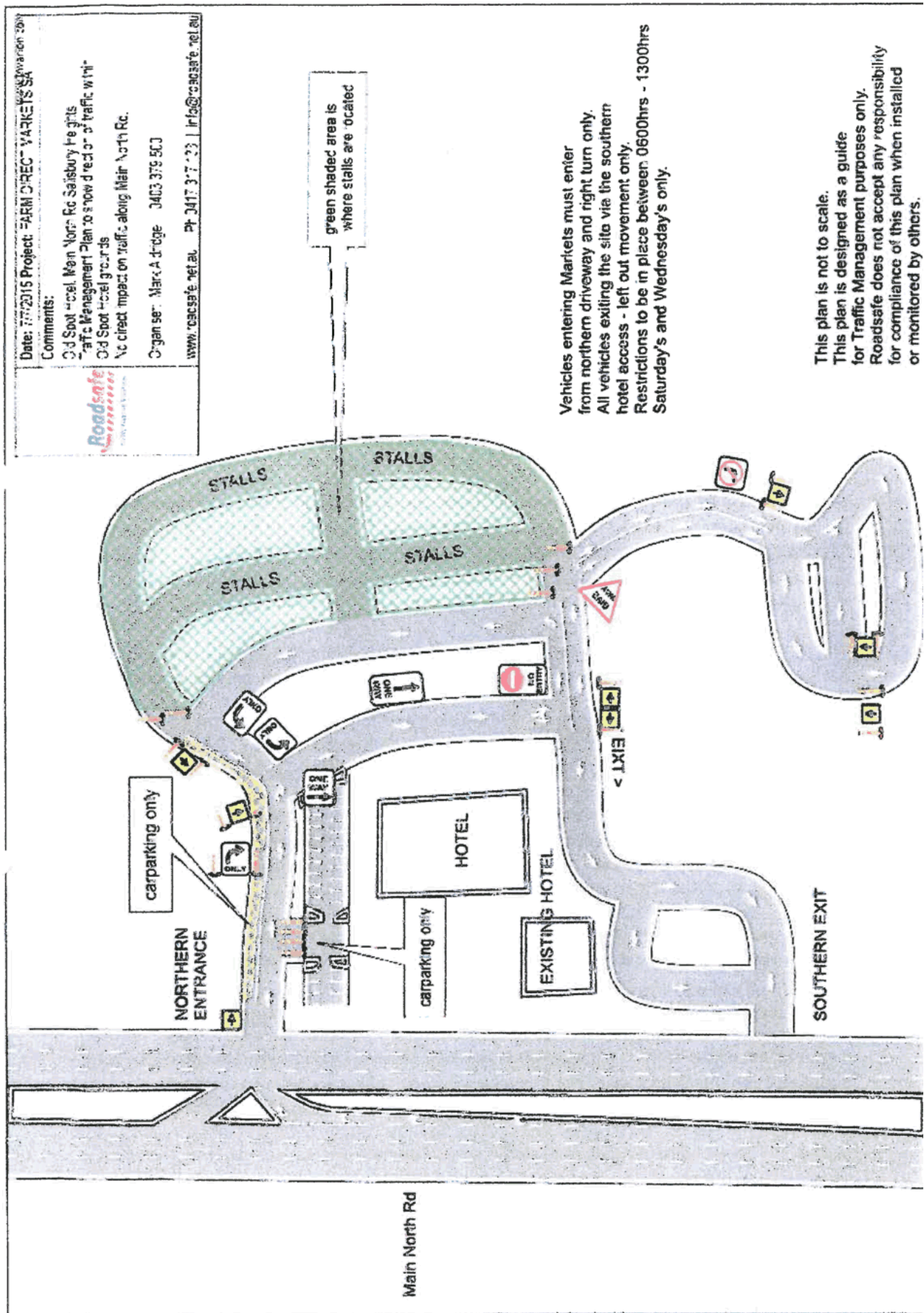








Item 5.1.1 - Attachment 2 - Proposal Plans and Supporting Documentation



## Farm direct Salisbury “merits argument”

### STATEMENT OF SUPPORT



**“Farm Direct community markets have been successfully operating in the Salisbury area for well over 3 years”.**

The markets huge success is evidence in its community support and by how well it is supported by the Salisbury small business community, this is exaggerated by the very fact upon relocation to our new site at the Old Spot hotel, our old location behind PALS liqueur has been able to also rebuild and attract continued support.

In the Salisbury area alone, this represents hundreds of local jobs and increased employment opportunities, while delivering support services for a variety of local small businesses.

The recent legal fight to undermine our market and its development approvals, has been trade and competition based and nothing to do with development issues or safety concerns. Development law was never written with the intention to undermine competition, but rather to ensure any change of use is in line with community expectations, and Farm Direct has the majority support of the local community.

Our recently approved development application as “Merit use” ought not to be overlooked, as Community support is the founding basis of the word “merit” in development law and planning.

Farm Direct has a successful track record in the Salisbury area for over 3 years, and have proven our ability to operate on the current site without any adverse effect to the location or surrounding area. In fact we leave no lasting imprint on the site or the local environment at all.

The fact that development law and planning has overlooked stalls, markets and fetes in their definitions, allowing the recent redefining to include a stall in the definition of the word shop, is due to the fact community events were never considered developments, but rather events, events of a regular basis, have been a part of the city of Salisbury history since its inception.

The location of Farm Directs present Salisbury Height’s Market at the Old Spot hotel is on private land, land that’s primary use is retail based, the zoning of “Open Space” is based more on the adjacent river and walk ways/trails, than the area built to have its primary use to be that of a car park for retail and hotel trading.

Before I touch on the merits of our application in an area presently zoned “Open Space” now we are considered non-complying, I would like to compare the merit of our application with the city of Salisbury’s planning objectives.

Salisbury City has a range or initiatives that drive its development planning agenda, these are based around a range of ideals that work in with the State’s current planning objectives, they include;

***Salisbury - Sustainable Futures*** - Sustainable Futures is a local response to current and future needs of the Salisbury community. It seeks to address the unique challenges of Salisbury by developing and benefiting from a range of opportunities and partnerships.

Farm Direct offers a range of opportunities for the North, that interact well with every aspect of Salisbury's future and current objectives, through job creation, environmental benefits, health and exercise, affordable access to fresh local produce, innovation in primary production, attracting community participation and helping bring more income to the city.

Farm Direct not only leaves the area it uses clean, we also ensure we remove litter from the surrounding trails and river banks.

***Key Direction (1) Shaping Our Future*** - Develop our City as prosperous and progressive by attracting and sustaining increased business investment and by providing accessible learning opportunities to grow and support a skilled workforce.

Farm Direct community market helps employ over 100 people directly and as we grow, so does the employment opportunities, especially as an avenue to support and nurture new small and micro business opportunities in the area.

***Key Direction 2: Sustaining Our Environment*** - Become a Sustainable City in which its residents and businesses embrace sustainability best practices as part of their day-to-day lives and activities.

Farm Directs stall holders, are growing and producing to suit customer demand, helping alleviate waste, we operate in an environmentally sustainable manner, and any excess produce is used to help feed the most vulnerable in our community.

***Key Direction 3: Salisbury the Living City*** - Maintain a strong and vibrant community by providing safe and supportive environments that promote opportunity, healthy and creative lifestyles.

Farm Direct promotes healthy lifestyles, by getting the local community out of their homes, walking around our market area and meeting their neighbours. We promote using the local open spaces, and eating healthy by promoting and offering local fresh affordable produce to the Salisbury community.

We utilising local cooking demonstrations, involve the local schools and community groups at our Midweek markets, and encouraging community participation.

***Key Direction (4) Salisbury Success*** - Remain a high performing and innovative organisation that strives to achieve excellence in every area



Community and Farmers markets are a sought after community asset by most suburban and regional councils, most present locations where markets like ours operate are in similar if not the same zoning that Farm Direct presently operate.

A similar market to ours has just been complied in the Gawler Township, located in a carpark on "open space" zoning, in that case, the council themselves are in partnership with the market, offering free land use, secure contracts and investing over \$60,000 of local rate payer's moneys a year ensuring their market has the best facilities and marketing.

Farm Direct offers all the same benefits without any costs to the Salisbury council or there rate payers, offering excellence in our operations and facilities, and assisting in ensuring the supply of fresh affordable produce to those rate payers living on or below the poverty line.

Farm Direct community markets looks forward to assisting the Salisbury community and the council in its future directives at every level.

### ***Salisbury's Policy & Planning Stream (2)***

*Your policy; "Health and Wellbeing Based on the premise that wellbeing covers physical, emotional and financial aspects of life, encompasses social integration, respect for diversity, community participation and a safe, vibrant and creative environment."*

Farm Direct fulfils all the aims of this initiative, assisting in financial assistance to those on limited budgets, the promotion of social integration and community participation, we promote diversity through offering produce from a diverse range of cultural and ethnic backgrounds, in a vibrant and creative environment. This clearly supports our original merit based application, and fulfils the merits required to be considered an acceptable form of any non-complying application process for the proposed location.

### ***Goal 2.3 – Health and Nutrition "City of Salisbury"***

*Your position; There is increasing awareness of the importance of primary health measures, nutrition education and access to affordable healthy food – plus regular physical exercise – to offset preventable conditions such as obesity.*

*While this is an issue across communities, there is a need to ensure that people experiencing financial disadvantage – plus those who have not had the benefit of health and nutrition education – have the opportunity to learn about and access 'healthy' food and health behaviours (such as exercise).*

*There is the opportunity to provide these opportunities to children and families via schools, community centres, sporting groups, recreation centres and other community facilities.*

It is here I believe Farm Direct is the best initiative in the city of Salisbury to fulfil these criteria from a single bi weekly event, with any added cost to the city and its rate payers.

1. We work with local schools to provide opportunities for them to further their education relating to healthy eating
2. We offer excellent facilities to promote family and community activities, by getting family's to come to our market do their shopping as a family and embrace the local parks, walking trails and play equipment
3. Farm Direct offers free cooking classes, tasting, and healthy eating behaviour.
4. We provide access to affordable healthy produce, and promote healthy eating in general.
5. We get regular feedback both on site and on line from our customers that support these statements, from feeling healthier, losing weight, and even more so seeing their children embracing healthy food over fast food and processed sugars.

Farm Directs strategy is to offer assistance and support to local small business and primary production, while promoting healthy eating and sustainability.

1. **Support the health and safety of the community.**
2. **Ensure the services and infrastructure we provide meet community needs.**
3. **Facilitate information and communication opportunities.**
4. **Ensure local community resources are accessible to every sector of the community.**
6. **Promote increased civic participation in community and Council activities.**
7. **Identify and actively support and promote the recreation and leisure needs of the community.**
9. **Enhance learning and employment opportunities across our community.**
10. **Strengthen and unite the local community.**

**THE PRINCIPLES OF DEVELOPMENT CONTROL FOR "OPEN SPACE AND RECREATIONAL AREAS**, includes several sections that support our present market model;

I have highlighted in **bold** where we directly adhere to the current "Open Space" zoning regulations.

Farm Direct leaves a clean foot print; we account for a small minority use of the land, and fulfil a majority of the directives driving present development planning.

2 (a) **Facilitate a range of formal and informal recreation activities**

(b) **Provide for the movement of pedestrians and cyclists**

3 Open space should be designed to incorporate:

(a) **pedestrian, cycle linkages to other open spaces, centres, schools and public transport nodes**

(b) park furniture, shaded areas and resting places to enhance pedestrian comfort

(c) safe crossing points where pedestrian routes intersect the road network

(h) Opportunities to be active and participate in physical activity

10. Buildings in open space, including structures and associated car parking areas, should be designed, located and of a scale that is unobtrusive and does not detract from the desired open space character.

11 Development in open space should:

(a) Be clustered where practical to ensure that the majority of the site remains open

13 Landscaping associated with open space and recreation areas should:

(a) Not compromise the drainage function of any drainage channel

(b) Provide shade and windbreaks along cyclist and pedestrian routes, around picnic and barbecue areas and seating, and in car parking areas

(d) Enhance the visual amenity of the area and complement existing buildings

(e) Be designed and selected to minimise maintenance costs

14 Development of recreational activities in areas not zoned for that purpose should be compatible with surrounding activities.

15 Recreation facilities development should be sited and designed to minimise negative impacts on the amenity of the locality.

#### **COMMUNITY PLAN acceptance**

Objective 1.2 Build a local community that is proud of Salisbury

Objective 1.4 Create a vibrant and active, event-filled Council area

Objective 2.1 Physical and social infrastructure to match population growth

Objective 2.5 Manage growth through the real connection of people and places

Objective 2.6 Local economic activity to create local job opportunities and generate increased local wealth

Objective 3.7 Create a safe, community environment

Objective 5.1 Support and encourage community teamwork

Objective 5.4 Create and support community partnerships that contribute to the

Farm Direct is an asset to the City of Salisbury, a draw card that attracts many into the Salisbury area and compliments the many innovative directives of its host city.

If the only objections are those of a market competitive nature, there is no reason to deny the development application based on the markets merits.

Farm Direct is well supported by the local community, it is in line with council and state government initiatives and brings people into the area, and the community together.

Mark Aldridge

Photos below are of the Market during trading, and show our Wednesday market entertaining local school children in an attempt to educate on healthy eating.











## Development application "Statement of Effect" Farm Direct Community Markets.



### STATEMENT OF EFFECT

*Farm direct markets have invested its hard work successfully over the past 4 years, into creating the best markets in the state which are dedicated to providing for the City of Salisbury's rate payers.*

*We are also lobbying the state government and appealing the recent ERC court findings, as we are committed to protect all community events in the north.*

*We have opened 2 of South Australia's largest and most successful markets in the Salisbury council area, and have operated without any adverse effects to the City, the development objectives and the community.*

*Farm Direct has drained all its resources on the drawn out approval process and the following legal battle, so is unable to employ a suitable development expert to produce our statement of effect, we therefore apologise for any deficiency in the contents.*

### OVERVIEW

Farm Direct Markets have operated professionally and without incident in the Salisbury area for well over 4 years in 2 locations, Salisbury Height's and Parafield.

Regardless of the new precedents relating to the definition of a stall, Farm Direct is still simply a temporary produce market, that has no permanency and the market is supported by the community in general. Merit applications are still development applications that are supported by and benefit the community, which means they are in line with community standards and the Markets definitely fulfils that wish.

I would like to remind the development planners, the council and the elected members that the market "Farm Direct" has now operated on site for over 12 months, without any adverse impact on the site, local traffic, parking, health and safety, significant tree's, the heritage aspects of the site etc.

We have met and exceeded many directives of the city of Salisbury, increased employment opportunity, the promotion of healthy eating, access to affordable fresh produce. We remain environmental friendly, we encourage a sustainable future through growing produce to meet demand and we are helping unite the community.

The Market relocated from the initial site in Parafield (PALS car parking area) to the Old Spot hotel car park just over 12 months ago. On July the 21<sup>st</sup> 2015 we applied for development approvals and passed a raft of application processes as a "Merit" type use.

The Market underwent a category 3 public notification process, passed referrals to DPTI, DENWR, Development engineering, Civic design and traffic, Environmental health and safety, passing in each case.

The approval was disputed on competitive grounds, and the ERD court found that a Market was in fact a non-complying development, that a trestle table with goods for sale or display, was a shop for the purpose of the definitions of the development Act.

This set a new precedent on how development law is defined in relation to any temporary stall, but we ought not forget a stall is not a building, and has no lasting impression on the land, so when defining any application that utilises stalls, will never be the same as those applied to bricks and mortar, regardless of the definitions.

The fact that development law and planning has overlooked stalls, markets and fetes in their definitions, allowed the recent redefining to include a stall in the definition of the word shop. The fact community events were never considered developments, but rather events, events of a regular basis, development definitions failed to protect community events. Community events have been a part of the city of Salisbury history since its inception.

The location of Farm Directs present Salisbury Height's Market at the Old Spot hotel is on private land, land that's primary use is retail based, the zoning of "Open Space" is based more on the adjacent river and walk ways/trails, than the area built to have its primary use to be that of a car park for retail and hotel trading.

Farm direct helps maintain the "Open Space" concept and promotes the local community to embrace and utilise the current area in an appropriate manner.

***Farm Direct has appealed the ERD court's decision before the full bench of the Supreme Court, which is being heard on the 1<sup>st</sup> of August 2016, in hope of overturning the decision of the court, therefore restoring the original development approvals put in place by the City of Salisbury.***

Farm Direct is financing the legal challenge to protect your development planning's sections decision.

Farm Direct has submitted a non-complying development application "Statement of Support" which has been accepted by the council development section, and best be read in conjunction with this statement of effect.



### **1. DESCRIPTION OF THE PROPOSED DEVELOPMENT**

A Farmers type market of up to 40 stalls when operating at its peak, operating in the Northern car park of the Old Spot hotel on Saturdays and a smaller market of approximately 1/3 that size operating on a Wednesday, between the hours of 8.00am and 1.00pm, operating independently of the operations of the existing hotel.

The site supports approx. 240 on site car parking spaces', parking has been boosted during market days by improved access to a run off car park on the hill, and a temporary stall holder carpark on the northern boundary has also been created.

The Market stalls and walkways occupy approx. 1800m<sup>2</sup> (45 to 49 car parking spaces and a bus bay) of the northern carpark area.

Although not promoted by the market, the Carisbrooke Park carpark on the western side of Main North road adjacent the site has been utilised by some patrons. Access from the Carisbrooke car park, is easily and safely achieved by a pedestrian walkway under main north road.

The Markets also promote the use of existing walking trails to access the market for the local community as a part of its promotion of healthy living.

Stalls predominantly offer fresh produce, with an assurance that all produce and product is locally sourced where possible, and that anything sold will have been produced or grown in Australia. Other stalls with in the Market will include local handicraft, plants, Australian nuts, locally produced olive oil, Fresh baked goods, cakes and takeaway.

Toilet facilities are available in Carisbrook Park, but patrons are advised by the market to utilise facilities with in the Hotel and Bottle shop, which are open for use during the markets operation times.

### **2. SUBJECT LAND**

The subject land is contained in lot 200 of DP 41172 being certificate of title, Volume 6050 Folio 968 also known as 1955 main north rd, Salisbury Heights.

The privately owned land is irregular in shape and bounded by open space and the Little Para River to the north and open space to the east and south, Main North road is the sites Western boundary.

In recent times improvements to the hotel were approved by council and the additions are of a retail nature.

An easement 30 meters wide in favour of Transmission Lessor Corporation and Electranet PL traverses the northern portion of the site. A second and substantially smaller easement in favour of the Distribution Lessor Corporation is located further south.

### **3. LOCALITY;**

The site is located in a location that includes retail sales and open space zoning.

Open space zoning is all about limiting construction to preserve the looks, dynamics and public access to development zones.

Farm Direct community markets even as a non-complying development meets those demands, it is aesthetically pleasing to the land scape when it is in operation, had no lasting impact on the land and promotes community participation in the zone, also utilising the connecting open space utilities and councils park and trial facilities.

The site contains the state heritage listed Old Spot hotel, and a freestanding bottle shop and drive through, both of which are considered retail by their nature.

Car parking (approximately) 240 spaces and bus bays, both formalised and un-formalised, together with landscaping have been provided and stablished on site, in association with the hotel.

Two vehicle access/regress points off Main North road service the site, the main cross over is located at the north end of the site adjacent the bottle shop, the second cross over is located adjacent the southern side of the property boundary.

Farm Direct has utilised the current parking and access/exit points without issue for over 12 months, they have also invested with the site owners in upgrades to parking facilities and the overflow parking on the hill top, and added parking for the stall holders on Market day.

The Market there fore is promoting the use and access to the use of the zone as intended by the legislation.

#### 4. BACKGROUND

Farm Direct markets have operated in the Salisbury area for around 3 years prior to moving to the Old Spot market location in or around May 2015, in both cases the market utilized existing car parking facilities adjacent hotel developments.

Farm Direct complied with all development planning assessments at its original site adjacent Roulettes tavern and bottle shop. The move to the new location was forced by lease agreements and issues with adherence to development planning regulations not being adhered to by the land owner at the previous site.

An initial one of market was held on the site as a trial, on Saturday the 23<sup>rd</sup> of June.

The first application was to operate a Special event "Farmers Market" on the subject site. A special event is defined with in schedule 9 (11(2) of the development regulations 2008, as meaning a "community, cultural, arts, entertainment, recreational, sporting or similar event" which is in line with a merit application.

Development approval was granted for the special event (produce market) between the 29<sup>th</sup> May and 13<sup>th</sup> of June, and the market operated without issue.

The second application was to obtain Development Approval for the ongoing "Produce Market" on the site.



The development approval went through a category 3 development applications as a merit form of application, the councils lawyers supported the application as a market, and to be considered as a merit application, not as shop, which is still undergoing legal scrutiny.

The council's approval of the markets was challenged by a market competitor in the Environment and development court, the preliminary point of argument was that a stall/trestle was indeed a shop for the purpose of the application of development law.

The argument was upheld; as such the granted approval was rendered invalid as the council had approved the market as a merit application, rather than as a non-complying application.

Farm Direct community Markets then lodged an appeal before the full bench of the Supreme court to dispute the judge's finding, this matter is to be heard on the 1<sup>st</sup> of August, with a finding to be handed down some time in the following 6 weeks from the hearing.

#### **5. Social, economic and the environmental effects of the development on its locality.**

Farm Directs initial Statement of support covered the social, economic and environmental benefits of the Markets on the present location in detail, so ought to be read in conjunction with this "Statement of effect"

- **SOCIAL;** Farm direct attracts people from the local community and from the surrounding suburbs into the local area, to increase participation in the open space zone. We promote use of the walking trails, community participation in the market itself, the local parks and encourage the whole families and neighbour hoods to enjoy the atmosphere the market creates.
- **ECONOMIC;** Farm direct supports the local economy in a variety of ways, by bringing outside investment into the Salisbury area, by creating local jobs and ensuring access to affordable fresh produce. The Markets customer base is extensive attracting financial support from all over South Australia to the local area.
- **JOB CREATION;** Farm direct Markets in Salisbury alone when we include our original market site which still operates, not only employs hundreds of South Australians, many from within the cities superb. We also help encourage and support small business enterprise, bring investment into the City and help local business improve their sales.
- **HEALTHY EATING;** Farm Direct promotes healthy eating, community activity and helps educate local children about healthy eating and food production by supporting school trips to the market by several local primary level classes.
- **ENVIRONMENTAL;** Farm directs environmental impacts have been a huge bonus to the area. We have no adverse impact on the locality, we have improved access to the trails and ensure we clean up every day we operate beyond any impact we have. Our producers now grow to suit our customer base alleviating waste, and any excess produce is utilised by donating to those who feed the homeless and to support local animal sanctuary's.

#### **6. Characterisation and public notification**

Farm Direct community markets initial development application process was considered a Category 3, which allowed for a public notification process.

The development panel heard from all objectors and found in favour of approving the market as a after a lengthy debate, the decision was majority support.

#### **7. Statutory – Referrals**

Farm direct passed all of the statutory referrals during the previous application process, and has operated under them for over 12 months without any issue arising.

#### **8. DPTI**

Traffic flow to and from Main North Road as proposed is supported and should be appropriately managed through the course of each market to ensure driver compliance.

DPTI strongly recommended that a traffic management plan be developed by the applicant to ensure that satisfactory traffic measures are put in place for market days.

- Adequate onsite car parking be provided;
- All temporary signage promoting the market should be contained on the subject land and installed and removed prior to and after each market

Farm Direct has complied with the directions and recommendations of DPTI, and continues to employ professional staff to manage internal traffic flow and parking, without any issue for over 12 months.

#### **9. DEWNR**

The impact of the proposed use on the heritage significance of the state heritage place (Old Spot Hotel) is considered acceptable, as the market stalls are temporary structures, are located some distance from the hotel and will not affect the setting of the state heritage place

#### **10. DEVELOPMENT ENGINEERING**

The proposal was supported as it has no fixed structures.

The vicinity of the market is not subject to flooding

#### **11. TRAFFIC**

In order to provide efficient and safe circulation on site whilst providing pedestrian safety within the site at all times, a traffic management plan presently in place provides for accredited traffic management staff to be in place during the market operation on every Saturday.

The Market even at its busiest has been successful in handling traffic management over the past 12 months without issue.

The market attendance is expected to remain at present demand, which has resulted in vacant parking bays even at peak attendance times.

## **12. HEALTH**

Control of waste; Reasonable steps are already in place as a result of the original approvals.

Waste from the market is managed in accordance with the South Australian Public Health Act 2011 to prevent offensive odours and not accessible to pests and vermin

All waste water generated from the activity is effectively disposed to SA Water sewerage system to prevent any risk to public health; and

The Market stall holders all have their individual Food business notifications and have passed two on site council inspections since the start of operations at the Old Spot location.

## **13. DEVELOPMENT DATA Site Characteristics Guideline Proposed Site Area Farmers Market**

**Area** Total land size approx 26,400m<sup>2</sup>, Market use is approx. 2400m<sup>2</sup>

**Site Dimensions** Main North Road Frontage: Depth: 185m approx. 169m approx.(varies) Site Gradient Majority of site relatively flat with a low grade to the north and Little Para River.

Southern portion of the site supports a large embankment and plateaued at the top Easement Easements exist over the site to Transmission Lessor Corporation and Electranet P/L; and Distribution Lessor Corporation

## **14. Number of carparks**

No guidance is presently allowed for in the Development Plan for a produce market

Over 190 car parking spaces are available on site, for both the market and hotel when both are operating.

Market operation times are not in conflict with hotel main operating times on the days of the market operation, Market has increase parking by way of stall holder parking in a temporary area, and excess parking allowed as a flow over on the northern boundary, with access limited to market operational days.

## **15. Buildings Temporary stalls comprising canopies and tables**

**16. Affected Trees** No significant trees affected

**17. Regulated Trees** No regulated trees affected

**18. Street Infrastructure** Existing crossover utilised

**19. SEP** No SEPs affected

**20. Electricity pole** No Electricity poles affected

**21. Telecommunication pit** No Telecommunication pits affected

**22. Gas** No gas infrastructure affected

**23. Water** No water infrastructure affected

**24. Street Trees** No street trees affected

**25. Flooding** The proposed market location is not prone to flooding

## **26. ASSESSMENT**

No serious Variance Pursuant to Section 35(2) of the Development Act 1993

It was initially recommended that the assessment Panel determine that the proposal is not seriously at variance with the Salisbury (City) Development Plan – Consolidated 20 March 2014, which passed the development panel's approval process.

**The following reasons are proffered to support this recommendation:**

- The site, although within the Open Space Zone, is already utilized for commercial purposes as a hotel incorporating retail activities.
- The proposed stalls are only temporary, erected and removed on each market day.
- The proposed use is within the carpark of the Old Spot Hotel and operates at a time when hotel patronage is low; and
- The temporary nature of the market will not detrimentally impact on the state heritage place or the intent of the zone.

It has been demonstrated that the proposed development has minimal or no unreasonable external impacts, so consent could reasonably be expected to be upheld even as a “Non-complying application”

Performance of the Markets operation over the past 12 months, clearly show it has had no adverse effects on the land, the surrounding area or the community in general.

The Market has remained well supported by the local community, and has not breached any of the directives of the council or the associated development initiatives.

It should be considered that the proposed development is not ‘seriously at variance’ with the City of Salisbury Development Plan.

**27. Assessment against Development Plan Objectives and Principles Primary Development Objectives and Principles of Development Control (PDC) Development Plan Reference Assessment Zoning & Land Use General Section Centres and retail Development Objective**

1 PDC 10 and 12 Zone Provisions Open Space Zone Objective(s) 1, 2 and 5 PDC 1,

4 Recreation Policies Area 15 Objectives 1 and 2 PDC 1

The proposal satisfies the requirement of Objective 2 of Precinct 15 as it will provide an additional use (market) expanding the range of activities envisaged within the precinct on a site that is commercially developed (Old Spot Hotel) and supported within PDC 5 of the Precinct.

The market is retail in nature primarily offering produce (including local content) together with arts, craft and food stalls and will service the needs in part, both from a produce and entertainment point of view, of the broader community.

The market comprises no fixed structures and will operated twice weekly from 8.00am to 1.00pm from the carpark of the hotel.

Given its temporary nature (stalls erected and removed on the day), it could be argued that the proposal will have no greater detrimental impact than what currently exists (Old Spot Hotel and carpark) on the open space character intended for zone.

The market since operation in June 2015 has complimented the site, increased participation in the local park and trail facilities and has been well supported by the local community.

**28. Appearance of Land and Buildings (Amenity)**

The proposal involves temporary canopies erected and removed on the day of the market.

No permanent structures are proposed, or erected.

Whilst noted, the relevance of objective 1 and the PDCs within the General Section (Design and Appearance) in this case is somewhat diminished as the canopies are not structures and temporary.



The intent of the objective and PDCs are linked to permanent structures on land, rather than the use of temporary gazebos.

The proposed temporary canopies are small in scale and size and clustered well away from the heritage listed Hotel and Main North Road, to the point where it could be argued that they have minimal visual impact on the locality and satisfy the requirements of PDC 7 and 9 of the Open Space Zone and PDC 5b of the precinct.

Heritage SA has supplied no objections to the inclusion of temporary structures of this type and the market has now operated for over 12 months without objections of any kind relating to the general appearance of the market in its current location.

#### **29. Building set-backs**

The proposal involves temporary canopies erected and removed on the day of the market. The proposed temporary canopies are located well back from Main North Road (over 50 metres) separated from the road by a landscaped buffer and behind the current building line.

Given this, it ought to be the view that the proposal will have minimal visual impact on the existing streetscape.

#### **30. Impact on Retail Centres**

The proposal provides for a retail trading area of approximately 1200m<sup>2</sup>.

Whilst the argument has been put that the proposed market may now fall under the definition of shop, given the retail nature of the market and its limited times of operation, assessment against the relevant objective and principles ought to concur, what it is proposed the Market does not hinder the development of centres.

The Development Plan envisages retail development with a gross leasable floor area greater than 250m<sup>2</sup> within integrated centres.

Clearly the majority of stalls within the market are not unique (ie fruit and vegetable stalls, bakery products and the like) and could easily be located within centre zones, admittedly at some expense (leasing of premises and overheads).

The market provides stall holders with a substantially cheaper avenue to sell their products from temporary facilities.

Representations received during the original approval process, indicate the potential for the market to impact upon the trade of existing fixed premises selling the same products.

During the first 12 months of trading on the site, no adverse effects on local centres have been noted.

Shopping development that is more appropriately located outside of business centres and shopping zones or areas, should also be of a size and type which will not hinder the development or function of any centre zone.

The nearest centre to the subject property is the Elizabeth Vale Shopping Centre (1.5km approx) other major centres include:

- Elizabeth South Shopping Centre (3.6km approx);
- Elizabeth Town Centre (4.0km approx.); and
- Salisbury Town Centre (4.5km approx.).

These centres provide more than the day to day needs of people living within the locality.

Based on the type of stalls, the primary purpose of the market is to sell produce, both locally and from interstate. The retail trading area (approximately 1200m<sup>2</sup>) on the days the market is running at full capacity may be considerable, but the market does not always operate at full capacity.

Add to that the limitation on operational times and weather restrictions that will inevitably undermine the ability of the Market to affect the performance of the centres.

The market will operate from the site twice a week between the hours of 8.00am and 1.00pm and become a permanent attraction to the locality.

The Wednesday operation only encompasses an area of approximately 350m<sup>2</sup>, and is utilised by local schools, so its impact on retail centres is of a minor nature.

It is clear the 1200m<sup>2</sup> of retail trading area proposed for the market has not had a detrimental impact on uses within nearby centres.

Two of the four nearest centres are District Centres, Elizabeth Town Centre and Salisbury Town Centre. The other two, are Elizabeth Vale Shopping Centre on Sir John Rice Avenue, Elizabeth Vale (Suburban Activity Node Zone) and Elizabeth South Shopping Centre on Phillip Highway, Elizabeth South (Neighbourhood Centre Zone) which on inspection appeared to be operating at 100% occupancy.

Whilst potentially impacting on specific similar type businesses, I do not believe it could be argued that the market would hinder the development, function and viability of those centres.

### **31. Car Parking and Access**

Existing car parking on site for the Old Spot Hotel and bottle shop totals approximately 240 spaces.

This is made up of over 210 paved and line marked carparks at grade with the hotel and bottle shop and an additional 30 spaces in a grassed area at the top of the embankment at the southern end of the site.

Approximately 49 spaces of the northern carpark will be taken over by the market stalls and walkways leaving 191 carparks for the benefit of the market and hotel.

The Market has also improved access to the grassed overrun parking on the grassed area on top of the rear embankment and created another 25 spaces on the northern edge of the market to accommodate stall holder parking during Saturdays market trading.

There is no car parking standards that I am aware of for markets. That said, as the market is retail in nature, a car parking rate similar to a shop (7/100m<sup>2</sup> of gross leasable area) as outlined in Table Sal/2 (Off Street Vehicle Parking Requirements) could be applied.

Gross leasable area (GLA) is defined in Schedule 1 of the Development Regulations 2008 as meaning; "The total floor area of a building excluding public or common tenancy areas such as malls, verandas or public toilets" The market covers a maximum 2000m<sup>2</sup> of the northern carpark and comprises both stalls (approximately 60%) and walkways (approximately 40%).

With the GLA definition in mind and noting that the proposed market is not within a building or comprise leasable floor area, based on the car parking rate of 7/100m<sup>2</sup>, it could be assumed that the proposal would generate a demand of 84 spaces leaving approximately 107 spaces for hotel and bottle-shop use.

Site visits by Council staff during the course of the Special Event revealed that the proposed market required substantially more carparks than the 84 spaces envisaged for the retail trading area, although since operating for nearly 12 months, current parking facilities have been adequate.

The proposed market intends to operate on the subject land when hotel patronage is generally low, that being in the early – mid morning period. The nature of the proposed use is such that the peak demand (given the primary use is the sale of produce - fruit and vegetables) has been early – mid morning and thus coincide with the low period of the hotel.

This was confirmed by Council Staff observations during the initial trial periods. During the peak period of the market (approximately 9.30am -11.30am) Council staff observed that the carpark demand on site exceed supply.

The Market operators opened up added parking spaces and employed licensed parking operators to ensure access to parking spaces was improved

At the same time, the proposed stall holder's staff carpark at the top of the embankment had no more than six vehicles parked there. Since then the Market operators have made changes to internal parking, resulting in spare customer parking spaces even during peak operating times.

Even during the markets grand opening where it was running at full capacity, there appeared to be no significant queuing or detriment impact on traffic movement on Main North Road. This appeared to be in part due to patrons of the market using the Carisbrooke Park public carpark on the west side of Main North Road adjacent the subject site and assistance by the Markets professional road traffic controllers.

Council staff during the busiest markets reported they also observed that during the markets busiest days from approximately 11.30am, car parking spaces were always available on the subject land with the carparks never reaching capacity.

Substantially more spaces were available in the Carisbrooke Park carpark during the same period.

The peak car parking demand associated with the market had passed and would continue to decrease till closing. Combined, it appeared that the subject land and Carisbrooke Park carpark

provided adequate off road car parking for both uses on the subject land at peak demand (approximately 9.30am -11.00am).

Due to convenience, it is likely some market patrons are likely to use the Carisbrooke Park carpark irrespective of whether car parking spaces were available on the subject land.

The traffic management plan put forward by the market identifies intended traffic circulation on site during market days and includes details of signage to be erected. This plan has been followed by the market management and traffic controllers for the past 12 months, and is performing well.

With this Traffic Management Plan in place, the relocation of stall holder vehicles to the proposed staff carpark as proposed and use of Carisbrooke Park carpark , the proposal easily satisfies the provisions of Objective 2 and provide safe and efficient movement into, out of and within the site.

**32. Landscaping;** Existing landscaping is to be retained. No additional landscaping is proposed.

**33. Environmental management;**

The proposal complies with the relevant requirements. Stormwater management for the site is currently in place. The proposed market will not generate any additional runoff flow.

The applicant has put measures in place that comply with Councils Health Department requirements relating to the management of waste water.

**34. Transportation (Movement of People and Goods)**

The proposal generally satisfies the Development Plan requirements relating to this section.

The applicant has submitted a Traffic Management Plan in support of the proposal. The plan supports the northern crossover into the site as entry only and the southern crossover as exit only.

Traffic circulation on site will be managed to achieve this. The Traffic Management Plan will if properly instigated by the applicant provide safe access for vehicles into, out of the site and circulation within the site.

DPTI have reviewed the Traffic Management Plan prepared by the applicant (not the most recent plan) and supporting information and in principle have raised no objection subject to vehicles accessing the site from the northern crossover and exiting the site via the southern crossover as the applicant proposes.

Farm direct has had no adverse impact on local traffic flow in the last 12 months, and even during the abnormal busy promotional periods.

The Market operators have installed extensive internal signage and employ 2 professional traffic controllers during their Saturday markets, which have proven able to effectively prevent any adverse issues, and ensure safe use of the existing plan over the past 12 months of operation.



### 35. Outdoor Advertisements;

The proposal will satisfy the requirements relating to outdoor advertisements.

All signs associated with the proposed use will be temporary. The main sign promoting the market will be an A-framed sign mounted on a trailer adjacent the northern entry into the site. All other signs apart from stall identification will be small directional signs to direct vehicle traffic on site.

The proposed signs will not result in the disfigurement of the local urban environment or result in visual clutter. The main sign advertising the market is not illuminated and of a size that is not likely to distract drivers on Main North Road from their primary driving task. It is not variable (changing message) thus satisfying a DPTI requirement.

### CONCLUSION

The applicant has applied for a farmers market comprising a maximum of 40 stalls and occupying approximately 2000m<sup>2</sup> of the northern carpark of the heritage listed Old Spot Hotel at 1955 Main North Road, Salisbury Heights.

The market intends to trade on the Wednesday and Saturday of each week between the hours of 8.00am and 1.00pm. Whilst the market is retail in nature, for the reasons outlined in the background section of this report, it should be assessed as an undefined use.

The Market has operated successfully for over 12 months, with excellent support from the local community as a whole.

The Department of Environment, Waste and Natural Resources (State Heritage Unit) have advised that the proposed market will not have any adverse impacts on the heritage listed Hotel.

The proposal underwent Category 3 notification. Six (6) representations were received. The key concerns raised by representors related to onsite car parking and traffic management and the external impact of the use on traffic movement on Main North Road and local streets.

The Market has overcome all these concerns, and has operated without any recent concerns.

The proposed market will support a maximum retail trading area of approximately 1200m<sup>2</sup> comprising a variety of stalls. The Development Plan encourages development with retail floor areas greater than 250m<sup>2</sup> within centre zones unless it can be proven that they do not hinder the development, function and viability of centres.

It is the view of the applicant that given the nature of the use (retail) and type of activity proposed (market), whilst potentially impacting commercially on selected uses within centres (predominantly fruit and vegetable stores), the proposal will not detrimentally impact on the overall function and viability of the nearest centres.

ITEM 5.1.1 Page 30 City of Salisbury Development Assessment Panel Agenda - 21 July 2015 Item 5.1.1 On market days, 191 carpark spaces will be available on site for patrons of both the market and Old Spot Hotel and bottle-shop, since then the facilities have been improved.

It is clear given the nature of the use and from the councils own observations of the market at its busiest operational times, that the demand for onsite spaces during the peak period, exceeds onsite parking availability. That said, adequate parking is available on both the subject land and adjacent Carisbrooke Park carpark to accommodate the peak demand of the market.

I note that since the councils own observations, the Markets general trade has softened and even though this is the case, internal parking has been expanded to ensure even during special events, the Market is able to ensure they can handle any traffic flow in and out of the property.

Whilst the Carisbrooke Park carpark has not been encouraged as a carpark ancillary to the market, it should be noted that it is a public carpark and available to everyone. Outside, of the peak market period, onsite parking provision appears to be in balance with or exceeds demand.

The Department of Planning Transport and Infrastructure (Traffic Safety) in principle support the proposal, the current success of the market in handling "Traffic Safety" should have alleviated any concerns DPTI may have had.

The Market has submitted and adhered to an internal traffic management plan during the past 12 months of operation, which has been a success.

The applicant can see no valid reason for this application not to proceed to approval, based on the application itself and the performance of the market over the past 14 months in operation and over 4 years in the Salisbury area.

Mark Aldridge

Farm Direct community markets.



Attachment 3

Category 3 Public Notice



**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>	361/935/2015/NB
<b>APPLICANT:</b>	Farm Direct Community Markets PO Box 1073 VIRGINIA SA 5120
<b>NATURE OF THE DEVELOPMENT:</b>	MARKET (SHOPS) IN CAR PARK OF EXISTING HOTEL (NON-COMPLYING)
<b>LOCATED AT:</b>	The Old Spot Hotel, 1955 Main North Road , Salisbury Heights SA 5109
<b>CERTIFICATE OF TITLE:</b>	CT-6050/968
<b>ZONE:</b>	Open Space

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 17<sup>th</sup> August 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, Team Leader - Planning

Date: 1 August 2016

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

Attachment 4

Relevant Development Plan Provisions

Consolidated 20 March 2014

# Development Plan

**Salisbury Council**

Consolidated – 20 March 2014

This is the current version of the Development Plan as at the consolidated date shown above. It must be read in conjunction with any subsequent amendments. These can be found on the list of [Interim and Approved Plan Amendment Reports not consolidated into Development Plans](#).



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

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## Advertisements

### OBJECTIVES

- 1 Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- 2 Advertisements and/or advertising hoardings that do not create a hazard.
- 3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
  - (a) consistent with the predominant character of the urban or rural landscape
  - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
  - (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.
- 2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
  - (a) clutter
  - (b) disorder
  - (c) untidiness of buildings and their surrounds
  - (d) driver distraction.
- 3 Buildings occupied by a number of tenants should exhibit co-ordinated and complementary advertisements and/or advertising hoardings to identify the tenants and their type of business.
- 4 The content of advertisements should be limited to information relating to the legitimate use of the associated land.
- 5 Advertisements and/or advertising hoardings should:
  - (a) be completely contained within the boundaries of the subject allotment
  - (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees
  - (c) not obscure views to vistas or objects of high amenity value.
- 6 Advertisements and/or advertising hoardings should not be erected on:
  - (a) a public footpath or veranda post
  - (b) a road, median strip or traffic island
  - (c) a vehicle adapted and exhibited primarily as an advertisement

Salisbury Council  
General Section  
Advertisements

(d) residential land.

- 7 Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.
- 8 Advertisements and/or advertising hoardings erected on a veranda or that project from a building wall should:
  - (a) have a clearance over a footway, of at least 2.5 metres, to allow for safe and convenient pedestrian access
  - (b) where erected on the side of a veranda, not exceed the width of the veranda or project from the veranda
  - (c) where erected on the front of a veranda, not exceed the length of the veranda or project from the veranda
  - (d) where projecting from a wall, have the edge of the advertisement or advertising hoarding abutting the surface of the wall.
- 9 Advertisements should be designed to conceal their supporting advertising hoarding from view.
- 10 Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.
- 11 Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.
- 12 Outside of townships and country settlements advertisements other than traffic signs, tourist signs or advertisements on an existing tourist information bay display board, should not be erected in road reserves.

**Safety**

- 13 Advertisements and/or advertising hoardings should not create a hazard by:
  - (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road
  - (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals
  - (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high
  - (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).
- 14 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.

**Freestanding Advertisements**

- 15 Freestanding advertisements and/or advertising hoardings should be:
  - (a) limited to only one primary advertisement per site or complex

- (b) of a scale and size in keeping with the desired character of the locality and compatible with the development on the site.
- 16 Freestanding advertisements and/or advertising hoardings for multiple-business tenancy complexes should:
- (a) incorporate the name or nature of each business or activity within the site or complex in a single advertisement
  - (b) be integrally designed and mounted below the more predominant main complex or site identity advertisement.
- 17 Portable, easel or A-frame advertisements should be displayed only where:
- (a) no other appropriate opportunity exists for an adequate co-ordinated and permanently erected advertisement and/or advertising hoarding
  - (b) they do not obstruct or compromise the safety of pedestrians or vehicle movement
  - (c) there is no unnecessary duplication or proliferation of advertising information
  - (d) there is no damage to, or removal of, any landscaping on the site
  - (e) they are restricted to 1 per site, or 1 per major road frontage if located upon a large corner site
  - (f) each sign does not exceed 1 square metre in advertisement area per face, and 1.2 metres in height.
- 18 Freestanding advertisements should not exceed the total height (measured from natural ground level) as specified within the following table:

Location of freestanding advertisement	Total height (in metres)
Precinct 8 Retail Core (within the Ingle Farm Policy Area 2)	8
Precinct 13 Retail Core (within the Salisbury Town Centre Policy Area 3)	
Precinct 17 Retail Core (within the Salisbury Downs Policy Area 4)	
Industry Zone	6
Neighbourhood Centre Zone	
Commercial Zone	4
Precinct 5 Education (within the Ingle Farm Policy Area 2)	
Precinct 7 Recreation (within the Ingle Farm Policy Area 2)	
Local Centre Zone	
Precinct 9 Civic (within the Salisbury Town Centre Policy Area 3)	
Precinct 11 Community and Tertiary (within the Salisbury Town Centre Policy Area 3)	
Precinct 12 Interchange (within the Salisbury Town Centre Policy Area 3)	
Precinct 15 Community (within the Salisbury Downs Policy Area 4)	
Precinct 16 Mixed Use (within the Salisbury Downs Policy Area 4)	
In all other locations	3

- 19 Portable, easel or A-frame advertisements associated with a development should be displayed only during the hours the development is open for trading.

#### Flags, Bunting and Streamers

- 20 Advertisements and/or advertising hoardings incorporating any flags, bunting, streamers, or suspended objects should:

**Salisbury Council  
General Section  
Advertisements**

- (a) be placed or arranged to complement and accord with the scale of the associated development
- (b) other than flags, not be positioned higher than the building they are attached or related to
- (c) not be displayed in residential areas.

**Advertising along Arterial Roads**

- 21 Advertising and/or advertising hoardings should not be placed along arterial roads that have a speed limit of 80 km/h or more.



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.

Salisbury Council  
General Section  
Design and Appearance

## Design and Appearance

### OBJECTIVES

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

### PRINCIPLES OF DEVELOPMENT CONTROL

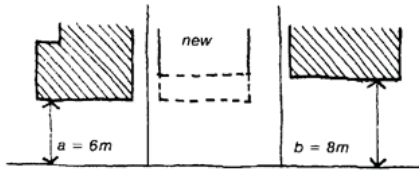
- 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.
- 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.
- 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
  - (a) articulation
  - (b) colour and detailing
  - (c) small vertical and horizontal components
  - (d) design and placing of windows
  - (e) variations to facades.
- 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:
  - (a) the visual impact of the building as viewed from adjoining properties
  - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 5 Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.
- 6 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building with brickwork or timber, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.
- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.
- 8 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 9 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.



- 10 Development should provide clearly recognisable links to adjoining areas and facilities.
- 11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 12 Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.
- 13 Where applicable, development should incorporate verandas over footpaths to enhance the quality of the pedestrian environment.
- 14 Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 15 Outdoor lighting should not result in light spillage on adjacent land.
- 16 Balconies should:
  - (a) be integrated with the overall architectural form and detail of the building
  - (b) be sited to face predominantly north, east or west to provide solar access
  - (c) have a minimum area of 2 square metres.

#### Building Setbacks from Road Boundaries

- 17 The setback of buildings from public roads should:
  - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
  - (b) contribute positively to the streetscape character of the locality
  - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.
- 18 Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When <math>b - a \leq 2</math>, setback of new dwelling = <math>a</math> or <math>b</math></p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

Salisbury Council  
General Section  
*Design and Appearance*

- 19 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Sal/1 - Building Setbacks from Road Boundaries](#).
- 20 Except where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 21 Development likely to encroach within a road widening setback under the *Metropolitan Adelaide Road Widening Plan Act 1972* should be set back sufficiently from the boundary required for road widening.

Salisbury Council  
General Section  
Heritage Places

## Heritage Places

### OBJECTIVES

- 1 The conservation of State and local heritage places.
- 2 The continued use, or adaptive re-use of State and local heritage places that supports the conservation of their cultural significance.
- 3 Conservation of the setting of State and local heritage places.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 A heritage place spatially located on *Overlay Maps - Heritage* and more specifically identified in [Table Sal/4 - State Heritage Places](#) should not be demolished, destroyed or removed, in total or in part, unless either of the following apply:
  - (a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the *Table*
  - (b) the structural condition of the place represents an unacceptable risk to public or private safety.
- 2 Development of a State or local heritage place should retain those elements contributing to its heritage value, which may include (but not be limited to):
  - (a) principal elevations
  - (b) important vistas and views to and from the place
  - (c) setting and setbacks
  - (d) building materials
  - (e) outbuildings and walls
  - (f) trees and other landscaping elements
  - (g) access conditions (driveway form/width/material)
  - (h) architectural treatments
  - (i) the use of the place.
- 3 Development of a State or local heritage place should be compatible with the heritage value of the place.
- 4 Original unpainted plaster, brickwork, stonework, or other masonry of existing State or local heritage places should be preserved, unpainted.
- 5 New buildings should not be placed or erected between the front street boundary and the façade of existing State or local heritage places.
- 6 Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:

- (a) scale and bulk
  - (b) width of frontage
  - (c) boundary setback patterns
  - (d) proportion and composition of design elements such as rooflines, openings, fencing and landscaping
  - (e) colour and texture of external materials.
- 7 The introduction of advertisements and signage to a State or local heritage place should:
- (a) be placed on discrete elements of its architecture such as parapets and wall panels, below the canopy, or within fascias and infill end panels and windows
  - (b) not conceal or obstruct historical detailing of the heritage place
  - (c) not project beyond the silhouette or skyline of the heritage place
  - (d) not form a dominant element of the place.
- 8 The division of land adjacent to or containing a State or local heritage place should occur only where it will:
- (a) create an allotment pattern that maintains or reinforces the integrity of the heritage place and the character of the surrounding area
  - (b) create an allotment or allotments of a size and dimension that can accommodate new development that will reinforce and complement the heritage place and the zone or policy area generally
  - (c) be of a size and dimension that will enable the siting and setback of new buildings from allotment boundaries so that they do not overshadow, dominate, encroach on or otherwise impact on the setting of the heritage place
  - (d) provide an area for landscaping of a size and dimension that complements the landscape setting of the heritage place and the landscape character of the locality
  - (e) enable the State or local heritage place to have a curtilage of a size sufficient to protect its setting.



Salisbury Council  
General Section  
*Interface between Land Uses*

## 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

- (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.

## 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.

Salisbury Council  
General Section  
*Transportation and Access*

- 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



- (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.

Salisbury Council  
General Section  
Transportation and Access

### 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.

- 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.

## Open Space Zone

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

### OBJECTIVES

- 1 A zone:
  - (a) in which the open space character is preserved to provide a visual contrast to the surrounding urban area
  - (b) comprising open space that accommodates a range of public and private activities in an open and natural setting, including:
    - (i) passive and active recreation land uses
    - (ii) habitat conservation and restoration
    - (iii) associated administrative, visitor and spectator facilities.
- 2 Land within the Metropolitan Open Space System (MOSS) contributing to regional open space networks and providing an open, natural and rural character accommodating low-scale uses such as non-intensive agriculture
- 3 Public land within the MOSS that provides for recreation areas and facilities, sporting facilities and conservation of the open, natural character.
- 4 A linear park that:
  - (a) provides an open space corridor across Greater Adelaide/Regional South Australia
  - (b) promotes the use, awareness and preservation of the environment and enhancement of natural or semi natural habitats for the movement of wildlife and conservation of biodiversity.
- 5 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

The zone provides for a range of passive and active recreation land uses, and associated spectator facilities and administrative functions.

It will provide for the establishment and maintenance of a linear open space and biological corridor based on the existing watercourse channel, associated floodplains and vegetation.

Pedestrian, cycle and recreation facilities, such as drinking fountains and barbecues, will be incorporated into the Linear Park; however, facilities for sports competitions or events are inappropriate.

Landscaping should ensure that any remnant native vegetation is incorporated into the landscape design and that locally indigenous vegetation is utilised wherever possible.



Salisbury Council  
Zone Section  
Open Space Zone

## PRINCIPLES OF DEVELOPMENT CONTROL

### Land Use

#### 1 The following forms of development are envisaged in the zone:

- conservation work
- farming
- outbuilding associated with open space maintenance
- playground
- recreation area
- sporting club facility
- structure associated with a public facility such as car parking, picnic/barbeque area, shelter and toilet
- toilet block and barbeque facility

#### 2 Development listed as non-complying is generally inappropriate.

#### 3 Publicly owned land within the MOSS should be used for any of the following:

- (a) to provide natural or landscaped open space using locally indigenous plant species
- (b) to accommodate a range of public recreation, sporting and institutional facilities and uses
- (c) to accommodate stormwater retention and management
- (d) to conserve and restore areas of remnant native vegetation and wildlife habitats and corridors
- (e) to conserve sites of scientific, cultural or heritage interest
- (f) for revegetation purposes using locally indigenous plant species
- (g) to provide a buffer to adjoining areas of conservation significance.

#### 4 Privately owned land within the MOSS should be used for any of the following:

- (a) rural activities and agriculture (but not intensive animal keeping)
- (b) low-impact sporting facilities
- (c) to accommodate a range of public recreation, sporting and institutional facilities and uses
- (d) conservation purposes.

#### 5 Development should allow for unstructured passive and active recreation.

#### 6 Development within the area marked 'The Paddocks' on [Concept Plan Map Sal/17 - The Paddocks Open Space Zone](#) should:

- (a) be comprised primarily of small-scale public and private recreation facilities
- (b) be maintained as a visual buffer between different parts of the metropolitan area
- (c) maintain existing pedestrian and cycle linkages
- (d) establish future pedestrian and cycle linkages
- (e) provide opportunities for future recreational activities.

**Form and Character**

- 7 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 8 Development, unless specified elsewhere within the zone or policy areas, should only occur where it is integral to the aesthetic, drainage or recreation function of the zone.
- 9 Buildings should be:
  - (a) restricted in size and number
  - (b) sited so as not to detract from the open natural character of the zone
  - (c) be well set-back from public roads
  - (d) be clustered, where practicable, to ensure that the majority of any site remains open in appearance
  - (e) generally be of dark natural colours such as brown and green so as to be unobtrusive and not detract from natural elements of the landscape
  - (f) constructed of materials which blend with the landscape.
- 10 Development should ensure co-ordinated design with an emphasis on the creation of pedestrian areas.
- 11 Landscaped buffers should be provided around the perimeter of recreation or sporting facilities.
- 12 Landscaping should comprise locally indigenous species and incorporate existing remnant vegetation.
- 13 Vehicular access or crossings should not occur through the Linear Park.
- 14 Development should ensure that public access to the Linear Park is retained and enhanced for cyclists and pedestrians.
- 15 Development, landscaping, and paths for pedestrians and cyclists should:
  - (a) take into account the changing flow regime and width of waterways and
  - (b) be constructed of permeable material where practical to reduce stormwater runoff.
- 16 Advertisements should be restricted to user's identity, property, name and address.
- 17 Advertisements should:
  - (a) not include portable, flashing or moving displays
  - (b) not wholly or partly consist of bunting, streamers, flags, wind vanes and the like
  - (c) where internally illuminated, be unobtrusive and not be conspicuous from residential properties.

**Land Division**

- 18 Land division should not be undertaken except where:
  - (a) it will facilitate the development of envisaged uses in the zone
  - (b) no additional allotments are created.

Salisbury Council  
 Zone Section  
 Open Space Zone  
 Landscape Buffer Policy Area 14

## Landscape Buffer Policy Area 14

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this policy area.

### OBJECTIVES

- 1 A policy area accommodating a landscaped buffer which incorporates innovative stormwater treatment, and at Burton, low-intensity rural or recreational activities.
- 2 The provision of wide expanses of open space adjacent to industrial areas and along major transport routes to provide a separation buffer between industrial and non-industrial land uses.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 The following forms of development are envisaged in the policy area:
  - horse keeping at Burton
  - open space and parklands
  - public recreation facilities.
- 2 Development should maintain and contribute to the landscaped open space character of the policy area and provide for the conveyance, storage and infiltration of stormwater run-off.
- 3 Low-intensity recreational or rural activities such as horse agistment should only occur on private land within the policy area, where it is located at Burton and it does not detract from the amenity of adjacent residential areas.

#### Form and Character

- 4 Development within the area marked 'Acoustic Buffer' on [Concept Plan Map Sal/18 - Parafield Gardens Residential Area 1](#) should include acoustic mounding (or mounding and fencing) to a height of 3 metres to protect residential areas from noise and visual impacts.

## Recreation Policy Area 15

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this policy area.

### OBJECTIVES

- 1 A policy area accommodating sporting, entertainment, cultural and recreational activities and associated spectator and administrative facilities.
- 2 Development of integrated recreational areas and facilities that accommodate a range of activities accessible to the community.
- 3 Buildings, facilities and car parks located and designed to blend in with existing or additional trees, vegetation and landscaping.
- 4 Development within the area marked 'Community Purposes' on [Concept Plan Map Sal/19 - Pooraka Open Space Recreation](#) which is comprised of community, recreational, sporting, educational and religious facilities.

### PRINCIPLES OF DEVELOPMENT CONTROL

#### Land Use

- 1 The following forms of development are envisaged in the policy area:
  - car parking
  - clubroom associated with a sports facility
  - entertainment, cultural and exhibition facility
  - golf course
  - indoor and outdoor recreation facility
  - lighting for night use of facilities
  - office associated with community or recreation facility
  - playground
  - shops or groups of shops ancillary to recreation development
  - showground
  - sports ground and associated facility
  - special event
  - spectator and administrative facilities ancillary to recreation development
  - swimming pool.
- 2 A shop or group of shops should only be developed where:
  - (a) it is ancillary to recreation and sport development
  - (b) the total gross leasable area is less than 80 square metres.
- 3 Development within the area marked 'Community/Recreation' on [Concept Plan Map Sal/19 - Pooraka Open Space Recreation](#) should be comprised of community, recreational, sporting, educational and religious facilities.
- 4 Development within the area marked 'Community/Recreation' on [Concept Plan Map Sal/19 - Pooraka Open Space Recreation](#) should contribute to the visual separation of the urban regions of Salisbury and Enfield, and retain a predominantly open space character derived primarily from parklands, public recreation facilities of an open nature, and landscaping. Buildings, structures, advertisements and hard-paved areas should be unobtrusive, particularly as viewed from public roads.



Salisbury Council  
 Zone Section  
 Open Space  
 Recreation Policy Area 15

### Form and Character

- 5 Development should be undertaken in accordance with the following Concept Plan Maps:
  - (a) Concept Plan Map Sal/19 - Pooraka Open Space Recreation
  - (b) Concept Plan Map Sal/20 - Old Spot Hotel
  - (c) Concept Plan Map Sal/21 - MOSS Open Space Recreation
- 6 Access to Little Para River and Dry Creek should be maintained and further developed with a series of cycle and pedestrian paths linked to adjoining areas.
- 7 Development should not prejudice the continuation of salt harvesting in the Hundred of Port Adelaide.
- 8 Expansion of the hotel should be contained within the area marked 'Hotel Site Area' shown on Concept Plan Map Sal/20 - Old Spot Hotel.
- 9 Buildings within the area marked 'Community/Recreation' on Concept Plan Map Sal/19 - Pooraka Open Space Recreation should have a low profile and not exceed single-storey in height unless the building is designed for recreational purposes, in which case the building should not exceed 10 metres in height and be designed and located to minimise the impact of the building on the locality.
- 10 Development within the area marked 'Community/Recreation' on Concept Plan Map Sal/19 - Pooraka Open Space Recreation should be designed and sited in accordance with all of the following:
  - (a) not occupy more than 5 per cent of any site
  - (b) be set-back more than 50 metres from the boundary of the policy area
  - (c) be clustered to ensure that the majority of any site remains open in appearance
  - (d) not provide vehicular access onto Main North Road.

**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
Advertisement and/or advertising hoarding	Except where it complies with all of the following: (a) it does not move, rotate or incorporate flashing lights (b) it does not wholly or partly consists of bunting, streamers, flags, wind vanes and the like (c) if attached to a building, it does not wholly or partly extend above the top of the wall or the fascia.
Amusement machine centre	
Bus depot	
Bus station	
Caravan park	
Consulting room	
Crematorium	
Dairy	
Dwelling	Except where it is ancillary to and in association with an envisaged development.
Educational establishment	
Electricity substation	
Fuel depot	
Hall	Except where it is located outside of the Recreation Policy Area 15
Horticulture	
Hospital	
Hotel	Except on Allotment 200 in Deposited Plan 41172
Industry	
Intensive animal keeping	
Land division	Except where no additional allotments are created partly or wholly within the zone.
Motel	
Motor repair station	
Nursing home	
Office	Except where in association with recreation and sporting facilities.

Salisbury Council  
Zone Section  
Open Space Zone

Form of development	Exceptions
Petrol filling station	
Place of worship	Except where it is located outside of Landscape Buffer Policy Area 14.
Pre-school	
Prescribed mining operations	
Public service depot	
Residential flat building	
Restaurant	
Road transport terminal	
Service trade premises	
Shop or group of shops	
Stock sales yard	
Stock slaughter works	
Store	
Tourist accommodation	
Warehouse	
Waste reception, storage, treatment or disposal	
Welfare institution	
Wrecking yard	

#### Public Notification

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

Table Sal/2 - Off Street Vehicle Parking Requirements

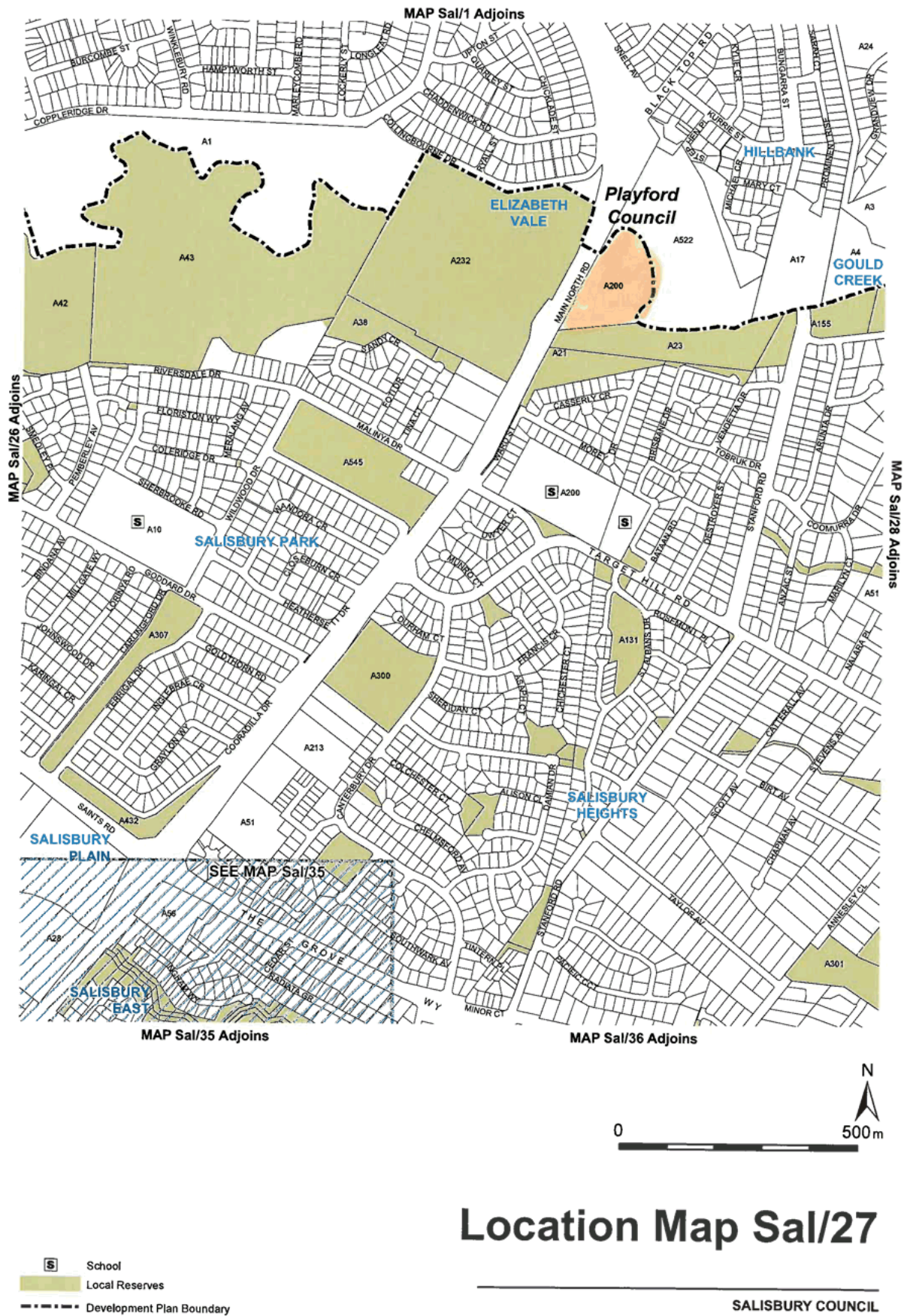
**Table Sal/2 - Off Street Vehicle Parking Requirements**

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	
Lounge or beer garden	
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
Residential flat building Multiple dwelling Group dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
<b>Industry, warehouses, stores</b>	



Salisbury Council  
Table Section  
Table Sal/2 - Off Street Vehicle Parking Requirements

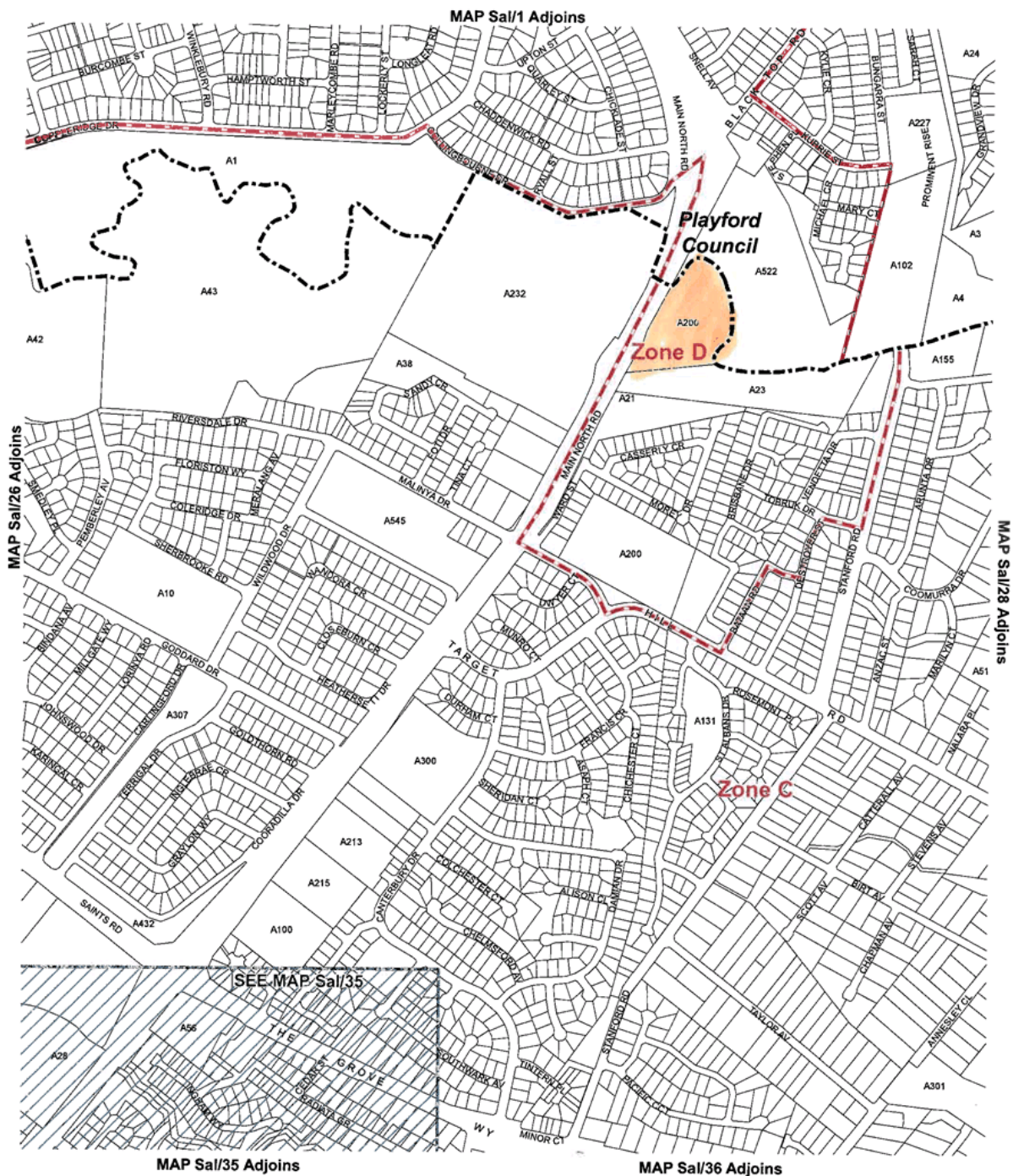
Form of Development	Number of Required Car Parking Spaces
Office component	1 space per 30 square metres
<i>Plus</i>	<i>Plus</i>
Non-office component	
Up to 200 square metres	1 space per 50 square metres
Plus 200-2000 square metres	1 additional space for every 75 square metres
Plus greater than 2000 square metres	1 additional space for every 150 square metres
<i>Or</i>	<i>Or</i>
For labour intensive industries, inclusive of office component (whichever ever is greater)	0.75 car parking spaces per employee
<b>Medical</b>	
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











NOTE: Airport Building Heights should be read in conjunction with concept plan map showing heights for Edinburgh Defence Airfield

**Airport Building Heights**

Referral to Commonwealth Secretary for Dept. of Transport and Regional Services

Zone C All Structures Exceeding 15 metres above existing ground level  
Zone D All Structures Exceeding 45 metres above existing ground level

Airport Building Heights  
 Development Plan Boundary

## Overlay Map Sal/27

### DEVELOPMENT CONSTRAINTS

SALISBURY COUNCIL

Consolidated - 20 March 2014





Heritage points are indicative only.  
For further information on State and Local Heritage Places and Contributory  
Items please refer to the relevant tables within this document.

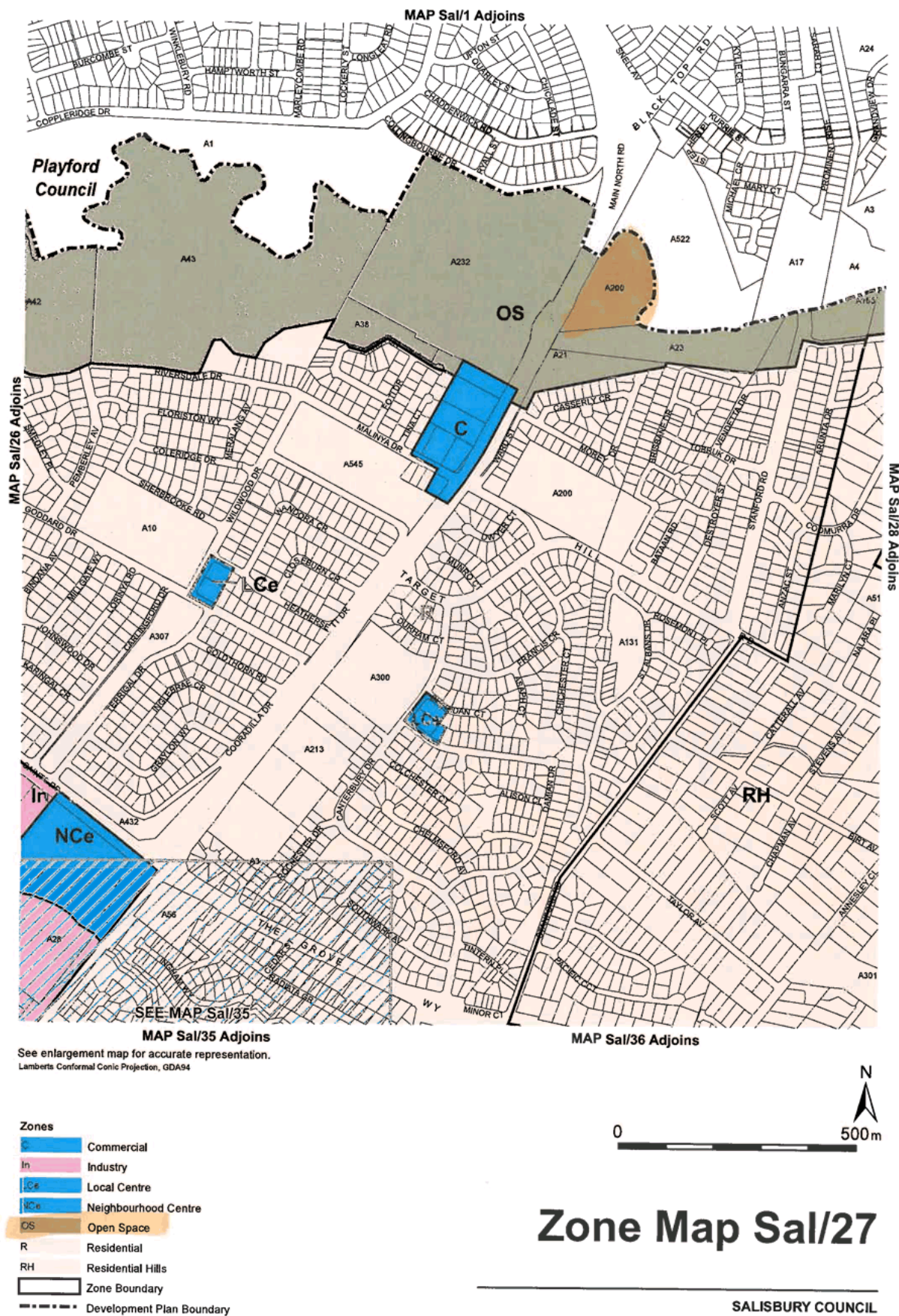


- State heritage place
- Development Plan Boundary

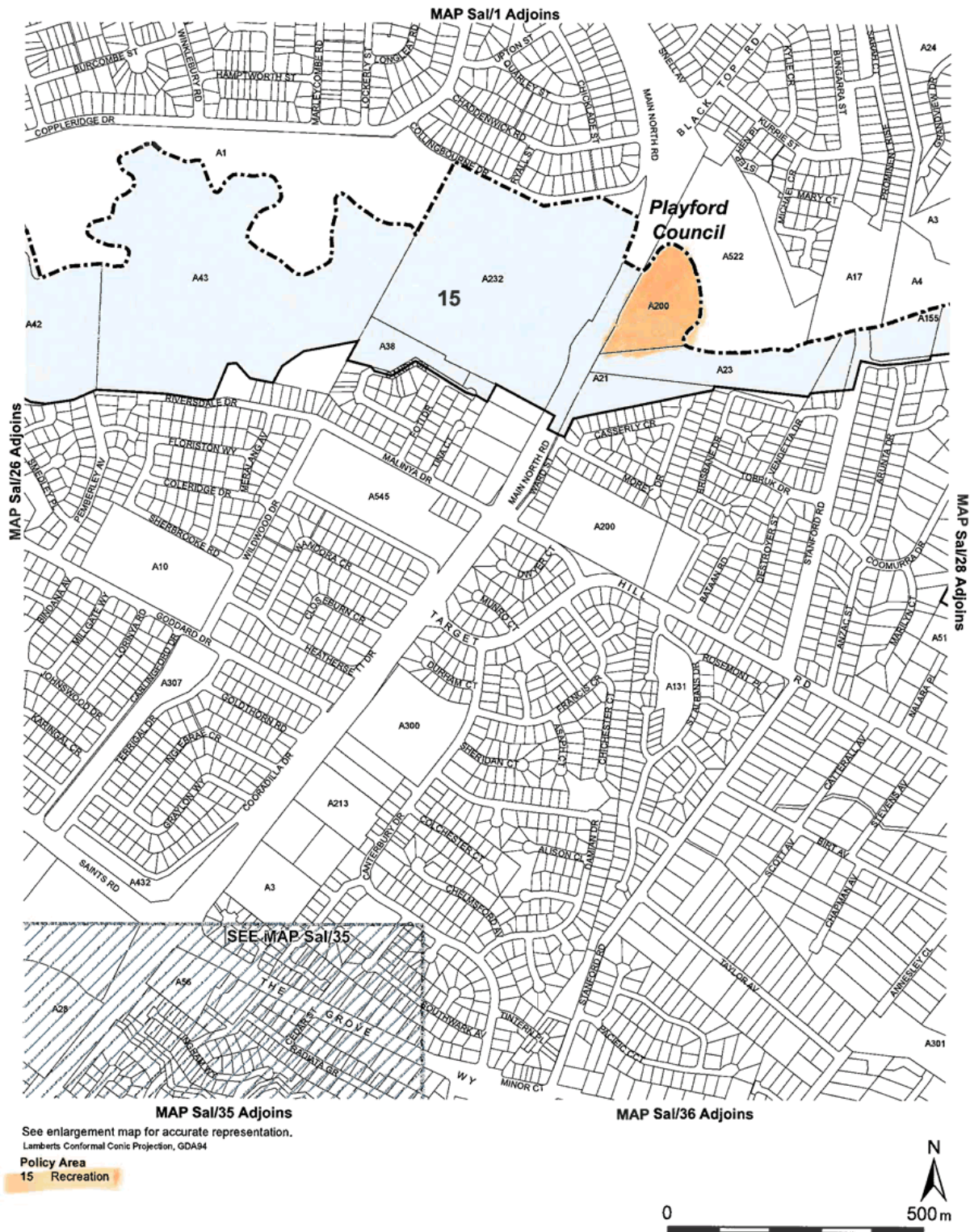
## Overlay Map Sal/27 HERITAGE

SALISBURY COUNCIL  
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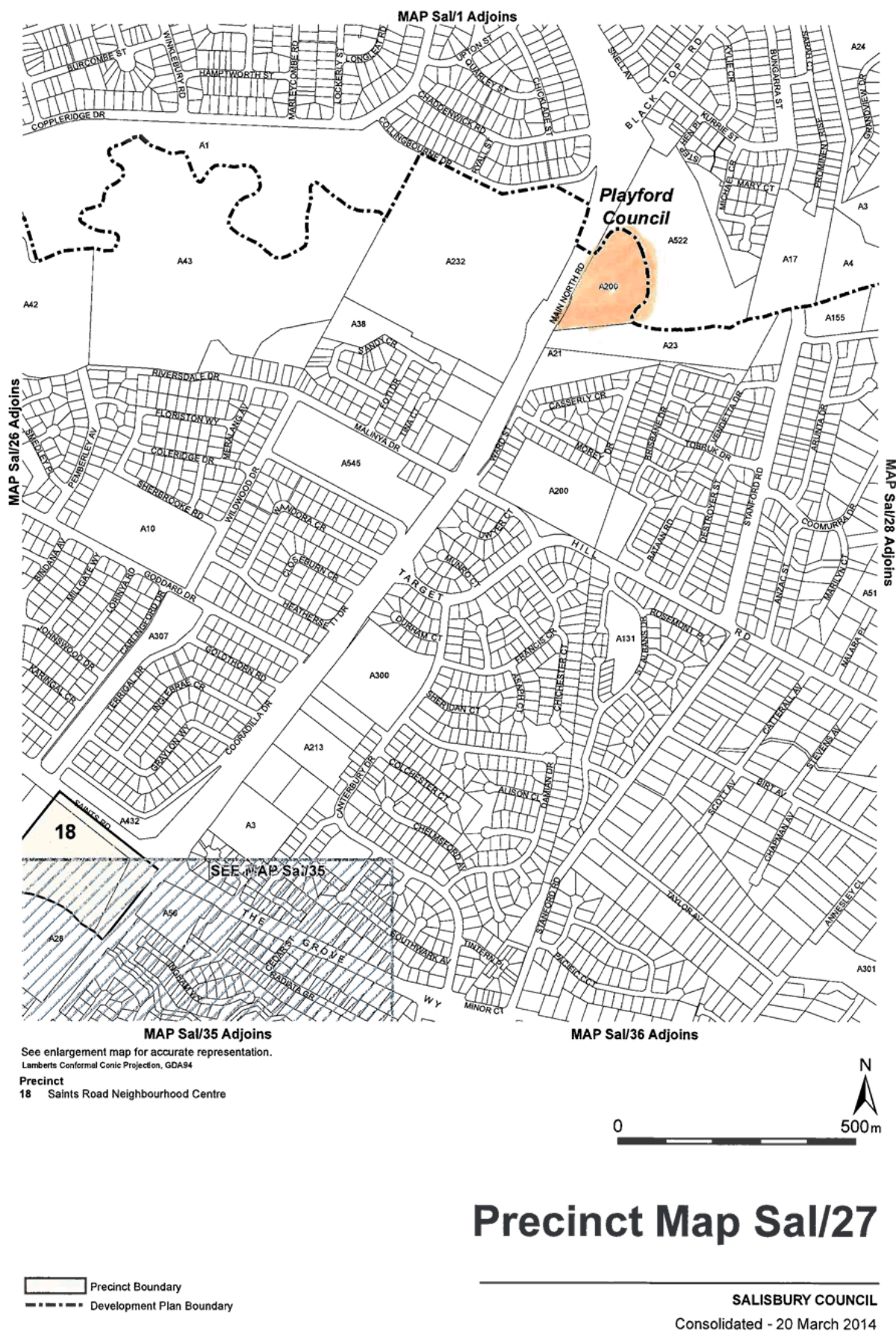




## Policy Area Map Sal/27

- Policy Area Boundary  
 - Development Plan Boundary

**SALISBURY COUNCIL**  
 Consolidated - 20 March 2014







<b>ITEM</b>	5.1.2
	<b>DEVELOPMENT ASSESSMENT PANEL</b>
<b>DATE</b>	27 September 2016
<b>APPLICATION NO.</b>	361/1075/2016/2B
<b>APPLICANT</b>	Northern Adelaide Waste Management Authority
<b>PROPOSAL</b>	Change of use from industry to material recovery facility (recycling depot) and service depot (including truck parking), construction of ancillary office and workshop, gas re-fuelling facilities comprising supply lines and storage, freestanding sign, removal of significant tree and associated vehicle parking, manoeuvring area, fencing and perimeter landscaping
<b>LOCATION</b>	1-2 Gidgie Court and 71-75 Woomera Avenue, Edinburgh
<b>CERTIFICATE OF TITLE</b>	Volume 5946 Folio 160 and Volume 5960 Folio 906
<b>AUTHOR</b>	Ben Green, Planning Consultant

## 1. DEVELOPMENT APPLICATION DETAILS

<b>Zone/Policy Area</b>	Urban Employment Zone
<b>Application Type</b>	On-Merit
<b>Public Notification Category</b>	2
<b>Public Notification</b>	Representations received: 6 Representations to be heard: 5
<b>Referrals - Statutory</b>	Environment Protection Authority
<b>Referrals – Internal</b>	Tree Services Landscape Design Development Engineering (Input from Traffic)
<b>Development Plan Version</b>	Salisbury (City) Development Plan Consolidated 5 May 2016
<b>Assessing Officer</b>	Ben Green, Consultant Planner
<b>Recommendation</b>	Grant Development Plan Consent subject to conditions
<b>Meeting Date</b>	27 September 2016

## 2. REPORT CONTENTS

### Assessment Report

Attachment 1:	Plans and Documentation
Attachment 2:	Copy of Representations
Attachment 3:	EPA Referral Response
Attachment 4:	Relevant Development Plan Provisions - Consolidated 5 May 2016

### 3. EXECUTIVE SUMMARY

Northern Adelaide Waste Management Authority (NAWMA) is a Local Government Regional Subsidiary of the Town of Gawler and the Cities of Playford and Salisbury. NAWMA provides waste management services to those three Councils in the north of Adelaide.

The proposed development seeks to establish a new material recovery facility (MRF) for the receiving, sorting and baling of recyclable materials retrieved from 'yellow-lid' bins as part of the three-bin collection service. The development also includes an operational depot for waste collection vehicles.

The subject land is comprised of two contiguous allotments and is situated within the Urban Employment Zone as depicted on Map Sal/18 of the Salisbury Council Development Plan, Consolidated 5 May 2016.

The proposed development involves two main components:

- Change of use of the existing building on allotment 506 to a MRF that will facilitate the receipt, sorting and dispatch of recyclable materials from kerbside collection; and the associated
- Change of use and construction of buildings and associated infrastructure for use by waste contractor, SUEZ Environment (SUEZ), which will include administrative offices, truck parking and refuelling activities.

The proposal also involves the removal of one Significant Tree in order to facilitate the development on the subject land.

The locality is described as being low intensity industrial in nature with a moderate amenity.

The proposal constitutes an 'on-merit' form of development and Category 2 for the purposes of public notification. Six representations were received during the public notification period.

The application was referred to the Environment Protection Authority as a 'waste or recycling depot' and is an activity of 'major environmental significance' pursuant to the *Development Regulations 2008*. The EPA advised that as the development is located outside of the recommended separation distance for air quality purposes, the potential for odour nuisance from the facility is considered to be low. The EPA also advised that in terms of waste management, air quality and noise, the development is unlikely to have an adverse impact on the closest sensitive receivers.

This report provides an assessment of the application against the relevant provisions of the Salisbury Council Development Plan.

This report recommends that Development Plan Consent should be granted subject to conditions.

#### **4. RELEVANT AUTHORITY**

As Salisbury Council has a direct interest in NAWMA, Council wrote to the Minister for Planning by way of correspondence, dated 3 June 2016, requesting that the Minister consider whether to direct the Development Assessment Commission to be the relevant authority for the assessment of the application pursuant to Section 34(1)(b)(iii) of the *Development Act 1993*.

Council received a response from a delegate of the Minister by way of correspondence, dated 30 June 2016 that advised after careful consideration, the delegate was not of the view that the appointment of the Development Assessment Commission as the relevant authority was warranted in this instance, and suggested that the Salisbury Council Development Assessment Panel is the best placed authority to consider the issues and provide full and independent scrutiny of the planning merits without prejudice.

In order for further transparency, Council engaged the services of a planning consultant, Ben Green and Associates to prepare an independent assessment of the proposal and prepare this report for consideration by the Development Assessment Panel.

#### **5. BACKGROUND**

Northern Adelaide Waste Management Authority (NAWMA) is a Local Government Regional Subsidiary of the Town of Gawler and the Cities of Playford and Salisbury. NAWMA provides waste management services to a number of Councils north of Adelaide.

NAWMA coordinates kerbside waste management collection in the Playford, Salisbury and Gawler region. The three-bin collection service incorporates household waste, recyclables and garden/food organics.

NAWMA's focus is increasingly on resource recovery, recycling and re-use to ensure waste management is conducted to high levels of environmental and economic sustainability.

The proposed development seeks to facilitate a new material recovery facility (MRF) for the receiving, sorting and baling of recyclable materials retrieved from 'yellow-lid' bins as part of the three-bin collection service.

The proposed MRF will replace NAWMA's current recycling operations at Edinburgh North and is considered (by the applicant) necessary in order to meet the increasing waste and recycling demands of the growing region.

#### **6. SUBJECT SITE**

The subject land is comprised of two contiguous allotments:

- 1-2 Gidgie Court, also referred to as Allotment 505 in Deposited Plan 68296, Certificate of Title reference: Volume 5946 Folio 160; and
- 71-75 Woomera Avenue, also referred to as Allotment 506 in Deposited Pan 68296, Certificate of Title reference: Volume 5960 Folio 906.



Allotment 505 has frontages to Gidgie Court and Woomera Avenue of 182.05m and 120.42m respectively. Allotment 506 has a frontage only to Woomera Avenue of 102m, however, it also has frontage to a private road known as Tugger Way that is owned by Renewal SA. It is understood NAWMA have rights of way over this land.

The subject land has a combined area of 4.19 hectares.

Allotment 505 is currently vacant and devoid of built form and contains a number of mature trees within the property boundaries. When viewed from aerial photography there are two distinct rows of mature trees. Both rows are situated parallel to Gidgie Court, one row is approximately 30 metres west of Gidgie Court and the other row is alongside the common boundary and chain-link fence between the two parcels of land. The centre of the allotment is mostly clear of vegetation.

Allotment 506 contains a large building and associated driveway and car parking areas that essentially occupy the southern half of the allotment. The perimeter of the allotment is fenced with a black powder coated chain-link fence with three strands of barbed wire above. The building has previously been used for car part manufacturing by ArcelorMittal. Relevant consents issued by Council date back to 2005 where approval was granted for a '*workshop with associated offices, store, car parking and landscaping*'. Site photos are provided below:



Photo 1: Looking north toward existing building from Woomera Avenue



Photo 2: *Looking west toward vacant allotment and row of trees from Gidgie Court*



Photo 3: *Looking north from Woomera Avenue toward the main existing access*





Photo 4: Looking east along Woomera Avenue toward intersection with Gidgie Court

## 7. LOCALITY

The locality is described as being low intensity industrial in nature with a moderate amenity. Road carriageways are wide to cater for large vehicles (including B-double trucks) that frequent the surrounding businesses. Road verges are also wide and tree lined which assist in providing a higher amenity than other 'like' industrial type enclaves.

Allotments sizes are substantial within the locality, a number of which are of similar size to the subject land. Built form is typically large in scale and predominantly in the form of large format industrial shedding with attached ancillary and smaller scale administration buildings. Built form is generally well set back from the road which allows for ample car parking and vehicle maneuvering areas within the setback space. Some buildings are more highly prominent in the locality including the large Coates Hire building to the east of the subject land which has a secondary frontage to Gidgie Court with minimal setback and limited landscaping.

Land uses within the locality include; a large tool and machinery hire company; a freight management company that utilise a fleet of prime movers and b-double taut liners; a specialist engineering company that designs and manufactures transportable switchboards and switch rooms; an engineering company that designs and manufactures tilt trays and other accessories for trucks; a computer programming business; and a pallet repair and distribution facility of food crates for suppliers of fresh food. North-west of the subject land is an existing large building that is currently unoccupied.

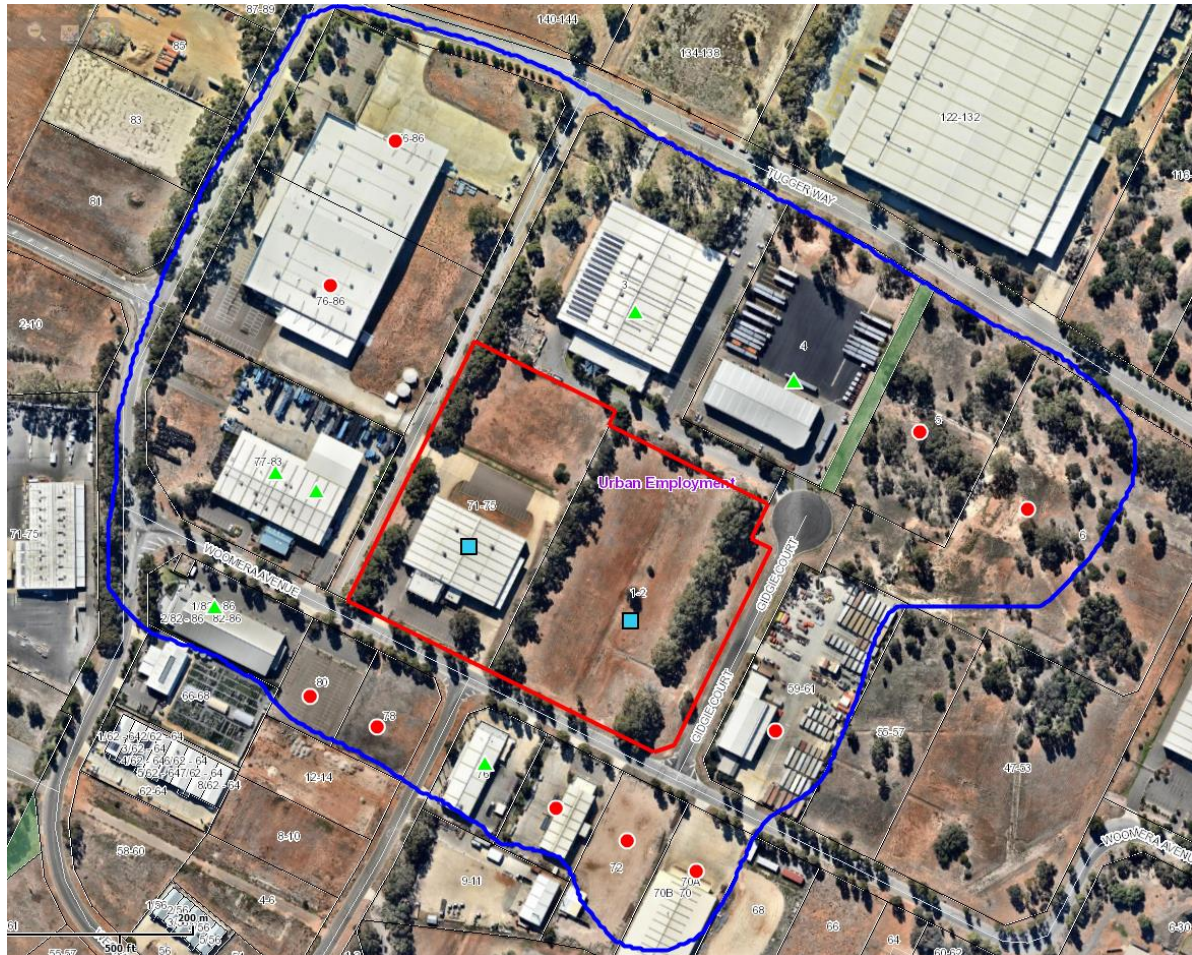







## ITEM 5.1.2

Given the above, the land uses in the locality are not considered to be uniform but rather of a mixed variety including (but not limited to): light industry, industry, services trade premises and the like. It is also noted that several parcels of land remain vacant and undeveloped in the locality including several allotments at the end of Gidgie Court.

A locality plan and contextual plan are provided below.

### Locality Plan – Aerial








Legend (Source: Dekho)	
	Subject site
	Site boundary
	Locality boundary
	Properties notified
	Representations received



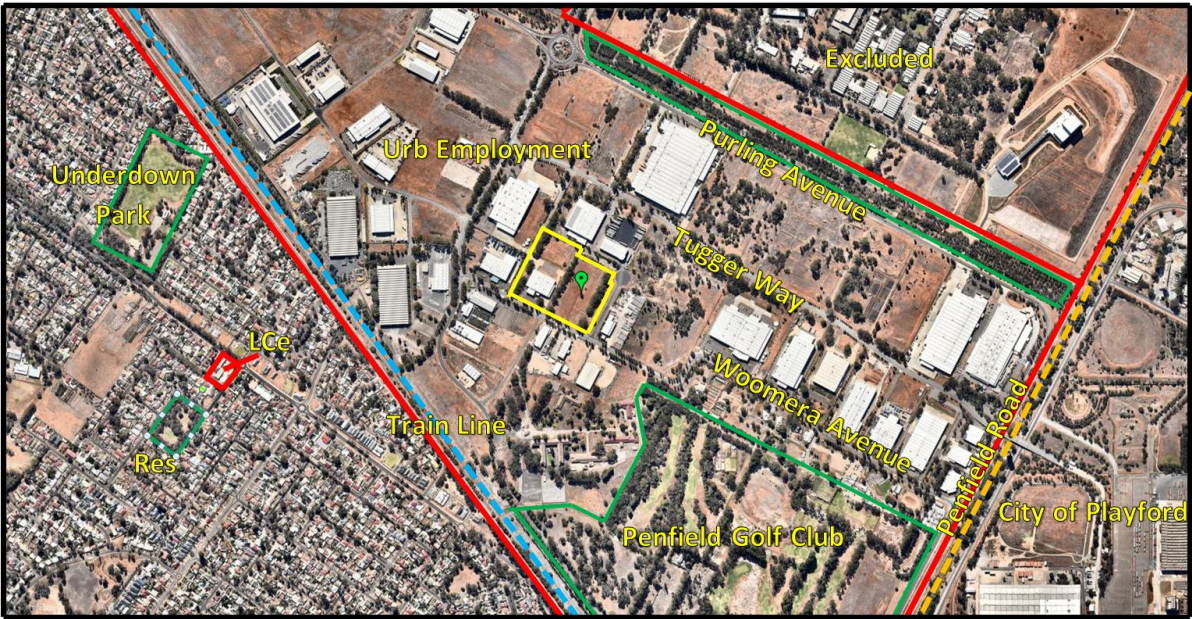
Locality Plan – Cadastre




## Item 5.1.2

**Legend (Source: Dekho)**

	Subject site
	Site boundary
	Locality boundary
	Properties notified
	Representations received

Contextual Plan:



Legend (Source: Nearmap)	
	Subject site
	Zone boundary
	Council boundary

8. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development involves two main components:

- Change of use of the existing building on allotment 506 to an MRF that will facilitate the receipt, sorting and dispatch of recyclable materials from kerbside collection; and the associated
- Change of use and construction of buildings and associated infrastructure for use by waste contractor, SUEZ Environment (SUEZ), which will include administrative offices, truck parking and refuelling activities.

The proposal also involves the removal of one Significant Tree in order to facilitate the development.

The description of the proposed development has been separated into distinct components for clarity:

**Material Recovery Facility (MRF)**

The proposed MRF will supersede the applicants existing MRF in Edinburgh North and will receive incoming material collected from kerbside recycling bins. Incoming materials includes various paper, cardboard, plastics, glass, steel and aluminium materials.

The incoming materials are sorted and baled in an indoor environment before being temporarily stored ahead of being collected and dispatched from the site for recycling.

The following provides a step-by-step understanding of the proposed operation:

- After entering the site via Gidgie Court and the weighbridge, waste contractor trucks reverse beneath a roller door into the northern side of the building and unload material onto a concrete floor;
- A tractor then moves material onto a conveyor;
- Material moves through to a pre-sort room where any 'contaminated' material (general waste/organic) is removed. A recent audit by NAWMA has identified that as little as 1.1 to 2% of all recyclable waste is 'contaminated' by food product. These products are transferred via enclosed conveyors to enclosed waste packers for direct containerised transport off site as needed. The enclosed compactors are sited at the rear of the building and are out of sight from the road.
- The recyclable material then moves into the 'trommel' which is a paper and plastic sorting machine, and a 'ballistics separator' that removes the plastic and glass material and sorts the grades of recyclable material;
- Once material has been sorted and further quality checks have taken place, the material is then baled depending on the material, before being loaded into various containers and dispatched from the site for recycling.



Photo 5: Looking toward the Trommel within the existing building



Temporary storage of non-paper baled material (cardboard, plastics, glass, steel and aluminium materials) will occur outside of the building, adjacent to the common boundary between the two allotments and behind the MRF. The storage area will be used for baled recyclable product for daily collection by transporters. The outdoor storage area is proposed to be a fenced compound for baled material (non-paper) awaiting pickup.

Generally speaking it is understood that material is unlikely to become dislodged from its bale with the exception of bales of mixed paper product, which, due to the density of the material, can become dislodged in windy conditions.

Mixed paper is the highest volume material received at the applicant's existing MRF and given previous experiences, all temporary storage of mixed paper bales will occur indoors. A new fence is proposed in the vicinity of the mixed paper loading bay to minimise any material becoming dislodged and moving off site when being loaded for dispatch. There are also NAWMA staff that patrol the site constantly cleaning up any isolated material from the bales.



Photo 6: Looking toward the new machinery including Ballistics Separator

All areas that are used for outdoor storage (to the rear and side of the existing building) are identified on the plans.

The MRF will occupy the existing building which is constructed of 3 metre high tilt up concrete walls with insulated metal cladding above to the iron roof. The entire sorting operation is proposed to occur within the building.



In addition, the MRF will include the incorporation of NAWMA's administration and customer service operations within the administration area of the existing building. NAWMA proposes to also operate its extensive environmental education centre from the facility that caters for more than 4,000 school students per annum participating in structured tours.

The hours of operation of the facility will be Monday to Friday, 6:00am to 6:00pm. Work may also be undertaken within the MRF on Saturdays for the purpose of maintenance of assets, which would typically occur between the hours of 7:00am to 12:00 noon.

The applicant has advised that the machinery to be used is considered to be best-practice state of the art technology to sort and process recycling materials. The imported technological systems and machinery are far superior to those at NAWMA's current materials recycling facility at Edinburgh North. The technology automates much of the sorting process including a range of sorting/separating equipment with advanced monitoring systems that allows for the process to be viewed and controlled from outside the sorting area.

Given the plant equipment anticipated for use at the site, the facility will have the capability of managing 25 tonnes of material per hour. The application does not identify an upper limit for the amount of material to be received and sorted, however, the applicant cites the 2014-15 financial year total of 21,000 tonnes of recyclable material handled by the existing MRF. Given the growth anticipated in the region that NAWMA services, it is assumed there will likely be an increase in recyclable material received and sorted by the proposed MRF compared to the current figure cited above.

### ***SUEZ Environment Activities***

SUEZ is currently contracted by NAWMA to collect waste and recyclable materials by NAWMA and this application also proposes a new depot site for the overnight parking and storage of its vehicle fleet.

This activity is proposed on portion of allotment 505 which will include:

- Parking areas for staff vehicles and kerbside collection vehicles;
- Refuelling facilities for the kerbside collection vehicles;
- Access and egress points from both Woomera Avenue and Gidgie Court;
- Weighbridge;
- Vehicle workshop for minor maintenance – major maintenance has been contracted to occur offsite at the vehicle manufacturer's facilities; and
- An administration building to accommodate up to four administration staff.

There are a total of 24 trucks to be parked overnight with an additional area allocated for seven parks if necessary.

Truck parking is on the western side of the row of existing trees closest to Gidgie Court. Car parking is proposed on the eastern side (between the trees and Gidgie Court) which is ostensibly provided for SUEZ truck drivers and administration persons.

All trucks return empty to the compound at the end of the day, left empty overnight and closed. Dr Barry Severne, Supervising Scientist of Enviroscan Industry and Marine Surveys has advised that *“The trucks are parked on-site overnight. Standard Operating Procedure is for these trucks to be left empty and closed so that any residual odour is contained. The efficiency of odourous waste containment is illustrated by the fact that these trucks transport putrescibles through residential areas during the day. There is no potential for these trucks to generate odour whilst parked overnight”*. The trucks are washed once a week and the design of the compactors and emptying procedures clears the compactor of any waste. The applicant has therefore indicated that any odour issues would be eliminated.

All trucks utilise Compressed Natural Gas (CNG) fuel. A truck refuelling area is proposed which essentially encompasses the parking area that runs along the ‘concrete up-stand for fuel lines’ identified on the plans with each of these vehicle parks having a connection to the fuel line. At the parking space, each truck can be connected to an individual fuel hose, which ensures that the trucks are fuelled one by one on a sequential basis after hours, with only one truck being refuelled at a time.

A gas compound is also proposed which includes several shipping containers screened by a 2.1 metre high Colorbond fence along side Woomera Avenue. The gas compound contains:

- Gas compressor module that will store two SUEZ gas compressors. The compressors will fit end on end inside two shipping containers, having the dimensions of 2.4 metres high by 2.4 metres wide by 12 metres long;
- The gas storage module is used to store the gas cylinders. It does not require any shelter and will have a maximum height of about 1.5 metres; and
- The gas booster module is an additional plant that aids in the fuelling of trucks. The plant does not require any shelter and will have a maximum height of about 1.5 metres.

There are two new buildings proposed on the northern section of allotment 505 including:

- Administration building – to house all SUEZ administration activities:
  - 144m<sup>2</sup> containing three offices, training room, dispatch room, lunch room and amenities;
  - single storey contemporary design with low skillion roof to a maximum height of 3.28 metres;
  - External material including rendered hebel panel, custom orb wall sheets and aluminium windows.
- Workshop and Wash bay – for minor maintenance and cleaning of the SUEZ fleet:
  - 296m<sup>2</sup> plus canopy area over roller doors;
  - contains drive through wash bay and roller door for service area;
  - maximum height of 10.15 metres allowing for 6.5 metre openings for SUEZ trucks;
  - shed construction, clad in Colorbond material in ‘basalt’ colour (dark grey) with contrasting ‘surfmist’ (very light grey) roof, canopy and roller doors.

The administration building is setback 32 metres from the ‘head’ of the Gidgie Court cul-de-sac and the larger workshop-building setback much further (approximately 60 metres). Both buildings have been sited to accommodate the pathway and movement of trucks on site.

### ***Removal of significant tree***

The applicant originally sought approval for removal of three Significant Trees. Following public notification, the Applicant has amended the proposal to retain two of the three trees. All of the River Red Gums in the row running parallel to Gidgie Court, depicted on the latest site plan, dated 24<sup>th</sup> August 2016, will be retained other than tree labelled number five.

An amended arborist report has been prepared by Project Green, dated 4<sup>th</sup> September 2016 and confirms that tree five will be significantly impacted by the proposed development, given that a new access road will be developed over more than 40% of the Tree Protection Zone. Accordingly, the tree is proposed to be removed.

### ***Ancillary Matters***

Additional access and egress points are proposed to facilitate safe and efficient movement of vehicles to and from the site. This includes an entrance access point from Woomera Avenue for the kerbside collection vehicles and a two-way ingress/egress point for passenger vehicles toward the northern end of Gidgie Court. The existing access points associated with allotment 506 remain unchanged. There is the provision of two (entry only) access points off Woomera Avenue. These access points will service the truck parking compound and the natural gas refuelling station. Also, a combined entry and exit point on Gidgie Court is proposed approximately 110 metres to the north of the intersection with Woomera Avenue. This access point will be associated with traffic entering and exiting the car parking areas along the eastern boundary of the site and also by trucks accessing the weighbridge.

A sign is proposed at the entrance to Woomera Avenue adjacent the existing access point. The applicant had previously sought approval for two signs, however, the sign at the entrance fronting Gidgie Court has since been deleted from the proposal. The sign fronting Woomera Avenue will have an area of 2 metres by 2.5 metres. The sign will be sited within the site boundary and will not be illuminated or flash.

The black powder-coated chain mesh fence around the boundaries of allotment 506 is to be duplicated around the perimeter of allotment 505. The fence will be about 1.8 metres high with three rows of barbed wire above to a total height of 2.1 metres. A new 2.1 metre high Colorbond fence (basalt colour) is also proposed along the entire length of the rear boundary.

An additional 2.1 metre Colorbond fence (basalt colour) will enclose part of the existing canopy on the eastern side of the existing building to create a ‘compound’ where baled material (excluding paper product) will be placed for short periods to await pickup along side and behind the MRF building.

Additional perimeter landscaping is proposed on allotment 505 along both Woomera Avenue and Gidgie Court frontages.

A copy of the proposal plans and supporting documentation are contained in Attachment 1.

## 9. CLASSIFICATION

The subject land is situated within the Urban Employment Zone as depicted on Map Sal/18 of the Salisbury Council Development Plan Consolidated 5 May 2016. The proposed use of the land is best described to include a 'waste recycling facility' (recycling depot) and 'service depot', which are undefined terms as they do not appear within Schedule 1 of the *Development Regulations 2008*.

As such, neither activity in isolation is listed as being a Complying or Non-Complying form of development in the Urban Employment Zone. Irrespective of whether the development is considered as a whole in the form of an 'integrated development' or as activities separated independently, the proposed development in either case constitutes an 'on-merit' form of development.

## 10. PUBLIC NOTIFICATION

The proposed development constitutes a Category 2 form of development for the purposes of public notification. Section 38(2a) of the *Development Act 1993* and Regulation 32(2) and (3) of the *Development Regulations 2008* state that:

### Section 38(2a)

- (2a) *The assignment of a form of development to Category 1 under subsection (2)(a) cannot extend to a particular development if that development involves, or is for the purposes of, a prescribed activity of environmental significance as defined by the Environment Protection Act 1993.*

### Regulation 32(2) and (3)

- (2) *The assignment of various forms of development to Category 1 does not extend to developments that involve, or are for the purposes of, any activity specified in Schedule 22, other than where the development is, in the opinion of the relevant authority, of a minor nature.*
- (3) *The following forms of development are assigned to Category 2 for the purposes of section 38 of the Act:*
- (a) *The various forms of development specified in Part 2 of Schedule 9;*
  - (b) *Developments that involve, or are for the purposes of, any activity specified in Schedule 22 and that would, but for subregulation (2), be assigned to Category 1.*

The proposed development is a Category 1 form of development within the Urban Employment Zone. However, it involves a prescribed activity of environmental significance as defined by the *Environment Protection Act 1993* and an activity specified in Schedule 22 of the *Development Regulations 2008*. But for Section 38(2a) and Regulation 32(2) the proposed development would have been assessed as Category 1. Pursuant to Regulation 32(3) it should correctly be assessed as Category 2.

Three representors have lodged applications for review of this categorisation in the Environment, Resources and Development Court. Council is obtaining confidential and privileged legal advice, which will be presented to the Panel in a separate confidential report.

The Category 2 public notification period took place between and 21<sup>st</sup> July and 3<sup>rd</sup> August 2016. Council received six representations during this period as follows:



Representations Received	
Representations received	Wish to be Heard
Lockheed Martin, occupier of land at 82-86 Woomera Avenue EDINBURGH	
Delpar Pty Ltd, owner of land at 77-83 Woomera Avenue EDINBURGH	✓
Chep Australia Ltd, occupier of land at 77-83 Woomera Avenue EDINBURGH	✓
AHRNS Handling Equipment Pty Ltd, owner and occupier of 76 Woomera Avenue EDINBURGH	✓
Mayfield Industries, occupier of land at 3 Gidgie Court EDINBURGH	✓
GTS Freight Management Pty Ltd, occupier of land at 4 Gidgie Court EDINBURGH	✓

A copy of the submissions and the applicant's response are contained in Attachment 2. The concerns identified by the representors are summarised in the table below.

Summary of Representations
<i>Lockheed Martin</i>
<ul style="list-style-type: none"> <li>Any obtrusive odour produced would impact operations and the health and safety of employees and visitors.</li> <li>Concerns regarding storage and handling of flammable materials.</li> </ul>
<i>Delpar Pty Ltd</i>
<ul style="list-style-type: none"> <li>Potential land use conflicts especially relating to CHEP's 'Hazard Analysis and Critical Control Points' certification.</li> <li>Concerns regarding escape of litter.</li> <li>Migration of dust and airborne pollutants concerns.</li> <li>Odour concerns.</li> <li>Possible attraction of birds, pest and vermin caused by receipt and storage of waste.</li> <li>Proposed use is incompatible with existing land uses within the Zone.</li> <li>Proposed use is incompatible with the Desired Character of the Zone.</li> <li>The Zone's objectives will not be realised by the proposed development as the use is not intended by the Zone.</li> <li>Concerns relating to the mention of future stages of development in the application.</li> </ul>
<i>Chep Australia Ltd</i>
<ul style="list-style-type: none"> <li>Odour – there is no outline as to what materials and waste will be handled and what impact there will be in terms of odour or odour control.</li> <li>Extraction fans – if proposed would need further understanding.</li> <li>Contamination – need further understanding of external storage of recyclables or waste and a control plan that manages risk of cross contamination.</li> </ul>
<i>AHRNS Handling Equipment Pty Ltd</i>
<ul style="list-style-type: none"> <li>Potential odour is of concern.</li> </ul>

- Truck parking will impact the amenity of the area.
- Constant use of large vehicles will impact the road network.
- Dust is a particular concern.
- Truck movement will add vibration which could affect some of the machinery used.
- Wind blown litter is of concern.
- Proposed office and workshop present as shed type structures and do not appear to be of the same standard as other buildings in the locality.
- Inconsistent use with existing premises.
- Inconsistent with desired character of Zone.
- Employees are engaged in outdoor activities in the course of employment and have concerns regarding the impact of odour on employees.
- Removal of Significant Tree will have impact on amenity and amount of mature vegetation in the locality.

#### *Mayfield Industries*

- Inappropriate location for the land use which has the potential for land use conflict.
- Concerns for airborne particles that could impact existing operations.
- Any changes to existing roads could impact on existing ability to dispatch product.
- Not an appropriate locality for this use given likely impacts on existing operations.
- Concerns regarding compatibility with existing land uses and potential conflicts that may arise.
- The proposal could 'sterilise' surrounding vacant land from appropriate development.
- Subsequent stages and intensification would be an inappropriate use.
- Is Council satisfied it has a clear picture of the proposal rather than various components in a 'piece meal' fashion?
- Concerns regarding possible odour, dust, vermin, traffic congestion and other impacts.
- Inadequate detail of proposed operations provided.
- A visual impact on the removal of trees has not been undertaken.
- Specific assessment has not been performed on the impact of the development on the existing trees.
- Details of the Stormwater Management Plan are not detailed on the proposed plans.
- Traffic report indicates an increase of 30% traffic however this does not take into consideration future stages of the development.
- A series of suggested conditions provided to minimise and/or mitigate likely externalities arising from the development.

#### *GTS Freight Management Pty Ltd*

- Concerns relative to excessive litter/rubbish, dust, unsightly visual impact and odours.
- The activity will impact existing operations.
- Experience with existing NAWMA site is that odour is emitted despite advice given by the EPA.
- Employees of GTS are engaged in outdoor activities in the course of employment and have concerns regarding the impact of odour on employees.

A summary of the Applicant's response is contained within the table below grouped by specific issues. It is important to note that following the public notification period, a number of amendments were made in order to address issues raised by the representors as summarised above. The list of amendments made is summarised in the response to representations, prepared by URPS and is contained within Attachment 1 of this report.

<b>Applicant's Response</b>	
<i>Land use and desired character</i>	
<p>The Urban Employment Zone seeks a range of industrial land uses and does not seek to exclude specific activities from being undertaken within the Zone. The proposed development is sited sufficient distance away from the types of activities identified within the EPA's Guidelines for Separation Distances (2007).</p>	
<p>All kinds of industrial land uses are envisaged within the Zone. The proposed development is an industry activity in the form of a recycling depot (with an associated service depot) and is therefore an appropriate land use in the Zone.</p>	
<p>The proposed development is an appropriate activity in the context of the subject land and locality.</p>	
<p>The development involves the use of best-practice state of the art technology to sort and process recycling materials. The new imported technological systems/machinery have been purchased from overseas at a cost of more than \$4m and are far superior to those at NAWMA's current materials recycling facility at Edinburgh North. This technology automates much of the sorting process including a range of sorting/separating equipment with advanced monitoring systems for the process to be viewed and controlled from outside the sorting area.</p>	
<p>There are significant technological and environmental benefits associated with the new compressed natural gas (CNG) collection trucks. NAWMA notes that the new systems will result in a significant reduction in noise emissions – as much as 50% lower than from a comparable diesel engine. The CNG truck also produce less greenhouse gas emissions.</p>	
<i>Odour Impact</i>	
<p>The received recyclable material is extensively clean material and is not subject to significant odour. Enviroskan was engaged to undertake odour modeling in accordance with EPA Guideline 373/07 which concluded '<i>...odour emission and the contribution from the MRF is negligible. This odour assessment of the proposed development demonstrates compliance with the current EPA odour guidelines</i>'.</p>	
<p>Despite demonstrating that there will be no odour impacts, it is highlighted that all activities will take place indoors. Two roller doors provide direct vehicle access to the tipping floor and are fitted with fast track curtain doors to minimise the time that doors are open. The doors are designed to automatically open and close within 5 to 10 seconds.</p>	
<p>A recent audit by NAWMA has identified that as little as 1.1 to 2 % of all recyclable waste is 'contaminated' by food product. These products are transferred via enclosed conveyors to enclosed waste packers for direct containerised transport off site.</p>	

The facility will operate without the need for any mechanical ventilation within the building, thereby further demonstrating that odour or other types of emissions are negligible. There are no exhaust fans required.

Some representor's have made assumptions regarding odour at NAWMA's existing site and observations cannot be applied to the proposed development as the existing Bellchambers Road site is an outdated waste processing facility. Any odour detected from the current site would generally have been from this old facility and not the recycling facilities. Enviroscan also confirms this position *'The (existing) waste processing facility contributes about 90% of the total site odour emission and the contribution from the material recycling facility is negligible'*.

#### *Dust, vibration, fumes, litter and vermin*

All roadways within the site are to be sealed to prevent dust generation. There is no reason to believe that the proposed development will generate any more dust than under the current conditions. The vacant portion of the allotment will be maintained with grass.

There will not be any material vibrations that would affect any adjoining land uses. The proposal involves the movement of waste collection vehicles on the adjoining road network that is gazetted to carry B-double vehicles that are substantially bigger and heavier with more potential to cause vibration issues.

Fumes from vehicles are not anticipated to have any impact on the locality. The technological and environment benefits of CNG vehicles has been addressed above.

Given that all materials are sorted indoors, served by fast track curtain doors, the potential for litter to escape the site or cause nuisance is minor. Further, all trucks that arrive and leave the site are designed to fully contain all recycling material within the vehicles.

NAWMA has internal policies to maintain the site in a neat and clear manner at all times and will adhere to all of its policies and procedures to ensure a safe and healthy workplace for its employees and other nearby landowners and occupiers.

The desire to maintain a clean site is in NAWMA's self-interest, having regard to its relationship with KESAB and the educational centre.

There is no food waste (or similar) collected at the facility. The recorded 1.1 to 2% contaminated waste is disposed of as stated above. In any case, the applicant will implement a pest management regime to minimise the potential for vermin associated with the development.

#### *Appearance of the proposed development*

The amended siting and design of the proposed buildings improves their appearance by the use of canopies and different materials/colour.

Large bulky buildings are predominant within the Zone and the proposed buildings comply with the requirements of the Development Plan.



All areas that are used for any outdoor storage (to the rear and side of the existing building) are identified on the plans. The narrow side storage area will be used for baled recyclable product for daily collection by transporters.

#### *Tree removal*

The proposal has been amended to retain 2 of the 3 trees, previously sought to be removed. The single tree to be removed is labelled tree 5 on the latest site plan. An Arborist Report has been submitted and which recommends removal of the tree.

#### *Traffic impacts*

Phil Weaver and Associates has undertaken a traffic survey at the intersection of Woomera Avenue and Gidgie Court. The peak hour movements were described in the report prepared by Mr Weaver. On Mr Weaver's assessment, there is a current estimated average weekday traffic volume in the order of 1500 vehicles on Woomera Avenue and 600 per day on Gidgie Court. Mr Weaver's analysis identified that there is a high degree of unused capacity within the intersection and that there are no significant delays or queuing associated with any turning movements at this intersection.

Factoring in the anticipated 200-250 traffic movements at the site, Mr Weaver concludes that there is more than sufficient capacity to accommodate the increased traffic moments on the road network as a result of the development.

For this reason, the extent of traffic associated with the development will not have any material impact on the adjoining street network.

With respect to the concerns raised by the representors regarding the future use of the land, the Applicant has made it quite clear that this proposal does not incorporate any proposal to receive or handle putrescible waste. The applicant has confirmed that *'the recycling materials facility and the waste processing facility can operate independently of each other.'*

## **11. REFERRALS – STATUTORY**

As discussed earlier, the application was subject to referral to the Environment Protection Authority. A referral response was received, dated 21 July 2016 and is contained in Attachment 3. The following advice was received:

#### EPA License

*The EPA noted that the applicant currently holds an EPA License for the conduct of a 'waste or recycling depot' at Bellchambers Road, Edinburgh. Although this proposal relates to the recycling activities undertaken at Bellchambers Road, they would be carried out upon another parcel of land and as such, a new EPA license would be required for the subject land.*

#### Separation Distances

*As the proposed development is located outside of the EPA's recommended separation distance for air quality purposes, the potential for odour nuisance from this facility is considered to be low. However, the potential for both air quality and noise impacts have been assessed in more detail below.*

### Waste Management

*Given the proposed development would establish a resource recovery facility where materials are received for recycling, the EPA considers this facility would provide a sustainable way to manage and reuse wastes that would otherwise be disposed to land fill.*

### Air Quality

*The EPA considers that both dust and odour impacts from the proposed recycling depot would be unlikely to occur at the closest sensitive receiver located approximately 420 metres south west of the site.*

### Noise

*The existing ambient noise at the site already includes similar industrial, commercial and light industrial land uses which would provide some masking of any noise impacts. Provided all recycling depot operations would be undertaken within the proposed operating hours, the EPA considers the proposal is unlikely to have an adverse noise impact at the closest sensitive receivers.*

### Site Contamination

*The EPA holds records of site contamination that relates to both allotments. Whilst the proposal is for a recycling depot and the change in land use is not moving to a more sensitive use, the EPA advises that where construction and/or excavation works are anticipated at the site, the Planning Authority should request that:*

*A Construction and Environmental Management Plan (CEMP) be prepared by a suitably qualified site contamination consultant in accordance with the EPA Guidelines for the Environmental Management of On-Site Remediation, (November 2005) in order to address the following matters:*

- *Soil, including fill importation, stockpile management and prevention of soil contamination*
- *Air quality, including dust management*
- *Surface water including erosion and sediment control*
- *Groundwater including prevention of groundwater contamination*
- *Occupational health and safety*

*Given the significant site contamination issues that have been historically identified, appropriate consideration should be given the anticipated excavation and/or construction works in order to ensure potential risks to human health and/or the environment are avoided.*

### Water Quality

*The EPA considers the best management practices for new development involves not increasing stormwater flows about pre-development flow rates while minimizing the quantity of pollutants in the stormwater flowing from the site.*

*The Planning Authority may wish to condition that the detailed design of the stormwater management system is established in accordance with the MUSIC Modeling as proposed in the Stormwater Management Plan, dated 20 April 2016 to meet desired water quality objectives.*

Truck Wash Facility

*The proposal includes a truck wash bay, however the EPA has not undertaken assessment of how vehicle wash-down water would be managed as this is outside of the scope of the referral pursuant to Schedule 22 of the Development Regulations 2008.*

*The EPA notes clauses of the Environment Protection (Water Quality) Policy 2015 and suggests that the Planning Authority consider how any waters would be protected from entry of vehicle wash-down waters.*

The EPA concluded by stating that “*provided all recycling depot operations would be undertaken within the proposed operating hours, the EPA is satisfied the proposed recycling depot is unlikely to result in unacceptable impacts to the environment*”.

The EPA did not direct any conditions to be attached, however, provided for a series of advisory notes that it requested be included in any approval given. These notes are included in the recommendation accompanying this report.

**12. REFERRALS – INTERNAL**

Internal consultation took place with Development Engineering (including Traffic input), Tree Services and Landscape Design. The following comments were received:

Development Engineering (Including input from Traffic)

*The traffic report and accompanying plans provided by Phil Weaver are acceptable.*

*The Stormwater Management report prepared by Wallbridge & Gilbert is acceptable.*

Tree Services

*The Application will impact upon one street tree located within Woomera Avenue.*

*Tree removal has been Approved at cost to the Applicant.*

*Letter of cost sent separately to the Applicant.*

Landscape Design

*Information provided in support of the tree removal seems true to info provided and have no concerns, however, consideration should be given to the impact of the new car parking and driveways on the tree protection zone of the trees.*

*Landscaping needed for screen planting to buffer built form and trees also.*

**13. DEVELOPMENT DATA**

<b>Design Characteristics</b>	<b>Response</b>
Subject Land	Two titles comprising a total area of approximately 42,000m <sup>2</sup>
Site Dimensions	232.42m wide (at maximum dimension) by 188m long (at maximum dimension)
Site Frontage	222.42m (At greatest dimension to Woomera Avenue) and 182.05m (At greatest dimension to Gidgie Court including cul-de-sac). The site also has frontage to Tugger Way
Car parking	Allotment 505 –46 car parking spaces (9 adjacent administration building and 37 alongside Gidgie Court).  Allotment 506 –36 car parks.
Structures	MRF to be contained within existing building on allotment 506. Some temporary outdoor stage of baled material (not paper product) is proposed.  A new administration building and workshop for minor maintenance and wash down of SUEZ fleet is proposed on allotment 505.
Streetscape	Additional streetscape plantings adjacent Woomera Avenue and Gidgie Court will assist in screening the area delineated for the parking of cars and trucks on the site.
Regulated / Significant Trees	One significant tree is to be removed as part of the proposed development.
Access Point	Two entry only access points from Woomera Avenue are proposed to allotment 505 and a new entry/exit from Gidgie Court to allotment 505. Existing access arrangements for allotment 506 will be maintained.
Hours of Operation	Monday to Friday, 6:00am to 6:00pm. Work may also be undertaken within the MRF on Saturdays for the purpose of maintenance of assets, which would typically occur between the hours of 7:00am to 12:00 noon.
Signage	One sign adjacent the entry access to Woomera Avenue. The sign will have an area of 2 metres by 2.5 metres and will be sited within the site boundaries.

**14. ASSESSMENT**

Pursuant to Section 35(2) of the *Development Act 1993*, it is recommended that the Panel determine that the proposed development is not considered to be Seriously at Variance with the Salisbury Development Plan, Consolidated 5<sup>th</sup> May 2016.



Assessment

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

An extract of the relevant Development Plan, Consolidated 5<sup>th</sup> May 2016, is contained in Attachment 4. The relevant provisions are also highlighted in the Attachment.

Land use

Objective 1 and 3 and Principle of Development Control 1 of the Urban Employment Zone seek:

*Objectives*

- 1 A mixed use employment zone that primarily accommodates a range of industrial land uses together with other employment and business activities that generate wealth and employment for the State.*
- 3 Provision for large floor plate enterprises, such as major logistics and manufacturing plants and high technology and/or research and development facilities, located to take advantage of existing and future road and rail infrastructure.*

*Principles of Development Control*

*1 The following forms of development, or combination thereof, are envisaged in the zone:*

- *Consulting room*
- *Dwelling in association with industry*
- *Electricity substation*
- *Fuel depot*
- *Indoor industrialised horticulture*
- *Indoor recreation centre*
- *Industry*
- *Intermodal rail freight facility*
- *Motor repair station*
- *Office*
- *Petrol filling station*
- *Pre-school*
- *Prescribed mains*
- *Public service depot*
- *Road transport terminal*
- *Service trade premises*
- *Service industry*
- *Shop or group of shops*
- *Training facility*
- *Store*
- *Warehouse*

The Urban Employment Zone is a mixed employment zone that *primarily* accommodates a range of industrial land uses together with other employment and business activities.

The Zone outlines a series of envisaged forms of development. Relative to this assessment the list includes: fuel depot, industry, office, road transport terminal, training facility, store and warehouse. Recycling facilities and associated service depots are neither expressly envisaged or discouraged within the Zone, however, there are certain elements of the overall use which if viewed in isolation are envisaged within the Zone. The applicant suggests the proposed development is an industrial activity in the form of a recycling depot. It is agreed that there are a number of similarities between the proposed activity and a form of industry and that the proposed use is compatible with the envisaged uses within the Zone.

The General Section of the Development Plan provides specific policy for waste management facilities and whilst this section does not guide ‘where’ these activities ‘should’ occur, it does anticipate ‘*the orderly and economic development of waste management facilities in appropriate locations*’ based on impact minimisation.

It is noted that a number of the representors suggest the proposed development is inconsistent with the Desired Character of the Zone. It was also suggested that the proposed development will ‘sterilise’ surrounding vacant land from being developed appropriately into the future. As detailed in this assessment, it is apparent that the proposed use is indeed consistent with the Desired Character of the Zone and furthermore the proposed activities are unlikely to have any adverse impacts, as cited in the response from the Environment Protection Authority. The receipt, sorting and disposal of recycled products will occur indoors where the potential for off-site impacts (such as odour) are limited, and the ancillary use of the land for the storage, washing, refueling, weighing and minor maintenance of trucks used to retrieve the recycled product is compatible with existing uses in the locality.

As quoted above, Objective 3 anticipates large floor area enterprises located to take advantage of existing and future road and rail infrastructure. Development of a high standard is encouraged to promote distinctive building, landscape and streetscape design with a high visual and environmental amenity. The proposed development ostensibly utilises the existing building for the MRF and proposes two smaller scale buildings for the SUEZ operations. The new buildings are smaller in scale and utilise materials to complement other built form within the locality and are proposed to make efficient use of the land in terms of clustering the NAWMA MRF and SUEZ operations.

In addition to the above, the Zone seeks development that promotes business clusters that provide for a range of economic and environmental benefits as well as coordinated and integrated forms of development. The proposed development is seeking to cluster both the MRF and SUEZ operations on the same site, which is considered to have both economic and environmental benefits.

The Desired Character section of the Zone identifies that desirable land uses include a wide range of activities that generate employment, focusing on industry, associated processing or packaging, transport and other activities that can operate on a 24/7 basis where appropriate, together with offices and industry-related training and educational establishments.

The proposed development is considered to satisfy this part of the Desired Character statement as the activity proposed will generate employment of an industrial nature which includes processing, packaging and transporting of materials. Given the hours of operation proposed and the capacity of the proposed machinery, the activities on site do not need to operate on a 24/7 basis. NAWMA employees will utilise the existing offices adjoining the MRF building and it also proposes to operate the site as an environmental education centre that caters for more than 4,000 school students per annum participating in structured tours.

In summary, the proposed land use is considered to be appropriate within the Urban Employment Zone.

#### Interface Between Land Uses

Principle of Development Control 4 of the Urban Employment Zone states that:

- 4**     *Development should not impede the operation of established land uses through encroachment, over development of sites or noise/emissions or any other harmful or nuisance-creating impact.*

The Desired Character Statement for the Urban Employment Zone further envisages ‘a high level of compatibility between land uses in the zone... to ensure a quality and attractive business environment is maintained.’

Development should be sited and designed to minimise negative impacts on existing and potential future land uses considered appropriate within the Zone. In particular, the Development Plan contemplates that waste management facilities should be located and designed to minimise adverse impacts on both the site and surrounding areas.

The applicant has provided an odour assessment undertaken by Enviroscan which modeled emissions for the new building based on the existing materials recovery and waste processing facility in Elizabeth. It is understood the received recycle material is extensively clean material and is not subject to significant odour. Enviroscan undertook odour modeling in accordance with EPA Guideline 373/07 which concluded ‘...odour emission and the contribution from the MRF is negligible. This odour assessment of the proposed development demonstrates compliance with current EPA odour guidelines’.

In order to ameliorate concerns in relation to odour from trucks overnight, the trucks return empty to the compound at the end of the day and are left empty overnight and closed so that any odour would be contained. Given the design of the compactors which are fully contained and the emptying procedures, on the basis of information provided and EPA comments any odour issues would be eliminated.

Principle of Development Control 14 of the Urban Employment Zone further states that:

- 14**     *Development should control noise emissions through the use of attenuation devices and sound proofing, particularly activities requiring extended hours of operation.*

The MRF will occupy the existing building which is insulated by three metre high tilt up concrete walls with insulated metal cladding above.

Noise impacts have sought to be minimised as the majority of the activity proposed is to be undertaken within the existing building. The 'tipping floor' is fitted with fast track curtain doors that will close while the trucks are tipping their loads to minimise noise and any potential dust generation.

Potential noise generated by the movement of trucks has also been addressed as the applicant has advised that CNG trucks produce less noise than their diesel counterparts and have been designed to operate primarily in residential areas.

All vehicle manoeuvring areas are to be sealed which will minimise dust generation on site. The vacant portion of the site will be maintained with grass.

The hours of operation proposed are not considered to be excessive and are consistent with operating hours of adjoining development.

The applicant has indicated that there is very limited opportunity for the facility to generate litter and in any event, NAWMA has an internal policy to maintain a neat and clean site at all times to ensure a safe and healthy workplace for its employees and other nearby landowners and occupiers.

Given the relevant compliance with EPA criteria in relation to potential impacts, it is considered that the proposed development will not detrimentally affect the amenity of the locality, or cause unreasonable interference to any adjoining or nearby owners or occupiers of land. The proposed development is furthermore considered to satisfactorily address the relevant Development Plan provisions quoted above.

#### Appearance of Land and Buildings

Objective 5 of the Urban Employment Zone states that:

- 5** *A high standard of development which promotes distinctive building, landscape and streetscape design, with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones.*

The built form component of the proposal is predominantly to be undertaken on allotment 505 with two new buildings and new vehicle access and car parking areas. The site appearance of allotment 506 will be largely unchanged as the majority of works proposed are internal.

The Desired Character of the Zone encourages development of “*High quality, innovative contemporary architecture that is both adaptable and flexible to accommodate multiple uses or changes in future land use where practical. Buildings will comprise low reflective materials and provide a variation in finishes, façade treatments and setbacks rather than appearing as large uniform buildings with blank facades.*”

The administration building and workshop/wash bay are both of contemporary built form utilising a blend of materials and colours that will complement existing larger and bulkier built form prevalent within the locality. Comparatively, the proposed buildings are of a smaller scale than those currently evident within the locality.



The workshop is located within the circulation area in order to facilitate through-access for waste vehicles. The office is located at the rear of the site and 32 metres from Gidgie Court. The siting of the new built form will be unobtrusive when viewed from the road given the ample setbacks, landscaping proposed and existing established trees on the site.

Principle of Development Control 11 of the Urban Employment Zone states that:

*11 In areas where a uniform street setback pattern has not been established, buildings should be set back in accordance with the following parameters:*

<i>Building Height</i>	<i>Minimum setback from the primary road frontage</i>	<i>Minimum setback from the secondary road frontage</i>
<i>6 metres</i>	<i>8</i>	<i>4</i>
<i>Greater than 6 metres</i>	<i>10</i>	<i>4</i>

The gas compound will be setback 3 metres from Woomera Avenue with the nearest building in the compound being setback a further 3 metres, i.e 6 metres from the front property boundary. This setback distance is at variance with Principle of Development Control 11 quoted above. The applicant has indicated that the siting of the compound and buildings are necessary (and dictated) by the gas connection/meter which is sited in this location.

Given that the compound is only a small component in comparison to the larger built form in the locality and it has been sited based on physical constraints, a dispensation in front setback in this instance is considered to be acceptable. Furthermore, the three metre space between the property boundary and the compound fence will be landscaped which will assist in softening the impact on the streetscape.

The Desired Character Statement also seeks “*Outdoor storage and service areas will also be located away from major roads or residential areas and be screened from public view with fencing/structures of varied materials that limit potential for vandalism*”.

Temporary outdoor storage of baled material awaiting transportation is proposed on the east side and behind the MRF building. The applicant is proposing to screen this area from view with a 2.1 metre Colorbond fence (basalt colour) to enclose the internal area and create a ‘compound’ where baled material (excluding paper product) will be placed for short periods awaiting daily pickup by transporters. This aspect of the proposal satisfies the intent of the Zone.

The proposed built form is considered to contribute positively to the character of the locality and generally satisfies the intent of the Zone.

#### Significant Trees

Allotment 505 contains a number of tree plantings which when viewed from aerial photography shows that there are two distinct rows of mature trees. Both rows are parallel to Gidgie Court. One row is about 30 metres west of Gidgie Court and the other row is alongside the chain-link fence adjacent the common boundary between lots 505 and 506.

The proposed development seeks to retain all of the existing mature tree plantings on the site apart from one Significant Tree (labelled number 5 on the site plan) due to it being located within the area of the single access point to the development from Gidgie Court. Importantly, the Arborist Report accompanying the application confirms in Table 3 that impacts associated with the proposed development within the tree's Tree Protection Zone (TPZ) are less than 20%, which is considered satisfactory to the health of the trees.

In regard to the removal of Tree 5, which is a River Red Gum, Table 3 of the Arborists Report confirms that the tree is likely to be significantly impacted by the current design proposal as the access road will encroach over the tree's TPZ. The development of this access road will require the removal of surface roots within the encroachment of the tree and the arborist has concluded "...that this tree and the development as presented cannot co-exist" wherein the degree of impact could lead to stress-induced branch failure in the future".

The Arborist further concludes that further design modifications reducing the TPZ encroachment to less than 20% would be necessary to retain the tree, which from review of the plans seems unlikely, or would put pressure on other trees in the row if the road layout is moved north or south (towards trees 4 & 6 which are also both Significant Trees and they are also assessed by the arborist to be in a healthy condition). To remove the access altogether would require a major re-design of the proposal and limit the orderly nature of vehicle movements through both Gidgie Court and Woomera Avenue. On this basis, the removal of a single planted Significant Tree is considered reasonable in an area expecting large scale development and other design solutions would be impractical.

### Landscaping

An extract of the Desired Character Statement for the Urban Employment Zone states that:

*Landscaping will be used to define gateways to the area and be carefully integrated with built form, ensuring that vegetation is sustainable, drought tolerant, locally indigenous and matched to the scale of development which also providing a comfortable, pleasant and attractive environment.*

Objective 5 of the Urban Employment Zone further states that:

- 5 *A high standard of development which promotes distinctive building, landscape and streetscape design with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones.*

To minimise the impact of the proposed development on the streetscape, additional landscaping is proposed along the southern and eastern perimeter boundaries of allotment 505 fronting both Woomera Avenue and Gidgie Court. The landscaping plan identifies a range of species including shade trees, shrubs and ground covers to assist in appropriately screening the site and enhancing the amenity of the locality. All other existing landscaping and vegetation is proposed to be retained as mentioned above.

This aspect of the development is considered to be acceptable.

Access and Manoeuvring

Under the Council-wide ‘Transportation and Access’ module, Principle of Development Control 23 states that:

**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 minimizes induced traffic through over-provision;*
- (d) Is sited and designed to minimize any adverse impacts on the occupants of and visitors to neighbouring properties.*

The applicant has submitted a Traffic Management report prepared by Phil Weaver and Associates that provides traffic analysis in support of the proposal. The report provides an assessment based on empirical data to illustrate the current average weekday traffic volume on Woomera Avenue to the west of the intersection of Gidgie Court and the amount of traffic in Gidgie Court and the anticipated increase in traffic as a result of the proposed development.

The report also considers the distribution of traffic throughout the various access/egress points on the subject land that are described earlier in this report.

The report forecasts the proposed development will generate in the order of 200 to 250 vehicle movements on a weekday including both entry and exit movements. The peak hour traffic generation is anticipated to be equivalent to 40 vehicles per hour.

The report indicates that a review of existing traffic movements on the adjoining road network has identified that there is sufficient capacity on these roadways, and in particular the intersection of Gidgie Court with Woomera Avenue, to fully accommodate the traffic movements forecast to be generated by the proposed development.

The applicant has also identified the intended location for buses accessing the site during educational tours. Buses can enter and exit the site in a forward direction.

Council’s Development Engineering section have reviewed the design of the proposal and Traffic Management report and have confirmed that the location and design of the access points and the internal manoeuvring layout is acceptable, subject to conditions including with respect to sealing of the internal roadways and car parking and compliance with AS 2890.

For the above reasons, the extent of traffic associated with the development will not have a material impact on the adjoining street network and is designed to facilitate safe and convenient entry and exit for vehicles of the type expected to the facility.

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 places to meet anticipated demand in accordance with Table Sal/2 – Off Street Vehicle Parking Requirements.*

In terms of car parking provision, Table Sal/2 – Off Street Vehicle Parking Requirements prescribes car parking rates for *industry, warehouses and stores* based on the overall floor area at differing rates depending on the intensity of the development.

Based on the existing floor area of 3,200m<sup>2</sup> for the MRF and 300m<sup>2</sup> of administration area, this equates to 36 spaces required for the NAWMA facilities. In total there are 36 car parks (existing) at the front of allotment 506 for the administration (up to 14 staff) and material recovery staff (up to 20 staff). The level of car parks provided therefore satisfies Table Sal/2.

The Traffic Management report submitted by the applicant notes that given the nature of the operation on allotment 505, it is considered more appropriate to provide car parking on a ‘first principles’ basis, i.e. based on anticipated staff and visitor parking. This is agreed given the nature of the activity involved. It is understood that drivers of the kerbside collection vehicles will generally drive their own car to the SUEZ site and park all day while driving a kerbside collection vehicle during their shift.

The Traffic Management report notes the proposed development on allotment 505 will require the provision of up to 30 car parking spaces to accommodate the parking demands of drivers of those trucks parked on site, a further four spaces associated with administrative staff and at most three spaces associated with visitors to the site, i.e. a total of 37 spaces. The proposed design provides a total of 46 car parks, which is above the anticipated amount required.

There are a total of 31 parking spaces for SUEZ’s kerbside collection vehicles however the SUEZ fleet comprises 24 trucks thus leaving 7 spaces initially available, with growth for expansion as required.

The design of the on-site car parking and manoeuvring areas also conform to the requirements of the relevant off-street car parking standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

In summary, the proposed development is considered to generally satisfy the requirements of the Development Plan in this regard.



Stormwater Management

An extract of the Desired Character Statement for the Urban Employment Zone states that:

*Water Sensitive Urban Design systems, including the harvest, treatment, storage and reuse of stormwater, will be integrated throughout the area at the neighbourhood, street, site and building level, taking advantage of large allotment sizes and impervious areas....Harvested stormwater will improve the aesthetic and functional value of landscaping and open spaces, including public access ways and greenways, contributing to a superior working environment.*

In addition to the above, Council-wide policies under the 'Natural Resources' module of the Development Plan encourage any water discharged from a development site to not exceed the rate of discharge from the site as it existed in pre-development conditions.

The applicant has submitted a Stormwater Management Report (SMR) prepared by Wallbridge and Gilbert Consulting Engineers. The report outlines the stormwater management design for the site with the final detailed design to be carried out during construction documentation.

The SMR indicates that WSUD treatments will be used to regulate the quantity and quality of stormwater discharged from the site. Stormwater will be directed into an existing retention/detention basin at the southern end of allotment 505. An outlet pit will restrict outflows from the site to the pre-development 10 year ARI discharge rate in accordance with Council's requirements. The quality of the discharge will comply with the EPA's guidelines for stormwater treatment targets.

The method of stormwater management is considered appropriate and consistent with the above-quoted Desired Character Statement.

**15. CONCLUSION**

The proposed development is considered to be appropriate on the subject land.

The proposed activities involved are not considered to jeopardise the attainment of the Objectives or Desired Character for the Urban Employment Zone.

The proposed development is able to coexist with other uses in the locality without inhibiting their current operations.

The proposed development is considered to generally conform with the Salisbury Council Development Plan and on balance warrants Development Plan Consent subject to one reserved matter and 13 conditions.

**16. STAFF RECOMMENDATION**

That the Development Assessment Panel resolve that:

1. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 5 May 2016;
2. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1075/2016/2B for “Change of use from industry to material recovery facility (recycling depot) and service depot (including truck parking), construction of ancillary office and workshop, gas re-fuelling facilities comprising supply lines and storage, freestanding sign, removal of significant tree and associated vehicle parking, manoeuvring area, fencing and perimeter landscaping” in accordance with the plans and details submitted with the application and subject to one Reserved Matter and 13 conditions:

Reserved Matter

1. A Construction and Environmental Management Plan (CEMP) shall be prepared by a suitably qualified site contamination consultant in accordance with the *EPA Guidelines for the Environmental Management of On-site Remediation*, (November 2008) in order to address the following matters:
  - a) Soil, including fill importation, stockpile management and prevention of soil contamination;
  - b) Air quality, including dust management;
  - c) Surface water including erosion and sediment control;
  - d) Groundwater, including prevention of groundwater contamination;
  - e) Occupational health and safety.

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
Amended Dated 04.09.16	Tree Report	Received by Council dated 05.09.16	Project Green
Amended dated 31.08.16	Traffic and Parking Assessment	Received by Council dated 31.08.16	Phil Weaver & Associates
Dated 24.08.16	Letter to Council	Received by Council dated 25.08.16	URPS
Dated 26.04.16 Sheet 1C	Site Plan	Received by Council dated 25.08.16	Plan It Building Design
Not Dated	Swept Path Analysis and Plan	Received by Council dated 25.08.16	Phil Weaver & Associates

Not Dated	Internal Floor Layout for MRF	Received by Council dated 25.08.16	Not Stated
Dated 19.08.16	Response to Representations	Received by Council dated 19.08.16	URPS
Dated 03-16 Sheet 1	Administration Building – Floor Plan & Elevation Plan	Received by Council dated 19.08.16	Plan It Building Design
Dated 04-16	Workshop Building – Floor Plan & Elevation Plan	Received by Council dated 19.08.16	Plan It Building Design
Not Stated	Signage Elevation Plan	Received by Council dated 19.08.16	Not Stated
Dated 18.07.16	Response to Council Info Request Letter	Received by Council dated 18.07.16	URPS
Dated 27.05.16	Report to Council	Received by Council dated 31.05.16	URPS
Dated 04-16 Sheet 1	Workshop Structural Plan	Received by Council dated 31.05.16	Plan It Building Design
Job. No. WAD160245 Revision B 20.04.16	Stormwater Management Plan	Received by Council dated 31.05.16	Wallbridge & Gilbert
Report 16 - 0322	Odour Assessment	Received by Council dated 31.05.16	Enviroscan Industrial & Marine Surveys

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

- The hours of operation of the facility will be Monday to Friday, 6:00am to 6:00pm. Work may be undertaken within the Material Recovery Facility on Saturdays for the purpose of maintenance of assets between the hours of 7:00am to 12:00 noon.

*Reason: To ensure orderly development.*

- The Material Recovery Facility shall not receive, handle or sort green waste matter or putrescible waste at any time (except such material that are received as contaminants of recyclable waste).

*Reason: To ensure orderly development.*

- All doors around the perimeter of the Material Recovery Facility shall be kept closed during operations, except where otherwise required to facilitate the movement of baled materials by forklift or during the entry and exit of trucks.

*Reason: To minimise noise, dust emissions and escape of any materials/litter.*

5. The advertisement and advertising structure approved under this application shall be maintained in good repair at all times.

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

6. Except where otherwise approved, the advertisement approved as part of this application shall not:
  - a) Move; or
  - b) Flash; or
  - c) Reflect light so as not be an undue distraction to motorists; or
  - d) Be internally or externally illuminated.

*Reason: To minimise driver distraction and disturbance to adjoining properties within the locality.*

7. All external building materials and finishes of the administration building and workshop shall:
  - a) Be of new non-reflective materials; and
  - b) Be of natural tones in accordance with the Approved plans; and
  - c) Be maintained in good and reasonable condition at all times.

*Reason: To ensure the building work achieves a high standard of design and complements the amenity of the locality.*

8. Except where otherwise Approved, no materials, goods or containers shall be stored in the designated car parking area or manoeuvring areas 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.*

9. The designated landscaping areas, identified on the Approved Site Plan, prepared by Plan It Building Design, received by Council dated 25<sup>th</sup> August 2016, shall be planted with a combination of shade trees, shrubs and groundcovers as appropriate to complement the approved buildings and site layout. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping is to be completed prior to the commencement of use.

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

10. All recommendations and commitments contained under the Approved Stormwater Management Plan, Odour Assessment, Traffic & Parking Assessment, Tree Report and URPS Planning Assessment, shall be completed prior to commencement of use and met at all times.

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



11. All waste and wastewater from the wash-down area shall comply with the Environment Protection Authority Information Sheet entitled “*Stormwater Management for Wash Bays 2004*” at all times.

*Reason: To ensure the wash bay does not result in environmental harm.*

12. Stormwater systems shall be designed 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 property for the major storm event ARI = 100 years.

*Reason: To ensure flood protection of the buildings.*

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 carparking areas shall be established prior to the approved use commencing and maintained at all times to the satisfaction of Council.

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

Advice Notes

1. Except where otherwise in conflict with any condition under this Consent, the conditions imposed herein are in addition to conditions that apply to the subject property from previous approvals that remain active.
2. 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.
3. The sign fronting Gidgie Court, identified on the Approved Site Plan, prepared by Plan It Building Design, received by Council dated 25<sup>th</sup> August 2016, does not form part of this Consent, in accordance with the email from Grazio Maiorano, URPS, dated 19<sup>th</sup> September 2016.
4. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act* 1993 to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

5. An environmental authorization in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:

[http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence) .

A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.

6. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

## CO-ORDINATION

Officer:	GMCiD	MDS
Date:	20.09.16	20.09.16

## ATTACHMENTS

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

1. Plans and Documentation
2. Copy of Representations
3. EPA Referral Response
4. Relevant Development Plan Provisions - Consolidated 5 May 2016



**ATTACHMENT 1**

**PLANS AND DOCUMENTATION**





# CITY OF SALISBURY DEVELOPMENT APPLICATION FORM

361/ 1075 /2016/ 1B

Please use BLOCK LETTERS and Black or Blue Ink

APPLICANT NAME: NORTHERN ADELAIDE WASTE MANAGEMENT AUTHORITY		
POSTAL ADDRESS: BOX 10, MDC, ELIZABETH WEST, SA, 5113		
OWNER NAME: (This must be completed) URBAN RENEWAL AUTHORITY <input type="checkbox"/> as above		
OWNER POSTAL ADDRESS: LVL 9 (WEST) RIVERSIDE CENTRE, NORTH TCE, ADELAIDE <input type="checkbox"/> as above		
OWNER PHONE NO:	OWNER FAX NO:	OWNER EMAIL:
CONTACT PERSON FOR FURTHER INFORMATION <input type="checkbox"/> as above		
NAME: SIMON CHANNON (URPS)	TELEPHONE (W): 8333 7999 (M): 0433 563 225	
EMAIL: SIMON@URPS.COM.AU	FAX:	
BUILDER NAME: TO BE ADVISED	BUILDERS EMAIL:	
BUILDER POSTAL ADDRESS:	CONTACT NO.:	
CURRENT USE OF PROPERTY: INDUSTRY + VACANT	LICENCE NO.:	
DESCRIPTION OF PROPOSAL: CHANGE OF USE TO RECYCLING DEPOT AND SERVICE DEPOT	DEVELOPMENT COST \$ 3,400,000	
LOCATION OF PROPOSAL		
Street No: 1-2 71-75	Street: GIDGIE COURT WOOMERA AVENUE	Suburb: EDINBURGH
Lot No: 505 506	Section:	Plan: 68296
	Volume: 5946 5960	Folio: 160 906
OFFICE USE ONLY		
Registration Date: 31 / 5 /2016	Zone: UE	Ward: NAM
BUILDING RULES CLASSIFICATION		
Classification sought:		
f Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees		
Male:		
Female:		
f Class 9a classification is sought, state the number of persons for whom accommodation is provided:		
f 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 <a href="http://www.salisbury.sa.gov.au">www.salisbury.sa.gov.au</a>		
SIGNATURE: <u>Simon Channon</u>		DATE: 27 / 5 / 16

**DEVELOPMENT REGULATIONS 2008****DECLARATION OF APPLICANT**  
(BUILDING SAFELY NEAR POWERLINES)  
(Pursuant to clause 2A(1) of Schedule 5)

**TO** City Of Salisbury  
Development Services – Lodgement Officer  
PO Box 8, SALISBURY SA 5108

**FROM** Name BRIAN KING - NAWMA  
Address Box 10 MDC, ELIZABETH WEST, SA, 5113  
Phone No 8259 2103 (Mobile) \_\_\_\_\_

**DATE OF APPLICATION**                      /       /

**LOCATION OF PROPOSED DEVELOPMENT**

House No 1-2 71-75 Lot No \_\_\_\_\_ Street GIDGIE CT  
WOOMERA AVENUE EDINBURGH

Town/Suburb \_\_\_\_\_

Section No (full/part) \_\_\_\_\_ Hundred \_\_\_\_\_

Volume 5946 Folio 160  
5960 906

**NATURE OF PROPOSED DEVELOPMENT**

CHANGE OF USE TO RECYCLING DEPOT  
AND SERVICE DEPOT

I (insert full name) BRIAN KING

being ~~the applicant~~ / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. I make this declaration under Clause 2A (1) of Schedule 5 of the Development Regulations 2008.

SIGNED  DATE 27 / 5 / 16

**PLEASE NOTE THAT THE FORM CONTINUES OVER**



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	27/05/2016 03:15PM
Customer Reference	2016-0051
Order ID	20160527009765
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 5960 Folio 906

Parent Title(s) CT 5946/161  
Dealing(s) TG 10336421  
Creating Title  
Title Issued 28/03/2006  
Edition 2  
Edition Issued 20/11/2006

REAL PROPERTY ACT, 1986



## Estate Type

FEE SIMPLE

## Registered Proprietor

LEASECORP GROUP NO.7 PTY. LTD. (ACN: 090 737 821)  
OF 1181 MAIN NORTH ROAD POORAKA SA 5095

## Description of Land

ALLOTMENT 506 DEPOSITED PLAN 68296  
IN THE AREA NAMED EDINBURGH  
HUNDRED OF MUNNO PARA

## Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED S (RTC 9330350)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED G TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (TG 10336421)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A AND B (RTC 10255048)

## Schedule of Dealings

Dealing Number	Description
10580878	MORTGAGE TO WESTPAC BANKING CORPORATION (SINGLE COPY ONLY)

## Notations

### Dealings Affecting Title

NIL



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	27/05/2016 03:15PM
Customer Reference	2016-0051
Order ID	20160527009765
Cost	\$27.25

#### Priority Notices

NIL

#### Notations on Plan

NIL

#### Registrar-General's Notes

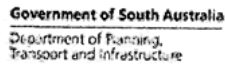
NIL

#### Administrative Interests

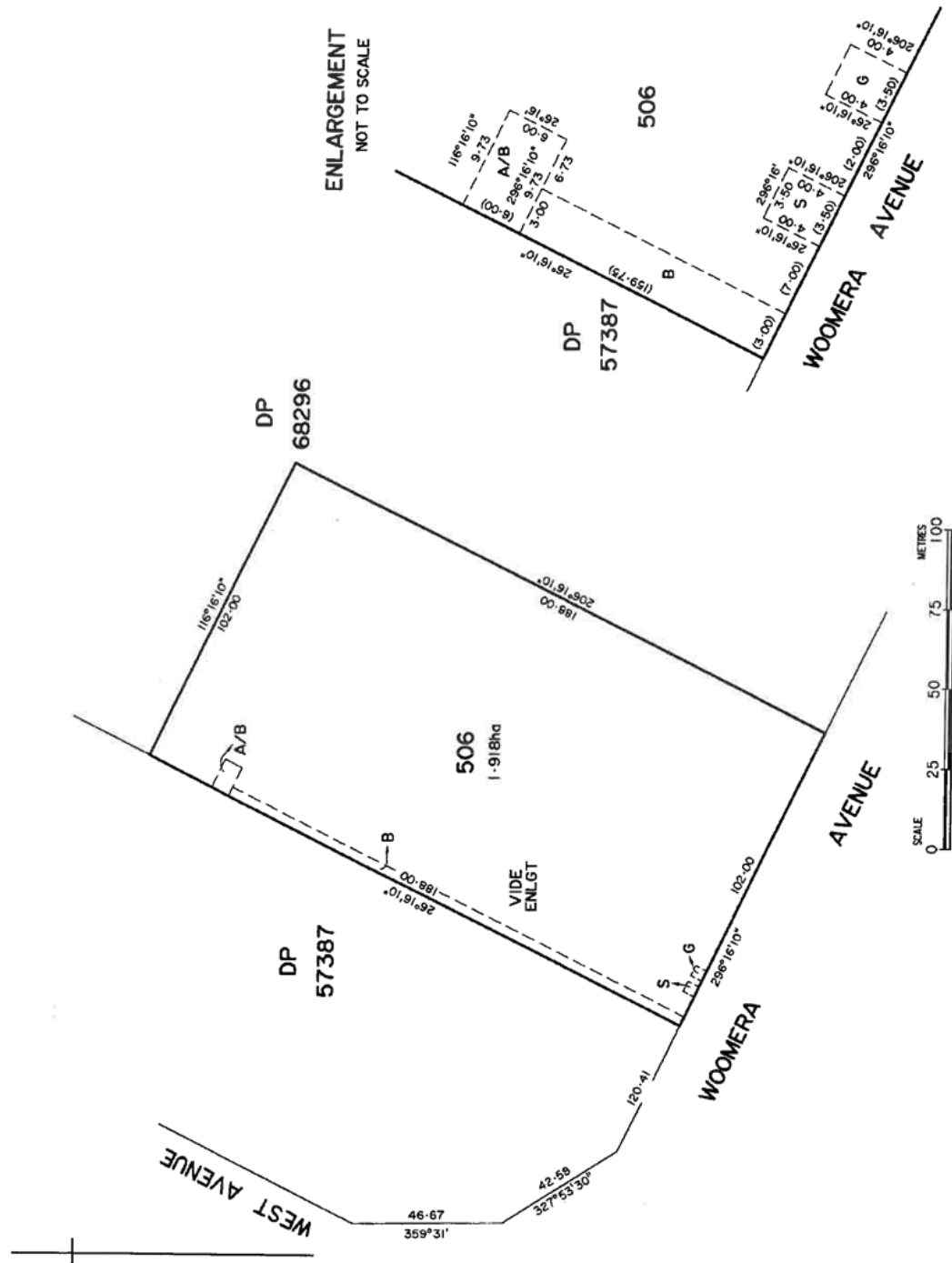
NIL

\* Denotes the dealing has been re-lodged.





Register Search  
27/05/2016 03:15PM  
2016-0051  
20160527009765  
\$27.25





Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	27/05/2016 03:12PM
Customer Reference	2016-0051
Order ID	20160527009722
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 5946 Folio 160

Parent Title(s) CT 5878/135, CT 5878/136, CT 5878/138  
Dealing(s) Creating Title RTC 10255048  
Title Issued 10/08/2005  
Edition 2  
Edition Issued 18/04/2012

REAL PROPERTY ACT, 1986



## Estate Type

FEE SIMPLE

## Registered Proprietor

URBAN RENEWAL AUTHORITY  
OF LEVEL 9 (WEST) RIVERSIDE CENTRE NORTH TERRACE ADELAIDE SA 5000

## Description of Land

ALLOTMENT 505 DEPOSITED PLAN 68296  
IN THE AREA NAMED EDINBURGH  
HUNDRED OF MUNNO PARA

## Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED S (RTC 9330350)

## Schedule of Dealings

NIL

## Notations

### Dealings Affecting Title

NIL

### Priority Notices

NIL

### Notations on Plan



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product	Register Search
Date/Time	27/05/2016 03:12PM
Customer Reference	2016-0051
Order ID	20160527009722
Cost	\$27.25

NIL

**Registrar-General's Notes**

NIL

**Administrative Interests**

NIL

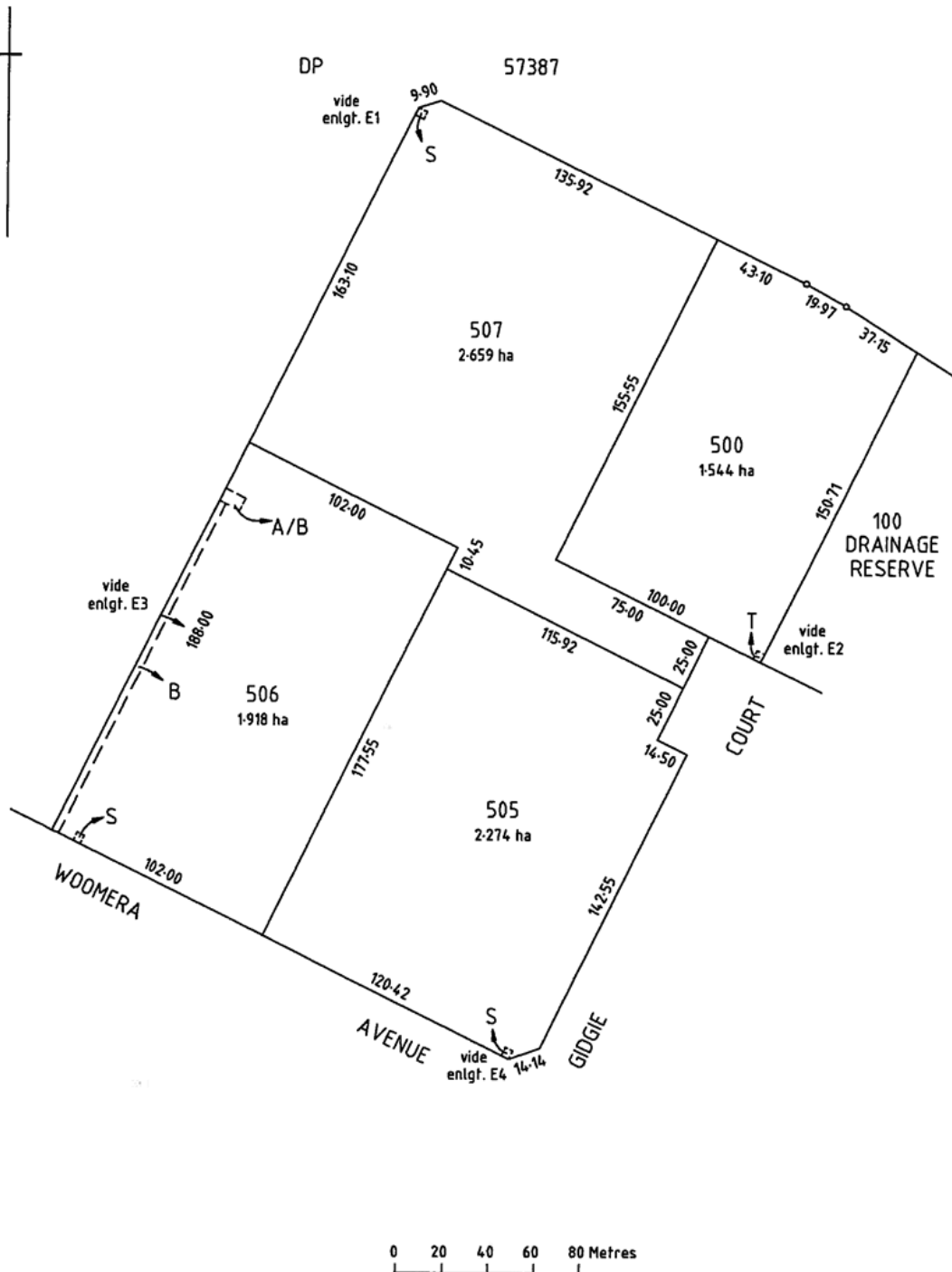
\* Denotes the dealing has been re-lodged.



Government of South Australia  
Department of Planning,  
Transport and Infrastructure

Product  
Date/Time  
Customer Reference  
Order ID  
Cost

Register Search  
27/05/2016 03:12PM  
2016-0051  
20160527009722  
\$27.25







Government of South Australia  
Department of Planning,  
Transport and Infrastructure

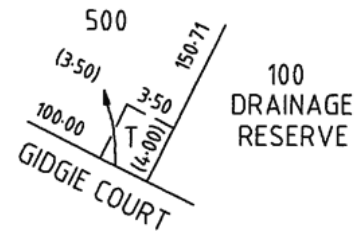
Product	Register Search
Date/Time	27/05/2016 03:12PM
Customer Reference	2016-0051
Order ID	20160527009722
Cost	\$27.25

### ENLARGEMENT E1 (NOT TO SCALE)

DP 57387

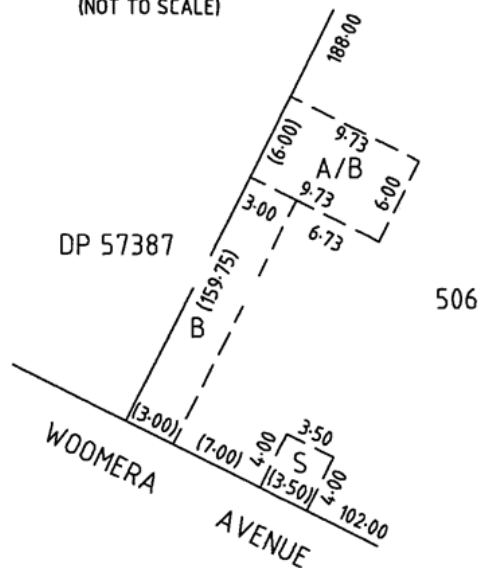


### ENLARGEMENT E2 (NOT TO SCALE)

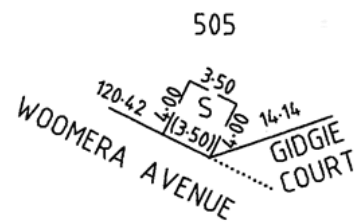


### ENLARGEMENT E3 (NOT TO SCALE)

DP 57387

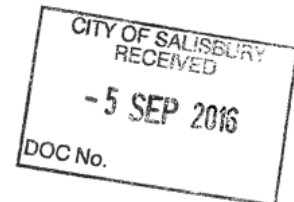


### ENLARGEMENT E4 (NOT TO SCALE)



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## Tree Report

(Revised to include Development Assessment)

4 September 2016

S11919

*Prepared for:*

**NAWMA**

1 Bellchambers Road  
Edinburgh North 5113

*Site Details:*

**Development Site**

Lot 505 Woomera Avenue  
Edinburgh SA 5111

*Prepared by:*

**Project Green Pty Ltd**

25-27 Ceafield Road  
Para Hills West SA 5096

ABN: 78 088 402 706

ACN: 088 402 706

Tel: (08) 8283 1300

Fax: (08) 8258 1933

admin@projectgreen.net.au

S11919 - NIAWMA

4 September 2016

Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111

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## Acknowledgement

Tree assessments and report by

Ross Greene  
B.App.Sc.(Horticulture)  
Dip.Hort.(Arboriculture)  
Certified Tree Risk Assessor (ISA)

Protection Zone calculations and development recommendations by

Dr. Martin Ely PhD  
Registered Landscape Architect



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## 1. INTRODUCTION

Project Green was commissioned by the Northern Adelaide Waste Management Authority (NAWMA) to provide assessments of nineteen trees located within an undeveloped site at Lot 505 Woomera Avenue, Edinburgh. One other tree located on the verge of the site's street frontage is included. This tree is owned by the City of Salisbury.

An assessment of the health and structure of the trees has been requested along with their regulated status as prescribed by the SA Development Act 1993. An estimate of each tree's useful life expectancy is included along with a risk/hazard rating utilising a recognised methodology. An assessment was also made of the potential impacts of the proposed development on the trees.

## 2. BACKGROUND INFORMATION

### 2.1 Legislation and Standards

Regard was given to the following legislation, plan and standard for the purpose of the trees' assessment and advising on measures to manage them effectively.

- *South Australian Development Act 1993*
- *South Australian Development Regulations 2008*
- *Development Plan, City of Salisbury*
- *Australian Standard 4970-2009 Protection of trees on development sites*
- *Australian Standard 4373-2007 Pruning of amenity trees*

### 2.2 Information Provided

To assist in the preparation of this report NAWMA provided:

- An A4 diagram of the proposed site layout.
- *Schematic Site Plan* by Plan It Building Design dated 26/04/2016.

## 3. METHOD

The following actions were undertaken to produce this report:

- Site inspection on the 22<sup>nd</sup> March 2016.
- Visual assessment of the subject trees around 360° including a rating of health and structure.
- A photographic record of the eastern and western sides.
- Calculation of a risk rating for each tree using the Matheny & Clark Hazard Assessment.



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S11919 - NAWMA

4 September 2016

Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111

- Identification of the status of the trees under the regulated tree provisions of the South Australian Development Act 1993.
- Identification of a Tree Protection Zone (TPZ) and Structural Root Zone (SRZ) for the trees in accordance with AS4970-2009 (*Protection of trees on development sites*).
- Calculation of TPZ encroachments and potential development impacts. Given the species and maturity of the subject trees encroachments of up to 20% within the TPZ were deemed as within their tolerable limit.
- Recommendations regarding tree protection measures to be adopted to mitigate development impacts.
- Assessment of tree removals under the provisions of the *Development Plan, City of Salisbury*.

### 3.1 Limitations

The trees were inspected visually from the ground only. No aerial, subsurface or invasive inspections were performed. Information contained in this report is based on observations taken on the day of inspection and material provided only. It is possible that changes in environmental conditions or subsequent information may affect these findings. This report has been prepared on behalf of, and for the exclusive use of, the Project Green client.



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S11919 - NAWMA

Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111

4 September 2016

#### 4. SITE LOCATION

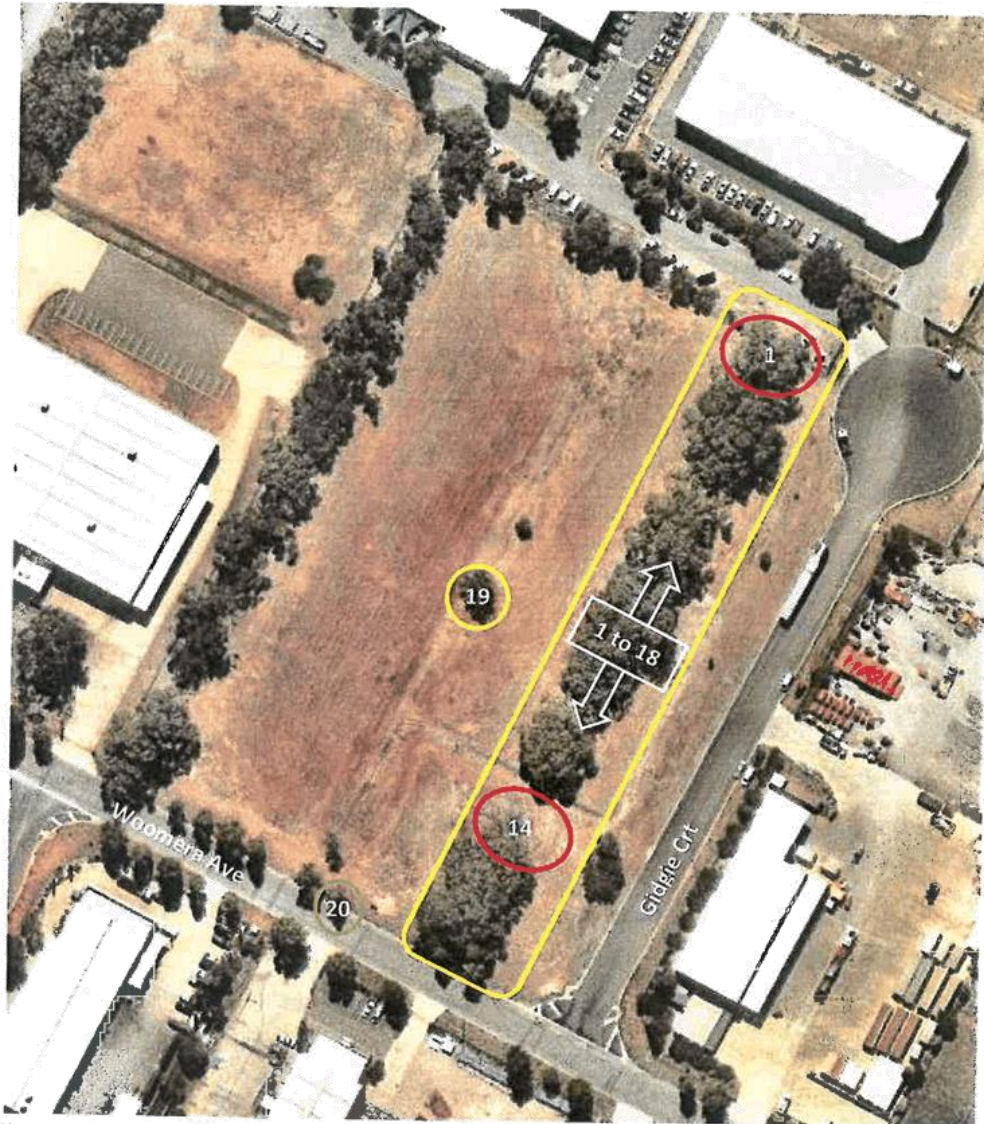


Figure 1. Shows the site. Trees 1 to 18 are boxed in yellow and are all specimens of *Eucalyptus camaldulensis* or River Red Gum. Trees 1 & 14 are potential removals. Tree 19 is *Casuarina verticillata* or Drooping Sheoak. Tree 20 is a Council-owned *Corymbia maculata* or Spotted Gum located on the verge of Woomera Avenue.

S11919 - NAWMA

Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111

4 September 2016

## 5. TREE DATA

Table 1: Tree Data

Tree	Regulated Status	TPZ Radius	SRZ Radius	Health	Structure	Risk Rating	Est. ULE
1	Significant	15.0m	4.20m	Good	Poor	8	< 5
2	Regulated	10.3m	3.20m	Good	Fair	4	>5
3	Significant	10.5m	3.29m	Good	Good	4	>10
4	Significant	15.0m	3.77m	Good	Good	4	>10
5	Significant	13.0m	3.35m	Good	Good	4	>10
6	Significant	14.1m	3.66m	Good	Good	4	>10
7	Exempt	4.9m	2.63m	Fair	Good	3	>5
8	Regulated	10.2m	3.31m	Good	Good	4	>10
9	Regulated	11.5m	3.46m	Good	Fair	4	>10
10	Exempt	7.1m	2.93m	Good	Fair	4	>5
11	Significant	13.2m	3.90m	Good	Good	4	>10
12	Regulated	9.4m	2.90m	Good	Good	4	>10
13	Significant	13.3m	3.50m	Good	Good	4	>10
14	Significant	15.0m	3.85m	Poor	Fair	5	0
15	Significant	13.9m	3.66m	Good	Good	4	>10
16	Significant	10.9m	3.66m	Good	Good	4	>10
17	Significant	13.9m	3.49m	Good	Good	4	>10
18	Significant	15.0m	3.75m	Good	Good	4	>20
19	Exempt	5.6m	2.5m	Good	Fair	4	>20
20*	Exempt	2.4m	1.5m	Good	Good	3	>20

### Explanatory Notes

1. **TPZ** and **SRZ** measurements have been calculated based on the formulae within Australian Standard 4970-2009.
2. **Health** and **Structure** have been assessed as *poor*, *fair* or *good* based on a visual assessment of various indicative attributes.
3. **Risk Rating** has been assessed using the arboricultural standard Matheny & Clark Hazard Assessment methodology. This system rates risk/hazard out of a total of 12 points. The methodology of this system is shown in Appendices C & D.
4. **ULE (Useful Life Expectancy)** is a conservative estimate of the tree's remaining amenity lifespan in years.

\*Tree 20: an unregulated Council-owned street tree; removal is at council's discretion.





## 6. DEVELOPMENT ASSESSMENT

### 6.1 Proposed Development

The proposed development as submitted by NAWMA includes the following in proximity to the row of trees (refer Figure 2, p.10):

- Trees 1 - 18 retained in an open garden area between two rows of car parking.
- Sealed area for vehicle ingress and egress with associated areas for car parking, truck parking and refuelling.
- Concrete upstand for fuel lines on the eastern side of the truck refuelling area.
- Gas compound with compressor and storage modules in the southern part of the site adjacent to Trees 14 to 18.

Tree 19 is an isolated specimen of Sheoak (*Casuarina verticillata*) which is exempt from regulation and as such is an optional retain/remove relative to design requirements. Tree 20 is a juvenile Council-owned street tree. A crossover may be required near to this tree. If necessary, removal would be at Council's discretion.

Significant changes have been made to the original proposed site layout based on advice provided by Project Green aimed at minimising development impacts on the site trees.

### 6.2 Development Impacts

All parts of the tree, including its root system, trunk and crown may be damaged by development and construction activities if tree protection measures are not implemented. Damage to any one part of the tree may affect its functioning as a whole.

Under AS4970-2009 the Tree Protection Zone (TPZ) is the principal means of protecting trees on development sites. The TPZ is a combination of the root area and crown area requiring protection. It is an area isolated from construction disturbance so that the tree remains viable. The radius of a tree's TPZ is calculated by multiplying its DBH (Diameter at Breast Height) by 12. The TPZ is to be observed in a symmetrical manner with the tree being in a central position.

The TPZ also incorporates the Structural Root Zone (SRZ) which comprises the area around the base of a tree required for the tree's stability and viability. Table 2 (p.8) illustrates the TPZs and SRZs for the trees surveyed.



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S11919 - NAYMRA

Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111

4 September 2016

AS4970-2009 allows for a level of encroachment into the TPZ. The following calculations were made of the encroachments by the proposed development on the subject trees. This information is also presented in Figure 2 (TPZ Plan). Trees 19 & 20 show no encroachments.

Table 2: TPZ Encroachments

Tree	TPZ Radius (m)	SRZ Radius (m)	TPZ Area (m <sup>2</sup> )	TPZ Encroachment (Area m <sup>2</sup> )	TPZ Encroachment (%)	SRZ Encroachment
1	15.0m	4.20m	706	0	0	No
2	10.3m	3.20m	333	0	0	No
3	10.5m	3.29m	346	0	0	No
4	15.0m	3.77m	706	128	18.1%	No
5	13.0m	3.35m	530	216	40.7%	No
6	14.1m	3.66m	624	116	18.5%	No
7	4.9m	2.63m	75	0	0	No
8	10.2m	3.31m	327	31	9.5%	No
9	11.5m	3.46m	415	50	12.0%	No
10	7.1m	2.93m	158	0	0	No
11	13.2m	3.90m	547	100	18.2%	No
12	9.4m	2.90m	277	23	8.3%	No
13	13.3m	3.50m	556	95	11.7%	No
14	15.0m	3.85m	706	120	17.0%	No
15	13.9m	3.66m	607	50	8.2%	No
16	10.9m	3.66m	373	0	0	No
17	13.9m	3.49m	607	36	5.9%	No
18	15.0m	3.75m	706	43	6.1%	No

The encroachments for Trees 1-3, 7-8, 10, 12 and 15-18 (green highlight) are minor encroachments under AS4970 (less than 10% and *not* within the SRZ) which suggests impacts on the trees are likely to be within the acceptable limits. The development in relation to these trees is considered to be acceptable.

The encroachments for Trees 4, 6, 9, 11, 13 and 14 (yellow highlight) are major encroachments under AS4970 (greater than 10% but *not* within the SRZ) which suggests impacts on the trees from the development are possible. However the development in relation to these trees is considered to be acceptable given the tolerance of the species *Eucalyptus camaldulensis* to development activities.

The encroachments for Tree 5 (red highlight) is a major encroachments under AS4970 and significantly greater than the recommended maximum prescribed limit of 10%. This suggests impacts on the tree from the development are *probable*. Being that the development is planned to proceed to the east and west of the tree there is no potential for any offset (compensatory area) to these



encroachments. This level of encroachment is considered to be outside the limits of tolerance for the tree as it relates to tree health and stability.

Based on the level of encroachment into the TPZ and SRZ of the affected trees (1–18) as presented in the supplied site design plan the following is a summary of the likely level of impacts:

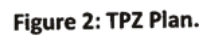
**Table 3. Summary of Impacts**

Tree	Legislative Status	TPZ Encroachment (%)	SRZ Encroachment	Impact
1	Significant	0	No	Minor <10%
2	Regulated	0	No	Minor <10%
3	Significant	0	No	Minor <10%
4	Significant	18.1%	No	Moderate <20%
5	Significant	30.7%	No	Major
6	Significant	18.5%	No	Moderate <20%
7	Exempt	0	No	Minor <10%
8	Regulated	9.5%	No	Minor <10%
9	Regulated	12.0%	No	Moderate <20%
10	Exempt	0	No	Minor <10%
11	Significant	18.2%	No	Moderate <20%
12	Regulated	8.3%	No	Minor <10%
13	Significant	11.7%	No	Moderate <20%
14	Significant	17.0%	No	Moderate <20%
15	Significant	3.2%	No	Minor <10%
16	Significant	0	No	Minor <10%
17	Significant	5.9%	No	Minor <10%
18	Significant	6.1%	No	Minor <10%

It is determined that Tree 5 is a retainable significant tree and that the submitted development design is likely to have a major impact on its health and/or stability.



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## 7. OBSERVATIONS AND CONCLUSIONS

The plan of the proposed development shows building activity will occur in close proximity to the row of mature *Eucalyptus camaldulensis* (River Red Gums) as shown in Figure 2. These trees generally show good health and structure. There is some evidence of branch failure amongst them but it is mostly historic and no failed limbs were lying on the ground. These trees have not been maintained in some time and therefore evidence of branch failures would be expected if they were shedding regularly. At the current time all but one tree assesses as presenting a low risk to the environment but this rating is based on current site use. The risk rating will necessarily increase if the site is developed and occupied.

There is a significant amount of surface root activity around some trees. Where regulated trees are involved, the below ground parts of the tree are included within the scope of their protected status. The need to protect roots not only has implications for tree health but can also affect in-ground stability. Protection of tree roots is one of the main functions of the Tree Protection Zone (TPZ) and the Structural Root Zone (SRZ). Given the site design a proportion of the exposed roots will necessarily be removed to install hard surfacing for trucks. In this circumstance, given the reasonable tolerance *Eucalyptus camaldulensis* to root disturbance, it is determined that a TPZ incursion of up to 20% is within the tolerable limits of the trees.

If the development were to proceed pruning of low tree crowns will be required. A clearance of 8 metres has been cited by NAWMA. This level of clearance will necessarily involve pruning to raise tree crowns. Removing live, healthy branches will constitute tree damaging activity and works of this nature will require Development Approval from the City of Salisbury. A final site layout should be established before the extent of pruning required is assessed.

The development design supplied by NAWMA proposes retaining all of the eighteen River Red Gums in the row depicted in Figures 1 & 2. Two of these trees, however, assess as recommended removals. Tree 14 is infested with termites, and shows very poor health and a short life expectancy. Tree 1 shows good health but has also been severely hollowed by termites and should be removed. The hollowing is very extensive and there are no remedial actions available that could make this tree safe to retain on a regularly occupied site. The level of faults shown by Trees 1 & 14 is depicted in Appendix B. These trees are recommended to be removed on the grounds of poor health and/or excessive risk.



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Table 3 (p.9) shows that one of the retainable River Red Gums (Tree 5) is likely to be significantly impacted by the current design proposal. Given the 40% encroachment into this tree's TPZ and the necessary removal of surface roots within the encroachment it must be concluded that this tree and the development as presented cannot co-exist. The degree of impact could lead to stress-induced branch failure in future. Further design modifications reducing the TPZ encroachment to less than 20% would be necessary to retain the tree. If this is impractical and the development is to proceed in line with the submitted plan it must be recommended that Tree 5 is removed. The development application to remove this tree would be based on the status of the development being reasonable and expected, and other design solutions being impractical.

## 8. LEGISLATIVE ASSESSMENT - Tree Removals

The following is an assessment of the grounds to remove Trees 1 & 14 based on Significant Tree provisions as listed within the Development Plan of the City of Salisbury. There are no grounds to remove other trees on the basis of health or risk.

Objectives	Tree 1	Tree 14
1 The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.	Yes	No, most of the crown is dead.

Principles of Development Control (PDC)	Tree 1	Tree 14
1 Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:		
(a) makes an important contribution to the character or amenity of the local area; or	Yes	No
(b) is indigenous to the local area and its species is listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species; or	No	No
(c) represents an important habitat for native fauna; or	Yes	No
(d) is part of a wildlife corridor of a remnant area of native vegetation; or	No	No
(e) is important to the maintenance of biodiversity in the local environment; or	Yes, due to the habitat it provides.	No



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Principles of Development Control (PDC)	Tree 1	Tree 14
(f) forms a notable visual element to the landscape of the local area.	Yes, the row of trees is highly visual within the immediate surrounds.	No

Principals of Development Control (PDC)	Tree 1	Tree 14
3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:		
(a) in the case of tree removal;		
(i) the tree is diseased and its life expectancy is short	No	Yes, the tree's health is assessed as being in permanent decline.
(ii) the tree represents an unacceptable risk to public or private safety	Yes, the tree is structurally compromised.	No
(iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area	No	No
(b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value	No	No
(c) all other reasonable remedial treatments and measures have been determined to be ineffective	Yes	Yes
(d) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.	Yes	Yes



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## 9. RECOMMENDATIONS

The following is recommended for the trees identified in this report. All works should be undertaken in accordance with *Australian Standard 4373-2007 Pruning of Amenity Trees* and the *South Australian Work Health and Safety Act 2012* under the direct supervision of a qualified person who holds a minimum AQTF Certificate III Horticulture (Arboriculture).

### 9.1 Development Impact

1. Encroachments within the TPZ and SRZ have been utilised to guide recommendations regarding the potential impacts to the subject trees. Given the species, a 20% encroachment is assessed as tolerable. The 40% TPZ encroachment to regulated Tree 5 is therefore assessed as being outside of its tolerable limit. Impacts to the remaining trees' TPZs are within the tolerable limit.
2. Council may consider the development to be *reasonable and expected* and therefore provide a ground to remove Tree 5.
3. Potential impacts to, and pruning specifications for, the above ground parts of the trees should be assessed once a site layout has been finalised.

### 9.2 Tree Removals

If the development proceeds the following removals are recommended based on poor health and/or excessive risk.

**Tree 1** – Given the observed level of damage caused by termite activity and the extent of decay in the lower trunk and branches it is determined that this tree presents as an excessive risk to its environment and should be removed. This removal will require Development Approval from the City of Salisbury and should be submitted under the provision of PDC 3(a)(ii).

**Tree 14** – Given the observed poor health of this tree and extent of termite damage which is still occurring, it is determined that this tree has a short life expectancy and should be removed. This removal will require Development Approval from the City of Salisbury and should be submitted under the provision of PDC 3(a)(i).

### 9.3 Tree Root Damage Protection

If the development proceeds the following should be adopted to minimise development impacts on retained trees:

- Underground services are to be routed outside of the TPZ if possible.
- If underground services cannot be routed outside of the TPZ, install using 'soft dig' methods such as hydro-excavation or directional boring under guidance of the project arborist.
- General tree protection measures are to be adopted as outlined in Appendix E.



## 10. GLOSSARY

<b>Bifurcation</b>	Division into two parts.
<b>Crown density</b>	The estimated % of density of foliage present in the crown compared to that idealised for the genus and species when in good condition of normal vigour and expressed as a %, considering vigour, predation, environmental condition, epicormic shoots and dormancy (Draper & Richards, 2009).
<b>Epicormic growth</b>	Juvenile shoots arising from latent buds beneath the bark in some trees (Draper & Richards, 2009).
<b>Health</b>	Includes the tree's vigour exhibited by density of crown, cover, leaf colour etc.
<b>Live Crown Ratio</b>	The proportion of live crown to tree height used to assist in the assessment of potentially hazardous trees. A low Live Crown Ratio is not necessarily a fault and is relative to what is normal for the species.
<b>Occlusion</b>	Growth process where wound wood develops to enclose the wound face (Draper and Richards 2009)
<b>Size</b>	Tree height and canopy diameter measured in metres.
<b>Species profile</b>	Attributes and characteristics of the species which includes size, longevity, structural integrity, shedding behaviour etc.
<b>Visual Tree Assessment</b>	A visual inspection of a tree from the ground undertaken by a trained Arborist competent in determining tree type, structural integrity, health, growing environment and environmental benefits or impacts the tree may present. The assessment is used to determine suitable methods for managing the tree and the impact it may have on its immediate surrounds. The inspection is limited to those attributes observed on the day of inspection. No other investigative techniques are used unless stated otherwise.

## 11. BIBLIOGRAPHY

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Dunster, J.A. (2013) Tree Risk Assessment Manual. ISA Publications, USA.

Matheny, N.P: & Clark, J.R (1994) Evaluation of Hazard Trees in Urban Areas. ISA Publications.



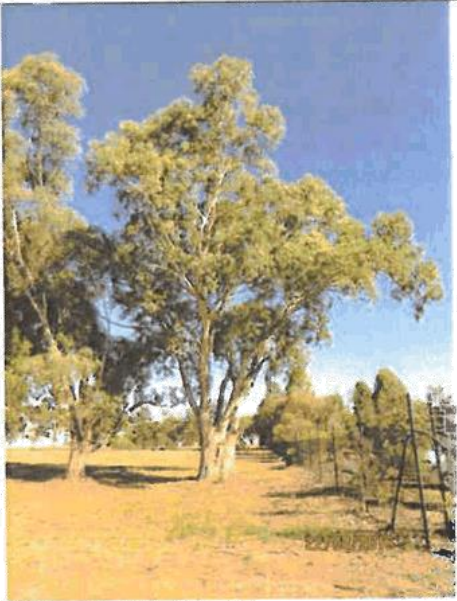
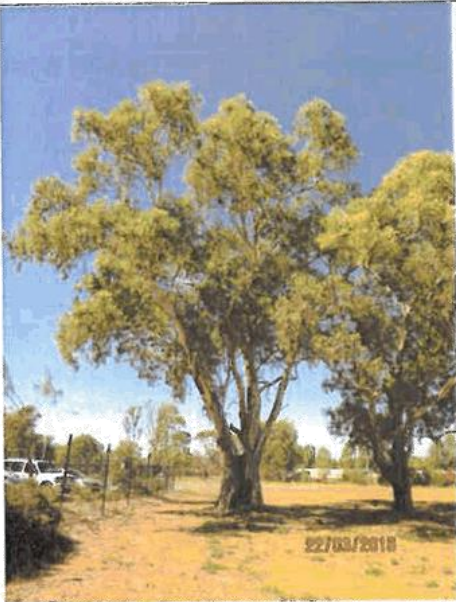


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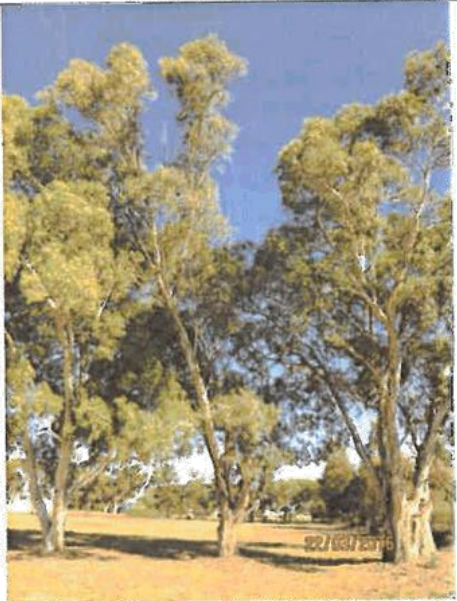
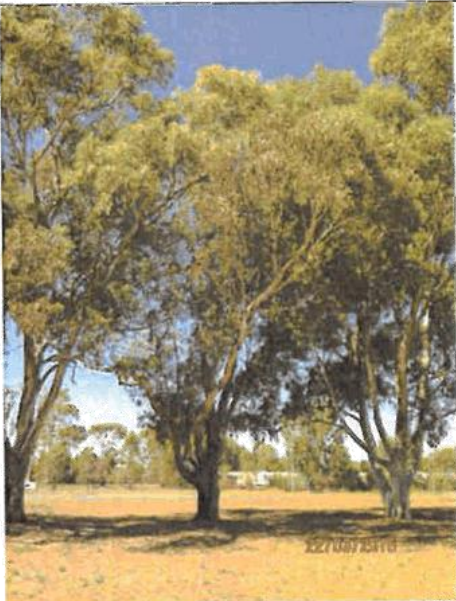
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**APPENDIX A – Tree Schedule**

<b>Tree 1. <i>Eucalyptus camaldulensis</i></b>			
			
Circ.@ 1m = 5.2m	Significant Tree	Health	Good
Circ.@ 1.4m = 5.2m	TPZ = 15m	Structure	Poor
Circ.@ base = 5.7m	SRZ = 4.2m	Risk Rating	3+3+2 = 8

<b>Tree 2. <i>Eucalyptus camaldulensis</i></b>			
			
Circ.@ 1m = 2.55m	Regulated Tree	Health	Good
Circ.@ 1.4m = 2.7m	TPZ = 10.3m	Structure	Fair
Circ.@ base = 2.9m	SRZ = 3.2m	Risk Rating	2+1+1 = 4



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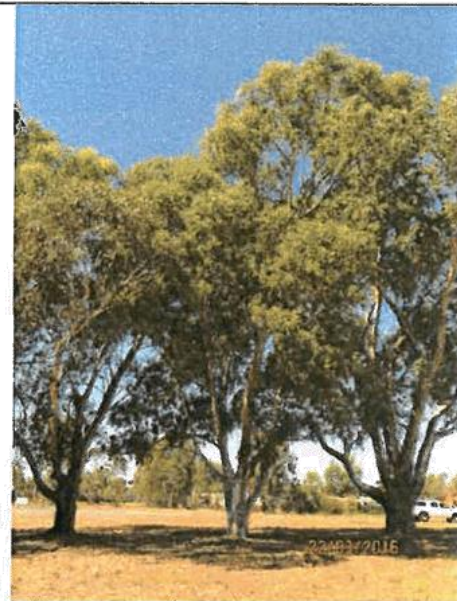
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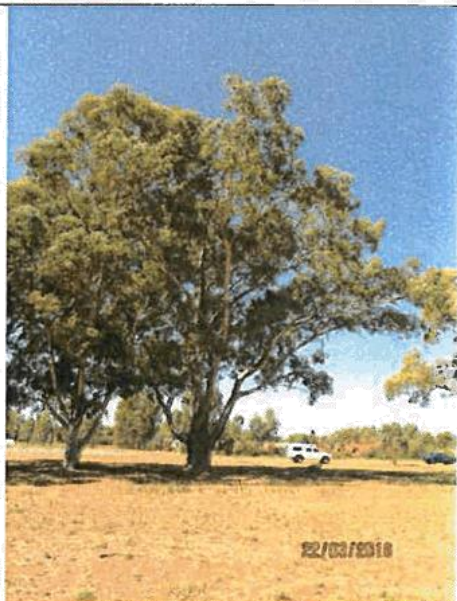
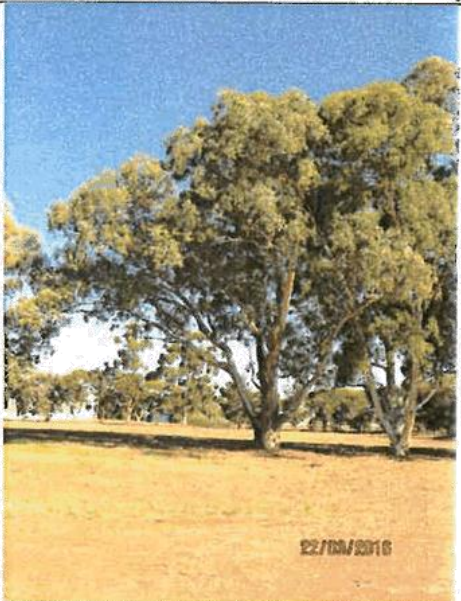
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**Tree 3. *Eucalyptus camaldulensis***

Circ.@ 1m = 3.28m	Significant Tree	Health	Good
Circ.@ 1.4m = 1.3m/1.4m/2m	TPZ = 10.5m	Structure	Good
Circ.@ base = 3.1m	SRZ = 3.29m	Risk Rating	2+1+1 = 4

**Tree 4. *Eucalyptus camaldulensis***

Circ.@ 1m = 4.1m	Significant Tree	Health	Good
Circ.@ 1.4m = 4.5m	TPZ = 15m	Structure	Good
Circ.@ base = 4.3m	SRZ = 3.77m	Risk Rating	2+1+1 = 4



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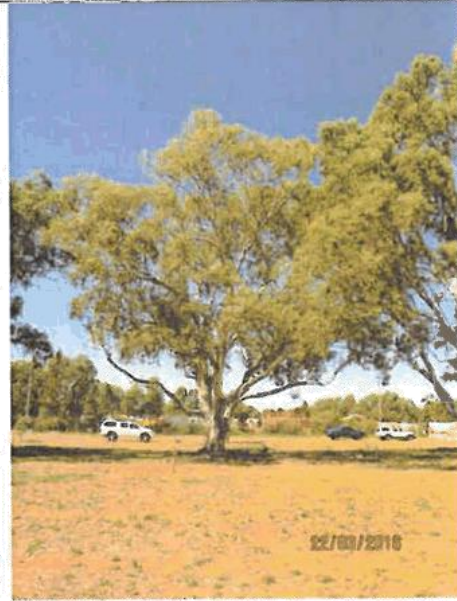
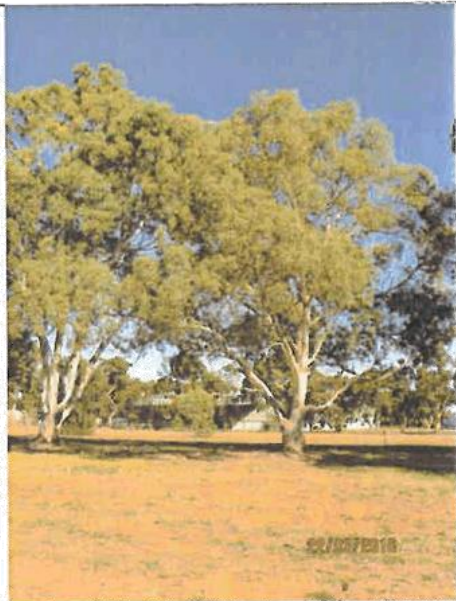
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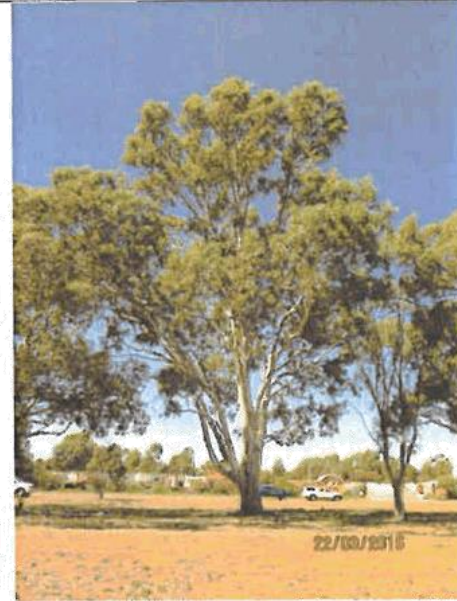
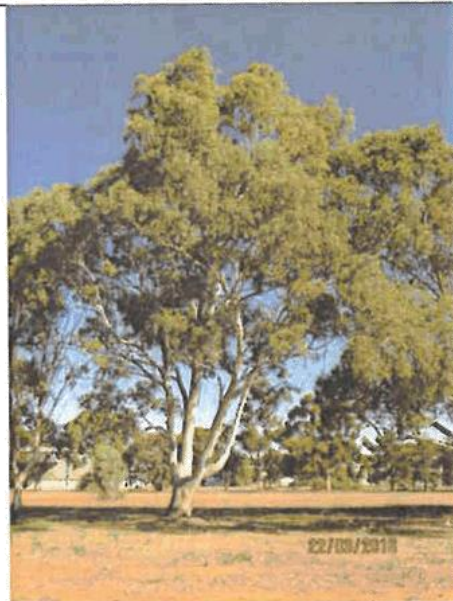
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**Tree 5. *Eucalyptus camaldulensis***

Circ.@ 1m = 3.12	Significant Tree	Health	Good
Circ.@ 1.4m = 3.4m	TPZ = 13m	Structure	Good
Circ.@ base = 3.5m	SRZ = 3.46m	Risk Rating	2+1+1 = 4

**Tree 6. *Eucalyptus camaldulensis***

Circ.@ 1m = 3.55m	Significant Tree	Health	Good
Circ.@ 1.4m = 3.7m	TPZ = 14.1m	Structure	Good
Circ.@ base = 4m	SRZ = 3.66m	Risk Rating	2+1+1 = 4



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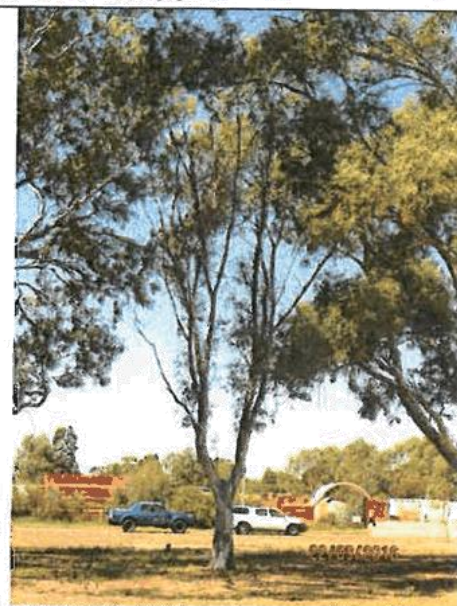
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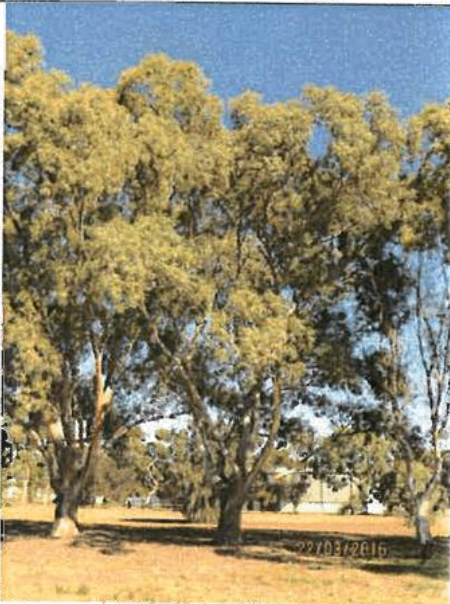
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**Tree 7. *Eucalyptus camaldulensis***

Circ.@ 1m = 1.37	Not Regulated	Health	Fair
Circ.@ 1.4m = 1.28m	TPZ = 4.9m	Structure	Good
Circ.@ base = 1.97m	SRZ = 2.72m	Risk Rating	1+1+1 = 3

**Tree 8. *Eucalyptus camaldulensis***

Circ.@ 1m = 2.63m	Regulated Tree	Health	Good
Circ.@ 1.4m = 2.68m	TPZ = 10.2m	Structure	Good
Circ.@ base = 3.15m	SRZ = 3.31m	Risk Rating	2+1+1 = 4



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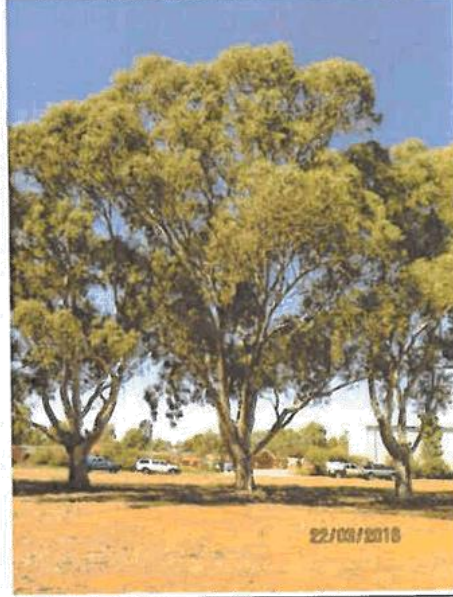
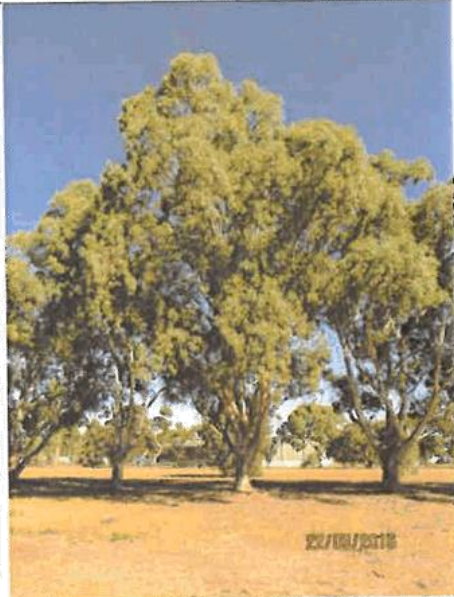
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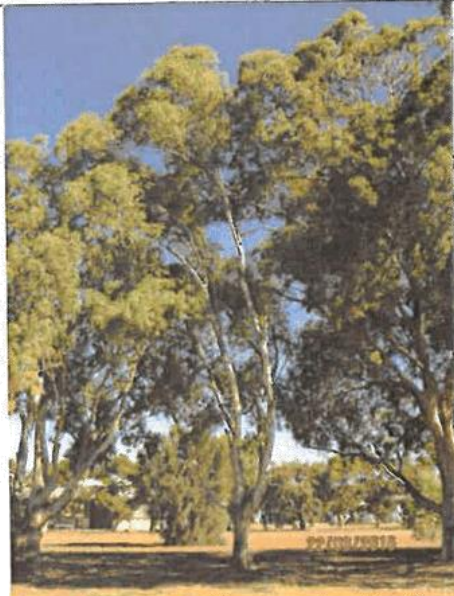
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**Tree 9. *Eucalyptus camaldulensis***

Circ.@ 1m = 2.86m	Regulated Tree	Health	Good
Circ.@ 1.4m = 3m	TPZ = 11.5m	Structure	Fair
Circ.@ base = 3.5m	SRZ = 3.46m	Risk Rating	2+1+1 = 4

**Tree 10. *Eucalyptus camaldulensis***

Circ.@ 1m = 1.87m	Not Regulated	Health	Good
Circ.@ 1.4m = 1.85m	TPZ = 7.1m	Structure	Fair
Circ.@ base = 2.35m	SRZ = 2.93m	Risk Rating	2+1+1 = 4



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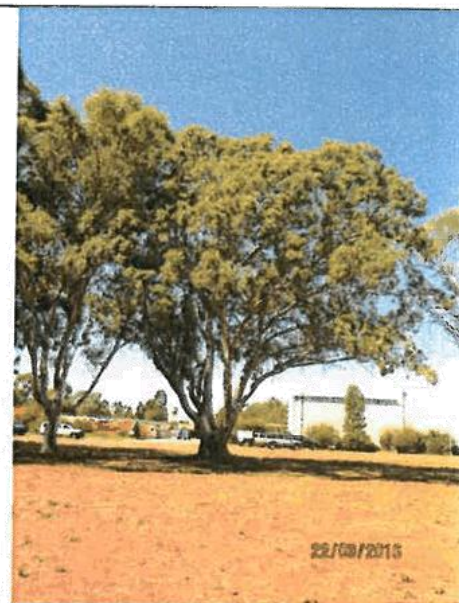
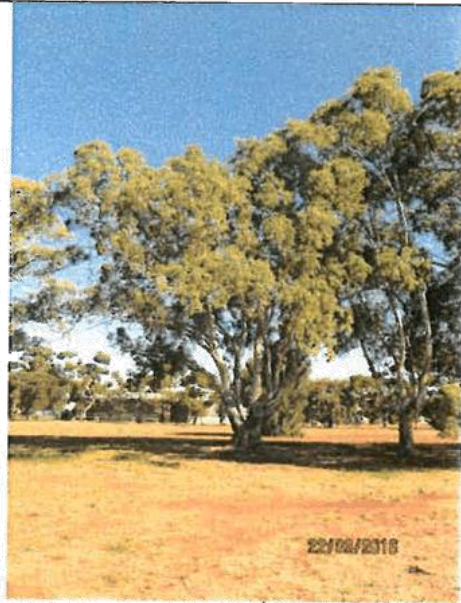
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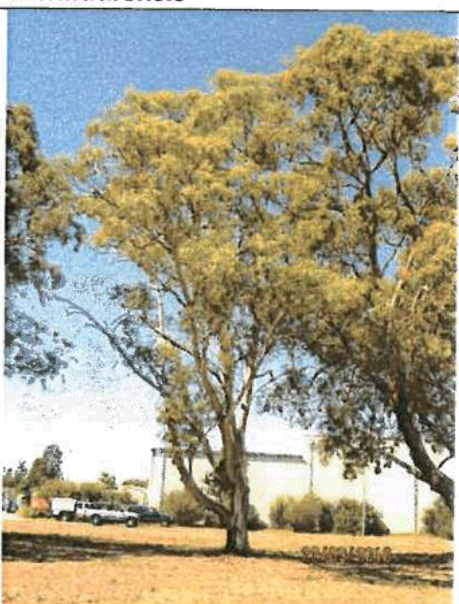
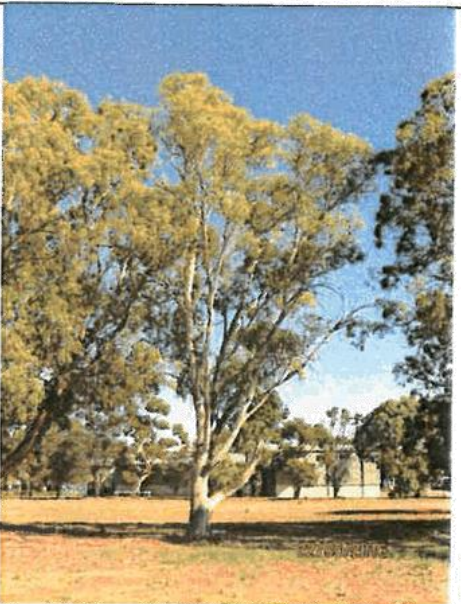
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**Tree 11. *Eucalyptus camaldulensis***

Circ. @ 1m = 4.2m	Significant Tree	Health	Good
Circ. @ 1.4m = 1.1m/1.6m/1.7m/2.3m	TPZ = 13.2m	Structure	Good
Circ. @ base = 4.65m	SRZ = 3.90m	Risk Rating	2+1+1 = 4

**Tree 12. *Eucalyptus camaldulensis***

Circ. @ 1m = 2.09m	Regulated Tree	Health	Good
Circ. @ 1.4m = 0.96m/1.4m/1.8m	TPZ = 9.4m	Structure	Good
Circ. @ base = 2.3m	SRZ = 2.90m	Risk Rating	2+1+1 = 4



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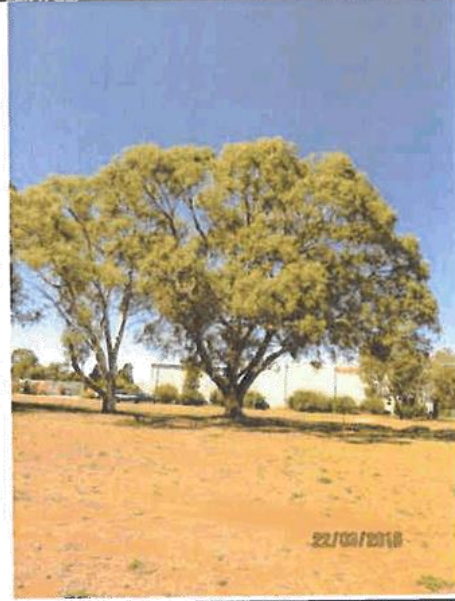
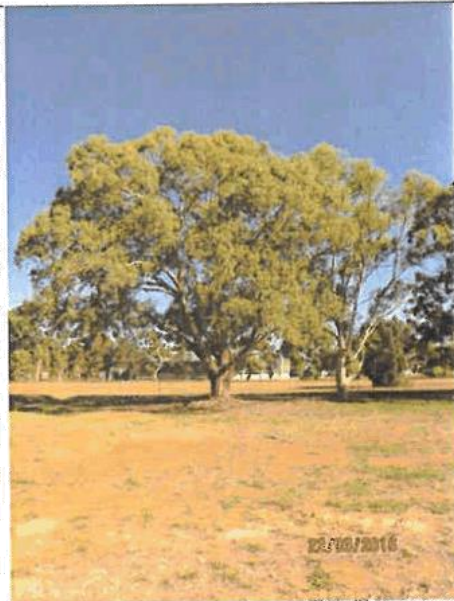
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**Tree 13. *Eucalyptus camaldulensis***

Circ.@ 1m = 3.34m	Significant Tree	Health	Good
Circ.@ 1.4m = 3.5m	TPZ = 13.3m	Structure	Good
Circ.@ base = 3.6m	SRZ = 3.50m	Risk Rating	2+1+1 = 4

**Tree 14. *Eucalyptus camaldulensis***

Circ.@ 1m = 4m	Significant Tree	Health	Poor
Circ.@ 1.4m = 4.45m	TPZ = 15m	Structure	Good
Circ.@ base = 4.5m	SRZ = 3.85m	Risk Rating	2+2+1 = 5

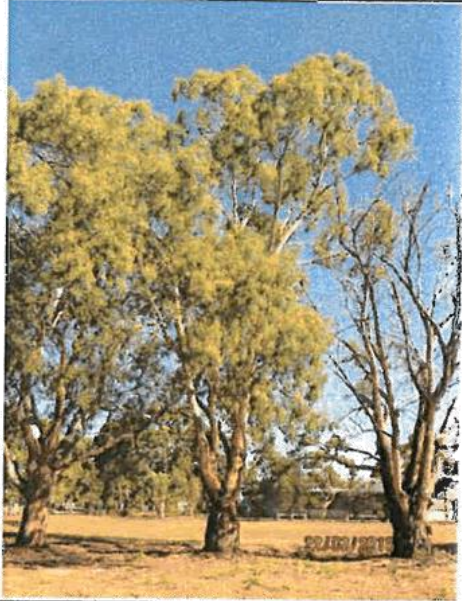
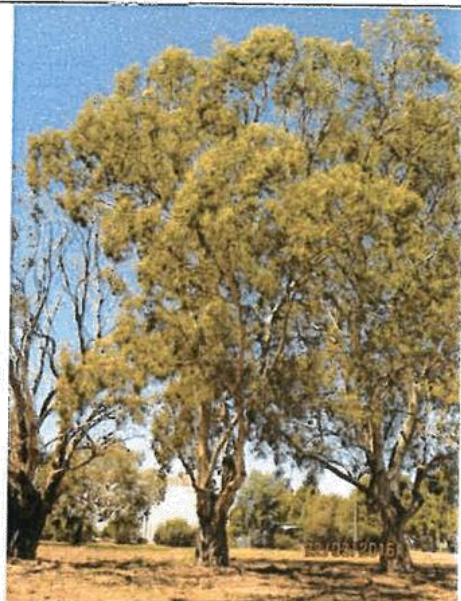




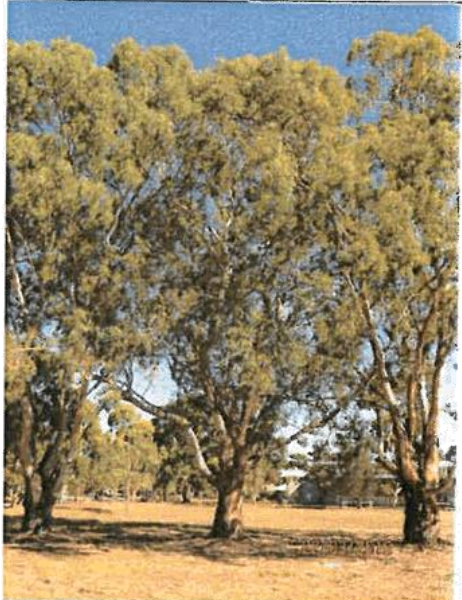
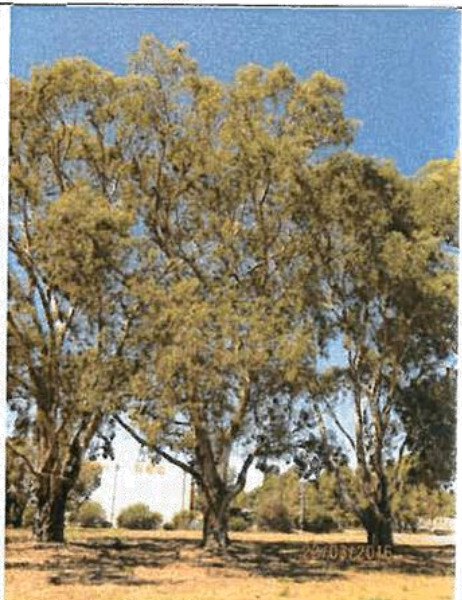
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### Tree 15. *Eucalyptus camaldulensis*

			
Circ.@ 1m = 3.75m	Significant Tree	Health	Good
Circ.@ 1.4m = 3.65m	TPZ = 13.9m	Structure	Good
Circ.@ base = 4m	SRZ = 3.66m	Risk Rating	2+1+1 = 4

### Tree 16. *Eucalyptus camaldulensis*

			
Circ.@ 1m = 3.18m	Significant Tree	Health	Good
Circ.@ 1.4m = 2.87m	TPZ = 10.9m	Structure	Good
Circ.@ base = 4m	SRZ = 3.66m	Risk Rating	2+1+1 = 4



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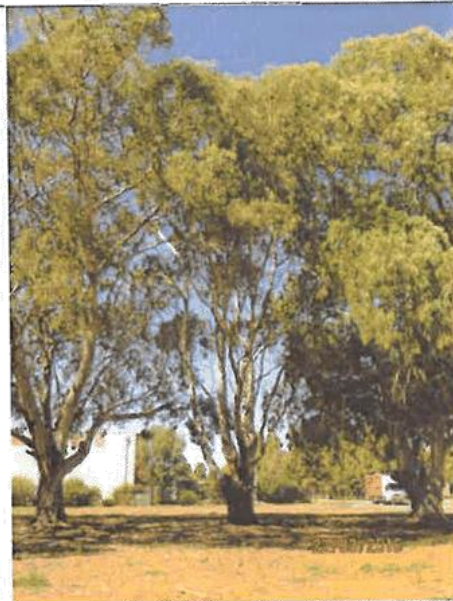
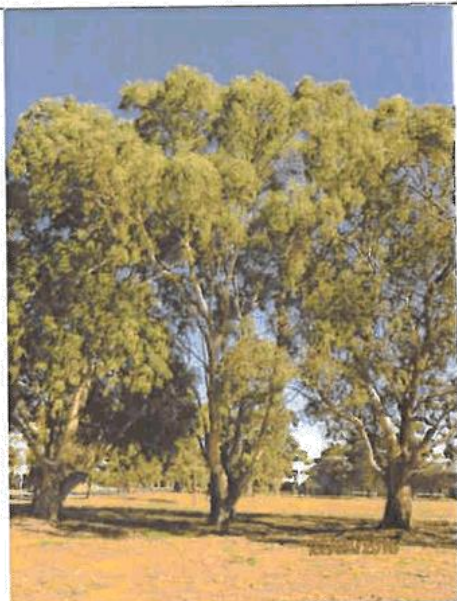
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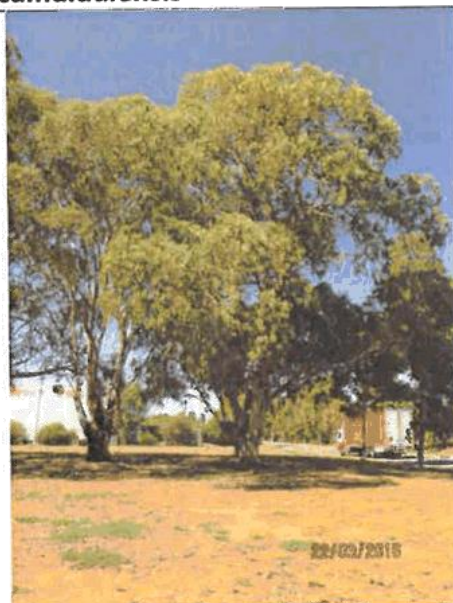
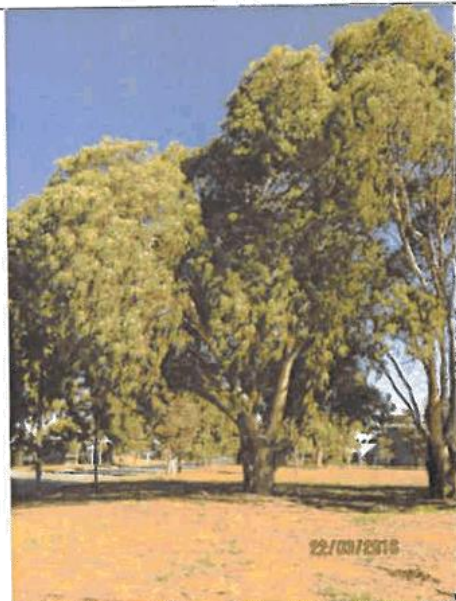
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**Tree 17. *Eucalyptus camaldulensis***

Circ.@ 1m = 3.38m	Significant Tree	Health	Good
Circ.@ 1.4m = 3.65m	TPZ = 13.9m	Structure	Good
Circ.@ base = 3.57m	SRZ = 3.49m	Risk Rating	2+1+1 = 4

**Tree 18. *Eucalyptus camaldulensis***

Circ.@ 1m = 4.05m	Significant Tree	Health	Good
Circ.@ 1.4m = 1.83m/3.7m	TPZ = 15m	Structure	Good
Circ.@ base = 4.24m	SRZ = 3.75m	Risk Rating	2+1+1 = 4



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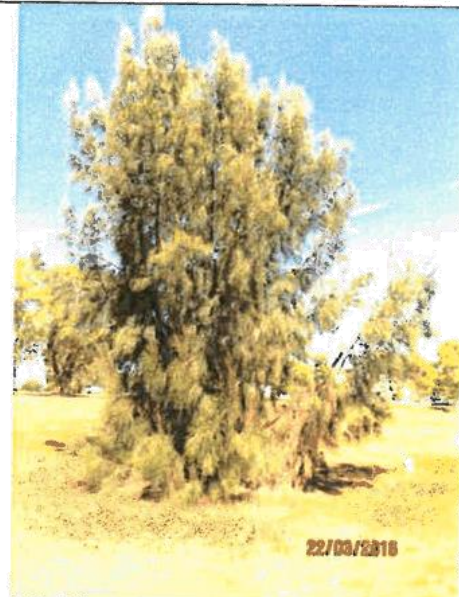
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**Tree 19. *Allocasuarina verticillata***

Circ. @ 1m = 0.40m/0.48m/0.56m/0.60m/ 0.70m/0.85m (av. = 0.598m)	Not Regulated (av. circ. < 0.625m)	Health	Good
Isolated tree in middle of Lot 505.		Structure	Good
		Risk Rating	2+1+1 = 4

**Tree 20. *Corymbia maculata***

Circ. @ 1m = < 1m	Not Regulated	Health	Good
Council-owned street tree on verge of Woomera Avenue not located within Lot 505.		Structure	Good
		Risk Rating	1+1+1 = 3



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## APPENDIX B – Tree Removals



Photo 1. Tree 1: the extent of the hollowing of the lower trunk is shown. The hollow is even more extensive when viewed inside the trunk. Sound wood holding the tree up varies in thickness between 10 and 30cm. Decay is actively proceeding within the trunk and the interior is easily dislodged.



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Photos 2 & 3. Tree 1: the trunk hollow extends up into the scaffold branch structure of the tree. Here a large branch overhanging the car park of the property to the north shows a large hollow along its length.

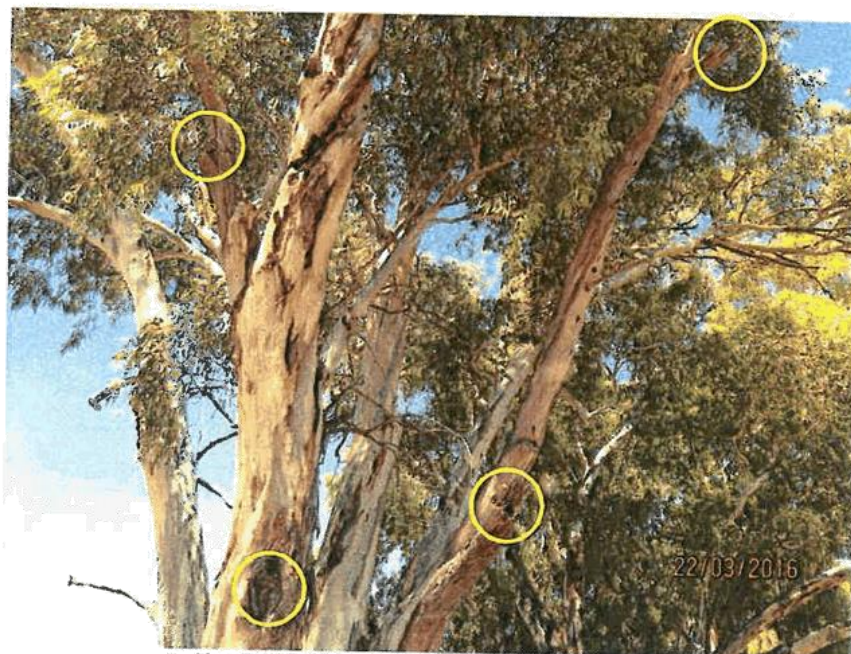


Photo 4. Tree 1. Shows various failures within the tree.



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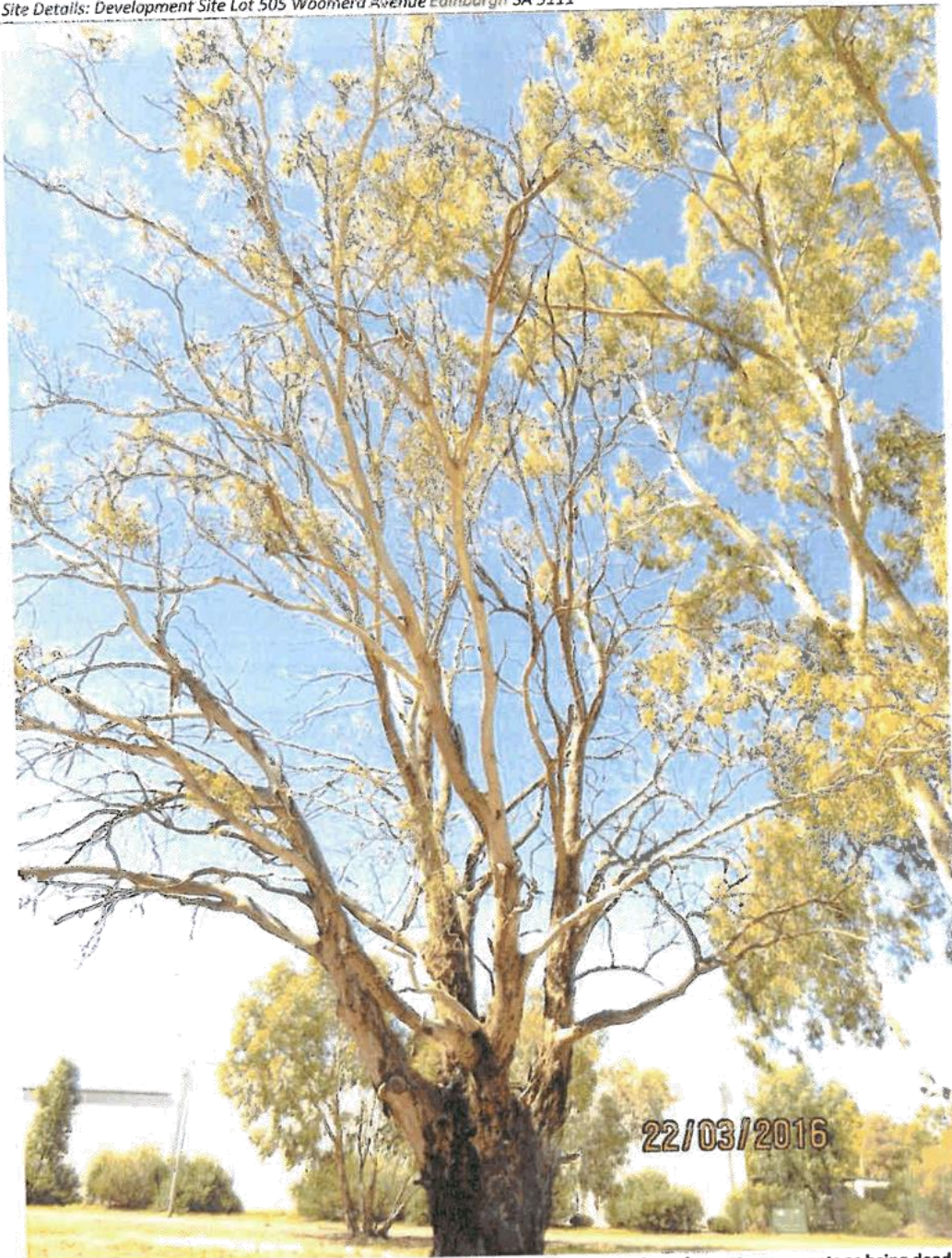


Photo 5. Tree 14: there are a few leaves hanging onto the tree but most of the branch structure presents as being dead and the leaf growth evident is likely shooting from branch reserves rather than being prompted by functional growth.



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Photo 6. Tree 14: the termite nest spills out from the lower trunk. This was uncovered by lifting bark accumulated on the ground.

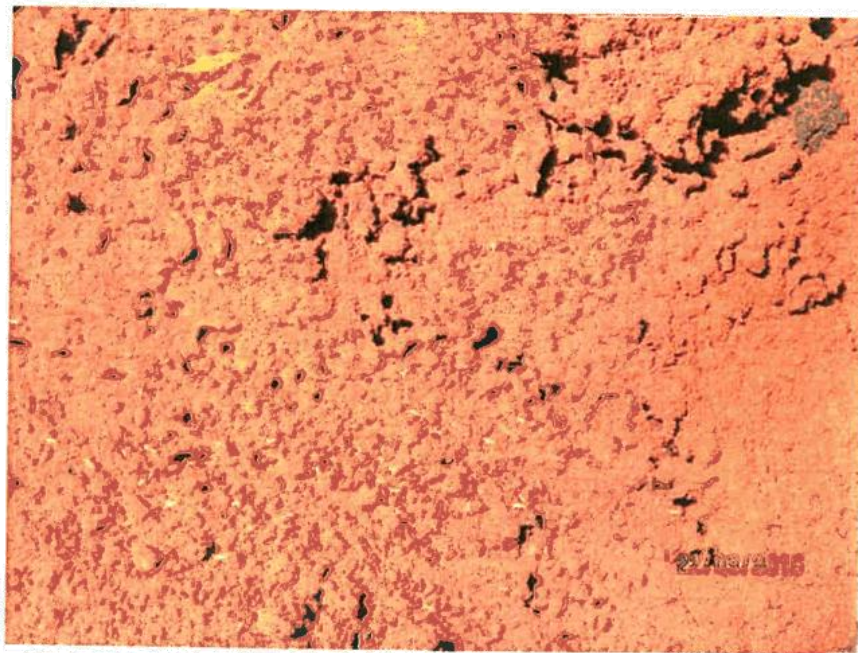


Photo 7. Tree 14: minimal disturbance reveals a large nest.

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**APPENDIX C – Tree Risk Assessment**

The trees were assessed using the arboricultural standard Matheny & Clarke Hazard Assessment formula in line with the following description and expression:

$$\text{Hazard} = \text{Failure Potential} + \text{Size of Defective Part} + \text{Target Rating}$$

Each part of the hazard assessment is scored out of 4 points for a total of 12 points. Using this formula most trees score a *low* hazard rating of 3 to 5. Tree 1 scores a medium rating of 8 (ref. Table A). These assessments are based on current site use which means the Target Rating is low. The Target Rating will necessarily increase once the site is occupied and therefore the level of risk will also increase. The increase is liable to be in the range of 2 to 3 points relative to activity within the impact zone of the tree. The methodology of the Matheny and Clark rating system is shown in Appendix D.

Table A. Hazard Assessment Results (Matheny &amp; Clark 1994)

	Failure Potential	Size of Defective Part	Target Rating	Total/12
Tree 1	3	3	2	8
Tree 2	2	1	1	4
Tree 3	2	1	1	4
Tree 4	2	1	1	4
Tree 5	2	1	1	4
Tree 6	2	1	1	4
Tree 7	1	1	1	3
Tree 8	2	1	1	4
Tree 9	2	1	1	4
Tree 10	2	1	1	4
Tree 11	2	1	1	4
Tree 12	2	1	1	4
Tree 13	2	1	1	4
Tree 14	2	2	1	5
Tree 15	2	1	1	4
Tree 16	2	1	1	4
Tree 17	2	1	1	4
Tree 18	2	1	1	4
Tree 19	2	1	1	4
Tree 20	1	1	1	3



## APPENDIX D – Matheny & Clark Hazard Rating

### DEVELOPING THE HAZARD RATING

#### Failure Potential

Failure potential identifies the most likely failure and rates the likelihood that the structural defect(s) will result in failure within the inspection period. Examples of ratings are:

1. Low: defects are minor (e.g. dieback of twigs, small wounds with good wound wood development)
2. Medium: defects are present and obvious (e.g. cavity encompassing 10-25% of the circumference of the trunk, co-dominant stems without included bark)
3. High: numerous and/or significant defects present (e.g. cavity encompassing 30-50% of the circumference of the trunk, multiple pruning wounds with decay along a branch).
4. Severe: defects are very severe (e.g. heartrot decay conks along the main stem, cavity encompassing more than 50% of the trunk)

#### Size of Defective Part

Size of defective part rates the size of the part most likely to fail. The larger the part that fails, the greater the potential for damage. Therefore, the size of the failure affects the hazard potential. Examples are:

1. Most likely failure less than 15cm in diameter.
2. Most likely failure 15 to 45cm in diameter.
3. Most likely failure 45 to 75cm in diameter.
4. Most likely failure greater than 75cm in diameter.

#### Target Rating

Target rating rates the use and occupancy of the area that would be struck by the defective part.

1. Occasional use: jogging, cycling etc.
2. Intermittent use: picnic area, day use parking etc.
3. Frequent use, secondary structure: Seasonal camping area, storage facilities etc.
4. Constant use, structures: year round use for a number of hours each day, residences.

The hazard rating is not intended to define 'danger' or provide risk acceptance. The score is intended to be used as a simple guide to help a client prioritise works.

Further information see Matheny N, P & Clarke J, R. (1994) A Photographic Guide to the Evaluation of Hazard Trees in Urban Areas, Second Edition, International society of Arboriculture Books.





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## APPENDIX E – Tree Protection Zone (TPZ)

### Definition of TPZ

Tree Protection Zone (TPZ) has been identified for the subject tree. The TPZ is a restricted area usually delineated by protective fencing, which is installed prior to site establishment and retained intact until completion of the works. The intent of the TPZ is to protect the tree and to ensure that its health and stability are maintained.

### Implementation

To protect trees during development *Australian Standard 4970-2009 Protection of Trees on Development Sites* (AS4970-2009) prescribes activities within the TPZ and Structural Root Zone (SRZ) as described in more detail below. Contractors and staff must be informed by the site supervisor to take precautions when working within the designated TPZs, to prevent tree damaging activity occurring. Any authorized works and activities within the TPZ must be supervised by the project Arborist.

The project specifications must acknowledge the need to protect the subject tree and the role of the project Arborist. Additional arboricultural assessment may be required if the design changes from that originally approved.

### Activities restricted within the TPZ

Activities generally excluded from the TPZ include but are not limited to:

- a) machine excavation including trenching;
- b) excavation for silt fencing;
- c) cultivation;
- d) storage;
- e) preparation of chemicals, including preparation of cement products;
- f) parking of vehicles and plant;
- g) refuelling;
- h) dumping of waste;
- i) wash down and cleaning of equipment;



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- j) placement of fill;
- k) lighting of fires;
- l) soil level changes;
- m) temporary or permanent installation of utilities and signs, and
- n) physical damage to the tree.

**Tree protection zone fencing**

Fencing should be erected before any machinery or materials are brought onto the site and before the commencement of works including demolition. Once erected, protective fencing must not be removed or altered without approval by the project arborist. The TPZ should be secured to restrict access.

AS 4687-2007 (Temporary fencing and hoardings) specifies applicable fencing requirements. Shade cloth or similar should be attached to reduce the transport of dust, other particulate matter and liquids into the protected area.

Fence posts and supports should have a diameter greater than 20 mm and be located clear of roots.

Existing perimeter fencing and other structures may be suitable as part of the protective fencing.

Figures 1 & 2 indicate an example of protective fencing.

Signs identifying the TPZ should be placed around the edge of the TPZ and be visible from within the development site. The lettering on the sign should comply with AS 1319-1994 (Safety signs for the occupational environment).

Figure 3 gives an example of TPZ signage.



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**LEGEND:**

- 1 Chain wire mesh panels with shade cloth (if required) attached, held in place with concrete feet.
- 2 Alternative plywood or wooden paling fence panels. This fencing material also prevents building materials or soil entering the TPZ.
- 3 Mulch installation across surface of TPZ (at the discretion of the project arborist). No excavation, construction activity, grade changes, surface treatment or storage of materials of any kind is permitted within the TPZ.
- 4 Bracing is permissible within the TPZ. Installation of supports should avoid damaging roots.

**Figure 1: Example of protective fencing**



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Figure 2: Typical TPZ fencing



Figure 3: Example of TPZ signage



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**Other tree protection measures**

When tree protection fencing cannot be installed or requires temporary removal, other tree protection measures should be used, including those listed below.

**Trunk and branch protection**

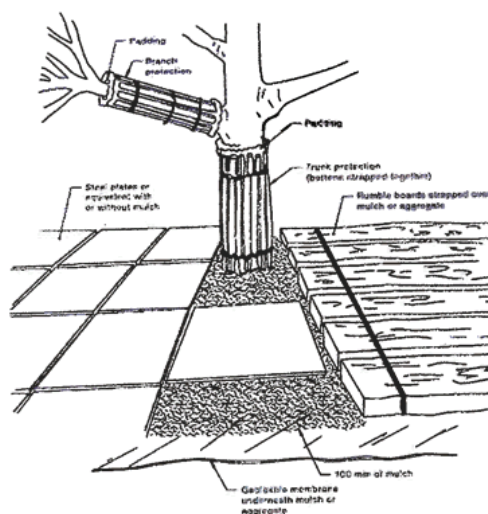
Where necessary, install protection to the trunk and branches of trees as shown on Figure 4.

The materials and positioning of protection are to be specified by the project arborist. A minimum height of 2 m is recommended.

Do not attach temporary power lines, stays, guys and the like to the tree. Do not drive nails into the trunks or branches.

**Ground protection**

- If temporary access for machinery is required within the TPZ ground protection measures will be required. The purpose of ground protection is to prevent root damage and soil compaction within the TPZ. Measures may include a permeable membrane such as geotextile fabric beneath a layer of mulch or crushed rock below rumble boards as illustrated in Figure 4.
- These measures may be applied to root zones beyond the TPZ.



**Figure 4: Examples of trunk, branch and ground protection.**



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**Root protection during works within the TPZ**

Some approved works within the TPZ, such as regrading, installation of piers or landscaping may have the potential to damage roots.

If the grade is to be raised the material should be coarser or more porous than the underlying material. Depth and compaction should be minimized.

Manual excavation should be carried out under the supervision of the project arborist to identify roots critical to tree stability. Relocation or redesign of works may be required.

Where the project arborist identifies roots to be pruned within or at the outer edge of the TPZ, they should be pruned with a final cut to undamaged wood. Pruning cuts should be made with sharp tools such as secateurs, pruners, handsaws or chainsaws. Pruning wounds should not be treated with dressings or paints. It is not acceptable for roots within the TPZ to be 'pruned' with machinery such as backhoes or excavators.

Where roots within the TPZ are exposed by excavation, temporary root protection should be installed to prevent them drying out. This may include jute mesh or hessian sheeting as multiple layers over exposed roots and excavated soil profile, extending to the full depth of the root zone. Root protection sheeting should be pegged in place and kept moist during the period that the root zone is exposed.

Other excavation works in proximity to trees, including landscape works such as paving, irrigation and planting can adversely affect root systems. Seek advice from the project arborist.

**Installing underground services within TPZ**

All services should be routed outside the TPZ. If underground services must be routed within the TPZ, they should be installed by directional drilling or in manually excavated trenches.

The directional drilling bore should be at least 600 mm deep. The project arborist should assess the likely impacts of boring and bore pits on retained trees.

For manual excavation of trenches the project arborist should advise on roots to be retained and should monitor the works. Manual excavation may include the use of pneumatic and hydraulic tools.



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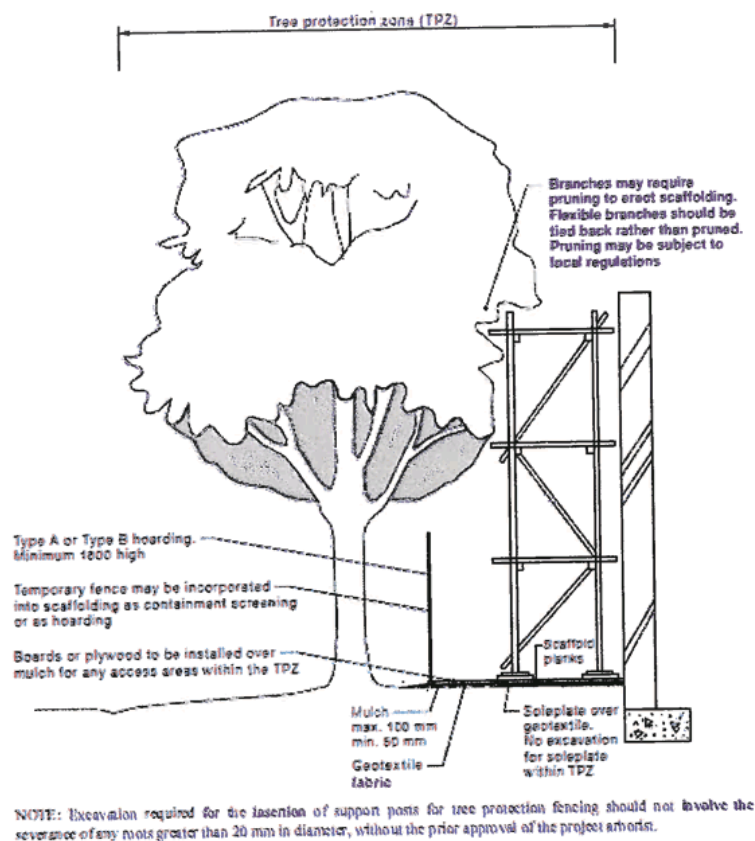
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**Scaffolding**

Where scaffolding is required it should be erected outside the TPZ. Where it is essential for scaffolding to be erected within the TPZ, branch removal should be minimized. This can be achieved by designing scaffolding to avoid branches or tying back branches. Where pruning is unavoidable it must be specified by the project arborist in accordance with AS 4373-2007.

NOTE: Pruning works may require approval by the determining authority.

The ground below the scaffolding should be protected by boarding (e.g. scaffold board or plywood sheeting) as shown in Figure 5. Where access is required, a board walk or other surface material should be installed to minimize soil compaction. Boarding should be placed over a layer of mulch and impervious sheeting to prevent soil contamination. The boarding should be left in place until the scaffolding is removed.



**Figure 5: Indicative scaffolding within a TPZ**

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**MAINTAINING THE TPZ****Mulching**

The area within the TPZ should be mulched. The mulch must be maintained to a depth of 50–100 mm using material that complies with AS 4454. Where the existing landscape within the TPZ is to remain unaltered (e.g. garden beds or turf) mulch may not be required.

**Watering**

Soil moisture levels should be regularly monitored by the project arborist. Temporary irrigation or watering may be required within the TPZ. An above-ground irrigation system should be installed and maintained by competent person.

**Weed removal**

All weeds should be removed by hand without soil disturbance or should be controlled with appropriate use of herbicide.

**Monitoring and certification**

There are many stages in the development process from site acquisition to completion where the project arborist is required to monitor or certify tree protection. Table 1 summarizes the process and indicates the stages that normally require certification (a written statement of compliance).



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**Table 3: Stages in Development and the Tree Management Process**

Stage in development	Tree management process	
	Matters for consideration	Actions and certification
<b>Pre-construction</b>		
Initial site preparation	State based OHS requirements for tree work	Compliance with conditions of consent
	Approved retention/removal	Tree removal/tree retention/transplanting
	Refer to AS 4373 for the requirements on the pruning of amenity trees	Tree pruning Certification of tree removal and pruning
	Specifications for tree protection measures	Establish/delineate TPZ Install protective measures Certification of tree protection measures
<b>Construction</b>		
Site establishment	Temporary infrastructure Demolition, bulk earthworks, hydrology	Locate temporary infrastructure to minimize impact on retained trees Maintain protective measures Certification of tree protection measures
Construction work	Liaison with site manager, compliance Deviation from approved plan	Maintain or amend protective measures Supervision and monitoring
Implement hard and soft landscape works	Installation of irrigation services Control of compaction work Installation of pavement and retaining walls	Remove selected protective measures as necessary Remedial tree works Supervision and monitoring
Practical completion	Tree vigour and structure	Remove all remaining tree protection measures Certification of tree protection
<b>Post construction</b>		
Defects liability/maintenance period	Tree vigour and structure	Maintenance and monitoring Final remedial tree works Final certification of tree condition

**Tree Protection Plan**

The approved tree protection plan must be available onsite prior to the commencement of and during works. The tree protection plan will identify key stages where monitoring and certification will be required.

A pre-construction meeting should be attended by the site manager, the project arborist and contractors to introduce the tree protection plan and its requirements.



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**PRE-CONSTRUCTION****Tree removal and pruning**

Trees for removal or transplanting should be marked onsite as per the approved tree protection plan. Before removal, the project arborist should confirm that all marked trees correspond with those shown on the schedule or plan. Other tree work may be specified in the tree protection plan.

Tree removal should be carried out prior to erection of protection fencing. Contractors should be instructed to avoid damage to trees within protection areas when removing or pruning trees. This may include restrictions of vehicle movements.

Any approved pruning required to allow for works should be done at this stage. AS 4373-2007 specifies requirements for pruning.

Stumps to be removed from within a TPZ must be removed in a manner that avoids damaging or disturbing roots of trees to be retained.

The project arborist should supervise tree removal, transplanting and pruning and certify the works on completion.

**Installing tree protection fencing and other protection measures**

Fencing and other protection measures are to be installed in compliance with Section 4 and as detailed in the tree protection plan.

Protection measures are to be certified by the project arborist.

**CONSTRUCTION STAGE****General**

In order to ensure that protection measures are being adhered to during the pre-construction and construction stages, there should be a predetermined number of site inspections carried out by the project arborist. Matters to be monitored and reported should include tree condition, tree protection measures and impact of site works which may arise from changes to the approved plans.

If there is non-compliance with tree protection measures or if trees have been damaged, a time frame for compliance and remedial works should be specified by the project arborist.

The determining authority may need to be notified of non-compliance issues. Monitoring, reporting and certification should be carried out at the following critical stages of construction.



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**Site establishment**

The project arborist will monitor the impacts of demolition, bulk earth works, installation of temporary infrastructure including bunting, sediment control works and drainage works.

The construction management plan (site establishment plan) should be checked for compliance with the tree protection plan. The construction management plan normally includes location of site sheds, stockpile areas, temporary access roads and sediment control devices.

At completion of site establishment, the project arborist should certify that tree protection measures comply with the tree protection plan.

**Construction work**

The project arborist will monitor the impacts of general construction works on retained trees. Monitoring should be done at regular intervals or in consultation with the site manager. Monitoring is to be recorded for inclusion in certification at practical completion.

Critical stages typically include installation of services, footings and slabs, scaffolding, works within the TPZ and at completion of building works.

**Landscape works**

The landscape plan should be checked for compliance with the tree protection plan. The project arborist may need to approve the staged removal of protection measures required to allow for landscape works.

The project arborist should supervise any works within TPZs, including retaining walls, irrigation and lighting installation, topdressing, planting and paving.

The project arborist should specify any remedial works above and below ground.

Monitoring is to be recorded for inclusion in certification at practical completion.



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*Site Details: Development Site Lot 505 Woomera Avenue Edinburgh SA 5111***Practical completion**

Practical completion assumes that all construction and landscaping works are finished. At practical completion all remaining tree protection measures should be removed. The project arborist should assess tree condition and provide certification of tree protection.

**POST-CONSTRUCTION****Defects liability period**

Completion of outstanding building or landscaping works following the construction period must not injure trees.

**Final certification**

The project arborist should assess the condition of trees and their growing environment, and make recommendations for any necessary remedial actions.

Following the final inspection and the completion of any remedial works, the project arborist should certify (as appropriate) that the completed works have been carried out in compliance with the approved plans and specifications for tree protection. Certification should include a statement on the condition of the retained trees, details of any deviations from the approved tree protection measures and their impacts on trees. Copies of monitoring documentation may be required.







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File: 024-16

31 August 2016

Mr Grazio Maiorano  
URPS  
Suite 12  
154 Fullarton Road  
ROSE PARK SA 5067



Dear Mr Maiorano,

**PROPOSED MATERIAL RECYCLING FACILITY - EDINBURGH PARKS INDUSTRIAL ESTATE  
(DA 361/1075/2016) - TRAFFIC AND PARKING ASSESSMENT**

I refer to our previous discussions relating to the proposed construction of a Material Recycling Facility and associated car and truck parking on the above site by the Northern Adelaide Waste Management Authority (NAWMA).

The proposed material processing facility will be constructed on land to the north of Woomera Avenue, Edinburgh.

I have previously undertaken a review of the traffic and parking related aspects of the subject development in a report dated 19<sup>th</sup> July 2016. Since that report was completed, the design has been slightly amended. Consequently, Council has requested the preparation of an amended traffic and parking assessment which I have undertaken below.

**EXISTING SITUATION**

The subject site is located on the northern side of Woomera Avenue, approximately 150m to the east of the intersection of this road with West Avenue, Edinburgh.

The subject site comprises two allotments, namely:-

- Lot 506 on the western section of the site which has an area of approximately 16,650m<sup>2</sup>. This allotment currently accommodates:-
  - A warehouse building with a floor area of 3200m<sup>2</sup> which is operated by NAWMA,
  - An office building with a floor area of approximately 300m<sup>2</sup>,

- A total of 62 on-site parking spaces, including 37 spaces at the front of the building and 25 spaces at the rear of the building, and
- Vacant land to the north, and
- Lot 505 on the eastern section of the site which has an area of approximately 20,700m<sup>2</sup>. This allotment is currently vacant land.

The subject site has frontages of approximately:-

- 210m to Woomera Avenue (to the south). This roadway links West Avenue to Purling Avenue,
- 175m to Gidgie Court (to the east). Gidgie Court provides access to a private driveway from Woomera Avenue, and
- 185m to a private road (to the west). This roadway derives access off Tugger Way to the north and terminates as a cul-de-sac to the north of Woomera Avenue. Consequently, access is not provided to this roadway from Woomera Avenue.

There are three access points into the subject site which all provide access to the existing building on Lot 506. These include:-

- An 8m wide access point off Woomera Avenue, located approximately 8.5m from the western boundary of the site,
- A 9m wide access point off Woomera Avenue, located approximately 76m from the western boundary of the site, and
- A 13m wide access point off the private road to the west, located approximately 100m from the southern boundary of the site.

Woomera Avenue, adjacent to the subject site, has a kerb to kerb width of approximately 10m with verge widths of approximately 5m on each side of this road. A No Stopping Anytime restriction applies along the southern side of this road.

Gidgie Court has a kerb to kerb width of approximately 11m. There are no parking restrictions on either side of this roadway in the vicinity of the subject site.

Gidgie Court provides vehicular access into three existing developments fully or partially serviced from this roadway including:-

- Coates Hire which is also accessed directly off Woomera Avenue,
- GTS Freight Management, and
- Mayfield Industries.

The design of the intersection (T-junction) of Woomera Avenue with Gidgie Court provides for appropriate flaring of the intersection to accommodate turning movements by semi-trailers and B doubles associated with the existing activities serviced from Gidgie Court.

Both Woomera Avenue and Gidgie Court are gazetted for access by B-Double vehicles up to 26m in length.

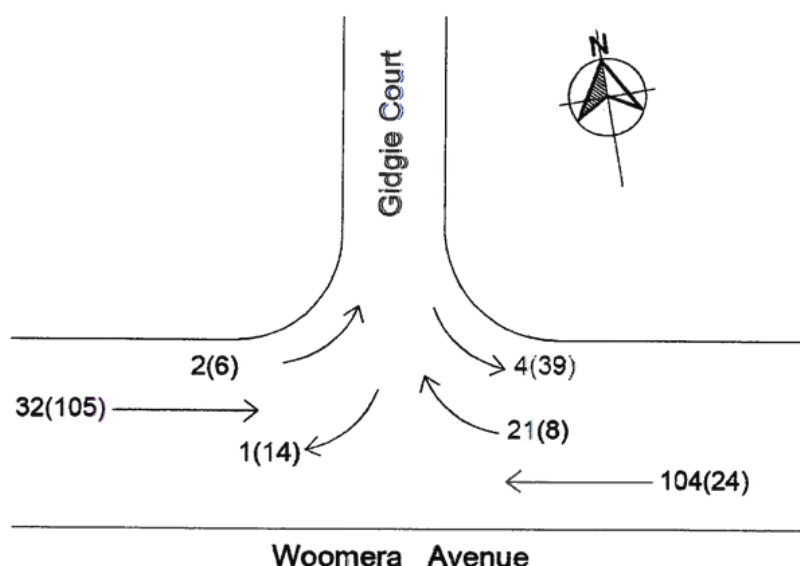
The private road to the west of the subject site has a kerb to kerb width of approximately 8m. There are no parking restrictions on either side of this roadway in the vicinity of the subject site. This roadway provides access to the car parking area to the rear of the building.

Staff of the City of Salisbury have advised that the most recent traffic counts on Woomera Avenue were conducted in June 2007 from which it is identified that there was an average weekday traffic volume of approximately 530 vehicles per day on Woomera Avenue. There are currently no details available from Council in relation to weekday traffic movements on Gidgie Court.

Consequently, surveys of traffic movements at the intersection of Woomera Avenue and Gidgie Court have been conducted during morning and afternoon commuter periods including counts between:-

- 7.00am and 9.30am on Friday 13<sup>th</sup> of May 2016, and
- 3.00pm and 6.00pm on Thursday 12<sup>th</sup> of May 2016.

Figure 1 below summarises the volumes of traffic turning into and out of Gidgie Court and also through movements along Woomera Avenue during morning and afternoon survey periods.



**Figure 1: Existing am (pm) peak hour traffic volumes - Woomera Avenue / Gidgie Court, Edinburgh**

From a review of the results of the above traffic surveys it is identified that:-

- The am peak hour period on the adjoining road network occurred between 7.00am and 8.00am. During this period it was identified that there were approximately 140 traffic movements on Woomera Avenue to the west of the intersection and 28 traffic movements into and out of Gidgie Court, and

- The pm peak hour period on the adjoining road network occurred between 3.15pm and 4.15pm. During this period it was identified that there were approximately 150 traffic movements on Woomera Avenue to the west of the intersection and 67 traffic movements into and out of Gidgie Court.

On the above basis, it is estimated that the Average Weekday Traffic (AWT) volume on Woomera Avenue to the west of the intersection with Gidgie Court is equivalent to approximately 1500 vehicles per day. There would also appear to be an AWT volume of approximately 600 vehicles per day on Gidgie Court

Analysis of the current operation of the above intersection with SIDRA Intersection Analysis computer software has identified that:-

- The Degree of Saturation of the intersection was a maximum of 0.072 in either period,
- The intersection currently operates with a Level of Service A in both the am and pm peak periods,
- The maximum average delay associated with any turning movement in either the am or pm peak hour periods was identified as only 7.3 seconds, and
- The 95<sup>th</sup> percentile back of queue associated with any turning movement or through movement involving traffic entering the intersection was only one vehicle.

The above analysis identifies that there is a high degree of unused capacity within the intersection and that there are no significant delays or queueing associated with any of the turning movements during the morning and evening peak hour periods.

#### PROPOSED DEVELOPMENT

The proposed amended design relating to the subject development is identified on a series of plans prepared by Plan It Building Design including a Site Plan (Drawing No. 1C) which identifies, in particular, car parking, service areas and access points associated with the proposed development.

Vehicular access associated with the subject development will include:-

- Retention of the existing access points associated with Lot 506,
- Provision of two (entry only) access points off Woomera Avenue. These access points will service the truck parking compound and the natural gas refuelling station, and
- A combined entry and exit point on Gidgie Court at a location approximately 110m to the north of the intersection with Woomera Avenue. This access point will be associated with traffic entering and exiting the car parking areas along the eastern boundary of the site and also by trucks accessing the weighbridge.

The proposed development will comprise:-

- Change of use of the existing NAWMA material recovery facility for processing of recyclables at the rear of their current factory located on Lot 506. This facility will provide a total floor area of 2700m<sup>2</sup>,



- Change of use of the NAWMA administration / customer service building,
- An environment education centre that will provide educational tours of the facility for up to 4,000 visitors per annum, and
- Construction of Contractor's facilities on the northern section of Lot 505, which will include:-
  - Provision of an overnight truck parking area for 31 material recycling vehicles,
  - Construction of a building to accommodate administration offices. These office facilities will accommodate 4 administrative staff,
  - Construction of a drive through maintenance workshop,
  - Construction of an access roadway and vehicle parking area including a disability space with an adjacent shared area,
  - Provision of a weighbridge located adjacent to the office, and
  - Provision of a compressed natural gas fuelling station for the material recycling vehicles.

I understand that the operating hours of the proposed facility will not change from the current arrangement.

The design of the at-grade car parking area provides: -

- Car parking spaces of 2.4m in width for use by staff and 2.6m in width for use by visitors,
- Car parking spaces of at least 5.4m in length,
- Car park aisle widths of at least 6.3m, and
- Two disability spaces of 2.4m in width with an adjacent shared area of the same width.

As such, I consider that the design of the on-site car parking areas would conform to the requirements of the relevant off-street car parking standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009).

I note that the entry point into the site off Gidgie Court will provide access for commercial vehicles including heavy rigid design vehicles (HRV) and semitrailers. This access point will also accommodate movements of staff vehicles into and out of the site. A review of the turning paths of semi-trailer vehicles using Autotrack turning path software has identified that these vehicles would be readily able to enter the site at this location.

The design provides for a number of truck parking bays within the site. These spaces have been designed with lengths of nominally 12m and widths of 3.3m. Turning path drawings have been provided which identify the ability of such vehicles to access these parking bays in the area adjacent to the truck refuelling compound. However it is noted that a number of additional spaces are provided in the area opposite the weighbridge. The design of this area has been amended slightly in order to permit such vehicles to enter and reverse from these spaces when adjoining truck parking spaces are occupied.

The driveway width on the approach and departure sides of the weighbridge is shown on the amended site plan as being approximately 3m in width. It has subsequently been identified that this roadway should be increased to a width of 4.5m in order to comply with the relevant off-street car parking standard.

Other minor changes to the design which will be provided include:-

- Widening of the aisle between the workshop and the northern row of truck parking bays,
- Minor widening of the entry access off Woomera Avenue,
- An increase of the curve radius on the southern side of the roadway exiting the weighbridge, and
- An increase of the curve radius on the roadway leading into the future Material Recycling Facility from the weighbridge.

### PARKING ASSESSMENT

**Table Sal/2 Off Street Vehicle Parking Requirements** within the Salisbury (City) Development Plan identifies car parking provisions as follows:-

- **Industry, warehouses, stores**

<b>Office Component -</b>	1 space per 30m <sup>2</sup>
<b>Non-office component -</b>	
up to 200m <sup>2</sup> -	1 space per 50m <sup>2</sup>
plus 200 to 2000m <sup>2</sup> -	1 additional space for every 75m <sup>2</sup>
plus greater than 2000m <sup>2</sup> -	1 additional space for every 150m <sup>2</sup>
Or For labour intensive industries -	0.75 spaces per employee of office component (whichever is greater).

However, given the nature of the operation, it is considered more appropriate to provide car parking on a 'first principles' basis i.e. based on anticipated staff and visitor parking.

I note that the proposed development on Lot 505 will require the provision of up to 30 car parking spaces to accommodate the parking demands of drivers of those trucks parked on site, a further 4 spaces associated with administrative staff and at most 3 spaces associated with visitors to the site, i.e. a total of 37 spaces.

The proposed design identifies a total of 46 car parking spaces on Lot 505 which would address the above anticipated level of car parking. These spaces are to be provided in two areas, namely:-

- A nine space car park in the north-eastern corner of the subject site, and
- A thirty seven space car park between the access point into the development off Gidgie Court and Woomera Avenue.

The smaller of the above car parking areas includes provision for disabled parking (2 spaces) to be located on either side of a shared area.

The larger of the two car parking areas has been designed as a continuous row of parking fronting the boundary with Gidgie Court. This car park is designed as a 'blind aisle' or dead end aisle. Consequently, it is understood that an approximately 3.6m wide turnaround area is to be provided at the southern end of these spaces. This would permit a driver to turn around within the car parking area in the unlikely event that all the spaces are occupied.

I understand that there will be a need to accommodate 34 car parking spaces on Lot 506 to meet the following:-

- 14 office staff, and
- 20 staff to be employed within the recyclables / materials facility.

The existing car parking area at the front of this site provides a total of 36 spaces. Such a level of on-site car parking will meet the anticipated demand for 34 staff spaces and potentially 2 visitor spaces.

#### **TRAFFIC ASSESSMENT**

Based on reviews of similar developments I anticipate that there would be of the order of 200 to 250 vehicles per day accessing the subject site relating primarily to truck and staff movements.

Due to the nature of the proposed use, I anticipate that there would be of the order of 40 movements in both the am and pm peak hour periods. The distribution of this traffic would include:-

- Traffic entering Lot 505 directly from Woomera Avenue and via the access point off Gidgie Court, which provides entry and exit movements,
- Entry and exit movements via the existing western access point off Woomera Avenue. These movements would primarily relate to staff entering / exiting the car parking area in front of the office, and
- Exit movements onto Woomera Avenue via the existing access point directly west of the current site boundary. These movements would primarily relate to recycling vehicles leaving the site.

There will also be infrequent movements of vehicles into and out of the gas compound. These vehicles will enter via a separate access point off Woomera Avenue with vehicles then exiting into the adjoining truck refuelling compound.

The internal layout of the proposed development will result in a primarily one-way (anti-clockwise) traffic flow within Lot 505 with the main two-way traffic flow occurring within the staff parking areas of the subject development.

Vehicles entering the Material Recycling Facility, and consequently the weighbridge, will enter via the access point off Gidgie Court. This access point has been designed to accommodate simultaneous entry by a semi-trailer and exit by a car.

Vehicles accessing the future Material Recycling Facility will turn on site and both enter and exit this facility in a forward direction.

A review of the turning path movements of the relevant design vehicles has been undertaken. From this review it is identified that these vehicles could be readily accommodated by the subject development. Copies of relevant turning path drawings are provided as an appendix to this report.

The attached turning path drawings variously identify:-

- The potential for a 19m long semi-trailer to turn left or right into Gidgie Court from Woomera Avenue and to then turn left into the access point on the western side of Gidgie Court with a car turning simultaneously out of the site onto Gidgie Court (Figure A1),
- An HRV design vehicle accessing the westernmost parking space in the area opposite the office of Lot 505 (Figure A2),
- An HRV design vehicle manoeuvring into the loading area on the western side of the future Material Recycling Facility (Figure A3),
- An HRV design vehicle accessing the southernmost truck parking space adjacent to the gas refuelling compound (Figure A4),
- A semi-trailer entering the driveway leading onto the weighbridge and turning onto the driveway along the eastern side of Lot 506 (Figure A5),
- An HRV design vehicle accessing a typical truck parking space on the eastern side of the truck refuelling compound (Figure A6), and
- An HRV design vehicle turning either left or right into the entry point on Woomera Avenue leading to the truck refuelling compound (Figure A7).

On the basis of the existing low traffic volumes on the adjoining road network it is apparent that there is more than sufficient capacity to accommodate the increased traffic movements on the road network as a result of the subject development.

#### COUNCIL COMMENTS

I am aware that the City of Salisbury has provided comments in respect to the amended design plans. Specifically the email dated 23<sup>rd</sup> August 2016 from Aaron Curtis, Team Leader Planning Development Services, identified the following:-

*'Following receipt of the amended set of plans on Friday, I have forwarded these through to our Principal Development Engineer, Sharyn Chadwick, for review.*

*She has expressed some concern regarding the width of the driveway off Gidgie Court and its design. The previous circulation arrangements have been altered from two separate access points back to one, which is likely to result in greater conflict between heavy vehicles and passenger vehicles using the same entry / exit.*

*Accordingly, Sharyn has requested further detail with respect to traffic movements and traffic management controls to ensure the circulation and access arrangements comply with AS 2890, are safe and satisfy best practice engineering design standards. As discussed, we suggest you consider getting Phil Weaver to review the revised plan and update his report to reflect the amended plans.'*



As a result of the above requests, the design plans have been amended and it should be noted that:-

- The width of the proposed access point off Gidgie Court has been further amended and includes provision for an island separating entry and exit movements. The design provides for a left turn entry for semi-trailers leading to the weighbridge and right turn movements of cars exiting the subject site. The left turn movements associated with semi-trailers can be accommodated without the design vehicle crossing the centre line of the road when entering the subject site. On this basis, I consider that the proposed access point would meet the design requirements of the relevant off-street car parking standard,
- In relation to the above matter I am advised that there would be approximately 35 to 40 trucks per day accessing the weighbridge with the remaining traffic using this access point mostly relating to entry into the site by truck drivers at the start of the day and exit at the end of the day. These drivers travel by their own transport to and from the site but operate waste collection vehicle during the day. Consequently, the number of occasions when semi-trailers would be entering the subject site at the same time as a vehicle is exiting this access point would be very infrequent,
- The design of the two car parking areas on Lot 505 has been modified slightly in order to ensure that the two car parking aisles are appropriately aligned. It is also recommended that the resultant four-way intersection should be controlled by Give Way signs which have been incorporated on the amended design plan,
- There should be minimal changes to the forecast volumes of traffic accessing Woomera Avenue as a result of the design amendments. Those vehicles which would previously have entered the site via the southern access point on Gidgie Court will now do so via the remaining proposed access point, and
- The deletion of the previously proposed southern access point on Gidgie Court will further reduce any potential for trucks entering the site via this roadway to extend back into the intersection of this roadway with Woomera Avenue.

On the above basis, I consider that the concerns of Council should now be resolved.

#### **SUMMARY AND CONCLUSIONS**

The above assessment relates to a proposal to construct a Material Recycling Facility on the subject land. The proposed development will include, inter alia:-

- Change of use of the existing NAWMA material recovery facility for processing of recyclables,
- Change of use of the NAWMA administration / customer service building,
- An environment education centre that will provide educational tours of the facility, and
- Construction of Contractor's facilities on the northern section of Lot 505.

The subject development will include dedicated staff and visitor car park parking areas which will provide a total of 82 car parking spaces. Based upon the above assessment this will meet the anticipated levels of staff and visitor car parking demand associated with the activities to be provided on site.

The design of the on-site car parking will be provided to a standard which meets the requirements of the relevant off-street car parking standard including the provision for two spaces for use by the disabled and an adjacent shared area.

It is forecast that the subject development would generate of the order of 200 to 250 vehicle movements on a weekday including both entry and exit movements. The peak hour traffic generation is anticipated to be equivalent to 40 vehicles per hour. A review of existing traffic movements on the adjoining road network has identified that there is sufficient capacity on these roadways, and in particular the intersection of Gidgie Court with Woomera Avenue, to fully accommodate the traffic movements forecast to be generated by the subject development.

On the above basis, I consider the subject facility will not result in adverse traffic impacts on the adjacent road network, and will accommodate a range of vehicle movements which will be generated by this development.

Yours sincerely



Phil Weaver  
Phil Weaver and Associates Pty Ltd

Enc:









Ref: 2016-0051

24 August 2016

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



Dear Aaron

### **Development Application 361/1075/216 – Update Site Plan & Traffic Considerations**

This letter complements and updates our previously submitted information:

- Development application details dated 27 May 2016.
- Provision of further information dated 18 July 2016.
- Response to representations dated 19 August 2016.

Further to our meeting on Monday, 22 August 2016 with you and Ben Green, NAWMA have progressed this matter further.

### **Updated information**

Please find attached an updated site plan dated 24 August 2016. This plan replaces all previous site plans submitted to Council. The key updates include:

- Location of the enclosed compactors at the rear of the building.
- An area to the rear and side of the existing building where recycled materials (tied for transport) will be placed for short periods to await pickup. The area will be enclosed by a 2.1 metre high Colorbond fence. This is in addition to the 2.1 metre high Colorbond fence proposed at the rear of the site (both allotments) and the chain-wire fence along the site's side boundaries.
- Illustrated the location of existing and proposed vehicle roller doors affecting the existing building.
- Amendment of the vehicle access points and location of workshop to comply with Phil Weaver's (traffic engineer) recommendations.

We will provide you with updated traffic advice from Phil Weaver shortly.

### **Invitation to Representors and DAP**

As noted in our email to you on 23 August 2016, we have invited all representors to contact me to schedule a meeting at the subject site.

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The objective of the meeting is to explain the activities associated with the proposed facility.

Via you, I invite Council's Development Assessment Panel members to meet with representatives of NAWMA at a mutually acceptable time prior to the scheduled DAP meeting.

If you require any further information, please do not hesitate to contact me.

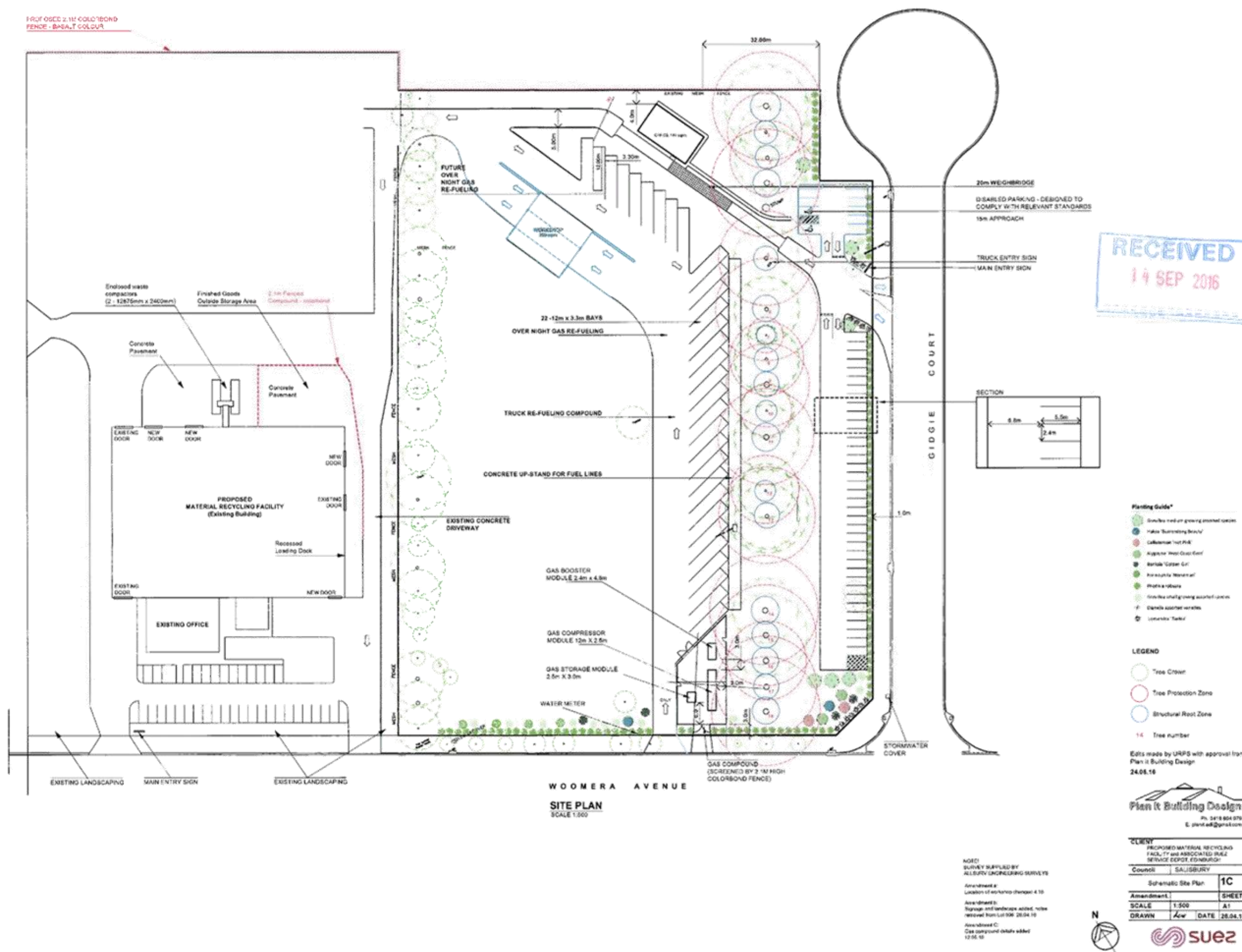
Yours sincerely



Grazio Maiorano FPIA

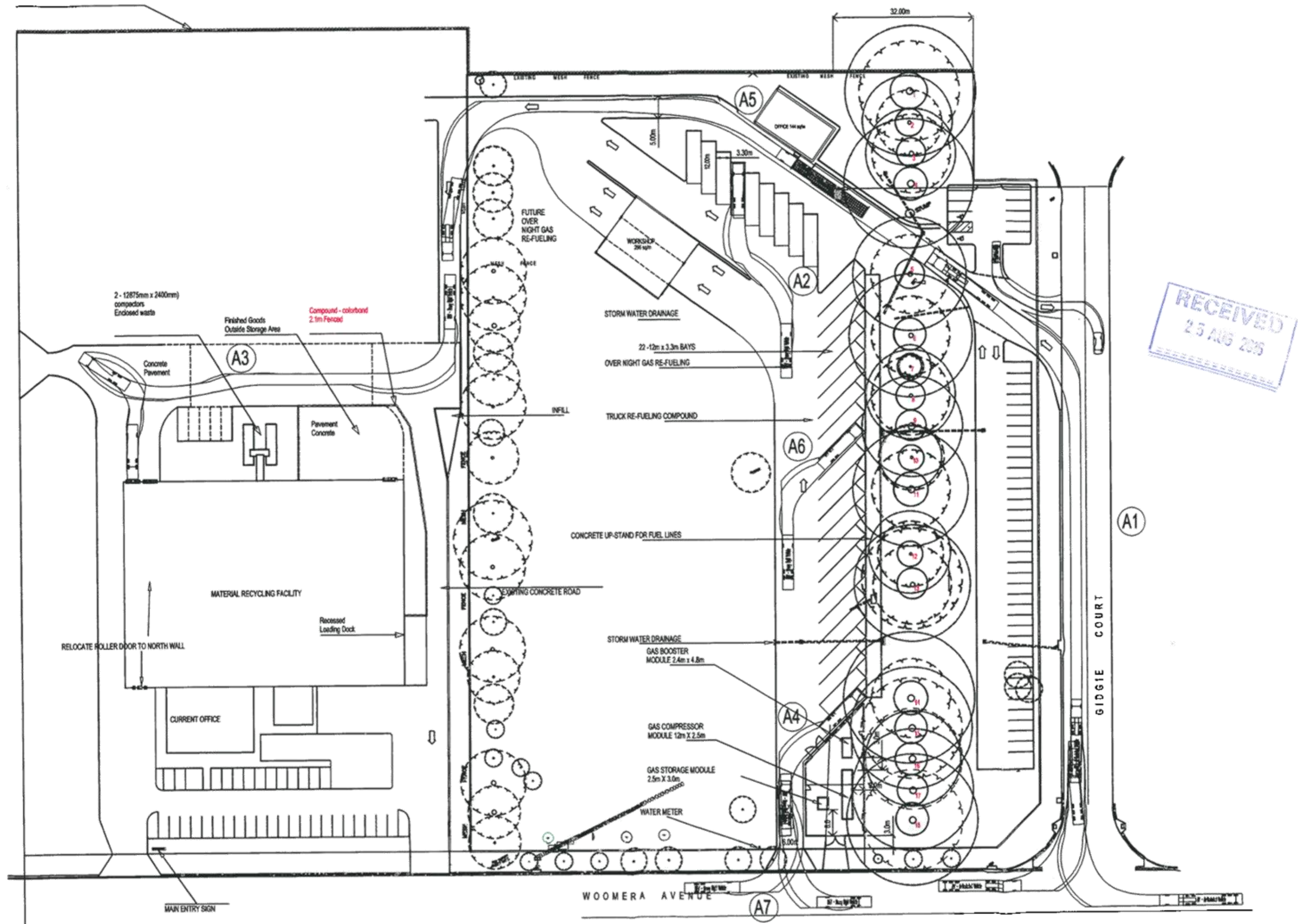
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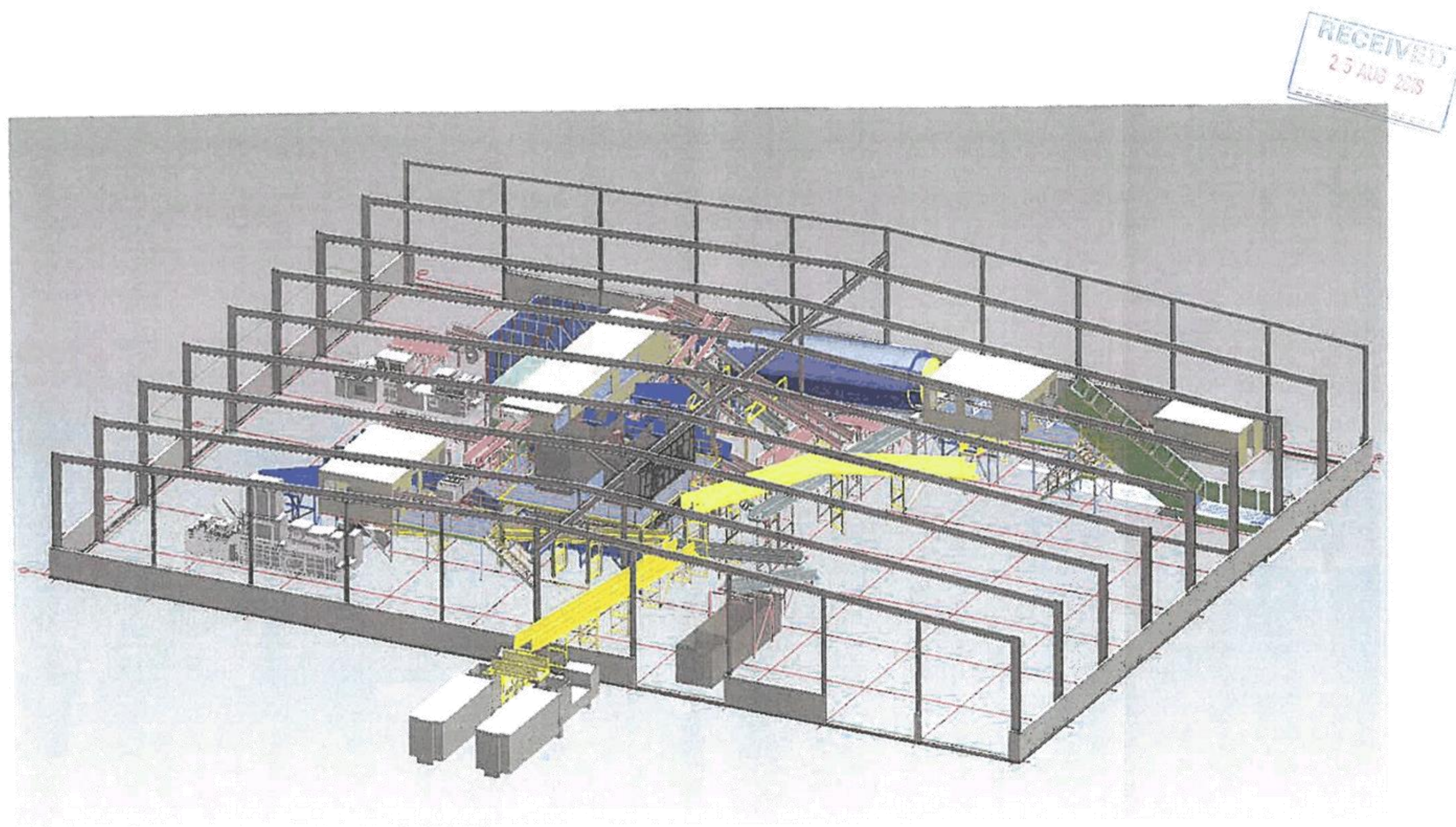
















Ref: 2016-0051

19 August 2016

Mr Aaron Curtis  
Team Leader - Planning  
City of Salisbury  
12 James Street  
SALISBURY SA 5108



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Dear Aaron

### Response to Representations – Development Application 361/1075/216

Thank you for forwarding the copies of the representations received during the Category 2 public notification period.

Representations were received from:

- Lockheed Martin, occupier of land at 82-86 Woomera Avenue, Edinburgh
- Delpar Pty Ltd, owner of land at 77-83 Woomera Avenue, Edinburgh
- Chep Australia, occupier of land at 77-83 Woomera Avenue, Edinburgh
- Ahrns Handling Equipment Pty Ltd, owner and occupier of land at 76 Woomera Avenue, Edinburgh
- Mayfield Industries, occupier of land at 3 Gidgie Court, Edinburgh
- GTS Freight Management Pty Ltd, occupier of land at 4 Gidgie Court, Edinburgh.

As we understand it, the location of the representors' sites are illustrated on the accompanying locality plan.

### Clarification of Proposal

There appears to be some confusion regarding the nature of the proposed development. The proposed development involves the relocation of the Northern Adelaide Waste Management Authority's (NAWMA) material recycling facility and a SUEZ truck depot. It does not involve any other components of NAWMA waste processing facilities.

The proposed facility will receive incoming material collected from kerbside recycling bins. The materials include various paper, cardboard, plastics, glass, steel and aluminium products. Materials are sorted and baled at the site before being dispatched from the site for recycling. There is no collection or sorting of general or organic waste at the site. The proposed activity undertaken does not involve the "treating" of waste as described by one of the representors.

As stated in our letter to Council dated 18 July 2016, the remaining undeveloped portion of the Gidgie Court allotment is specifically retained for future waste minimisation and recycling activities that complement the

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NAWMA Strategic Plan. However, no detailed concept plans have been developed for this area. NAWMA have contemplated the option of a waste processing facility at the subject site and has commissioned odour modelling as background information. However, NAWMA has approximately 5 years remaining on its lease at its existing premises where it operates its waste processing facility and intend to remain at this site for the remainder of the lease period.

In any case, this potential unknown stage does not form part of this development application. The recycling materials facility and the waste processing facility can operate independently of each other. As you will appreciate, any change in the use of the land (assuming this development application is approved) would require lodgement of a new development application that must be assessed against Council's Development Plan. The granting of a development approval for the current development application does not assign NAWMA any additional development rights. All development applications must be assessed on their individual merits.

### Amended Plans

Following the notification period, the applicant has taken the opportunity to amend the proposal plans in order to address a number of issues raised by the representors and respond to Council's request for further information.

Amended proposal plans addressing these matters are enclosed. The following amendments are proposed:

- the installation of a 2.1 metre Colorbond fence in Basalt colour along entire length of the rear boundary
- the relocation of the proposed workshop to the rear of the site
- the removal of the southern entrance on Gidgie Court
- the relocation and reconfiguration of the staff car parking to avoid encroachment within the tree protection zones
- the minor realignment of the road leading to the weighbridge
- details of the free standing signs; and
- additional landscaping as illustrated on the site plan.

These amendments are in addition to URPS response dated 18 July 2016 in reply to Council's request for further information. The 18 July 2016 letter contained information regarding the design of the site and buildings, including colour scheme.

### Representations and response

For clarity, I have grouped the matters raised by the representors under planning 'topics' and addressed these accordingly. The following matters are addressed:

- land use and desired character
- odour impact
- dust, vibration, litter and vermin
- appearance of the proposed development
- tree removal, and

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- traffic types/numbers.

#### *Land use and desired character*

A number of representors have raised issues regarding the appropriateness of the proposed land use within the Urban Employment Zone.

The Urban Employment Zone is a Zone that seeks a range of industrial land uses (Zone Objective 1). The Zone objectives do not seek to exclude specific activities from being undertaken within the Zone other than to suggest that facilities should be compatible with sensitive land uses (Zone Objective 4). Sensitive land uses are described within the EPA's Guidelines for Separation Distances (2007) as being activities such as residential development, hospitals, schools, tourist accommodation, recreation areas and other similar activities. The proposed development is sited sufficiently away from these types of activities.

All kinds of industrial land uses are envisaged within the Zone. The proposed development is an industry activity in the form of a recycling depot (with an associated service depot) and is therefore an appropriate land use in this Zone.

We also contend that the proposed development is an appropriate activity in the context of the subject land and locality. For the reasons outlined below, the proposed development is compatible with other industrial land uses within the locality.

In addition, it is important to highlight that the proposed development involves the use of best-practice state of the art technology to sort and process recycling materials. The new imported technological systems / machinery have been purchased from overseas at a cost of more than 4 million dollars and are far superior to those at NAWMA's current materials recycling facility in Edinburgh North. This technology automates much of the sorting processing including a range of sorting/separating equipment with advanced monitoring systems that allow for the process to be viewed and controlled from outside of the sorting area.

In particular, the following equipment has been purchased to facilitate a plant capability of 25 tonnes per hour:

- Twin deck Stadler Ballistic Separators sourced from Germany.
- Godswill baling equipment sourced from Taiwan.
- Steinert Eddy current and electro magnet sourced from Germany.
- Conveyor belting systems sourced from USA and Italy.
- Trommel screen and bounce conveyors manufactured locally and are complimented with components from Italy.
- CCTV Mobotix high-resolution camera system, monitoring plant performance and providing footage back to NAWMA Education centre, sourced from Germany.

Furthermore, there are significant technological and environment benefits associated with the new compressed natural gas (CNG) collection trucks. NAWMA notes that the lower compression ratios required for CNG coupled with spark ignition results in a significant reduction in noise emissions – as much as 50% lower than from a comparable diesel engine. This has the positive effect of reducing urban noise pollution, an important consideration for 7:00am urban stop/start operations. The CNG truck produces up to 25 per

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cent less greenhouse gas (GHG) emissions than diesel engines with significantly less harmful particulate pollution. Using the EPA GHG Equivalencies Calculator, these emissions savings are the equivalent of:

- removing 1,637 passenger vehicles from the road per year, or
- redirecting 2,786 tonnes of waste from landfill

Ancillary to its primary operations, NAWMA also undertakes an extensive educational program, partnered with 'Keep South Australia Beautiful Inc' (KESAB), to educate children of its activities and the importance of recycling with the waste management hierarchy. It also highlights the technological advances of this kind of technology when managing waste. This education program accommodates some 4,000 students per year.

#### Odour impact

Representors are concerned with the potential odour impact associated with the proposed development. Council is reminded that the proposed development is for a material recycling facility obtained via the yellow household recycling bins. The received recycle material is extensively clean material and not subject to significant odour.

Enviroscan was engaged to undertake odour modelling. The odour modelling was undertaken in accordance with EPA Guideline 373/07. Enviroscan states that *"...odour emission and the contribution from the MRF is negligible. This odour assessment of the proposed development demonstrates compliance with current EPA odour guidelines."*

Despite the demonstration that there will be no odour impacts from the activities, it is highlighted that all activities will take place indoors. The two roller doors that provide direct vehicle access to the tipping floor are fitted with fast track curtain doors to minimise the time that doors are open. These doors are designed to automatically open and close within 5 to 10 seconds.

A recent audit by NAWMA has identified that as little 1.1 to 2% of all recyclable waste is 'contaminated' by food products. These products are transferred via enclosed conveyors to enclosed waste packers for direct containerised transport off site.

The facility will operate without the need for any mechanical ventilation within the building, thereby further demonstrating that odour or other types of emissions are negligible. That is, no exhaust fans are required. I further note that NAWMA will have its own staff within the building on a daily basis.

While some of the representors have made assumptions regarding odour at NAWMA's existing site in Bellchambers Road, Edinburgh North, any observations from these sites cannot be applied to the proposed development. The existing Bellchambers Road site contains an out-dated waste processing facility. Any odour detected from the current site would generally have been from this old facility (and not the recycling facility) or nearby industrial activities. Enviroscan also confirms this position *"The [existing] Waste Processing Facility (WPF) contributes about 90% of the total site odour emission and the contribution from the MRF is negligible."*

#### Dust, vibration, fumes, litter and vermin

Concerns have been raised about the potential for dust emissions, vibration and litter pollution from the subject land.

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All roadways within the site are to be sealed to prevent dust generation. There are no reasons that the subject land will generate any additional dust than under its current conditions. The vacant portion of the allotment will be maintained with grasses.

With respect to the potential for vibration to cause any unreasonable interference, I do not consider there will be any material vibrations that would affect any adjoining land users. The proposal involves the movement of waste collection vehicles. The adjoining road network is gazetted to carry B-double vehicles that are substantially bigger and heavier with more potential to cause vibration issues. In my view, this is not a matter that is relevant in this application.

Fumes, including vehicle fumes are not anticipated to have any impact on the locality. As previously discussed, all the recycling collection trucks are new and will run on CNG. The technological and environmental benefits of CNG vehicles were previously discussed. We are advised by NAWMA that existing diesel truck / plant operators in locality are likely to create more air particulates and greenhouse gases than the new CNG trucks.

Given that all materials are sorted indoors in associated with fast track curtain doors, the potential for litter to escape the site or cause nuisance is minor. Further, all trucks that arrive and leave the site are designed to fully contain all recycling material within the vehicles. When trucks arrive at the site, they are driven directly within the material recovery building where they are then unloaded. As this activity takes place indoors, there is very limited opportunity for the facility to generate litter. In any event, NAWMA has an internal policy to maintain a neat and clear site at all times and will adhere to all of its policies and procedures so to ensure a safe and healthy workplace for its employees and other nearby landowners and occupiers. The desire to maintain a clean site is in NAWMA's self-interest, having regard to its relationship with KESAB and the educational centre.

With respect to the issue of vermin, there is essentially no food waste (or similar) collected in the recycling material facility. The recorded 1.1 to 2% of contaminated waste is disposed of as previously stated via enclosed conveyors to enclosed waste packers for direct containerised transport off site. In any case, similar to most good industrial facilities management processes, the applicant will implement a pest management regime to minimise the potential for vermin associated with the development.

#### *Appearance of the proposed development*

The amended siting and design of the proposed buildings improves their appearance by the use of canopies and different materials/colours. The updated siting and designs represents an appropriate outcome.

Large and bulky buildings are predominant within the Zone given. Aside from a high quality, innovative and contemporary architecture is encouraged by the Zone's Desired Character, the Desired Character also states that "buildings will comprise low reflective materials and provide a variation in finishes, façade treatments and setbacks rather than appearing as large uniform buildings with blank facades". In my view, the proposed buildings in context with their siting and existing and proposed landscaping adequately comply with these guidelines.

All areas that are used for any outdoor storage (to the rear and side of the existing building) are identified on the plans. The narrow side storage area will be used for baled recyclable product for daily collection by transporters.

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**Tree removal**

The applicant has sought further advice from Project Green with respect to the removal of trees from the site. We are currently waiting for the final advice of Project Green and we anticipate receipt of this early next week (commencing 22 August 2016). Once this is received, this will be forwarded to Council.

**Traffic impacts**

A number of representors have raised concern with the extent of traffic generation by the proposed development.

Phil Weaver and Associates has undertaken a traffic survey at the intersection of Woomera Avenue and Gidgie Court. The peak hour movements were described in the report prepared by Mr Weaver. On Mr Weaver's assessment, there is a current estimated average weekday traffic volume in the order of 1500 vehicles on Woomera Avenue and 600 per day on Gidgie Court.

Mr Weaver's SIDRA analysis has identified that there is a high degree of unused capacity within the intersection and that there are no significant delays or queueing associated with any turning movements at this intersection.

Factoring in the anticipated 200-250 traffic movements at the site, Mr Weaver concludes that there is more than sufficient capacity to accommodate the increased traffic movements on the road network as a result of the subject development.

For this reason, the extent of traffic associated with the development will not have any material impact on the adjoining street network.

**Public notification**

In respect of the observations of Mr Hilditch, on behalf of Delpar Pty Ltd, that the application ought to have been considered as a Category 3 matter, I respectfully disagree. Within the subject Urban Employment Zone except for those kinds of development that are non-complying, all kinds of development that are not located within 60 metres of a Residential Zone or a Mixed Use Zone are a Category 1 kind of development for the purpose of public notification. The application meets this criteria.

While the application meets the Category 1 criteria under the Development Plan, regulation 32(3) of the Regulations states that:

- (3) The following forms of development are assigned to Category 2 for the purposes of section 38 of the Act:
- (a) the various forms of development specified in Part 2 of Schedule 9;
  - (b) developments that involve, or are for the purposes of, any activity specified in Schedule 22 and that would, but for subregulation (2), be assigned to Category 1.

In this case, as the development involves an activity specified in Schedule 22, the application cannot be considered as a Category 1 application, but is expressly prescribed as being a Category 2 kind of development for the purpose of public notification.

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## Conclusion

In summary, I emphasise the following points:

- The development application is for a state of the art material recycling facility (ie household yellow bin collected material) and truck/service depot incorporating new trucks fuelled by clean and green compressed natural gas.
- The development application does not include a waste processing facility. NAWMA still enjoys a 5 year lease at its current waste processing facility location.
- Industry is an envisaged land use within the Zone. The proposed material recycling facility and associated truck/service depot are clearly clean and green industrial activities.
- The proposed CNG fuel vehicles are an example of state of the art technological and environmental practices. We are advised that these new trucks will emit less greenhouse gasses, air particulates and fumes than the diesel trucks operating in the locality.
- The material recycling facility will not emit any material odour. All processing of recycling materials will be undertaken indoors associated with fast track curtain doors. The odour modelling undertaken by Enviroscan was undertaken in accordance with EPA Guideline 373/07. Enviroscan states that *"...odour emission and the contribution from the MRF is negligible. This odour assessment of the proposed development demonstrates compliance with current EPA odour guidelines."* We note no other party has produced contrary expert opinion / odour reports.
- The design of the new buildings have been setback a significant distance from the primary road, incorporate articulation features such as large canopies and coordinated colour schemes behind a landscaped setting.
- The supplied traffic report confirms the appropriateness of the development. No contrary traffic expert report has been provided.
- The development, particularly the location of the driveways / hardstand area have been redesigned to appropriately manage the trees that are to be retained.

Having regard to the provisions of Council's Development Plan, I content that the proposed development should be granted Development Plan Consent.

Please advise me when this matter will be presented to Council's Development Assessment Panel. I confirm that a representative of URPS will attend the Panel meeting.

In the meantime, if you have any questions regarding this matter, please do not hesitate to contact me or Simon Channon on 8333 7999.

Yours sincerely



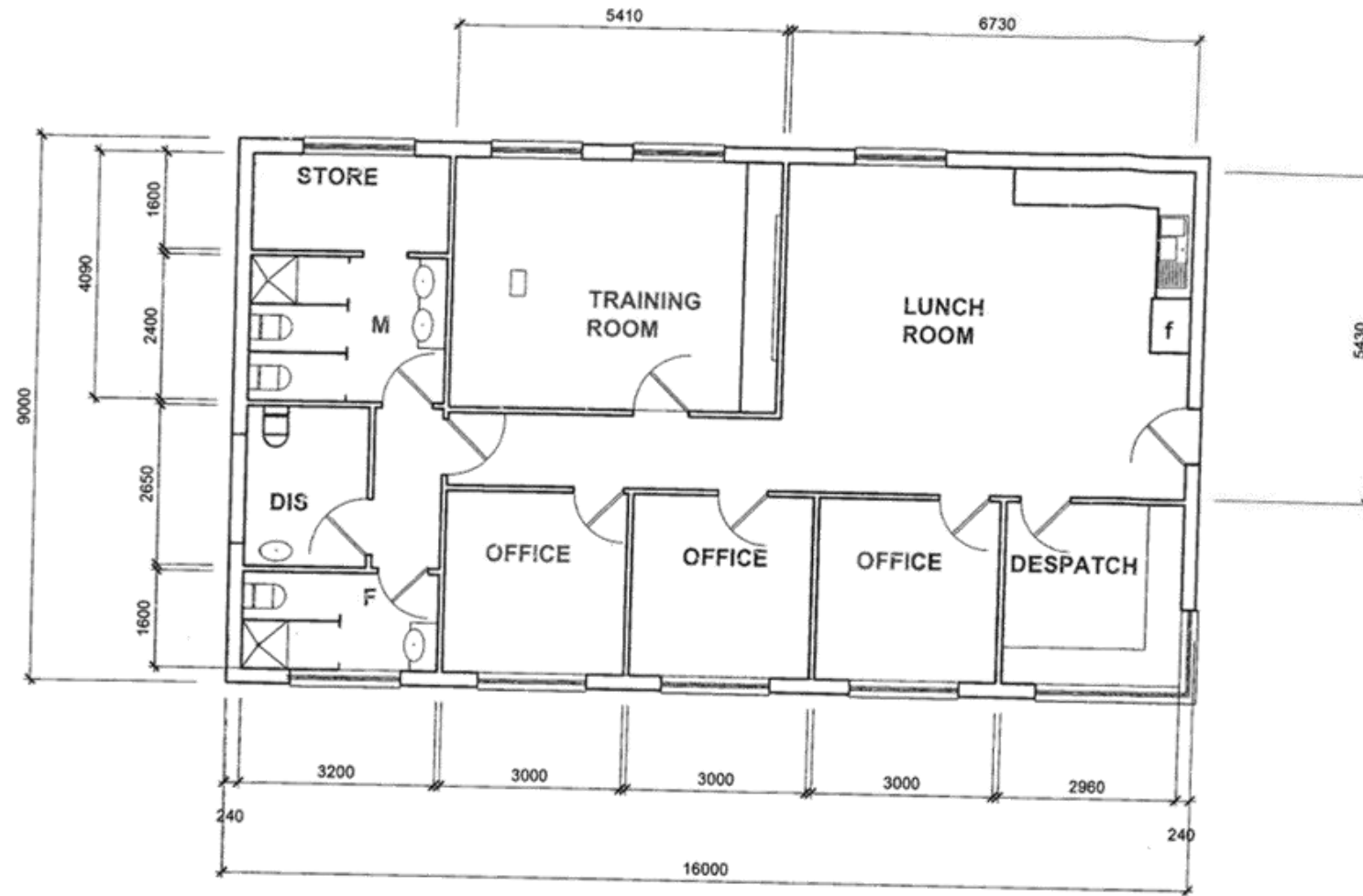
Grazio Maiorano FPIA  
Director

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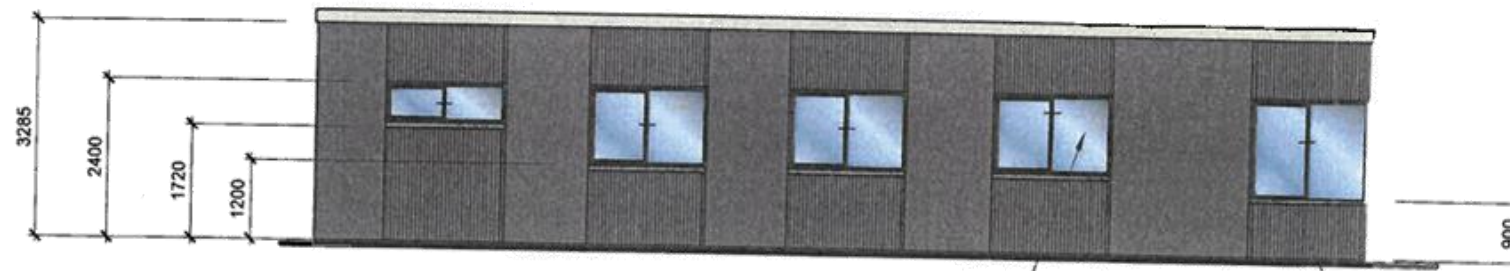
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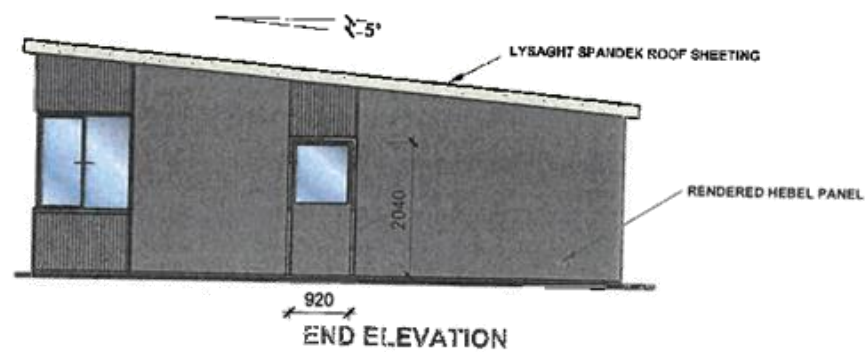




FLOOR PLAN

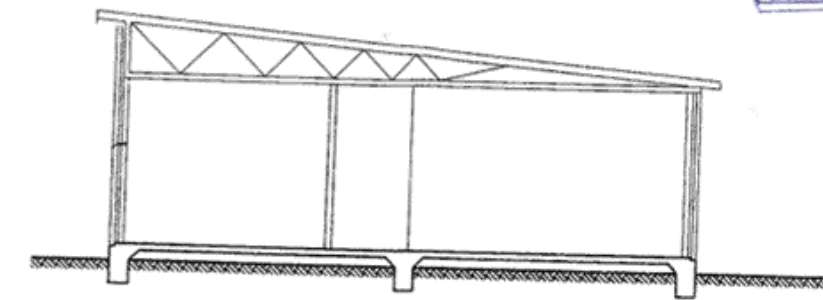


SIDE ELEVATION



END ELEVATION

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SECTION



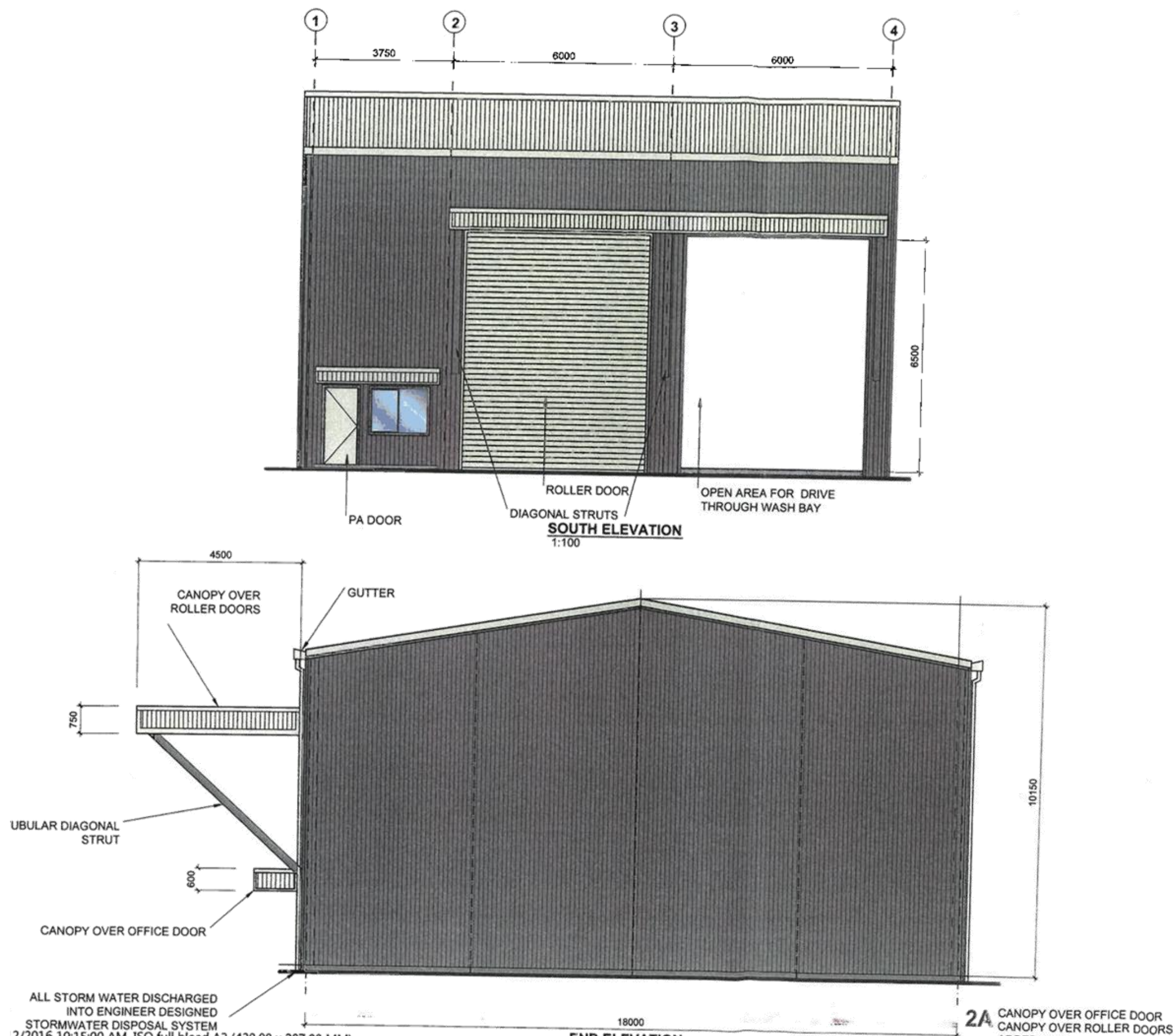
COLORBOND COLOURS

- Basalt
- Surfist

FOR PLANNING APPROVAL

<b>Plan It Building Design</b>	
Ph. 0818 804 979 E: PlanIt.ad@gmail.com	
CLIENT	SUEZ Environment
Council	SALISBURY
ENERGY	1
Amendment	SHEET
SCALE	1:100
DRAWN	ACW
DATE	03-16
Copyright	





**COLORBOND COLOURS**

- Basalt
- Surfmist



**CLIENT**  
SUEZ ENVIRONMENTAL  
133 CORMACK ROAD WINGFIELD

**Council** SALISBURY

**WORKSHOP** 2A

**Amendment.** SHEET

**SCALE** 1:100 A3

**DRAWN** Lew **DATE** 04-16

WORKSHOP AND WASH BAY AT:  
LOT 505 WOOMERA AVENUE  
EDINBURGH SA5111









Ref: 2016-0051

18 July 2016

Mr Aaron Curtis  
Team Leader - Planning  
City of Salisbury  
PO BOX 8  
SALISBURY SA 5108

Email: [development@salisbury.sa.gov.au](mailto:development@salisbury.sa.gov.au)

Dear Aaron

**Northern Adelaide Waste Management Authority 361/1075/2016/1B**

Thank you for your letter dated 11 July 2016 regarding the abovementioned matter. I have provided a response under the reference numbers contained in your letter.

#### Council Query 1 (a)

We are in the process of updating the plans to include additional screen plantings, low shrubs and groundcovers. The updated plans will contain a landscape planting schedule. A copy of suggested plants was emailed to Council's Landscape Design Team Leader (and cc'd to you) on 14 July 2016. We also confirm that additional screen planting will be provided adjacent the workshop and gas compound. We will have the updated landscape plan and planting schedule to Council in the coming days.

In any case, we do not believe this matter should delay the commencement of the public notification process.

#### Council Query 1 (b)

The tree protection zones are contained in Section 5 of the Project Green Tree Report (24 March 2016). The report and plans will be updated in the coming days to address the issue of driveways and car parking areas encroaching on the tree protection zone.

In the meantime, I suggest the public notification process can commence without the need to wait for the updated report.

#### Council Query 2

An updated traffic consultant's report will be provided soon, in the meantime the relevant text should read as follows:



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*Due to the nature of the proposed use, I anticipate that there would be of the order of 40 movements in both the a.m. and p.m. peak hour periods. The distribution of this traffic would include:*

- *traffic entering Lot 505 directly from Woomera Avenue and via the two access points off Gidgie Court, ie the southern access point (providing entry only) and the northern access point on Gidgie Court which provides entry and exit movements;*
- *entry and exit movements via the existing access points (entry via western access and exit via eastern access driveways) off Woomera Avenue. These movements would primarily relate to staff entering/exiting the car parking area in front of the office; and*
- *exit movements onto Woomera Avenue via the existing access point directly west of the current stage boundary. These movements would primarily relate to waste collection vehicles leaving the site.*

*There will also be infrequent movements of vehicles into and out of the gas compound. These vehicles will enter via a separate access point off Woomera Avenue with vehicles then exiting into the adjoining truck refuelling compound.*

*The internal layout of the proposed development will result in a primary one-way (anti-clockwise) traffic flow within Lot 505 with the main two-way traffic flow occurring within the staff parking areas of the subject development.*

*Vehicles entering the Material Recycling Facility (MRF), and consequently the weighbridge, will enter via the northern (two-way) access point of Gidgie Court. This access point has been designed to accommodate simultaneous entry by a 12.5m long rigid body truck (or alternatively a car and trailer) and exit by a car. Vehicles accessing the future waste processing facility will turn on site and both enter and exit this facility in a forward direction.*

### Council Query 3

Dr Barry Severne, Supervising Scientist of Enviroscan Industry and Marine Surveys informed NAWMA on 13 July 2016 the following; *"We have reviewed our report 16.0322 with reference to the 12 trucks used to transport putrescible waste. These trucks are parked on-site overnight. Standard Operating Procedure is for these trucks to be left empty and closed so that any residual odour is contained. The efficiency of odorous waste containment is illustrated by the fact that these trucks transport putrescibles through residential areas during the day. There is no potential for these trucks to generate odour whilst parked overnight"*.

SUEZ have also confirmed that the parked trucks are emptied at the end of every day. The design of the compactors and emptying procedures clears the compactor of any waste which in turn alleviates any odour issue.

Current and proposed Standard Operating Procedures requires the trucks to be washed once a week indoors. The submitted plans (refer to attachment) illustrates the drive through wash bay area within the workshop.

Further, NAWMA has also informed us that they have had no odour issues/complaints relating to truck parking on their existing site.

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**Council Query 4**

The proposed workshop design has been amended to incorporate:

- (a) large canopy over the two roller doors.
- (b) canopy over the office area.
- (c) aluminium windows near the pedestrian door.
- (d) the use of the following Colourbond colours:
  - walls – 'Basalt' (ie contemporary grey colour);
  - roller doors – 'surfmist' (ie white/grey colour);
  - gutter and downpipes 'surfmist';
  - canopy – 'surfmist'.

We note the existing buildings within the locality incorporate a wide range of coloured buildings, including the orange and white Coates Building that has a minimal setback to Gidgie Court than the proposed workshop.

In addition, the previously mentioned landscaping plan will provide additional landscape screen to the workshop.

Please find attached updated plans for the workshop.

**Council Query 5**

The proposed office colour scheme will be as follows:

- Custom blue orb wall sheets – 'Basalt'.
- Other remaining walls, downpipes and gutters – 'Surfmist'.

**Council Query 6**

The acquisition of the Woomera Ave and Gidgie Court properties is to secure the long term (20 year) ability for NAWMA to meet regional growth and deliver waste management services to its Constituent Councils in the most cost and environmentally efficient manner. The remaining undeveloped portion of Gidgie Court is specifically retained for future waste minimisation and recycling activities that complement the NAWMA Strategic Plan. However, no concept plans have been developed for this area. The area will remain and be maintained in its current form with low grasses and trees. The applicant acknowledges that when the vacant land is to be utilised, it is likely to require a development authorisation.

**Council Query 7**

All trucks utilise Compressed Natural Gas (CNG) fuel. The truck refuelling area is illustrated on the site plan. It is essentially the parking area that runs along the 'concrete up-stand for fuel lines' as identified on the site plan. All these parks have a connection to the fuel line. At the parking space, each truck can be connected to an individual fuel hose, which ensures that the trucks are fuelled one by one on a sequential basis after hours, with only one truck being fuelled at a time.

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The CNG process is state of the art. The gas is stored in steel cylinders. There is no mass storage of fuel and no risk of any material release of fuel causing any damage to the surrounding area. The gas compound area contains the following shipping containers / uses:

- Gas compressor module will store two SUEZ gas compressors (refer to figure 1). These compressors will fit end on end inside two shipping containers, having the dimensions of 2.4 metres high by 2.4 metres wide by 12 metres long.
- The gas storage module is used to store the gas cylinders. It does not require any shelter and will have a maximum height of about 1.5 metres.
- The gas booster module is an additional plant that aids in the fuelling up of trucks. The plant does not require any shelter and will have a maximum height of about 1.5 metres.

Having regard to the abovementioned, there is no need for bunding. The compound will be screened by a 2.1 metre high colorbond fence (Basalt Colorbond colour). The previously mentioned landscaping plan will illustrate additional screen landscaping at the road frontage to the compound.

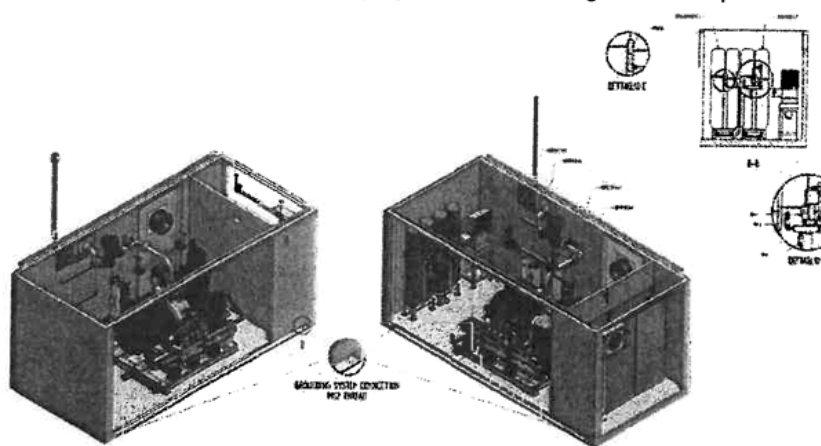


Figure 1: Gas compressor module will store two SUEZ gas compressors

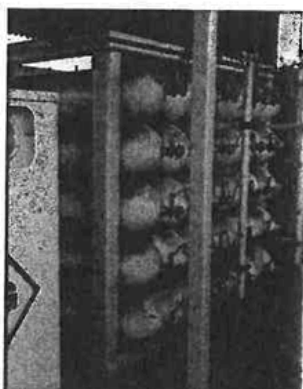


Figure 2: Example of gas cylinders

The above-mentioned process operates at the current NAWMA and SUEZ site at Corner Peachey and Bellchambers R20100719oads, Edinburgh North. The EPA are aware of this process.

I consider Council has sufficient information to commence the public notification process.

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**Council Query 8**

We confirm that two signs are proposed that will have an area of 2 metres by 2.5 metres. The signs will be erected on two steel posts. One sign will front Woomera Avenue adjacent the western access to the main administration office and the other will front Gidgie Court adjacent the northern main access to the MRF via the weighbridge.

An updated site plan and elevation of both signs will be supplied to Council in the coming days.

In the meantime, I consider Council has sufficient information to commence the public notification process.

**Council Query 9**

As discussed in our response to Query 7 the one nominated container will be standard shipping container. The container will be painted with Colourbond 'Basalt'.

If you desire, we can provide you with a stock generic image of a shipping container?

**Council Query 10**

Noted.

**Council Query 11**

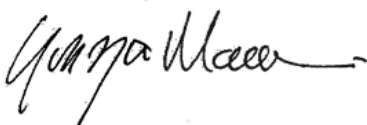
Thank you for your attention to this matter.

**Council Query 12**

We understand that fees of \$4,718 were paid on 15 July 2016.

Having regard to the presented information, we consider Council has sufficient information to commence the public consultation process. In the meantime, if you have any questions, please do not hesitate to contact Simon or me.

Yours sincerely



**Grazio Maiorano FPIA**  
Director

Enc Updated Workshop and Office Plan

CC: Mr Adam Norsworthy, State Residential Manager, SUEZ Recycling & Recovery  
Mr Brian King, Executive Officer, NAWMA  
Mr Peter Oye, Administrative Services Manager, NAWMA  
Dr Barry Severne, Supervising Scientist of Enviroscan Industry and Marine Surveys

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Ref: 2016-0051

27 May 2016

Mr Aaron Curtis  
Team Leader - Planning  
City of Salisbury  
12 James Street  
SALISBURY SA 5108



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Dear Aaron

**Proposed Material Recovery Facility (Recycling Depot) at 1-2 Gidgie Court and 71-75 Woomera Avenue, Edinburgh for Northern Adelaide Waste Management Authority**

**Introduction**

URPS acts on behalf of the Northern Adelaide Waste Management Authority (NAWMA), the applicant in this matter.

NAWMA proposes the change of use and construction of a number of buildings and associated infrastructure to facilitate a new material recovery facility (MRF) at 1-2 Gidgie Court and 71-75 Woomera Avenue, Edinburgh.

The proposed facility will overtime replace to NAWMA's other sites within northern Adelaide and is necessary to meet the increasing waste and recycling demands of the growing region.

**Subject Land and Locality**

The subject land comprises two contiguous allotments:

- 1-2 Gidgie Court, also referred to as Allotment 505 in Deposited Plan 68296, Certificate of Title Volume 5946 Folio 160
- 71-75 Woomera Avenue, also referred to as Allotment 506 in Deposited Plan 68296, Certificate of Title Volume 5960 Folio 906.

Allotment 505 has a frontage to both Gidgie Court (168m) and Woomera Avenue (120m). Allotment 506 has a frontage to Woomera Avenue of 102m, it also has a frontage to a private road which is owned by Renewal SA. NAWMA will have rights of way over this land.

The allotments have a total area in the order of 42,000m<sup>2</sup>. Please refer to attached copies of the Certificates of Titles.

Allotment 505 is currently vacant with mature trees planted within the property boundaries. Centrally within the site, the land is mostly clear of vegetation. Allotment 506 has been developed with a substantial building and associated driveways and car parking areas. We understand that most recently

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this site has been used for the manufacturing of car parts by ArcelorMittal. Approval for this development was granted in 2005 for “workshop with associated offices, store, car parking and landscaping”.

The site sits within a largely industrial locality. Allotment sizes are substantial, many of similar sizes to the subject land. Land within the locality has been partly developed with many allotments currently vacant.

The nearest residential development is approximately 420 metres from the subject site to the south-west on Diruwa Drive in Salisbury North.

### Proposal

The proposed development involves two main components:

- the change of use of the existing building on lot 506 to facilitate the receipt, sorting and dispatch of recyclable materials from kerbside collection; and the associated
- change of use and construction of buildings and associated infrastructure for use by waste contractor, SUEZ Environment (SUEZ), which will include its administrative offices, truck parking and refuelling activities.

The submitted plans also illustrate a future Waste Processing Facility. It is anticipated that this facility is likely to be required in approximately 5 to 8 years. This facility does not form part of this development application. A separate development application will be lodged when required.

The proposed development also involves the removal of three significant trees in order to facilitate access to, and circulation within, the site.

### Recycling Activities

NAWMA currently undertakes its MRF operations at a site in Edinburgh North. This facility is to be replaced by the activities on the land that is the subject of this application.

The MRF received recyclable materials through kerbside collection. Materials are received at the site and sorted into “like” categories. Materials are then exported from the site (to locations intrastate, interstate and overseas). The materials received are typically paper, cardboard, plastics, glass, steel and aluminium.

In the 2014-15 financial year, NAWMA received and sorted approximately 21,000 tonnes of recyclable materials.

The MRF will also include the incorporation of NAWMA’s administration and customer service operations within the administration area of the existing building. NAWMA will operate its extensive environmental education centre from the facility. This will cater for more than 4,000 school students annually in structured tours. No additional staff are required for this component.

The hours of operation of the facility will Monday to Friday from 6:00am to 6:00pm. Work may also be undertaken within the MRF on Saturdays for the purpose of maintenance of assets. This would typically occur between the hours of 7:00am and 12:00pm.

### SUEZ Environment Activities

SUEZ is currently contracted to collect waste and recyclable by NAWMA in the northern Adelaide region. In order to serve the region, SUEZ requires a new depot site for the overnight storage and parking of its

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collection fleet. This activity is proposed on a portion of lot 505. This component of the application includes:

- parking areas for staff vehicles and kerbside collection vehicles
- refuelling facilities for the kerbside collection vehicles
- driveways/access from both Woomera Avenue and Gidgie Court
- weighbridge
- vehicle workshop for minor maintenance (major maintenance has been contracted to occur offsite at the vehicle manufacturer's facilities)
- an administration building to accommodate up to 4 administration staff

#### *Associated/Ancillary Matters*

In addition to the existing access to allotment 506, there are three new access points proposed. These include an entrance access point from Woomera Avenue for kerbside collection vehicles, an additional entrance access point at the southern end of Gidgie Court for kerbside collection vehicles and a two-way ingress/egress point for passenger vehicles toward the northern end of Gidgie Court. Waste collection vehicles will exit the site from the eastern access point of allotment 505 (to Woomera Avenue) and also via the private road located to the west of the site. The nature of traffic movements and vehicle parking is further described in the Traffic Management Report and under the heading "Traffic Management" in this statement.

Signage is proposed at the entrance to each of the two allotments. Each of the signs will have an area of 2 metres by 2.5 metres. Both signs will be sited within the site boundary and are illustrated on the proposal plans.

The black powder-coated chain mesh fence along the boundaries of allotment 506 is to be duplicated on allotment 505. This fence is approximately 1.8 metres high with three rows of barbed wire to a total height of 2.1 metres.

Stormwater is to be collected and diverted through the site's existing retention/detention basin located centrally within lot 505. Stormwater will be discharged from the site in accordance with Council's guidelines for both quality and quantity as described in the enclosed Stormwater Management Report.

#### *Procedural Matters*

##### *Zoning*

The subject land is located within the Urban Employment Zone of the Salisbury Development Plan (consolidated 5 May 2016).

##### *Nature of the Development*

The proposed development is described as recycling depot, associated buildings, truck and vehicle parking, fencing and landscaping. This type of activity is not defined within Schedule 1 (Definitions) of the Development Regulations 2008.

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In respect to land uses that are required to be referred to the Environment Protection Authority, we note that Schedule 22 (activities of major environmental significance) of the Development Regulations 2008 states that a “waste or recycling depots” refers to the “conduct of a depot for the reception, storage, treatment or disposal of waste .....

We further note that the term “waste reception, storage, treatment or disposal of waste”, is not defined by the Development Regulations. However, this term is referred to in several Development Plan Zones.

The proposed development will:

- receive recyclable material (but not general waste, garden waste, e-waste or any other type of waste) collected through NAWMA’s kerbside collection services
- not involve any permanent storage of any types of waste
- not “treat” waste
- not involve any on-site disposal of waste, and
- involve the “disposal” of materials through the dispatch of sorted waste to the private market.

#### Assessment Pathway

Activities such as “waste reception, storage, treatment or disposal” or “waste or recycling depot” are not listed as complying or non-complying kinds of development within the subject Urban Employment Zone. These activities are assessed on their merits.

#### Public Notification

Within the Urban Employment Zone all kinds of development that are greater than 60 metres from Residential or Mixed Use Zone boundary are a Category 1 kind of development.

As the proposed development involves an activity that falls within Schedule 22 of the Regulations, the application cannot be considered Category 1 for the purpose of public notification (Regulation 32(2))

In accordance with Regulation 32(3) of the Regulations, an activity that would ordinarily be Category 1 but involves an activity that is Schedule 22 is a Category 2 development for the purpose of public notification.

#### Referrals

As the matter is of major environmental significance as identified in Schedule 22 of the Development Regulations, the application requires referral to the Environment Protection Authority. The EPA has powers of direction in such cases.

No other referrals are required under Schedule 8 of the Regulations.

#### Development Assessment

On our consideration of the relevant Development Plan provisions, we consider the following planning topics to be most relevant in the assessment of the application:

- land use intent
- waste management facilities generally

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- built form and visual appearance
- odour management
- vehicle access
- parking
- traffic generation
- stormwater management

#### *Land Use Intent*

The Urban Employment Zone is a zone that encourages employment generating land uses based principally around industrial activities and supported by similarly aligned activities. In particular, large floor plate enterprises such as major logistics and manufacturing plants are desired. These activities are to be generally sited on larger allotments and co-located with other activities which, together, capitalise on the existing infrastructure within the Greater Edinburgh Parks area.

We note that all kinds of industry are envisaged within the Zone. Recycling facilities such as those proposed are neither expressly envisaged or discouraged developments within the Zone. We hold the opinion that such a use is an appropriate activity within the Zone as it involves the receipt, sorting and disposal of recyclable products. It is an activity that takes place in an indoor environment where the potential for off-site impacts (such as odour) are limited.

#### *Waste Management Facilities Generally*

The General Section of the Development Plan incorporates provisions specifically for waste management facilities. Having regard to these provisions, we consider that the majority relate specifically to waste management facilities that involve landfill sites and other kinds of processing activities. Regardless, we have addressed the most relevant provisions.

The facility is considered to satisfy Objectives 1 and 2 which state:

#### **Waste Management Facilities**

**Objective 1** The orderly and economic development of waste management facilities in appropriate locations.

**Objective 2** Minimisation of human and environmental health impacts from the location and operation of waste management facilities.

(underlining added)

As outlined above, the location of the activity within the Urban Employment Zone is considered appropriate. We also consider that the design and siting of the facility will ensure that any human or environmental health impacts to be appropriately managed.

The potential for environmental impacts is considered to be negligible on the basis that:

- all material that is brought to the site is typically recyclable
- there are no putrescible wastes/materials that are brought to the site

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- material is brought to the site in sealed trucks and unloaded such that no materials can escape during the transferring of materials into the building
- all material sorting occurs indoors on a concrete surface where there can be no surface or ground water pollution
- traffic to the site is limited to that necessary for the ordinary operations of the facility
- main roads within the locality are gazetted to carry B-double vehicles up to 26 metres in length and therefore the type of vehicles associated with the proposed development (medium rigid vehicles and semi-trailers) are ordinarily expected within the locality
- odour can be appropriately managed so as not to cause nuisance to owners and occupiers of adjoining and nearby land (further discussed in the following section)
- the nearest noise sensitive receivers are located approximately 400 metres from the site and would be unlikely to be impacted by the activities that occur on the subject land given:
  - > the nature of the activity taking place in an indoor environment
  - > the site sits within an industrial precinct and where manufacturing has previously taken place
  - > noise sources would relate principally to vehicle movements associated with the development and these types of vehicles (and larger vehicles) would be ordinarily expected to use the surrounding primary/arterial road network on a regular basis
- all internal roadways are sealed and therefore there would be no generation of dust
- the material receiving and sorting takes place in an existing building and therefore there would be no additional visual impact of the waste management facility
- the facility is designed to accommodate the maximum expected volume of material on site at any one time, and
- emergency vehicles can safely access the site.

#### *Odour Management*

Enclosed with the application is an odour assessment undertaken by Enviroscan. Enviroscan modelled emissions for the new building based on the existing materials recovery and waste processing facility in Elizabeth. Odour modelling was undertaken in accordance with the relevant EPA guideline.

The Salisbury Development Plan contains a number of provisions that seek to minimise the impact of development from adjoining activities, particularly where they may involve sensitive receivers (such as dwellings).

In particular, the following provisions are relevant in the assessment of the potential odour impact on nearby development:

#### **General Section - Interface between Land Uses**

- Objective 1** Development located and designed to minimise adverse impact and conflict between land uses.
- Objective 2** Protect community health and amenity from adverse impacts of development.
- Principle 1** Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:

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- (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants

**Principle 2** Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.

#### General Section - Waste Management Facilities

**Objective 2** Minimisation of human and environmental health impacts from the location and operation of waste management facilities.

**Principle 1** Waste management facilities should be located and designed to minimise adverse impacts on both the site and surrounding areas from the generation of surface water and groundwater pollution, traffic, noise, odours, dust, vermin, weeds, litter, gas and visual impact.

(underlining added)

As described in the Enviroscan report, the modelling of odours has indicated that the proposed development will comply with the relevant EPA guideline. The level of "odour units" is graphically represented in accordance with EPA guideline 57/05.

The criteria are dependent on surrounding population and land use. In this instance, the criterion is 6 odour units for the day workforce in the immediate locality (less than 300 people) and 2 units for the nearest dwellings which are located some 400 metres from the south-west of the site. Individually and combined, the materials recovery facility and the future waste processing facility will comply with the criteria set by the EPA through Australian Standard AS 4323.3:2001.

Given the compliance with the EPA's criteria, we consider that the proposed development will not detrimentally affect the amenity of the locality, or cause unreasonable interference to any adjoining or nearby landowners or occupiers. Accordingly, we consider the development satisfies the relevant provisions as quoted above.

#### *Built Form and Visual Appearance*

The proposed development involves new built form on allotment 505 only. This includes a new administration office and vehicle workshop. A compound for the gas compressors and cooling plant are also proposed at the front of the site. The buildings within the gas compound are effectively 'containers' which are designed to house the associated compressor and cooling plant in order to appropriately manage off-site impacts (such as noise/appearance). The gas compound will be fenced with Colourbond to a height of 2.1 metres. The proposal plans clearly illustrate the proposed buildings.

The workshop is located within the circulation area in order to facilitate through-access for waste collection vehicles. The office is located at the rear of the site, some 4 metres from the rear boundary and 32 metres to the nearest side boundary.

The gas compound is located 3 metres back from the Woomera Avenue frontage. It is noted that this is less than the desired setback of 8 metres. The nearest building within this compound is setback a further 3 metres meaning that the setback of that building is 6 metres from the street frontage. The siting is at variance with Zone Principle 11 which seeks buildings that are less than 6 metres in height be setback at least 8 metres from the primary frontage (i.e. by 2 metres). In our view, this variance is acceptable as the location of the gas compound is dictated by the gas connection/metre which is sited in this location. We

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also note that the compound will be fenced and that appropriate landscaping is illustrated on the proposal plans. This will assist in screening the structures within the compound.

With respect to the other buildings proposed (i.e. the office and workshop), we consider that these buildings have an appropriate appearance and are sited to accord with the Urban Employment Zone provisions as well as the "Design and Appearance" and "Siting and Visibility" provisions of the General Section of the Development Plan. Additional landscaping along the Woomera Avenue and Gidgie Court frontages is proposed to further enhance the appearance of the site.

### *Traffic Management*

Phil Weaver and Associated was engaged to undertake a traffic and parking assessment of the proposal. This assessment indicates that some minor changes are required to certain access points (i.e. crossover widths), as well as more generally to the circulation within the site. The applicant proposes to adopt all recommendations of Mr Weaver and would accept any condition that addresses these recommendations.

### *Vehicle Access*

Three new access points are proposed to the site, each of these will occur on lot 506 to facilitate entry and through traffic movement to lot 505. The access arrangements proposed, and as adopted by the applicant, will ensure that the access points are safe without impacting on the local street network.

A service access only is proposed in order to access the gas compound from Woomera Avenue. It is envisaged that this access point will be secure at all times except for service/maintenance and emergency purposes.

### *Parking*

Parking within the site occurs in a number of locations. These are required for each of the activities, and include:

- 36 car parks (existing) at the front of allotment 506 for the administration (up to 14 staff) and material recovery staff (up to 20 staff) of NAWMA
- a total of 34 parking spaces for SUEZ's Heavy Rigid Vehicles (kerbside collection vehicles), and
- 34 passenger vehicle parking spaces for SUEZ's kerbside collection vehicle drivers (up to 28 staff) and administration staff (up to 4 staff).

Based on the anticipated parking demand, there is a sufficient number of car parking spaces for each staff member. In addition, there are two visitor car parking spaces at both the NAWMA and SUEZ site.

I note that on the assessment of the floor area of the existing factory/warehouse and office that this would have a parking demand of 36 spaces (with 300m<sup>2</sup> of office and 3,200m<sup>2</sup> of factory/warehouse).

### *Traffic Generation*

The traffic surveys undertaken by Phil Weaver and Associated identifies that the existing traffic on both Woomera Avenue and Gidgie Court are well below their design capability. With the additional 30 peak hour traffic movements associated with the facility, there will be no material impact on the capacity of the road network.

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### Stormwater Management

Wallbridge and Gilbert Consulting Engineers was engaged to prepare a Stormwater Management Report for the proposed development. The report outlines the stormwater management design for the site with the final detailed design to be carried out during construction documentation.

The documentation provided by Wallbridge and Gilbert indicates that water sensitive urban design treatments will be used to regulate the quantity and quality of stormwater discharged from the site. In summary, stormwater will be directed into an existing retention/detention basin at the southern end of allotment 505. An outlet pit will restrict outflows from the site to the peak pre-development 10 year ARI discharge rate (58L/s) in accordance with Council's requirements. The quality of the discharge will comfortably comply with the EPA's guidelines for stormwater treatment targets.

Under the General Section – Natural Resources provisions there are a number of “water sensitive design” provisions. These provisions seek the capture and reuse of stormwater, minimising surface water runoff, and protecting and enhancing natural water flows. In our view, the design of the stormwater system will achieve these objectives.

In particular, Natural Resources Principle 8 states:

**Principle 8** Water discharged from a development site should:

(a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state

(b) not exceed the rate of discharge from the site as it existed in pre-development conditions.

(underlining added)

As outlined within the Stormwater Management Report, the methods of regulating the quality and quantity of stormwater discharged from the site will meet the above provisions. We therefore contend that the proposed methods of stormwater management are appropriate.

### Tree Removal

Project Green was engaged to provide advice in relation to the health of a number of trees on the subject land. Three trees, all significant, are proposed to be removed, these trees have been assessed as:

Tree	Regulated Status	TPZ Radius	SRZ Radius	Health	Structure	Risk Rating	Recommend
1	Significant	15.0m	4.20m	Good	Poor	8	Remove
4	Significant	15.0m	3.77m	Good	Good	4	Remove
14	Significant	15.0m	3.85m	Poor	Fair	5	Remove

Trees 1 and 14 are both infested by termites and given their poor health and decay are both recommended for removal under General Section – Significant Trees Principle 3(a)(i) and (ii).

With respect to Tree 4, Project Green has identified that there are no arboricultural grounds to remove this tree. We contend that there are reasonable grounds for the removal of Tree 4. The location of the strip of trees along the Gidgie Court frontage represent a significant barrier to achieve safe circulation to

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and within the site. In this location, the removal of at least 1 tree to facilitate access is, in our view, appropriate. We have had regard the General Section – Significant Trees Provisions, in particular, the following provision:

**Principle 3** Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:

(d) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.

(underlining added)

We consider that, given the number of notable and important trees, the removal of one tree within this stand will not have any unreasonable detrimental impact. Firstly, it will not have any material impact on habitat for the native fauna, given it is not in a wildlife corridor of remnant native vegetation. Secondly, it is not so visually prominent given its context within a 'strip' of similar trees along the Gidgie Court frontage. Therefore, we consider that the removal of Tree 4 is appropriate in this case.

### Summary and Conclusion

The proposed development involves the relocation of NAWMA's materials recovery facility to a new site in Edinburgh Parks. It will also provide a 'depot' for waste contractor SUEZ for its storage, refuelling and administration.

The MRF is located within an indoor environment with there being little opportunity for off-site impacts, including odour as outlined within the enclosed odour modelling report. It will be able to operate with minimal impact on the immediate locality and no impact on the nearest residential development some 400 metres from the subject site.

The new built form development is, in our view, appropriate for the site and locality. Likewise, there will be no material impact on the adjoining street network as a result of the increase in traffic associated with the site.

For all of the reasons outlined herein, the proposed development warrants the support of Council.

Please call me on 8333 7999 if you have any questions.

Yours sincerely



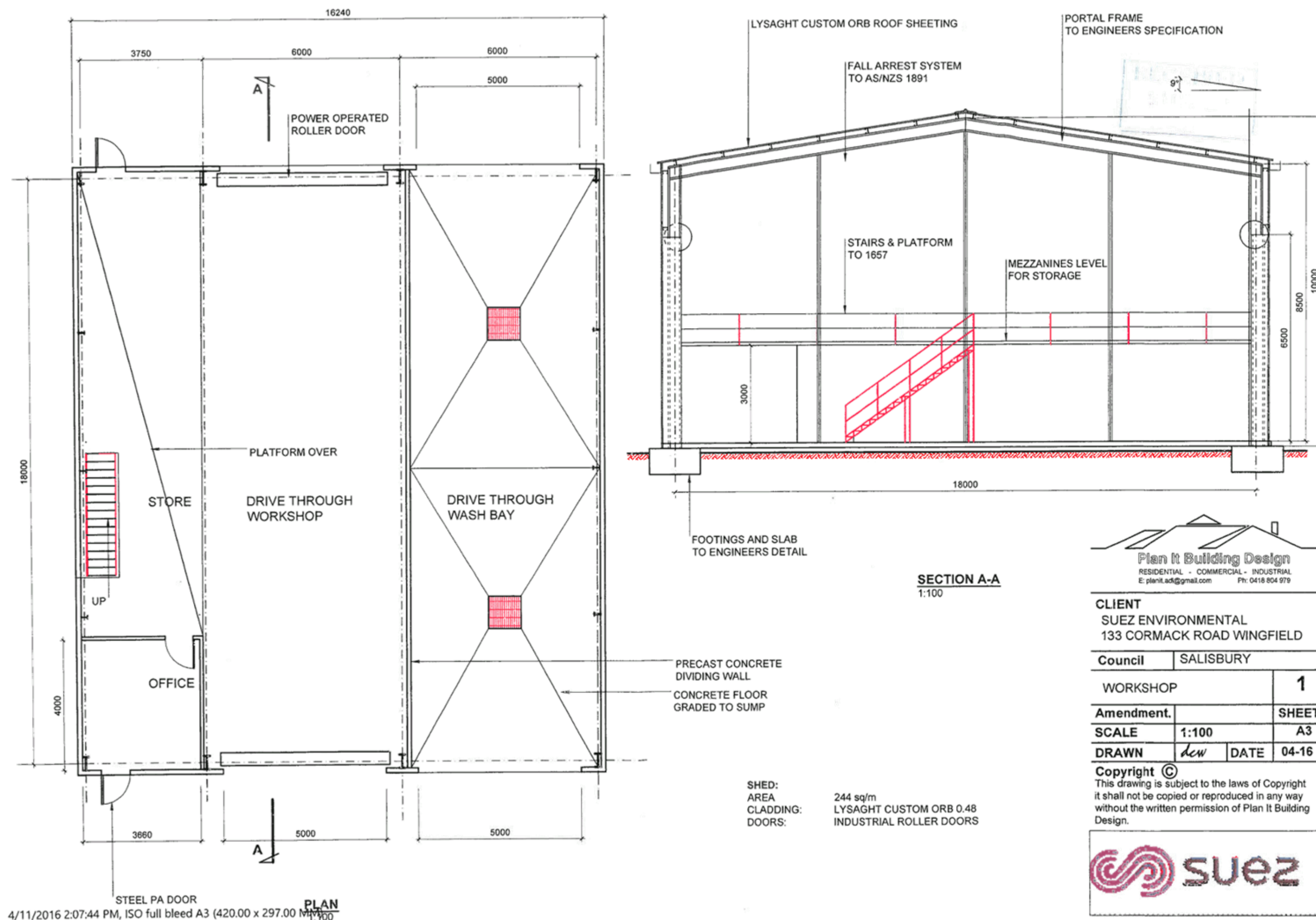
Grazio Maiorano  
Director



Simon Channon  
Associate

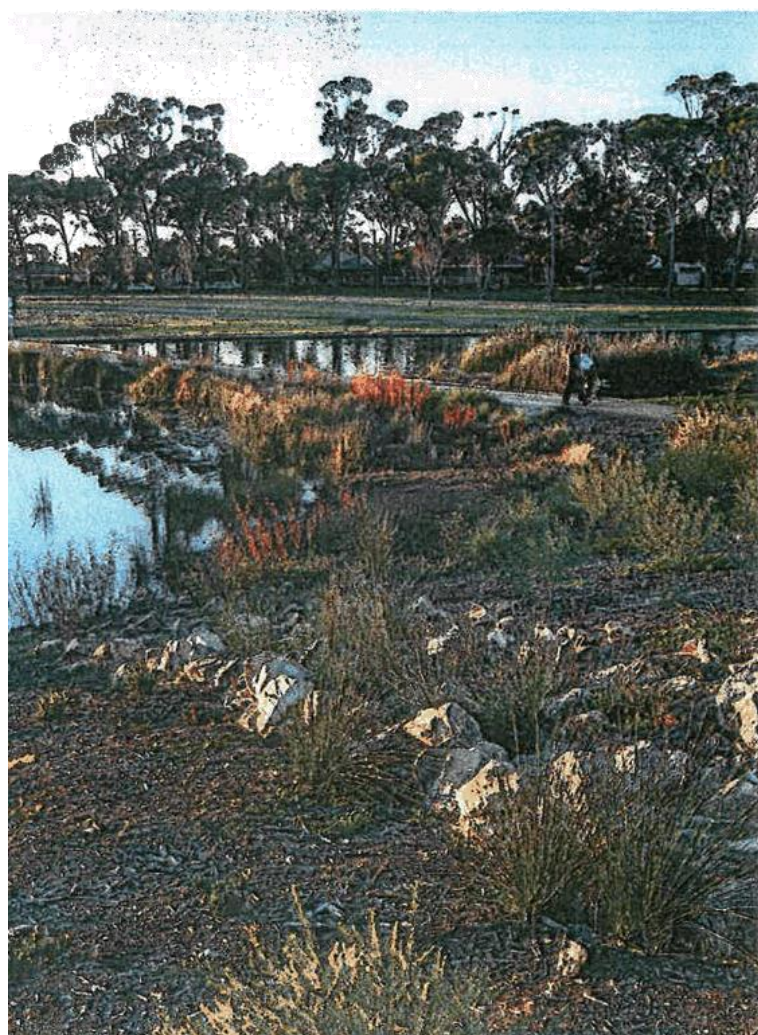
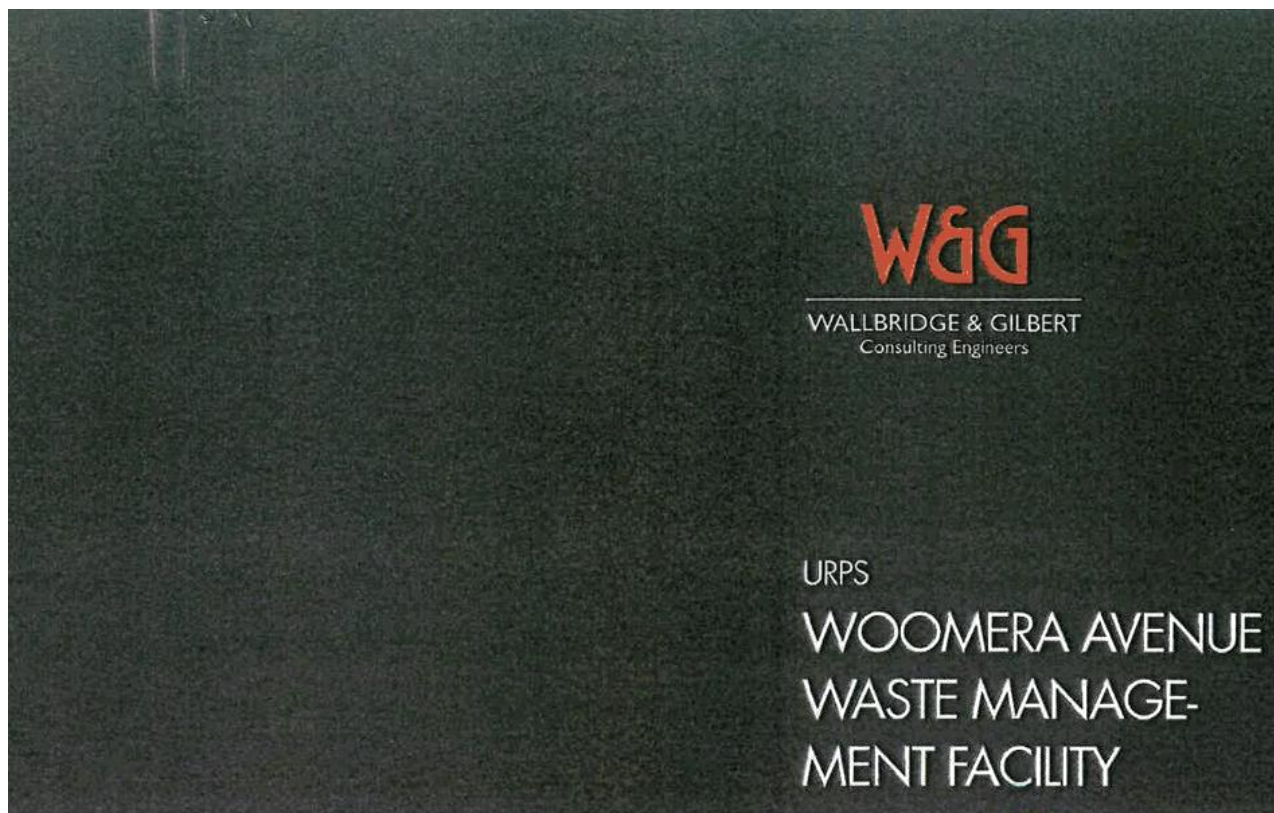
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      Proposal Plans  
      Enviroscan Odour Modelling Report  
      Wallbridge and Gilbert Stormwater Management Plan  
      Project Green Tree Report  
      Phil Weaver and Associates Traffic and Parking advice

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## REPORT

Stormwater Management Plan

Job No. WAD160245

Rev B

20th April 2016





# C

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APPENDIX A – SITE PLAN

APPENDIX B – SITE SURVEY

APPENDIX C – PRELIMINARY STORMWATER MANAGEMENT PLAN

REVISION HISTORY					
Rev	Date	Issue	Originator	Checker	Approver
A	20 <sup>th</sup> April	Draft	TP	GL	GL
B	20 <sup>th</sup> April	Issue	TP	GL	GL

# 1

## INTRODUCTION

### 1.1 Background

Wallbridge and Gilbert (W&G) has been engaged by URPS to prepare a Stormwater Management Plan (SMP) for a proposed material recycling facility on the corner of Woomera Avenue and Gidgie Court, Edinburgh.

This report is intended to conceptually outline the stormwater management design for the proposed development and detail the stormwater management methodology. A final detailed design should be carried out to provide construction documentation and incorporate the stormwater design principles outlined in this report. The final documentation is considered to be beyond the scope of this report.

URPS has provided a concept site design prepared by Planit Building Design for the development, which is included in Appendix A.

### 1.2 Scope of the Assessment

The preparation of the plan comprises the scope of services listed below:

- Liaise with the City of Salisbury (Council) to clarify approval conditions and determine on-site stormwater management requirements.
- Calculations to confirm site discharges and on-site detention requirements.
- Stormwater quality modelling using MUSIC to demonstrate compliance of water quality discharge requirements.
- Prepare a Stormwater Management Plan detailing the proposed method of collection and the disposal of site generated stormwater runoff.
- Prepare a preliminary sketch plan showing possible site drainage infrastructure, including water sensitive urban design (WSUD) elements.

## 2 DETAILED REPORT

### 2.1 Development Description

The proposed development involves the construction of a 144 m<sup>2</sup> office building, a 240 m<sup>2</sup> workshop building and a significant amount of impervious paved surfaces to cater for truck parking, refuelling and weighing. The existing factory within in the development will be utilised as a recycling facility. As part of future development, it is proposed that a waste processing facility will be constructed behind the existing factory. This will be subject to a separate development application and is not considered in this stormwater assessment.

### 2.2 Existing Stormwater Management Methodology

Currently the site is predominantly undeveloped grassed land. There is an existing building located in the south-west corner of the site with carparks at its front and rear. Current site conditions are shown in Figure 1.



Figure 1: Current Site Conditions

Stormwater runoff from the field area in the site would travel as sheet flow into a uniformised retention basin in the middle of the field. This basin can be seen by inspection of the site survey, included in Appendix B. Any overflow from the basin would sheet flow into Woomera Avenue or Gidgie Court. For the purposes of detention calculations, it has been assumed that all site stormwater runoff travels to the street.

It has been assumed that the existing building and carparks already has suitable drainage infrastructure in place to convey stormwater to the street. As this part of the site will not be modified by the proposed development, it has not been considered in the stormwater scheme.

### 2.3 Council Requirements

Council was contacted regarding stormwater requirements for the site. The following was confirmed:

- There is an existing 900mm diameter stormwater drain along Woomera Ave and a 525mm stormwater drain along Gidgie Court adjacent to the site. There are several side entry pits (SEPs) located on the footpath bordering the site that connect into these drains. Site stormwater may be discharged into these SEPs via an underground pipe connection.
- On-site detention should be provided to limit post-development site discharges to pre-development levels for a 10-year average recurrence interval (ARI) storm event.
- Flow paths for 100 year ARI events should be shown to demonstrate that stormwater will be able to discharge to the street without creating flood risk for neighbouring sites.

The City of Salisbury development plan strongly encourages the use of WSUD principles to manage the quality of site stormwater discharge as well as quantity. Suitable stormwater treatment targets set by the Environmental Protection Agency (EPA) are outlined in Table 1 below.

Table 1: Stormwater Pollutant Treatment Targets

Pollutant	Target Removal (%)
Total Suspended Solids (TSS)	80
Total Phosphorus (TP)	60
Total Nitrogen (TN)	45
Gross Pollutants (GP)	90

### 2.4 Onsite Detention Assessment

A simple rational method assessment of the site was undertaken to determine the volume of on-site detention that would be required to limit post-development site discharge to pre-development levels. The results of this analysis are summarised in Table 2.

Table 2: Runoff Coefficients, Site Discharges and Detention Volumes for Site

Stage	Area (m <sup>2</sup> )	Runoff Coefficient, C	Discharge, Q <sub>10</sub> (L/s)	Detention Required (m <sup>3</sup> )
Pre Development	Field	24,375	0.20	58
	Roof	-		
	Asphalt	-		
Post Development	Field	17,024	0.41	125
	Roof	384		
	Asphalt	6967		



The required detention can be provided within a basin located at the southern end of the large field area in the site. The depth of such a basin will be governed by the invert of the 900mm RCP pipe along Woomera Ave.

Assuming a detention depth of 350mm can be achieved, the basin will require a plan area of roughly 300–400 m<sup>2</sup>. This basin could also provide water quality benefits as discussed in the next section.

## 2.5 WSUD Elements

It is proposed that the stormwater design for the site incorporates the following WSUD elements:

- Vegetated swales – heavily vegetated shallow swales with a low grade (0.2 – 0.3 %), used to convey stormwater from the northern end of the site to a proposed basin at the southern end of the field area. Sized to convey 20 year ARI flows as a minimum. These swales will treat water by biofiltration. Figure 2 shows an example of an indicative swale cross-section that could be used within the development.

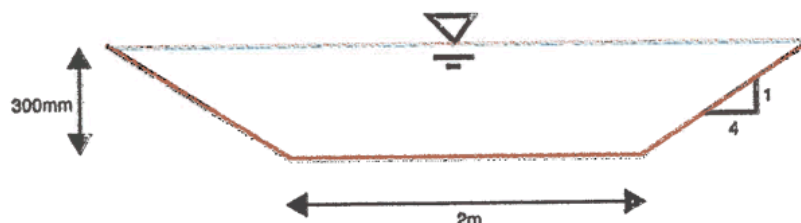


Figure 2: Indicative Vegetated Swale Dimensions

- Retention basin – incorporated into the base of the detention basin. Used to retain flows on-site in low ARI storm events. Water from the basin will slowly infiltrate into the soil and evaporate between storm events. An outlet pit structure with an orifice can be used to control flows out of the detention/retention basin. The invert of the lowest outlet will be set up above the invert of the basin to provide the retention storage. Figure 3 shows an example of a possible outlet pit configuration. Retention storage could be notionally sized to cater for a 45-minute duration, 2 year ARI storm event. This corresponds to a retention volume of approximately 150 m<sup>3</sup>.

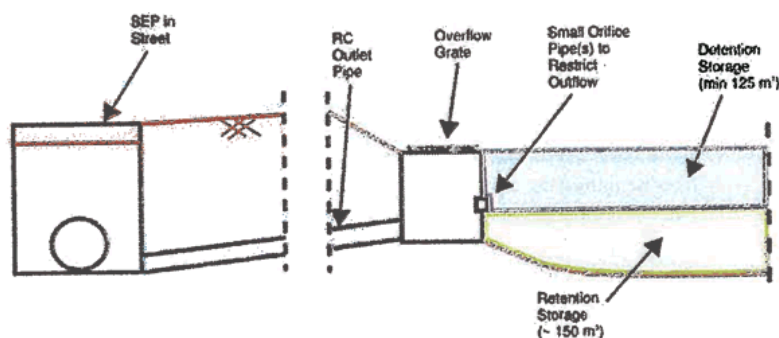


Figure 3: Possible Outlet Pit Configuration

Infiltrated water from the retention basin and swales will help to keep the moisture content of the underlying soil at the site high, which will provide benefits to surrounding trees and plants.

## 2.6 Proposed Stormwater Collection Methodology

It is proposed that the general stormwater management philosophy for the site be based upon routing all flows to the central field area.

Roof runoff from the site's buildings will be collected by a series of downpipes and conveyed via PVC or reinforced concrete (RC) pipes to outlets in the field. Runoff from the paved areas will in general grade towards the field areas of the site. The carpark in the north-eastern corner of the site will drain into a grated inlet pit that discharges into a vegetated swale running through one of the sites landscaped areas.

Runoff being discharged into the field will be conveyed in a southerly direction by a vegetated swale system into a retention/detention basin at the southern end of the site. An outlet pit structure will be located at the southern end of the basin, with an orifice used to restrict outflows to 58 L/s (corresponding to the peak pre-development 10 year ARI discharge rate). An RC pipe from the outlet structure will connect into an SEP on Woomera Avenue.

Overland flows in the major event (100 year ARI storm) will all flow into the central field area and to the basin. Overflow from the basin will be directed to the road by an overflow channel.

As the existing site is relatively flat, some cut and fill will be required to achieve the proposed drainage scheme, however it is anticipated that fill requirements for the site will not be particularly large.

Appendix C contains a preliminary stormwater management plan illustrating the proposed scheme.

## 2.7 MUSIC Modelling

A MUSIC (Model for Urban Stormwater Improvement Conceptualisation) model was developed to test the treatment performance of the proposed stormwater management scheme. The default rainfall, evapotranspiration and catchment pollution generation statistics for Adelaide were adopted for the model.

Figure 4 shows the layout of the MUSIC model. Parameters for the treatment nodes were selected to be consistent with the WSUD element sizes discussed previously in this report. The retention/detention basin was modelled using a pond type node. The pond node allows for retention storage below the outlet to be simulated, but achieves lower water quality treatment performance than a wetland node. Hence it was considered appropriate for this application as the basin will not have full wetland planting within it.

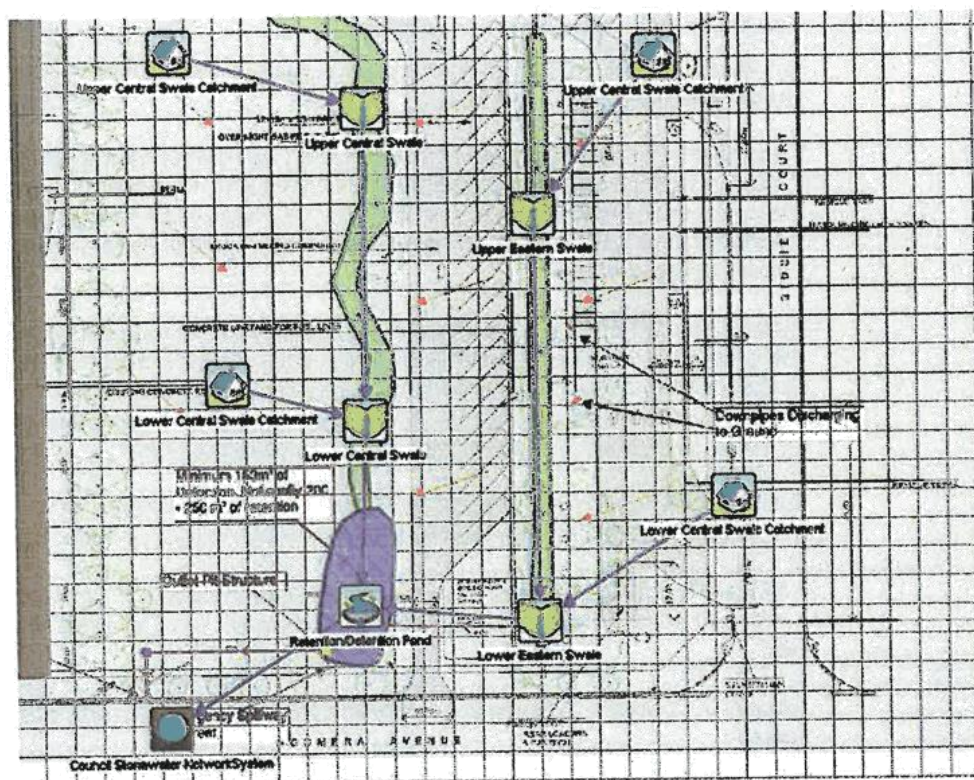


Figure 4: MUSIC Model Layout

The proposed scheme achieves water quality improvements comfortably above the EPA guidelines, as shown in Table 3 below.

Table 3: Performance of Proposed Stormwater Treatment System

Pollutant	Generated (kg/yr)	Residual (kg/yr)	Reduction %	Target %	Okay?
TSS	826	24.4	97	80	Y
TP	1.76	0.19	89	60	Y
TN	13.1	2.4	82	45	Y
GP	194	0	100	90	Y

## 2.8 Summary

The preliminary sketch plan contained within this report has been prepared to demonstrate the philosophy behind the proposed treatment of the stormwater runoff from this development. The information provided is preliminary and will be subject to detailed design and documentation.



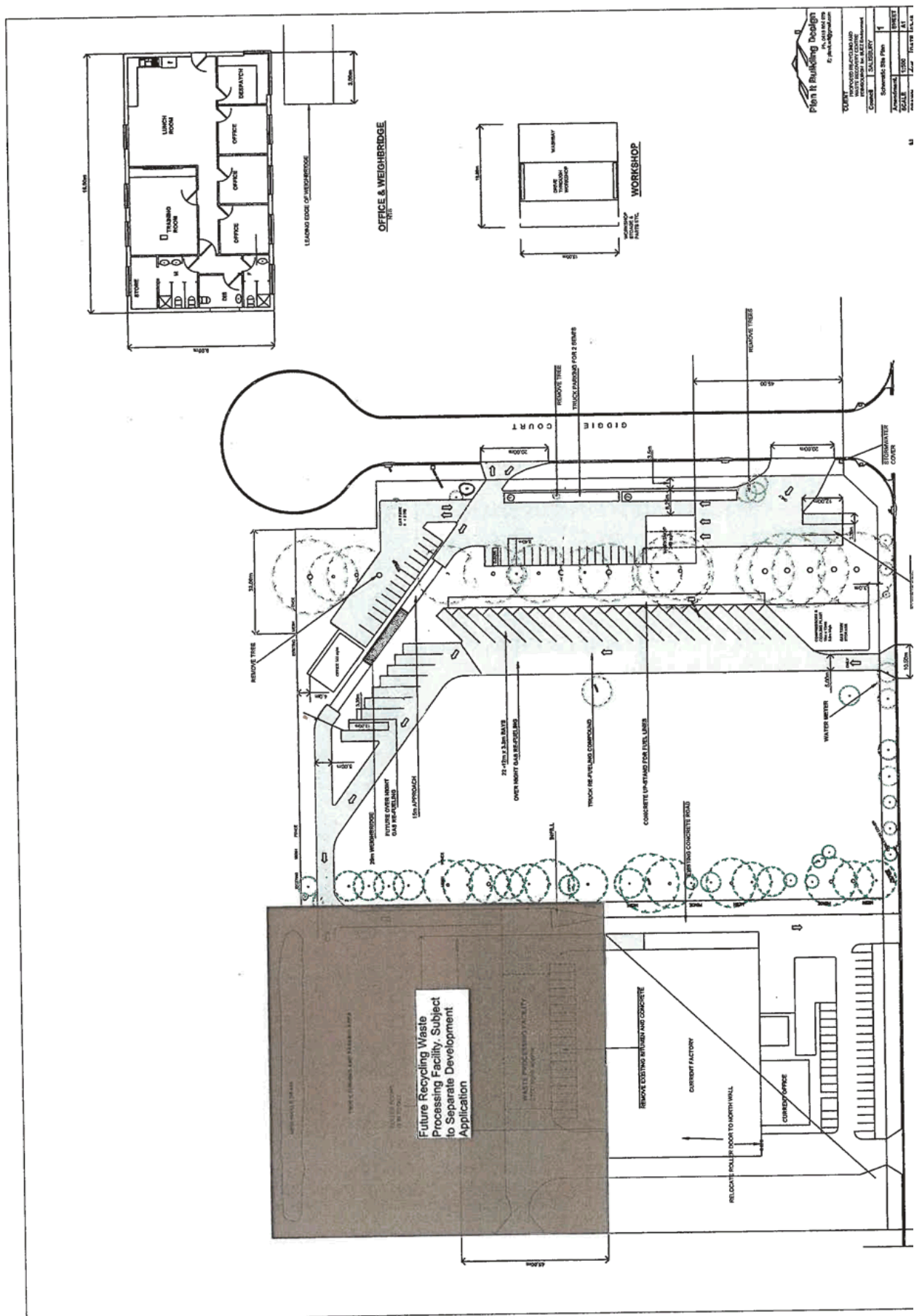
## APPENDIX A – SITE PLAN



SPRINGWOOD, CAWLER EAST, SA

WALLBRIDGE & GILBERT





## APPENDIX B – SITE SURVEY

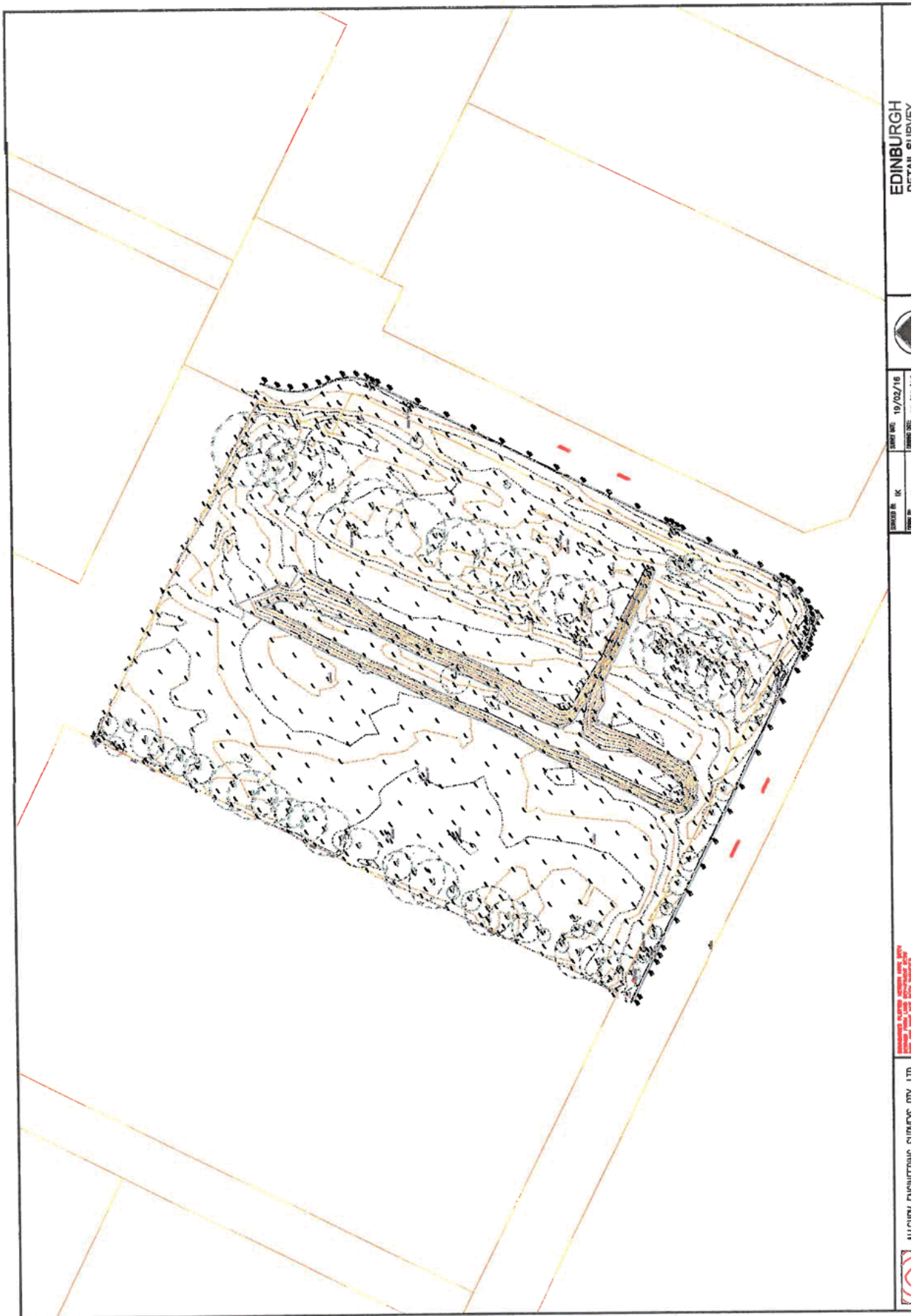


SPRINGWOOD, GAWLER EAST, SA

WALLBRIDGE & GILBERT



Item 5.1.2 - Attachment 1 - Plans and Documentation



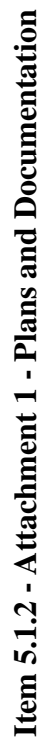
## APPENDIX C – PRELIMINARY STORMWATER MANAGEMENT PLAN



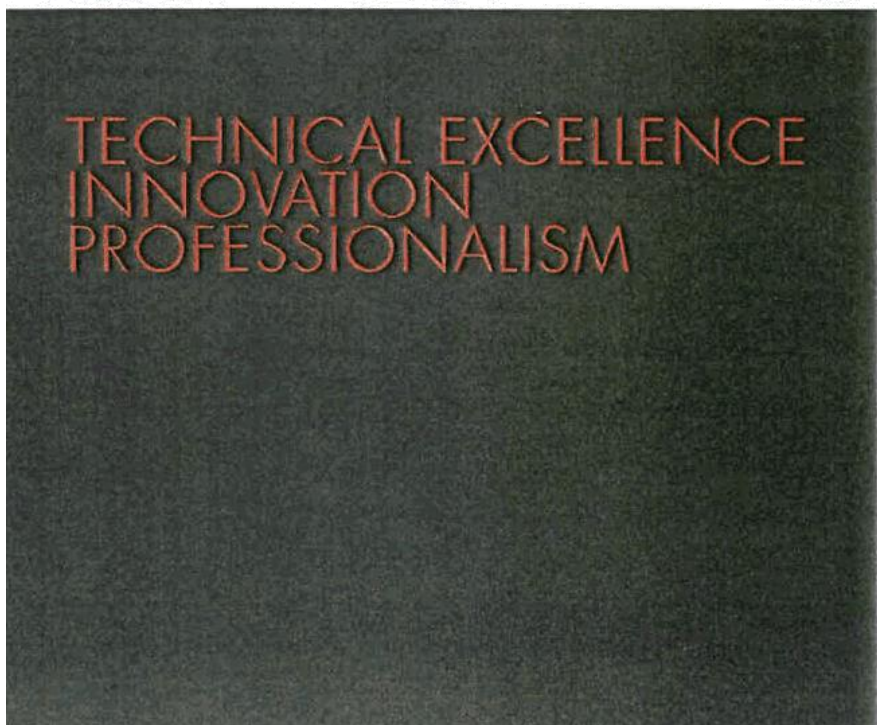
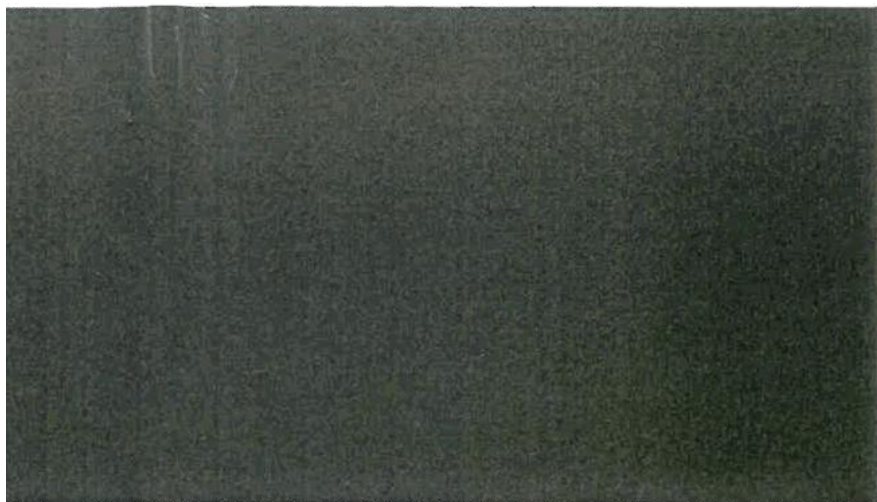
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**Odour Assessment**

**NAWMA Edinburgh Parks Facility**

**Report 16 - 0322**



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**Odour Assessment  
NAWMA Edinburgh Parks Facility**

**Report 16 – 0322**

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**Date:** 19<sup>th</sup> April 2016

**Compiled By:**

	
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## 1. INTRODUCTION

NAWMA's current Materials Recovery Facility (MRF) and Waste Processing Facility (WPF) will relocate to Edinburgh Parks, possibly in 2017.

The current Facility at Edinburgh North was assessed for odour in 2004, using Ausplume dispersion modelling, and showed that odour at the site boundary complied with EPA guidelines.

The purpose of this report is to assess whether the odour footprint from the proposed Facility, relocated to Edinburgh Parks will continue to comply with EPA guidelines.

The odour criteria provided in EPA Guideline 373/07 are population dependent and range from 10 Odour Units for a single residence down to 2 Odour Units (2 OU) for a residential population of 2000 or more. The odour survey results are modelled with Ausplume and assessed with regard to the above EPA criteria.

Odour emissions from the current MRF and WPF operation were sampled and then modelled for the new building layout at Edinburgh Parks.

The MRF and WPF operate Monday to Friday from 6am to 4pm, although the WPF continues until 8pm on Wednesdays and Fridays.

Figure 1 shows the current operation, with the MRF and WPF separate areas in the same building. Truck access doorways are open and odour escapes from the building as fugitive emissions, under the influence of the local wind field.

The MRF in the new plant will replicate the existing operation.

The WPF layout will be improved and the bales of domestic waste will be wrapped in biodegradable plastic film for transfer to the bale-fill repository.

Site details and building plans were provided by NAWMA during an inspection of the current operation with David Diprose (Processing and Disposal Manager).

Figure 1 also shows the Odour sample locations, open doorways and ambient wind speed/direction during the sampling program on 31th March 2016.

The layout of the proposed site at Edinburgh Parks is shown in Figure 2.

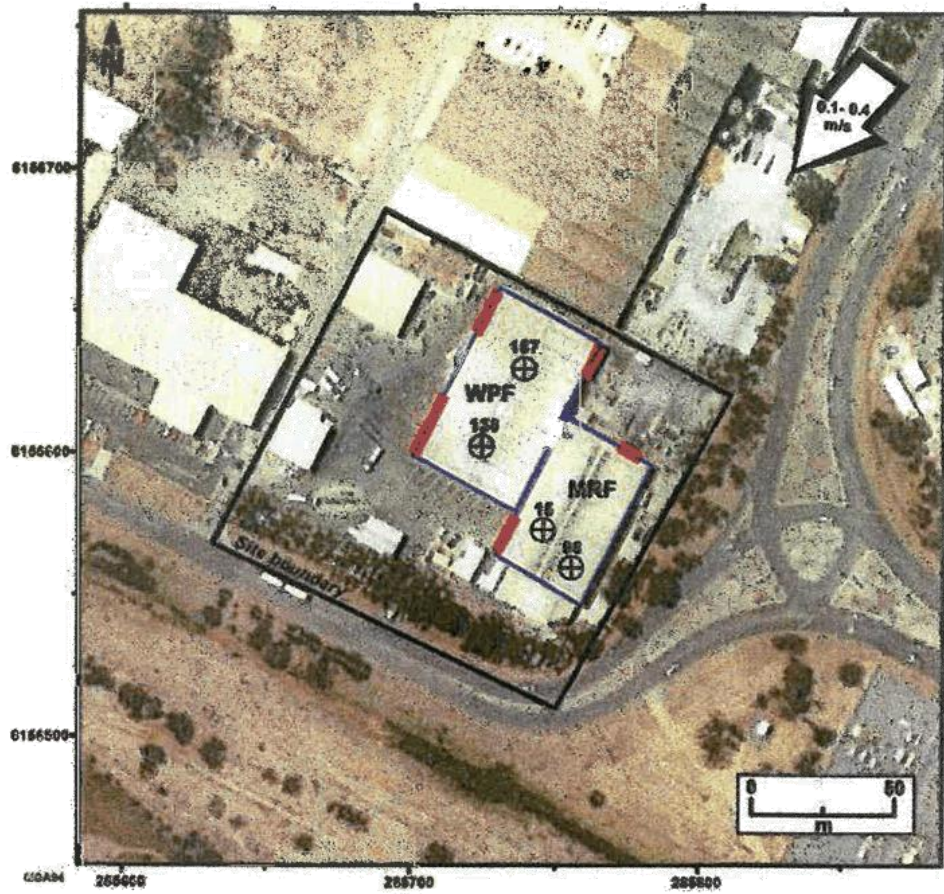


Figure 1 Current NAWMA facility, March 2016.

Vehicle access doorways indicated in red.



Figure 2 Edinburgh Parks planned facility.



## 2. ODOUR SURVEY METHODS

All sampling and analysis was performed by NATA accredited laboratories. Odour samples were collected from the current MRF and WPF at four locations as shown in Figure 1 (above).

Sample locations were selected conservatively, to represent highest odour levels in each building based on site observations during the survey.

Odour sample #15 was collected about 10m south-west (downwind) of the sorting line in the Material Recovery Facility.

#98 was taken near the base of the MRF elevator feed to the trommel screen.

#130 was taken near the base of the conveyor in the WPF, about 5m east of the truck unloading area.

#157 was taken near the WPF baler outfeed.

Samples were collected in Nalophan® bags using the 'lung-in-box' technique in accordance with AS/NZS 4323.3. Samples were forwarded to the Ektimo laboratory in Melbourne (NATA accreditation number 14061) for odour analysis by dynamic olfactometry.

Odour laboratory acceptance criteria for Analytical Certificate R\_002530r include precision, accuracy and panel butanol sensitivity (below) and are also included in Appendix 1.

Analytical Report R_002530r	Acceptance value	Batch value
Precision (expressed as repeatability)	$\leq 0.477$	0.454
Accuracy (95% C.I.)	$\leq 0.217$	0.188
Panel butanol sensitivity (ppb)	$20 \leq 80$	53

The odour concentration of each sample was determined by dynamic olfactometry in the forced choice mode and presented to the odour panellists, who are selected in accordance with the Australian Standard criteria. The total number of dilutions of the sample at which 50 per cent of all responses of the panellists confirmed odour detection is reported as the panel threshold, and is expressed in odour units (OU). All samples were analysed within 30 hours of sample collection.

### 3. SURVEY RESULTS

Odour test results presented here relate to plant conditions at the time of sampling.

Location / Sample #	Sample description	Odour (OU) AS 4323.3
MRF / #15	Recyclable waste sorting line.	110
MRF / # 98	Recyclable waste trommel infeed baler.	92
WPF / # 130	General waste baler infeed conveyor.	180
WPF / # 157	General waste baler outfeed.	340

**Table 1 Sample locations and odour concentrations.**

Location	Downwind doorway (m <sup>2</sup> )	Exit velocity (m/s)	Flow Rate (m <sup>3</sup> /s)	Average Odour (OU)	Odour emission rate (OUV/s)
WPF	125	0.1	12	260	3100
MRF	75	0.1	7.1	100	710

**Table 2 Odour source emission rates.**

The new WPF site will wrap each bale of general waste in biodegradable plastic for transfer to the landfill site. This new step is anticipated to significantly reduce odour in the WPF. A conservative factor of 0.67 has been applied to the WPF emission rate for modelling.  
The odour emission rate used for modelling WPF is 2100 OUV/s.

### **Ausplume Modelling**

Odour was modelled with 3-minute averaging at 99.9%ile level per SA EPA Modelling guideline 373/07.

Dispersion modelling was performed with Ausplume (version 6.0) and results are presented in accord with SA EPA guideline 578/05.

Odour source emission rates used in the model are shown in Table 2.

A Variable Emission File was constructed to reflect actual operating hours as detailed above.

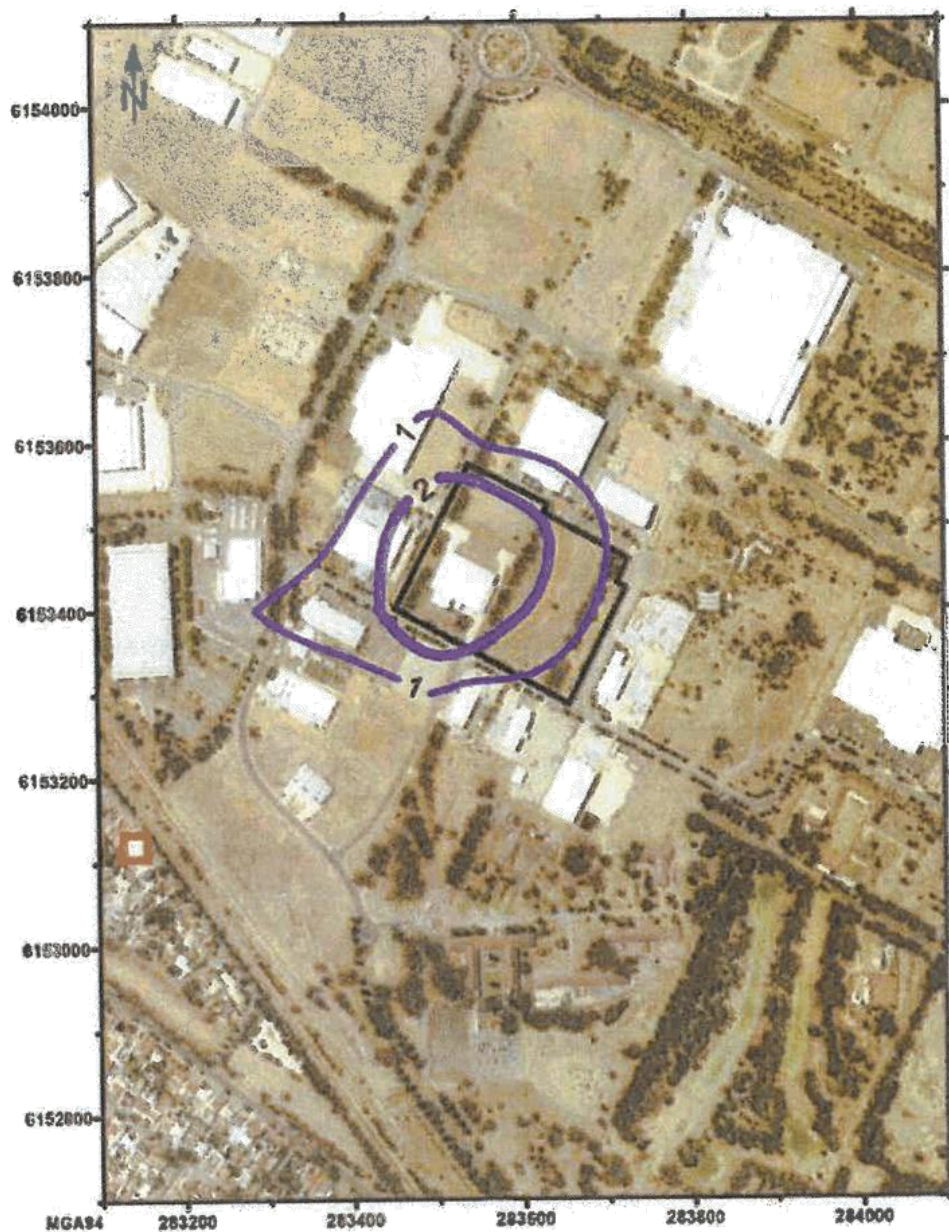
The modelling input parameters are listed in the Ausplume output text file, Appendix 2.

## **4. ODOUR MODELLING RESULTS**

Surfer (version 8.09) was used to present the modelling output as a contour plot on a recent photomap, rectified and with MGA94 coordinates.

Figure 3 shows the proposed Edinburgh Parks site (black outline) with predicted ground-level odour contours when both the MRF and WPF are in full production.

Figure 4 shows the predicted odour contour map for the WPF alone and Figure 5 shows the MRF odour map.



**Figure 3** Ground level odour map for planned MRF and WPF.

Contoured at 1 and 2 odour units.

Maximum ground level odour at nearest sensitive receptor (■) is 0.3 OU.



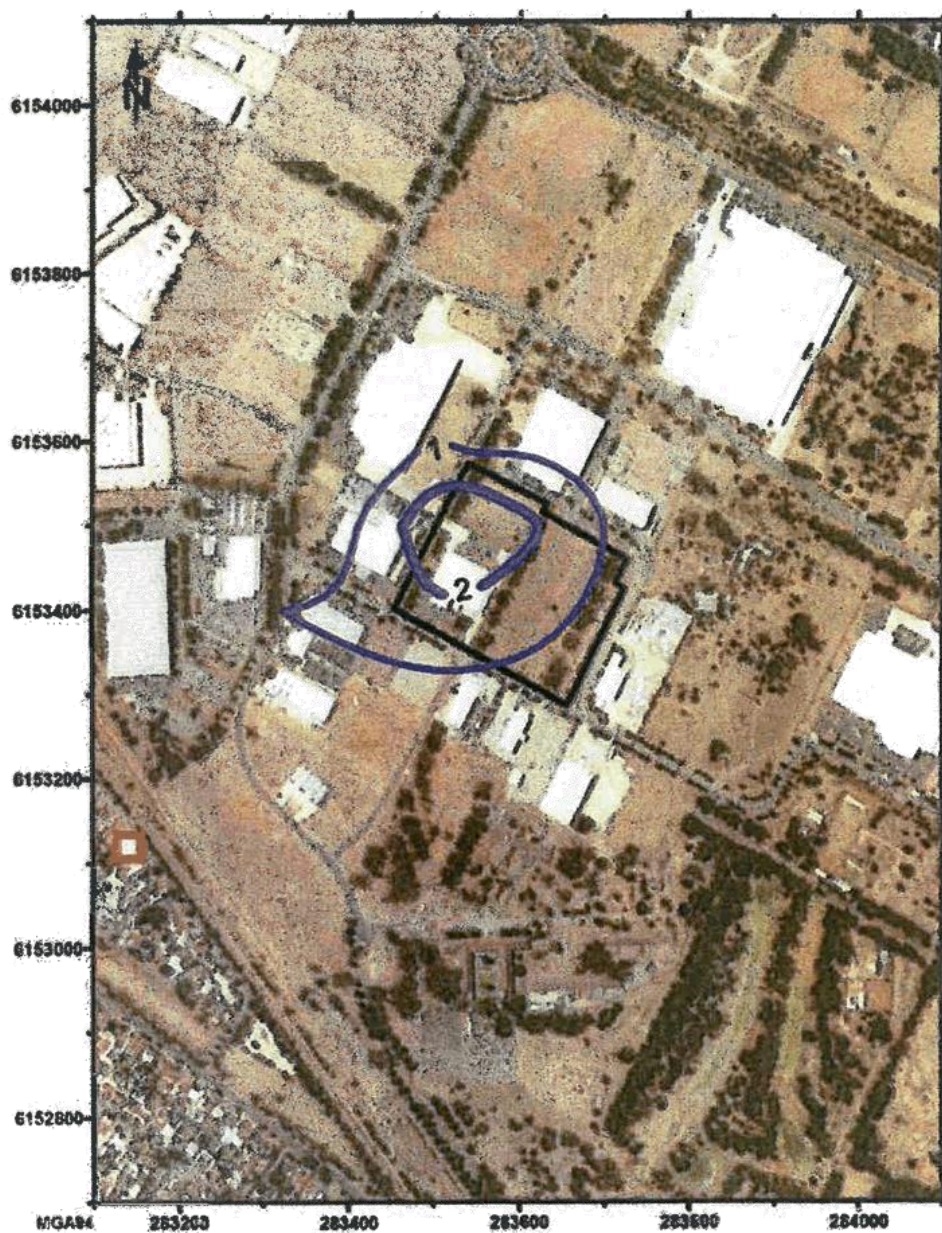
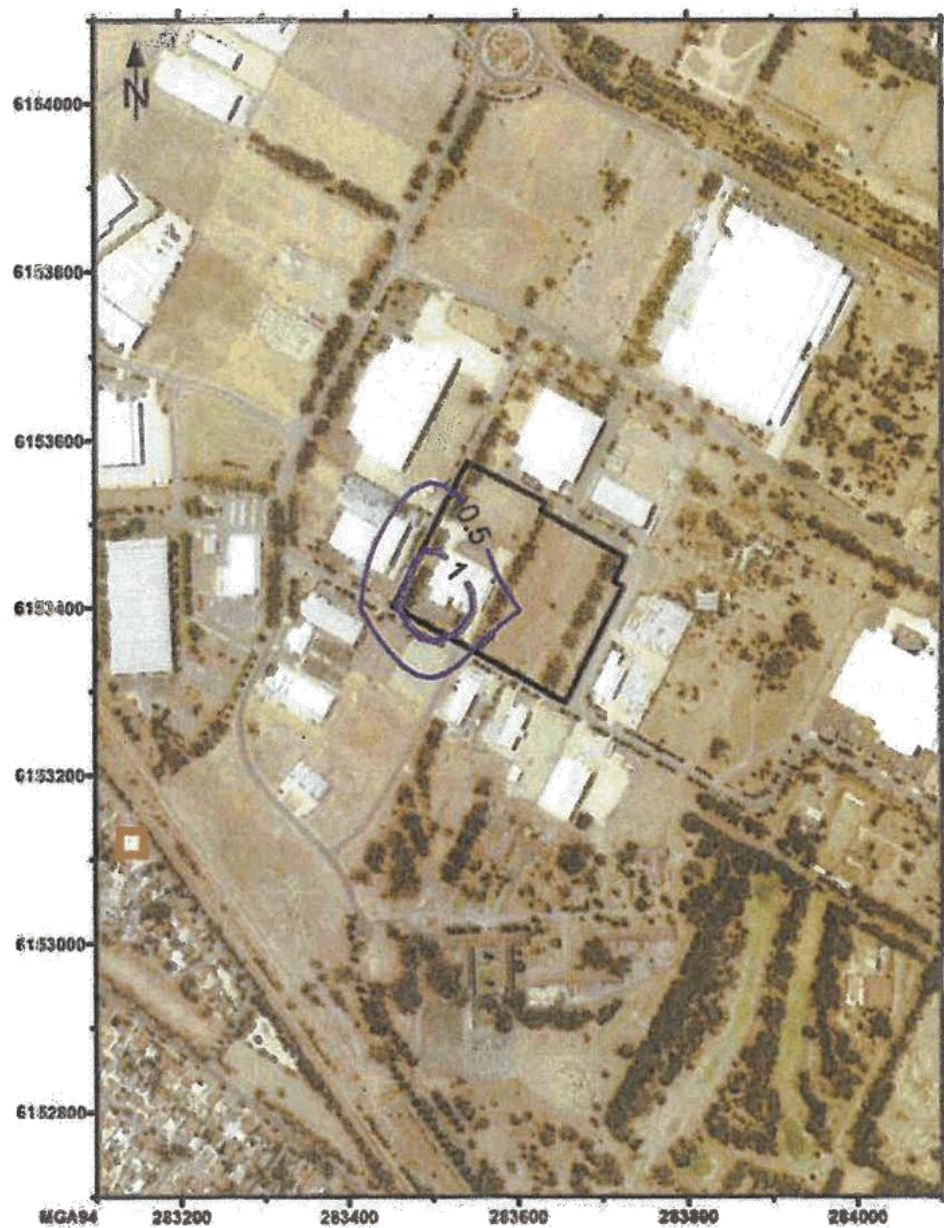


Figure 4 Ground level odour map - WPF only.

Contoured at 1 and 2 odour units.

Maximum ground level odour at nearest sensitive receptor (■) is 0.2 OU.



**Figure 5 Ground level odour map - MRF only.**

Contoured at 0.5 and 1 odour units.

Maximum ground level odour at nearest sensitive receptor (■) is 0.1 OU.



## 5. DISCUSSION OF RESULTS

Figure 3 shows the predicted ground-level odour when the new MRF and WPF facility is in full operation at Edinburgh Parks.

Ground-level odour at 2 OU extends about 50m beyond the site boundary in this industrial precinct.

The day workforce at the adjacent industrial site immediately west of this facility number less than 300 people, and the appropriate odour criterion is 6 OU (EPA Guideline 373/07).

The nearest residence (sensitive receptor) is approximately 400m to the south west, on the southern side of the rail-line. The indicated ground level odour at the residential zone is about 0.3 OU, and well below the EPA threshold of 2 OU.

Figure 4 shows ground-level odour concentrations for the WPF alone.

The odour contours are very similar to the combined operation shown in Figure 3. This indicates that the MRF provides only a small contribution to the overall site odour emission and this is confirmed by the ground-level odour contours for the MRF alone (Figure 5).

The WPF contributes about 90% of the total site odour emission and the contribution from the MRF is negligible.

This odour assessment of the proposed development demonstrates compliance with current EPA odour guidelines.

The Ausplume modelling can be verified by a site boundary odour survey using a Nasal Ranger instrument when the Edinburgh Parks facility is operational.

## APPENDIX 1 - Analytical Certificate



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**Report Number R002530r**

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**Odour Analysis Report**  
**Enviroscan, Brighton**

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21 April 2016

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### Document Information

**Client Name:** Enviroscan  
**Report Number:** R002530r  
**Date of Issue:** 11 April 2016  
**Attention:** Barry Severne  
**Address:** 6 Spinks Road  
BRIGHTON SA 5049  
**Testing Laboratory:** Ektimo (ETC) ABN 74 474 275 172

### Report Status


Format	Document Number	Report Date	Prepared By	Reviewed By (1)	Reviewed By (2)
Preliminary Report	-	-	-	-	-
Draft Report	-	-	-	-	-
Final Report	R002530r	11/04/2016	DBU	GBA	MWU
Amend Report	-	-	-	-	-


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### Amendment Record


Document Number	Amendment Number	Report Date	Section	Reason
NB	-	-	-	-

### Report Authorisation

  
 Glenn Eastorby  
 Victorian Operations Manager

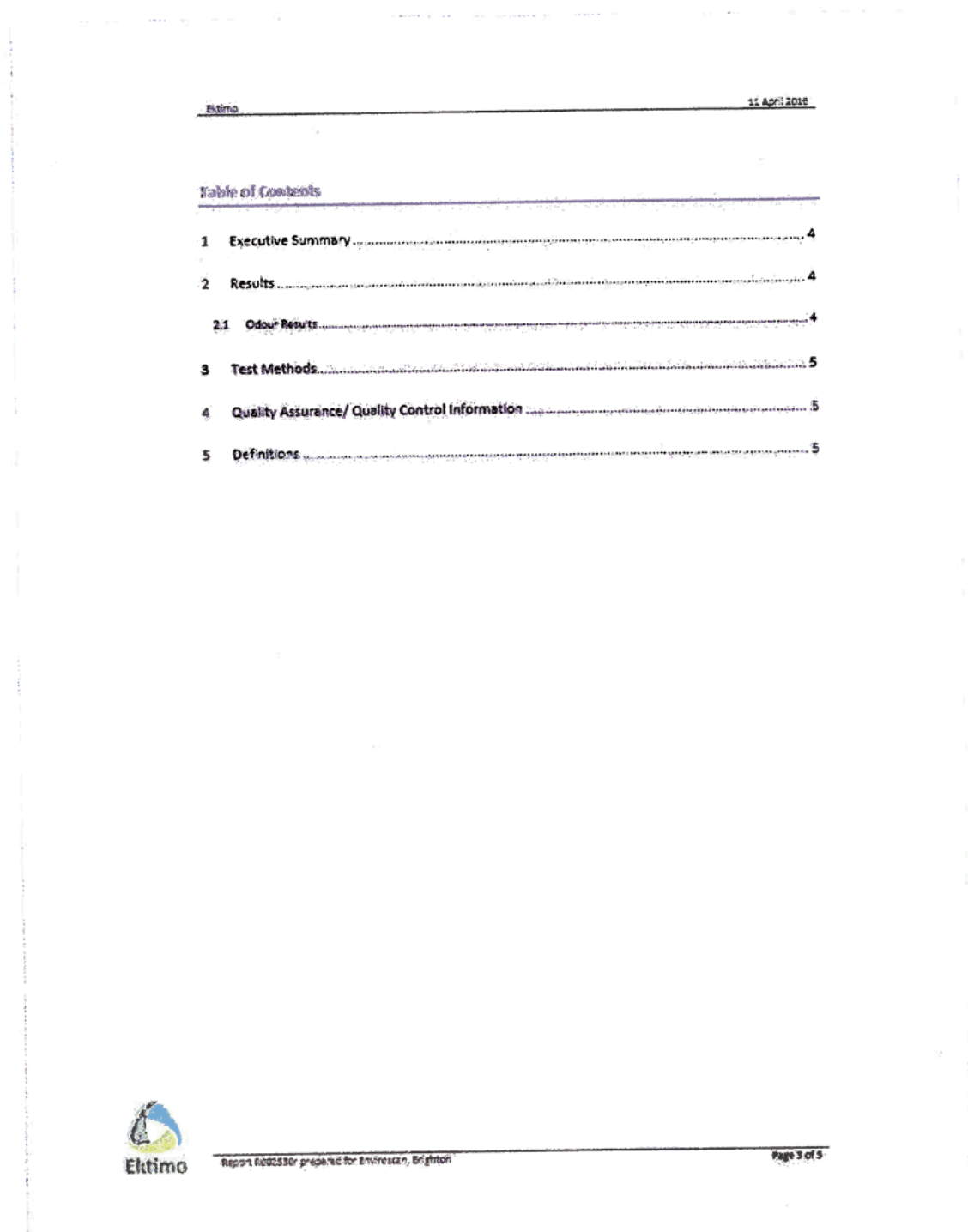
  
 NATA Accredited Laboratory  
 No. 14601

Accredited for compliance with ISO/IEC 17025. NATA is a signatory to the ILAC mutual recognition arrangement for the mutual recognition of the equivalence of testing, calibration and inspection reports



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Ektime

11 April 2016

**1 EXECUTIVE SUMMARY**

Four (4) samples were received at our laboratory on 1 April 2016 and analysed at the request of Enviroscan.

The methodologies chosen by Ektime are those recommended by the Victorian Environment Protection Authority (as specified in A Guide to Sampling and Analysis of Air Emissions and Air Quality, December 2002).

Please refer to the following pages for results, test methods, quality assurance / quality control information and definitions.

**2 RESULTS****2.1 Odour Results**

Date received: 10/4/2016  
Date and time of analysis: 10/4/2016, 1400-1600

Sample location	Sample ID	Dilution ratio	Odour concentration (ou)	Uncertainty (95% C.I. (ou))
Sample Time - 0940 CDT	15	1. All sample gas	110	57 - 210
Sample Time - 1000 CDT	58	1. All sample gas	82	46 - 150
Sample Time - 1010 CDT	150	1. All sample gas	160	95 - 300
Sample Time - 1020 CDT	157	1. All sample gas	940	520 - 1600

	Detection threshold (ppb)	Repeatability (1")	Repeatability (10")	Accuracy (1")
Acceptance criteria	26-56	≤ 5.6%	≤ 5.00	≤ 6.2%
Current value	53	0.454	2.54	2.182



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Ektimo

### 3 TEST METHODS

All analysis was performed by Ektimo unless otherwise specified. Specific details of the methods are available upon request.

Parameter	Sampling Method	Analysis Method	Minimum Detection Limit	Uncertainty*	NATA Accredited Analysis
Odour	AS 4829.3	AS 4829.5	20%	not specified	✓

### 4 QUALITY ASSURANCE/ QUALITY CONTROL INFORMATION

Ektimo (EML) and Ektimo (ETC) are accredited by the National Association of Testing Authorities (NATA) for the sampling and analysis of air pollutants from industrial sources. Unless otherwise stated test methods used are accredited with the National Association of Testing Authorities. For full details, search for Ektimo at NATA's website [www.nata.com.au](http://www.nata.com.au).

Ektimo (EML) and Ektimo (ETC) are accredited by NATA (National Association of Testing Authorities) to ISO/IEC 17025. – General Requirements for the Competence of Testing and Calibration laboratories. ISO/IEC 17025 requires that a laboratory have adequate equipment to perform the testing, as well as laboratory personnel with the competence to perform the testing. This quality assurance system is administered and maintained by the Compliance Manager.


NATA is a member of APLAC (Asia Pacific Laboratory Accreditation Co-operation) and of ILAC (International Laboratory Accreditation Co-operation). Through the mutual recognition arrangements with both of these organisations, NATA accreditation is recognised world-wide.

A formal Quality Control program is in place at Ektimo to monitor analyses performed in the laboratory and sampling conducted in the field. The program is designed to check where appropriate; the sampling reproducibility, analytical method, accuracy, precision and the performance of the analyst. The Laboratory Manager is responsible for the administration and maintenance of this program.

### 5 DEFINITIONS

The following symbols and abbreviations may be used in this test report:

STP	Standard temperature and pressure. Gas volumes and concentrations are expressed on a dry basis at 0°C, at discharge oxygen concentration and an absolute pressure of 101.325 kPa, unless otherwise specified.
OU	The number of odour units per unit of volume. The numerical value of the odour concentration is equal to the number of dilutions to arrive at the odour threshold (50% panel response).
Odour Threshold	The concentration of a substance, or of a mixture of substances, which is distinguished from odourless air at 50% panel response. By definition, the odour threshold corresponds to an odour concentration of 1 odour unit per m <sup>3</sup> .
Odour Emission Rate	The product of the odour level of the waste discharged and the volume rate of the discharge (in wet cubic metres per minute referred to a temperature of 0°C and a pressure of 101.325 kilopascals). Expressed as Odour Unit Volumes per Minute, ouu/min.
<	Less than
>	Greater than
≥	Greater than or equal to
~	Approximately



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## APPENDIX 2 - Ausplume Output Text File

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 Odour
 

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Concentration or deposition	Concentration
Emission rate units	OUV/second
Concentration units	Odour_Units
Units conversion factor	1.00E+00
Constant background concentration	0.00E+00
Terrain effects	None
Smooth stability class changes?	No
Other stability class adjustments ("urban modes")	None
Ignore building wake effects?	No
Decay coefficient (unless overridden by met. file)	0.000
Anemometer height	10 m
Roughness height at the wind vane site	0.300 m
Use the convective PDF algorithm?	No

### DISPERSION CURVES

Horizontal dispersion curves for sources <100m high Pasquill-Gifford  
 Vertical dispersion curves for sources <100m high Pasquill-Gifford  
 Horizontal dispersion curves for sources >100m high Briggs Rural  
 Vertical dispersion curves for sources >100m high Briggs Rural  
 Enhance horizontal plume spreads for buoyancy? Yes  
 Enhance vertical plume spreads for buoyancy? Yes  
 Adjust horizontal P-G formulae for roughness height? Yes  
 Adjust vertical P-G formulae for roughness height? Yes  
 Roughness height 0.400m  
 Adjustment for wind directional shear None

### PLUME RISE OPTIONS

Gradual plume rise? Yes  
 Stack-tip downwash included? Yes  
 Building downwash algorithm: PRIME method.  
 Entrainment coeff. for neutral & stable lapse rates 0.60,0.60  
 Partial penetration of elevated inversions? No  
 Disregard temp. gradients in the hourly met. file? No

and in the absence of boundary-layer potential temperature gradients  
 given by the hourly met. file, a value from the following table  
 (in K/m) is used:

Wind Speed Category	Stability Class					
	A	B	C	D	E	F
1	0.000	0.000	0.000	0.000	0.020	0.035
2	0.000	0.000	0.000	0.000	0.020	0.035
3	0.000	0.000	0.000	0.000	0.020	0.035
4	0.000	0.000	0.000	0.000	0.020	0.035
5	0.000	0.000	0.000	0.000	0.020	0.035
6	0.000	0.000	0.000	0.000	0.020	0.035

### WIND SPEED CATEGORIES

Boundaries between categories (in m/s) are: 1.54, 3.09, 5.14, 8.23, 10.80

WIND PROFILE EXPONENTS: "Irwin Urban" values (unless overridden by met. file)

AVERAGING TIME: 3 minutes.

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 Odour

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 SOURCE GROUPS
 

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## Group No. Members

- 
- |   |         |
|---|---------|
| 1 | MRF     |
| 2 | WPF     |
| 3 | MRF WPF |
- 

1

Odour

## SOURCE CHARACTERISTICS

## VOLUME SOURCE: MRF

X(m)	Y(m)	Ground Elevation	Height	Hor. spread	Vert. spread
283534	6153434	0m	5m	11m	2m

(Constant) emission rate = 1.00E+00 OUV/second

Hourly multiplicative factors will be used with  
this emission factor.

No gravitational settling or scavenging.

## VOLUME SOURCE: WPF

X(m)	Y(m)	Ground Elevation	Height	Hor. spread	Vert. spread
283564	6153473	0m	5m	11m	2m

(Constant) emission rate = 1.00E+00 OUV/second

Hourly multiplicative factors will be used with  
this emission factor.

No gravitational settling or scavenging.

1

Odour

## RECEPTOR LOCATIONS

The Cartesian receptor grid has the following x-values (or eastings):

283100.m 283200.m 283300.m 283400.m 283500.m 283600.m 283700.m  
283800.m 283900.m 284000.m 284100.m

and these y-values (or northings):

6152700.m 6152800.m 6152900.m 6153000.m 6153100.m 6153200.m 6153300.m  
6153400.m 6153500.m 6153600.m 6153700.m 6153800.m 6153900.m 6154000.m  
6154100.m

## DISCRETE RECEPTOR LOCATIONS (in metres)

No.	X	Y	ELEV	HEIGHT	No.	X	Y	ELEV	HEIGHT
1	283143	6153120	0.0	0.0	2	283230	6153000	0.0	0.0

METEOROLOGICAL DATA : Location :Edinburgh Airfield :Surface Roughness 0.3  
m

## HOURLY VARIABLE EMISSION FACTOR INFORMATION

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The input emission rates specified above will be multiplied by hourly varying factors entered via the input file:

G:\EIMS\Modelling\NAWMA\Edinburgh\VEFRAWred.csv

For each stack source, hourly values within this file will be added to each declared exit velocity (m/sec) and temperature (K).

Title of input hourly emission factor file is:

"MRF 6am-4pm M-F, WPF 6am-4pm M,Tu,Th and 6am-8pm W,F",,,,

#### HOURLY EMISSION FACTOR SOURCE TYPE ALLOCATION

Prefix MRF allocated: MRF

Prefix WPF allocated: WPF

- 1 Peak values for the 100 worst cases (in Odour\_Units)  
Averaging time = 3 minutes; Source group No. 1

Rank	Value	Time Recorded hour,date	Coordinates (* denotes polar)
1	3.26E+00	07,10/06/00	(283500, 6153400, 0.0)
2	3.03E+00	07,11/08/00	(283500, 6153400, 0.0)
3	2.76E+00	07,26/04/00	(283500, 6153300, 0.0)
4	1.66E+00	07,01/07/00	(283400, 6153500, 0.0)
5	1.49E+00	09,02/05/00	(283500, 6153400, 0.0)
6	1.49E+00	07,25/10/00	(283500, 6153400, 0.0)
7	1.49E+00	11,06/06/00	(283500, 6153400, 0.0)
8	1.48E+00	08,13/06/00	(283500, 6153400, 0.0)
9	1.48E+00	07,20/04/00	(283400, 6153600, 0.0)
10	1.46E+00	14,16/06/00	(283500, 6153400, 0.0)
11	1.45E+00	10,01/07/00	(283500, 6153400, 0.0)
12	1.44E+00	07,30/01/00	(283500, 6153400, 0.0)
13	1.42E+00	08,12/08/00	(283500, 6153400, 0.0)
14	1.37E+00	08,14/02/00	(283500, 6153400, 0.0)
15	1.37E+00	07,17/02/00	(283500, 6153400, 0.0)
16	1.33E+00	08,18/02/00	(283500, 6153400, 0.0)
17	1.25E+00	07,29/01/00	(283500, 6153400, 0.0)
18	1.23E+00	09,13/07/00	(283500, 6153400, 0.0)
19	1.21E+00	08,17/06/00	(283500, 6153400, 0.0)
20	1.18E+00	08,29/06/00	(283500, 6153400, 0.0)
21	1.06E+00	08,11/08/00	(283500, 6153400, 0.0)
22	1.05E+00	07,03/05/00	(283600, 6153500, 0.0)
23	1.03E+00	10,13/06/00	(283500, 6153400, 0.0)
24	9.74E-01	08,16/11/00	(283500, 6153400, 0.0)
25	8.87E-01	07,26/09/00	(283500, 6153400, 0.0)
26	8.75E-01	10,21/04/00	(283500, 6153500, 0.0)
27	8.75E-01	09,07/04/00	(283600, 6153400, 0.0)
28	8.75E-01	12,10/07/00	(283500, 6153500, 0.0)
29	8.70E-01	09,13/06/00	(283500, 6153500, 0.0)
30	8.69E-01	07,01/04/00	(283500, 6153500, 0.0)
31	8.62E-01	07,16/11/00	(283500, 6153500, 0.0)
32	8.47E-01	09,19/03/00	(283600, 6153400, 0.0)
33	8.31E-01	09,20/04/00	(283600, 6153400, 0.0)
34	8.17E-01	13,01/07/00	(283600, 6153400, 0.0)
35	8.06E-01	07,26/10/00	(283500, 6153500, 0.0)
36	8.01E-01	07,10/11/00	(283500, 6153500, 0.0)
37	7.91E-01	07,28/07/00	(283500, 6153400, 0.0)
38	7.69E-01	08,30/05/00	(283500, 6153500, 0.0)
39	7.63E-01	09,10/06/00	(283500, 6153500, 0.0)
40	7.41E-01	07,31/07/00	(283500, 6153400, 0.0)
41	7.38E-01	09,01/07/00	(283500, 6153400, 0.0)
42	7.18E-01	11,12/08/00	(283500, 6153500, 0.0)
43	6.99E-01	07,01/06/00	(283500, 6153400, 0.0)
44	6.94E-01	09,25/03/00	(283600, 6153400, 0.0)
45	6.77E-01	09,02/06/00	(283500, 6153400, 0.0)
46	6.72E-01	07,19/08/00	(283500, 6153400, 0.0)
47	6.68E-01	15,16/06/00	(283500, 6153500, 0.0)
48	6.66E-01	08,21/04/00	(283500, 6153400, 0.0)
49	6.64E-01	07,06/06/00	(283500, 6153400, 0.0)
50	6.62E-01	16,11/05/00	(283400, 6153400, 0.0)
51	6.59E-01	08,10/11/00	(283600, 6153400, 0.0)
52	6.46E-01	07,02/05/00	(283500, 6153400, 0.0)

53	6.41E-01	09,27/06/00	(283600, 6153400, 0.0)
54	6.38E-01	09,21/09/00	(283600, 6153500, 0.0)
55	6.37E-01	07,28/03/00	(283500, 6153400, 0.0)
56	6.17E-01	09,29/03/00	(283500, 6153400, 0.0)
57	6.17E-01	10,01/06/00	(283500, 6153400, 0.0)
58	6.17E-01	10,13/07/00	(283500, 6153400, 0.0)
59	6.13E-01	08,01/07/00	(283500, 6153500, 0.0)
60	6.04E-01	08,19/12/00	(283500, 6153400, 0.0)
61	5.85E-01	07,21/04/00	(283500, 6153400, 0.0)
62	5.85E-01	16,17/05/00	(283500, 6153400, 0.0)
63	5.80E-01	10,25/04/00	(283500, 6153400, 0.0)
64	5.57E-01	07,04/05/00	(283500, 6153400, 0.0)
65	5.57E-01	07,10/05/00	(283500, 6153400, 0.0)
66	5.56E-01	07,18/04/00	(283500, 6153400, 0.0)
67	5.51E-01	07,03/09/00	(283500, 6153400, 0.0)
68	5.47E-01	09,09/05/00	(283500, 6153400, 0.0)
69	5.47E-01	09,01/06/00	(283500, 6153400, 0.0)
70	5.47E-01	07,23/06/00	(283500, 6153400, 0.0)
71	5.44E-01	08,03/10/00	(283500, 6153400, 0.0)
72	5.42E-01	10,05/08/00	(283500, 6153400, 0.0)
73	5.36E-01	07,03/02/00	(283500, 6153400, 0.0)
74	5.36E-01	07,17/05/00	(283500, 6153400, 0.0)
75	5.27E-01	07,08/08/00	(283600, 6153300, 0.0)
76	5.26E-01	08,01/04/00	(283500, 6153400, 0.0)
77	5.26E-01	08,08/04/00	(283500, 6153400, 0.0)
78	5.26E-01	07,20/05/00	(283500, 6153400, 0.0)
79	5.24E-01	07,11/04/00	(283400, 6153400, 0.0)
80	5.19E-01	07,25/03/00	(283500, 6153400, 0.0)
81	5.18E-01	16,24/06/00	(283600, 6153400, 0.0)
82	5.12E-01	09,07/06/00	(283500, 6153400, 0.0)
83	5.12E-01	16,18/10/00	(283500, 6153400, 0.0)
84	5.09E-01	07,16/07/00	(283500, 6153400, 0.0)
85	5.05E-01	07,07/07/00	(283500, 6153400, 0.0)
86	5.05E-01	08,20/05/00	(283500, 6153400, 0.0)
87	5.05E-01	09,28/07/00	(283500, 6153400, 0.0)
88	5.05E-01	07,19/12/00	(283500, 6153400, 0.0)
89	5.02E-01	07,19/04/00	(283500, 6153400, 0.0)
90	5.01E-01	12,17/06/00	(283500, 6153400, 0.0)
91	5.00E-01	07,08/06/00	(283500, 6153400, 0.0)
92	5.00E-01	12,12/08/00	(283500, 6153400, 0.0)
93	5.00E-01	10,13/08/00	(283500, 6153400, 0.0)
94	4.98E-01	07,20/10/00	(283500, 6153400, 0.0)
95	4.96E-01	07,26/02/00	(283500, 6153400, 0.0)
96	4.91E-01	09,30/01/00	(283500, 6153400, 0.0)
97	4.91E-01	07,14/02/00	(283500, 6153400, 0.0)
98	4.86E-01	07,26/11/00	(283500, 6153400, 0.0)
99	4.85E-01	07,19/05/00	(283500, 6153400, 0.0)
100	4.83E-01	07,13/04/00	(283500, 6153400, 0.0)

1 Peak values for the 100 worst cases (in Odour\_Units)  
Averaging time = 3 minutes; Source group No. 2

Rank	Value	Time Recorded hour,date	Coordinates (* denotes polar)
1	8.19E+00	07,01/07/00	(283500, 6153500, 0.0)
2	7.48E+00	19,13/08/00	(283500, 6153400, 0.0)
3	7.33E+00	07,10/06/00	(283500, 6153400, 0.0)
4	6.77E+00	17,12/09/00	(283500, 6153300, 0.0)
5	6.64E+00	07,11/08/00	(283500, 6153400, 0.0)
6	5.16E+00	20,18/05/00	(283500, 6153700, 0.0)
7	4.85E+00	18,12/09/00	(283700, 6153400, 0.0)
8	4.70E+00	09,21/09/00	(283600, 6153500, 0.0)
9	4.68E+00	07,26/04/00	(283500, 6153200, 0.0)
10	4.64E+00	19,18/05/00	(283300, 6153400, 0.0)
11	4.58E+00	19,15/04/00	(283800, 6153400, 0.0)
12	4.03E+00	18,04/05/00	(283300, 6153300, 0.0)
13	4.01E+00	20,13/08/00	(283400, 6153500, 0.0)
14	3.96E+00	18,10/07/00	(283400, 6153400, 0.0)
15	3.69E+00	20,06/05/00	(283500, 6153500, 0.0)
16	3.54E+00	18,01/08/00	(283500, 6153300, 0.0)
17	3.46E+00	19,29/06/00	(283600, 6153500, 0.0)
18	3.36E+00	18,09/12/00	(283600, 6153400, 0.0)

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19	3.32E+00	19,30/03/00	(283600, 6153400, 0.0)
20	3.22E+00	19,20/08/00	(283500, 6153700, 0.0)
21	3.12E+00	07,03/05/00	(283600, 6153500, 0.0)
22	3.02E+00	19,10/07/00	(283500, 6153500, 0.0)
23	2.97E+00	19,25/07/00	(283500, 6153500, 0.0)
24	2.90E+00	18,17/06/00	(283400, 6153400, 0.0)
25	2.81E+00	20,21/09/00	(283600, 6153600, 0.0)
26	2.76E+00	20,25/03/00	(283500, 6153700, 0.0)
27	2.76E+00	10,27/02/00	(283500, 6153500, 0.0)
28	2.75E+00	20,25/07/00	(283500, 6153500, 0.0)
29	2.74E+00	20,14/09/00	(283700, 6153500, 0.0)
30	2.71E+00	07,20/04/00	(283400, 6153600, 0.0)
31	2.70E+00	20,21/10/00	(283500, 6153600, 0.0)
32	2.69E+00	09,12/08/00	(283500, 6153500, 0.0)
33	2.68E+00	18,18/05/00	(283600, 6153500, 0.0)
34	2.68E+00	19,17/06/00	(283300, 6153400, 0.0)
35	2.66E+00	07,08/08/00	(283600, 6153400, 0.0)
36	2.64E+00	20,30/03/00	(283600, 6153400, 0.0)
37	2.51E+00	08,01/07/00	(283500, 6153500, 0.0)
38	2.49E+00	09,27/06/00	(283600, 6153500, 0.0)
39	2.40E+00	08,10/11/00	(283600, 6153500, 0.0)
40	2.39E+00	20,15/04/00	(283600, 6153400, 0.0)
41	2.38E+00	15,16/06/00	(283500, 6153500, 0.0)
42	2.34E+00	19,13/04/00	(283600, 6153500, 0.0)
43	2.31E+00	17,13/04/00	(283600, 6153500, 0.0)
44	2.29E+00	08,20/10/00	(283600, 6153500, 0.0)
45	2.24E+00	19,19/09/00	(283600, 6153500, 0.0)
46	2.24E+00	12,09/05/00	(283600, 6153500, 0.0)
47	2.23E+00	20,01/06/00	(283500, 6153700, 0.0)
48	2.23E+00	11,12/08/00	(283500, 6153500, 0.0)
49	2.21E+00	09,25/03/00	(283600, 6153500, 0.0)
50	2.10E+00	07,06/04/00	(283500, 6153500, 0.0)
51	2.06E+00	09,10/06/00	(283500, 6153500, 0.0)
52	2.03E+00	20,16/03/00	(283600, 6153500, 0.0)
53	2.03E+00	19,21/10/00	(283600, 6153500, 0.0)
54	1.99E+00	11,30/06/00	(283600, 6153400, 0.0)
55	1.97E+00	18,09/03/00	(283500, 6153500, 0.0)
56	1.96E+00	07,27/06/00	(283600, 6153500, 0.0)
57	1.91E+00	08,19/03/00	(283600, 6153500, 0.0)
58	1.90E+00	20,14/02/00	(283600, 6153600, 0.0)
59	1.89E+00	09,01/07/00	(283500, 6153500, 0.0)
60	1.88E+00	18,13/04/00	(283600, 6153500, 0.0)
61	1.88E+00	07,10/11/00	(283500, 6153500, 0.0)
62	1.85E+00	16,14/06/00	(283600, 6153400, 0.0)
63	1.81E+00	19,15/07/00	(283500, 6153400, 0.0)
64	1.78E+00	11,06/06/00	(283500, 6153400, 0.0)
65	1.78E+00	09,02/05/00	(283500, 6153400, 0.0)
66	1.78E+00	07,28/07/00	(283500, 6153400, 0.0)
67	1.78E+00	08,13/06/00	(283500, 6153400, 0.0)
68	1.77E+00	16,10/06/00	(283500, 6153500, 0.0)
69	1.77E+00	11,31/05/00	(283600, 6153500, 0.0)
70	1.76E+00	16,01/07/00	(283500, 6153500, 0.0)
71	1.73E+00	07,25/10/00	(283500, 6153400, 0.0)
72	1.73E+00	07,02/05/00	(283500, 6153400, 0.0)
73	1.72E+00	07,30/01/00	(283500, 6153400, 0.0)
74	1.70E+00	08,12/08/00	(283500, 6153400, 0.0)
75	1.70E+00	20,20/08/00	(283500, 6153400, 0.0)
76	1.69E+00	16,06/10/00	(283600, 6153500, 0.0)
77	1.68E+00	17,04/05/00	(283600, 6153500, 0.0)
78	1.66E+00	19,10/06/00	(283500, 6153500, 0.0)
79	1.66E+00	07,22/04/00	(283400, 6153500, 0.0)
80	1.65E+00	19,21/09/00	(283700, 6153700, 0.0)
81	1.65E+00	10,03/05/00	(283600, 6153500, 0.0)
82	1.64E+00	16,16/07/00	(283600, 6153500, 0.0)
83	1.63E+00	07,14/04/00	(283600, 6153600, 0.0)
84	1.63E+00	19,01/08/00	(283300, 6153400, 0.0)
85	1.61E+00	08,14/02/00	(283500, 6153400, 0.0)
86	1.61E+00	07,17/02/00	(283500, 6153400, 0.0)
87	1.61E+00	18,21/10/00	(283600, 6153500, 0.0)
88	1.60E+00	14,16/06/00	(283500, 6153400, 0.0)
89	1.59E+00	18,16/03/00	(283600, 6153500, 0.0)
90	1.58E+00	19,14/09/00	(283700, 6153500, 0.0)
91	1.58E+00	17,18/05/00	(283700, 6153500, 0.0)
92	1.58E+00	17,10/06/00	(283500, 6153500, 0.0)
93	1.57E+00	10,01/07/00	(283500, 6153400, 0.0)
94	1.56E+00	20,09/12/00	(283500, 6153600, 0.0)

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95 1.56E+00 08,26/10/00 (283600, 6153500, 0.0)  
 96 1.56E+00 08,09/06/00 (283600, 6153500, 0.0)  
 97 1.55E+00 18,03/06/00 (283600, 6153500, 0.0)  
 98 1.55E+00 08,29/11/00 (283600, 6153500, 0.0)  
 99 1.54E+00 18,24/06/00 (283500, 6153400, 0.0)  
 100 1.52E+00 10,25/03/00 (283600, 6153500, 0.0)

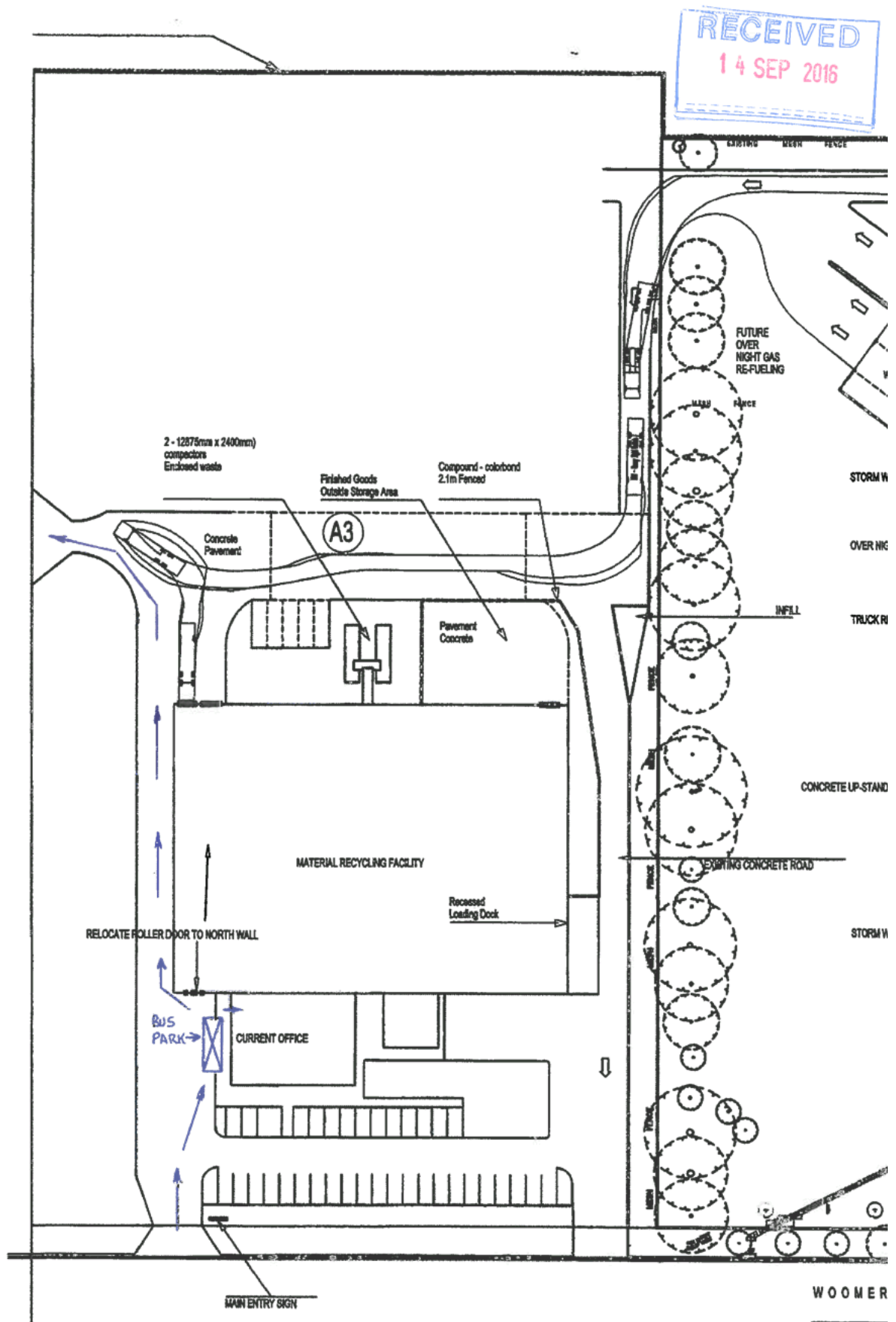
1 Peak values for the 100 worst cases (in Odour\_Units)  
 Averaging time = 3 minutes; Source group No. 3

Rank	Value	Time Recorded hour,date	Coordinates (* denotes polar)
1	1.06E+01	07,10/06/00	(283500, 6153400, 0.0)
2	9.66E+00	07,11/08/00	(283500, 6153400, 0.0)
3	8.38E+00	07,01/07/00	(283500, 6153500, 0.0)
4	7.48E+00	19,13/08/00	(283500, 6153400, 0.0)
5	6.77E+00	17,12/09/00	(283500, 6153300, 0.0)
6	6.59E+00	07,26/04/00	(283500, 6153300, 0.0)
7	5.33E+00	09,21/09/00	(283600, 6153500, 0.0)
8	5.16E+00	20,18/05/00	(283500, 6153700, 0.0)
9	4.85E+00	18,12/09/00	(283700, 6153400, 0.0)
10	4.64E+00	19,18/05/00	(283300, 6153400, 0.0)
11	4.58E+00	19,15/04/00	(283800, 6153400, 0.0)
12	4.19E+00	07,20/04/00	(283400, 6153600, 0.0)
13	4.18E+00	07,03/05/00	(283600, 6153500, 0.0)
14	4.03E+00	18,04/05/00	(283300, 6153300, 0.0)
15	4.01E+00	20,13/08/00	(283400, 6153500, 0.0)
16	3.96E+00	18,10/07/00	(283400, 6153400, 0.0)
17	3.69E+00	20,06/05/00	(283500, 6153500, 0.0)
18	3.54E+00	18,01/08/00	(283500, 6153300, 0.0)
19	3.46E+00	19,29/06/00	(283600, 6153500, 0.0)
20	3.36E+00	18,09/12/00	(283600, 6153400, 0.0)
21	3.32E+00	19,30/03/00	(283600, 6153400, 0.0)
22	3.28E+00	09,02/05/00	(283500, 6153400, 0.0)
23	3.28E+00	11,06/06/00	(283500, 6153400, 0.0)
24	3.26E+00	08,13/06/00	(283500, 6153400, 0.0)
25	3.23E+00	07,25/10/00	(283500, 6153400, 0.0)
26	3.22E+00	19,20/08/00	(283500, 6153700, 0.0)
27	3.16E+00	07,30/01/00	(283500, 6153400, 0.0)
28	3.13E+00	08,12/08/00	(283500, 6153400, 0.0)
29	3.12E+00	08,01/07/00	(283500, 6153500, 0.0)
30	3.05E+00	14,16/06/00	(283500, 6153400, 0.0)
31	3.04E+00	15,16/06/00	(283500, 6153500, 0.0)
32	3.02E+00	19,10/07/00	(283500, 6153500, 0.0)
33	3.01E+00	10,01/07/00	(283500, 6153400, 0.0)
34	2.98E+00	08,14/02/00	(283500, 6153400, 0.0)
35	2.98E+00	07,17/02/00	(283500, 6153400, 0.0)
36	2.97E+00	19,25/07/00	(283500, 6153500, 0.0)
37	2.94E+00	11,12/08/00	(283500, 6153500, 0.0)
38	2.94E+00	10,27/02/00	(283500, 6153500, 0.0)
39	2.90E+00	18,17/06/00	(283400, 6153400, 0.0)
40	2.82E+00	09,12/08/00	(283500, 6153500, 0.0)
41	2.82E+00	09,10/06/00	(283500, 6153500, 0.0)
42	2.81E+00	20,21/09/00	(283600, 6153600, 0.0)
43	2.76E+00	20,25/03/00	(283500, 6153700, 0.0)
44	2.75E+00	20,25/07/00	(283500, 6153500, 0.0)
45	2.74E+00	20,14/09/00	(283700, 6153500, 0.0)
46	2.73E+00	07,08/08/00	(283600, 6153400, 0.0)
47	2.70E+00	20,21/10/00	(283500, 6153600, 0.0)
48	2.68E+00	18,18/05/00	(283600, 6153500, 0.0)
49	2.68E+00	07,10/11/00	(283500, 6153500, 0.0)
50	2.68E+00	19,17/06/00	(283300, 6153400, 0.0)
51	2.64E+00	20,30/03/00	(283600, 6153400, 0.0)
52	2.61E+00	08,20/10/00	(283600, 6153500, 0.0)
53	2.61E+00	09,13/07/00	(283500, 6153400, 0.0)
54	2.61E+00	08,18/02/00	(283500, 6153400, 0.0)
55	2.57E+00	07,28/07/00	(283500, 6153400, 0.0)
56	2.56E+00	09,27/06/00	(283600, 6153500, 0.0)
57	2.54E+00	08,17/06/00	(283500, 6153400, 0.0)
58	2.48E+00	08,29/06/00	(283500, 6153400, 0.0)
59	2.47E+00	12,09/05/00	(283600, 6153500, 0.0)
60	2.46E+00	08,10/11/00	(283600, 6153500, 0.0)

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61	2.44E+00	07,27/06/00	(283600, 6153500, 0.0)
62	2.39E+00	20,15/04/00	(283600, 6153400, 0.0)
63	2.38E+00	07,02/05/00	(283500, 6153400, 0.0)
64	2.35E+00	07,29/01/00	(283500, 6153400, 0.0)
65	2.34E+00	19,13/04/00	(283600, 6153500, 0.0)
66	2.31E+00	17,13/04/00	(283600, 6153500, 0.0)
67	2.28E+00	09,20/04/00	(283600, 6153400, 0.0)
68	2.26E+00	09,25/03/00	(283600, 6153500, 0.0)
69	2.24E+00	19,19/09/00	(283600, 6153500, 0.0)
70	2.23E+00	20,01/06/00	(283500, 6153700, 0.0)
71	2.21E+00	07,01/06/00	(283500, 6153400, 0.0)
72	2.18E+00	09,19/03/00	(283600, 6153400, 0.0)
73	2.16E+00	07,01/04/00	(283500, 6153500, 0.0)
74	2.13E+00	08,11/08/00	(283500, 6153400, 0.0)
75	2.12E+00	07,06/06/00	(283500, 6153400, 0.0)
76	2.10E+00	07,06/04/00	(283500, 6153500, 0.0)
77	2.10E+00	11,30/06/00	(283600, 6153400, 0.0)
78	2.09E+00	08,19/03/00	(283600, 6153500, 0.0)
79	2.08E+00	16,17/05/00	(283500, 6153400, 0.0)
80	2.03E+00	20,16/03/00	(283600, 6153500, 0.0)
81	2.03E+00	19,21/10/00	(283600, 6153500, 0.0)
82	2.02E+00	07,19/08/00	(283500, 6153400, 0.0)
83	1.97E+00	12,10/07/00	(283500, 6153500, 0.0)
84	1.97E+00	18,09/03/00	(283500, 6153500, 0.0)
85	1.96E+00	16,06/10/00	(283600, 6153500, 0.0)
86	1.95E+00	07,14/04/00	(283600, 6153600, 0.0)
87	1.92E+00	10,03/05/00	(283600, 6153500, 0.0)
88	1.91E+00	10,21/04/00	(283500, 6153500, 0.0)
89	1.90E+00	20,14/02/00	(283600, 6153600, 0.0)
90	1.90E+00	09,01/07/00	(283500, 6153500, 0.0)
91	1.88E+00	18,13/04/00	(283600, 6153500, 0.0)
92	1.88E+00	11,31/05/00	(283600, 6153500, 0.0)
93	1.85E+00	16,14/06/00	(283600, 6153400, 0.0)
94	1.83E+00	08,26/10/00	(283600, 6153500, 0.0)
95	1.82E+00	09,07/04/00	(283600, 6153400, 0.0)
96	1.81E+00	19,15/07/00	(283500, 6153400, 0.0)
97	1.78E+00	07,04/05/00	(283500, 6153400, 0.0)
98	1.78E+00	07,10/05/00	(283500, 6153400, 0.0)
99	1.78E+00	16,10/06/00	(283500, 6153500, 0.0)
100	1.77E+00	16,01/07/00	(283500, 6153500, 0.0)



Item 5.1.2 - Attachment 1 - Plans and Documentation





## ATTACHMENT 2

### Copy of Representations

**Aaron Curtis**

**From:** Aaron Curtis  
**Sent:** Wednesday, 3 August 2016 5:32 PM  
**To:** 'Burrows, Robert 1'  
**Cc:** Ahrns; Catlin, Shaun; [redacted]  
**Subject:** RE: DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111

Hello Robert,

Thank you for your email.

I will treat your submission as a formal representation – we will provide a formal acknowledgement letter to you in the coming days.

Regards

**Aaron Curtis**  
 Team Leader - Planning  
 Development Services  
 D: 84068367  
 E: [ACurtis@salisbury.sa.gov.au](mailto:ACurtis@salisbury.sa.gov.au)

City of Salisbury  
 12 James St, Salisbury, SA, 5108  
 P: 08 8406 8222  
 F: 08 8281 5466  
 TTY: 08 8406 8596  
 W: [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

**From:** Burrows, Robert 1 [redacted]  
**Sent:** Wednesday, 3 August 2016 2:34 PM  
**To:** Aaron Curtis  
**Cc:** Ahrns; Catlin, Shaun; [redacted]  
**Subject:** DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111

Dear Aaron

Lockheed Martin Australia Electronic Systems Pty Ltd (LMAES) (C/O 82-86 Woomera Ave Edinburgh) has recently become aware of the proposed development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111 and strongly oppose it.

We support the submission be Ahrns Handling Equipment and also wish the following concerns to be forwarded with Ahrns formal opposition.

LMAES is a company that supports several defence projects including the OTHR Radar System Project for the Commonwealth of Australia, as represented by the Department of Defence.

Our Woomera Ave facility is used for the storage of Commonwealth assets as well as other developmental activities and it has also been used in the past for Commonwealth demonstrations hosting a number of high ranking Defence officials.

Our major concerns are:-

- Day to day we operate with our warehouse doors open, which lead to our internal office areas. Any obtrusive odour produced by the proposed development would significantly impact our operations and the health and safety of our employees and visitors;
- At times we give demonstrations to high ranking officials within the Department of Defence – these demonstrations occur both inside and outside. Again, the obtrusive odour produced would significantly impact the ability for LMAES to host these important demonstrations;
- Within our storage facility, a number of tactical assets are stored for the Department of Defence. Any risk posed to these assets, particularly with regards to the storage and handling of flammable materials by the proposed development, would be a significant concern.

The approval of the proposed development application, may result in LMAES considering the need to relocate its facility.

To reiterate, Lockheed martin are Opposed to this development proposal.

Kind regards

**Robert John Burrows**

*TLS Facility and Environmental Associate Manager | LOCKHEED MARTIN AUSTRALIA*  
 45 Third Avenue, Technology Park, Mawson Lakes, SA 5095  
 p: +61 8 8168 0670 | m: +61 0429 682 380 | f: +61 8 8168 0698  
 w: [www.lockheedmartin.com.au](http://www.lockheedmartin.com.au) | e: [robert.j.burrows@lockheedmartin.com.au](mailto:robert.j.burrows@lockheedmartin.com.au)

**NextGenLM**  
 TRANSFORMING FOR TOMORROW

Lockheed Martin Proprietary Information

Proprietary information owned by Lockheed Martin, such as business, financial or technical information, that requires protection from unauthorized disclosure. Access is restricted to employees, and authorized individuals who have executed nondisclosure agreements or who are otherwise legally bound by confidentiality obligations to Lockheed Martin. Refer to CRX-015C for more information.



**Cassandra White**

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**From:** James Hilditch [redacted]  
**Sent:** Wednesday, 3 August 2016 4:07 PM  
**To:** Development  
**Cc:** Aaron Curtis  
**Subject:** Representation - DN 361/1075/2016/2B  
**Attachments:** doc02647620160803155631.pdf

Dear Sir/Madam,

Please see attached representation which I am instructed to lodge on behalf of my client, Delpar Pty Ltd, in relation to the above development application lodged with Council by the Northern Adelaide Waste Management Authority.

Please contact me if you have any queries.

Yours faithfully,

James Hilditch.

**HILDITCH LAWYERS**

Level 1, 24 Grote Street  
 Adelaide, South Australia  
**Telephone 08 7325 5999**  
**Mobile 0419 874 289**

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CATEGORY 2

**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:	361/1075/2016/2B
Applicant:	Northern Adelaide Waste Management Authority
Location:	1-2 Gidgie Court, Edinburgh SA 5111 and 71-75 Woomera Avenue, Edinburgh SA 5111
Proposed Development:	CHANGE OF USE FROM INDUSTRY TO RECYCLING DEPOT AND SERVICE DEPOT (INCLUDING TRUCK PARKING), CONSTRUCTION OF OFFICE AND WORKSHOP, GAS REFUELING FACILITIES COMPRISING SUPPLY LINES AND STORAGE, TWO FREESTANDING SIGNS, REMOVAL OF THREE SIGNIFICANT TREES, PRUNING OF FOUR REGULATED TREES AND NINE SIGNIFICANT TREES AND ASSOCIATED VEHICLE PARKING, MANOEUVRING AREAS, FENCING, LANDSCAPING AND SERVICE COMPOUND

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

NAME(S): DELPAR PTY LTD  
 ADDRESS: 77-83 WOOMERA AVE, EDINBURGH  
 PHONE NO: [REDACTED] EMAIL: [REDACTED]

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

- ☒ The owner/occupier of the property located at: 77-83 WOOMERA AVE, EDINBURGH  
☐ 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.*

SEE ATTACHED LETTER FROM HILDITCH LAWYERS  
ON BEHALF OF DELPAR PTY LTD

361/1075/2016/2B

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

REFUSAL OF THE PROPOSED DEVELOPMENT

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PTO

CATEGORY 2

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. 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: JAMES HILDITCH/HILDITCH LAWYERS

Contact details: [REDACTED] / GPO BOX 11010  
ADELAIDE, SA, 5001

(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 3<sup>rd</sup> August 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: [Signature] FOR AND ON BEHALF OF  
DELPAR PTY LTD Date: 3 / 8 / 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 3<sup>rd</sup> August 2016.






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HILDITCH LAWYERS

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Level 1, 24 Grote Street  
Adelaide SA 5000

---

GPO Box 11010  
Adelaide SA 5001  
www.hilditchlawyers.com

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Tel 08 7325 5900  
Fax 08 8231 8323  
lawyers@hilditchlawyers.com

---

2 August 2016

**The Chief Executive Officer**  
**City of Salisbury**  
12 James Street  
SALISBURY SA 5108

Dear Sir

**1-2 Gidgie Court, Edinburgh and 71-75 Woomera Avenue, Edinburgh (DA No. 361/1075/2016/2B) – Statement of Representation**

We act for Delpar Pty Ltd which is the owner of land known as 77-83 Woomera Avenue, Edinburgh ("**our client's land**"). Our client has been given category 2 notice of the above development proposal by the Council.

We are instructed to make a representation on behalf of our client in relation to DA No. 361/1075/2016/2B which proposes a development described by the Council as "*change of use from industry to recycling depot and service depot (including truck parking), construction of office and workshop, gas refuelling facilities comprising supply lines and storage, two freestanding signs, removal of three significant trees and associated vehicle parking, manoeuvring areas, fencing, landscaping and service compound*" ("**the proposed development**") on land known as 1-2 Gidgie Court, Edinburgh and 71-75 Woomera Avenue, Edinburgh ("**the subject land**"). Our client's land is located to the north west of the subject land and is adjacent the subject land.

Our client is opposed to the proposed development. In expressing this opposition my client is concerned that the Public Notification Table at the rear of the provisions for the Urban Employment Zone appears to have been construed by Council so as to render an ordinarily Category 3 development as Category 2, thereby limiting my client's rights. My client reserves its rights in this regard.

**Our instructions in relation to its land**

CHEP Australia Ltd ("CHEP"), which is a division of Brambles, is our client's tenant. CHEP has occupied our client's land which is located across the road from the subject land (to the west of the subject land) for the last 14 years and is a long-term tenant.

Liability limited by a scheme approved under Professional Standards Legislation.

Hilditch Lawyers Pty Ltd ACN 145 516 276

CHEP operates in over 50 countries and provides a wide range of services. It is obviously a business to be welcomed and supported in South Australia. It uses its land at Edinburgh parks as a washing facility for suppliers of fresh food. This facility is an HACCP accredited facility which is used, for example, to wash and sanitise food crates.

HACCP ("Hazard Analysis and Critical Control Points") is a management system in which food safety is addressed through the analysis and control of biological, chemical and physical hazards that might occur in the food production process. Ultimately the goal is to ensure that fresh food is safely consumable.

HACCP Certification, which is held by CHEP for the purposes of its operations across the road from the subject land, is an international standard which demonstrates the certified operator's commitment to food safety. It is often a requirement of regulators and/or stakeholders that a commitment to food safety is demonstrated in this way. The HACCP Certification is a recognised mark of food safety which can now be commonly seen on materials, equipment and food products. CHEP's ongoing certification is critical to its business at Edinburgh.

CHEP operates the very kind of high standard development which is encouraged in the Urban Employment Zone.

**The proposed development:**

By contrast with CHEP's operations, which deals in the safety of consumable food products, the proposed development will provide waste management services, presently in the form of a material recovery facility.

The applicant's consultant planners disclose in the application that *"the proposed facility will overtime (sic) replace to (sic) NAWMA's other sites within northern Adelaide and is necessary to meet the increasing waste and recycling demands of the growing region"* (Letter from URPS to Council dated 27 May 2016, Page 1). A presumption is apparently made by the applicant that it has found the correct site upon which to consolidate all of the operations of the NAWMA into the future. Indeed a basic plan for a "future Waste Processing Facility", which is apparently not part of the current application, has been submitted.

**My client's opposition to the proposal**

My client is opposed to the proposed development as it will give rise to fundamental land use conflicts which will prejudice and compromise the operations of CHEP which is its tenant. There is no basis whatsoever upon which the Council could conclude that the proposed development will be able to coexist with CHEP in the manner envisaged in the relevant provisions for the Urban Employment Zone (**"the Zone"**).

My client is particularly concerned that the proposed development may give rise to conditions which compromise the ability of CHEP to maintain its certification thereby compromising CHEP's tenancy. The escape of litter,



migration of dust and other airborne pollutants, presence of odours and the attraction of birds, pests and vermin are examples of the significant concerns held by my client.

It is well settled in the Courts that the role of the planning authority is to identify the relevant provisions in the Development Plan ("DP") so as to then identify the DP's overall intent, purpose and desired character. The planning authority then needs to decide whether the DP speaks for or against any particular proposal.

The first observation I would make is that the relevant provisions for the Zone certainly only seek to promote industrial land uses which are compatible with adjoining uses. So much is made abundantly clear in the statement of Desired Character for the Zone ("the SDC").

For example the SDC provides as follows:

*"A high level of compatibility between land uses in the zone is envisaged to ensure a quality and attractive business environment is maintained".*

At a very basic level it is quite obvious that the intent of the DP is to offer protection and certainty for existing and future land uses that their operations will not be compromised or prejudiced by inappropriate future development on adjoining sites. The obvious and unsurprising intention is to encourage future occupants of the Zone to have confidence that the critical objectives of the Zone will be realised and respected at all times.

The Development Plan certainly does not seek to encourage future development at the expense of, or to the detriment of, existing development. The authors of the DP clearly would not envisage the establishment of a new use which will prejudice and constrain an important operator such as CHEP and potentially lead to its vacation from the Zone. This would certainly be an unintended, illogical and highly undesirable outcome.

The proposed site may be available. It may be convenient to the applicant. It may exhibit a number of qualities which are desirable to the applicant. It may indeed be attractive to the applicant for all kinds of reasons. However this of course is not the test. The question is, is this an appropriate site to accommodate the proposed development having regard to the relevant provisions in the DP and the existing state of development in the locality? My client contends that it certainly is not.

Whilst the Zone does envisage "industry", the council will be aware that there are all kinds of industries. At one end of the spectrum is an operation such as that conducted by CHEP. It is a sensitive land use being conducted to the highest of industry standards to achieve food safety outcomes. It is currently able to operate and maintain those high standards as a result of the appropriate mix of land uses presently in the locality. It has no problematic impacts on its neighbours due to the fundamental nature of its operations. At the other end of the spectrum is the kind of facility proposed by the NAWMA, both present and future, which could have all kinds of impacts on the locality due to the unavoidable nature of the proposed uses. It is not the intention of



the Development Plan that these kinds of uses, which are at the opposite ends of the spectrum, should now collide with one another on adjoining sites. CHEP will certainly have no adverse impacts on the proposed development. However the proposed development could have devastating consequences for CHEP and its certification.

So how does the DP deal with this scenario?

The first point to note is that the only active and clear encouragement for any kind of waste facility of the kind proposed in the City of Salisbury is in the Industry Zone (see Infrastructure Policy Area 9). Having said this there seems to be no fundamental reason why this facility must be within the City of Salisbury at all.

The second point is that the DP goes to great lengths to avoid the establishment of incompatible land uses on adjoining sites. The raft of Council Wide provisions which specifically seek to avoid this outcome include the following:

- Industrial Development Objective 5 at page 45.
- Industrial Development PDC 6 at page 46.
- Interface Between Land Uses Objectives 1 and 3 at page 49.
- Interface Between Land Uses PDCs 1 and 2 at page 49.
- Orderly and sustainable Development Objective 3 at page 73.
- Orderly and Sustainable Development PDC 1 at page 73.

Then the Zone provisions themselves guard against the concerns expressed by my client. Zone Objective 4 seeks to ensure the *"effective location ... of activities at the interface of industrial/commercial activity with land uses that are sensitive to these operations"*.

Zone Objective 5 only contemplates *"a high standard of development which promotes ... environmental amenity ..."*.

The whole flavour of the statement of "Desired Character" is that it encourages high quality enterprise which will provide a focus for manufacturing, research and technology, logistics and transport services, intermodal operations and expansion of defence industries. The kind of "industry" envisaged in the Zone has nothing to do with the kind of industry proposed by the applicant. The proposed development (both present and future) clearly has the potential to operate as a "special industry" within the meaning of Schedule 1 of the Development Regulations. Special Industry is specifically discouraged in the statement of Desired Character (see paragraph 3 on page 247 of the DP) *"unless associated with food and beverage production, is considered necessary to support major manufacturing clusters or involves bulk handling activities associated with intermodal and transport operations"*. Even then, the statement of Desired Character clearly states that such uses *"should not be*



*located adjacent or in close proximity to ... sensitive land uses". Furthermore the DP then provides that the limited Special Industries which are contemplated must incorporate the use of best available technology so as to minimise the need for "large buffer or separation areas" which would be a waste of land in the Zone.*

It is very difficult to see how or where a waste or recycling facility of any kind might fit into, and happily coexist with, the mix of uses existing and envisaged in the Zone. If the Zone objectives are ultimately realised to their fullest then the proposed development, including the proposed buildings which will accommodate it, would most certainly be the "odd one out". It is quite obvious that the proposed facility has no place in the Zone insofar as the Zone provisions are concerned. The proposed development will simply result in undesirable impacts on surrounding land uses and related land use conflict. It will also result in the waste of a limited resource as any potential for the subject land to achieve the Zone's objectives will not be realised for so long as it may be utilised for a purpose which is not intended in the Zone.

For these fundamental planning reasons, my client contends the proposed development should be refused.

#### **A development proposal in component parts**

The documentation available reveals the following:

1. The applicant is currently proposing a development which is a smaller component of a broader facility which will replace the NAWMA's other sites within northern Adelaide. The Authority apparently intends to accommodate this broader facility on the subject land over the next 5 to 8 years or so.
2. The proposal plans depict a "Future Waste Processing Facility, subject to separate development application" (see for example the Wallbridge & Gilbert Stormwater Management Plan).
3. The applicant's consultant planners have clearly stated that *"the proposed facility will overtime (sic) replace to (sic) NAWMA's other sites within northern Adelaide and is necessary to meet the increasing waste and recycling demands of the growing region"* (Letter from URPS to Council dated 27 May 2016, Page 1).
4. A clear intent is disclosed by the applicant's consultant planners to lodge a separate development application for the "future Waste Processing Facility" in due course (see page 2 of the URPS letter dated 27 May 2016).
5. No reason or explanation is given as to why the overall proposal is being broken down into its components parts (the first being the proposed MRF) for the purpose of making the current application to Council.

I refer to the decision of the Full Court of the Supreme Court in the matter of *Compaction Application Tips P/L & Ors v Australian Waste P/L & Anor* [2001] SASC 409. This was a matter in which the Court considered the difficulties which can arise if the proper consideration of a total development might be inhibited by the making of piecemeal applications.

One concern here is that the Council has clearly been advised by the applicant of its intention to apply for a broader use of the subject land in due course. If the proposed development (a material recovery facility) is approved and constructed, the planning authority may in future be reminded by the applicant that it disclosed from the outset that its strategic plan was always to relocate and consolidate all of the NAWMA's facilities to the subject land over time. On one reading of the current application the Council is being invited to approve the entrenchment of a particular land use on the site so that other broader related uses might then be readily approved in due course.

It is foreseeable that pressure may be brought to bear on the Council in future should it approve the current proposal but then express an entirely legitimate reluctance to support the relocation of the balance of the NAWMA's waste management activities to the subject land in the next 5 to 8 years.

One has to wonder what the purpose of depicting a "future" proposal, whilst at the same time submitting no specific detail of that future proposal, might be. If the purpose is not to lay the foundations for an expectation that the future application will be readily supported (thereby potentially fettering the discretion of the planning authority to refuse any such future application) then what is the purpose? Furthermore, why not apply for the total package of development now whilst seeking the necessary extensions of usual statutory timeframes for substantial commencement and completion?

For this reason the Council ought to use its powers pursuant to section 39(4) of the Development Act, 1993 to obtain comprehensive details of the "proposed future facility" so that it can properly determine the nature of the current proposed development and assess the proposal in its entirety accordingly.

The depiction of "future development" in development proposals is highly undesirable. It leads to applications which can be vague and confusing and it can also subsequently leave the parties in a quandary about what has, and what has not, already been assessed and approved. For example might it be contended by the applicant in future that any approval of the current application in its current form implicitly or even expressly approves the concept of a future waste management facility on the subject land? It is highly undesirable for the planning authority to process an application which might leave such matters open for debate in future. An applicant should be required to make its application clear so that the planning authority can be confident about what it is assessing.

5

**Summary**

In summary my client is opposed to the proposed development for the reasons outlined above. No support can be found for the proposed development in the DP. There is no reason whatsoever for the planning authority to grant consent to a proposal on the subject land which is not supported by the DP. There are no unique circumstances at all which would justify a departure from the clear policies expressed for the Zone in this case. Furthermore the proposed development will have very real adverse consequences for surrounding development and for the realisation of the Zone objectives in the relevant locality and potentially beyond.

We wish to be heard by the Development Assessment Panel in relation to our client's representation and would be grateful if you would advise us of the date and time of the relevant meeting.

Please contact me if you have any queries.

Yours Faithfully,



James Hilditch



Our Ref: JRH:000517

**Lisa Palombella**

**From:** Paul Madden  
**Sent:** Wednesday, 3 August 2016 2:17 PM  
**To:** Development  
**Subject:** Ed Park Waste Management Facility - 361/1075/2016/2B  
**Attachments:** Signed Letter Edinburgh Park SA Phillip Austin 3 August 2016.pdf

Dear Sir/Madam

We write on behalf and with authority of our client CHEP Australia Limited in regards the attached development application enclosing our client's objection to same.

I would be grateful if you could review the attached points raised and look forward to advice on same in due course.

Cheers

Paul

**Paul Madden**  
Managing Director  
**Argyle Property Group**  
*"Leading Corporate Real Estate & Project Management Services"*  
[www.argyleproperty.com](http://www.argyleproperty.com)  
PO Box 317 Neutral Bay Junction NSW 2089  
Tel: 02 8622 4960 Dir: 02 8622 4964 Fax: 02 8622 4995  
Mob: +61 411 233 053

**From:** McGuire, Alaina  
**Sent:** Wednesday, 3 August 2016 1:43 PM  
**To:** Boshell, Geoffrey <[Geoff.Boshell@chep.com](mailto:Geoff.Boshell@chep.com)>; 'pmadden@ArgyleProperty.com' <[pmadden@ArgyleProperty.com](mailto:pmadden@ArgyleProperty.com)>  
**Cc:** Francis, Andrew <[andrew.francis@chep.com](mailto:andrew.francis@chep.com)>  
**Subject:** RE: Ed Park Waste Management Facility

Gentlemen,

On behalf of Phillip Austin, please find letter attached.

Alaina



HANDLING THE WORLD'S  
MOST IMPORTANT PRODUCTS  
**everyday.**

**Alaina McGuire**  
Executive Assistant to Phillip Austin

**EXECUTIVES**

President CHEP Asia Pacific

LEVEL 6, BUILDING C, 11 TALAVERA ROAD

1



SYDNEY-NORTH RYDE, NSW 2113

TEL: [+612 9856 2483](tel:+61298562483)

[alainna.mcguire@chep.com](mailto:alainna.mcguire@chep.com)

A BRAMBLES COMPANY

CATEGORY 2

# 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:	361/1075/2016/2B
Applicant:	Northern Adelaide Waste Management Authority
Location:	1-2 Gidgie Court, Edinburgh SA 5111 and 71-75 Woomera Avenue, Edinburgh SA 5111
Proposed Development:	CHANGE OF USE FROM INDUSTRY TO RECYCLING DEPOT AND SERVICE DEPOT (INCLUDING TRUCK PARKING), CONSTRUCTION OF OFFICE AND WORKSHOP, GAS REFUELING FACILITIES COMPRISING SUPPLY LINES AND STORAGE, TWO FREESTANDING SIGNS, REMOVAL OF THREE SIGNIFICANT TREES, PRUNING OF FOUR REGULATED TREES AND NINE SIGNIFICANT TREES AND ASSOCIATED VEHICLE PARKING, MANOEUVRING AREAS, FENCING, LANDSCAPING AND SERVICE COMPOUND

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

NAME(S): CHP AUSTRALIA LIMITED

ADDRESS: LEVEL 6, BUILDING C, 11 TALAVERA ROAD NORTH  
RYDE

PHONE NO: ..... EMAIL: ..... 2113

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

- ☒ The owner/occupier of the property located at: LOT 126 77-83 WOOMERA  
AVENUE EDINBURGH
- ☐ 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.

SEE ATTACHED LETTER

361/1075/2016/2B

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

SEE ATTACHED LETTER

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PTO

CATEGORY 2

Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. 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: ARGYLE PROPERTY GROUP

Contact details: PAUL MADDEN

PMADDEN@ARGYLEPROPERTY.COM

(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 3<sup>rd</sup> August 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: 3 / 8 / 2016

**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 3<sup>rd</sup> August 2016.**





From:  
CHEP Australia Limited  
Phillip Austin  
Australian President CHEP Asia Pacific  
C/: Argyle Property Group  
PO Box 317 Neutral Bay Junction  
NSW 2089  
Mr. Paul Madden  
0411 233 053

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

Dear Sir,

**RE: Development Number 361/1075/2016/2B**

I write on behalf of CHEP Australia Limited (CAL). We are the current occupant of Lot 128, 77 - 83 Woomera Ave Edinburgh SA and specifically in regard to the above Development Application 361/1075/2016/2B.

CAL opposes the proposed development and accordingly we have completed the relevant forms and attach same to this correspondence.

In regards to the specific nature of our objection we provide the following.

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

CAL have reviewed the documentation provided by council dated 19 July 2016 and whilst there is a statement as to the changes proposed to the property there is not adequate information regards to the following considerations and the likely impact these may have on CAL and its employees as an adjoining user.

- **Odour** - There is no statement or outline as to what materials and waste will be handled in the facility and what impact in terms of odour and or control of same is being implemented.
- **Extraction Fans** - If the proposed operation involves odorous or noxious materials it is imperative that there is an understanding of how that exhaust and extraction system would work in relation to CAL activities and staff comfort.
- **Contamination** - CAL run a pallet repair and distribution depot from our facility. Pallets are shipped and distributed to many clients including large distributors of food products and other materials. Accordingly it is imperative that there is a clear understanding of any external storage of recyclable or waste material and a control plan that adequately captures/manages the risk of cross contamination between the sites by way of wind or loose materials.



My concerns would be addressed by

- A clear statement/requirement within the development documentation/approval identifying the materials allowed to be handled on the site and how those materials would be transported onto the site, stored on site, processed at site and then removed from the site.
- A summary of how any noxious or materials with high odour will be handled.
- A summary of the controls in regards to external rubbish and or processing.

In essence CALs concerns are that whilst the statement of Development Application provides detail of what will be occurring in terms of the proposed construction of office workshops, signage, tree removal and so on there is little or no information provided as to what will actually occur on the site within those structural changes to the property and under the proposed use.

CAL would welcome an opportunity to engage with the City of Salisbury to understand what processes will actually be taking place on the site and how the concerns raised in this objection may well be mitigated. CAL request the right to understand the queries above and have the opportunity to consult with Council as to the resolution of agreed outcomes to mitigate any ongoing concerns, once that information has been properly vetted and understood.

We confirm that our property consultant, Mr Paul Madden, Managing Director of Argyle Property Group, has our authority to act on our behalf in this matter and accordingly we would be grateful if you could respond and issue any correspondence and/or discussions care of his office.

I appreciate your assistance in this matter

Regards

A handwritten signature in black ink, appearing to read 'Phillip Austin'.

Phillip Austin  
President, CHEP Asia Pacific

**Aaron Curtis**

**From:** Aaron Curtis  
**Sent:** Wednesday, 3 August 2016 11:07 AM  
**To:** 'George Manos'  
**Cc:** [REDACTED]; Development; [REDACTED]  
**Subject:** RE: DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111

Hello George,

Thank you for your submission.

We will acknowledge receipt formally by way of letter in the coming days.

Regards

**Aaron Curtis**  
 Team Leader - Planning  
 Development Services  
 D: 84068367  
 E: [ACurtis@salisbury.sa.gov.au](mailto:ACurtis@salisbury.sa.gov.au)

City of Salisbury  
 12 James St, Salisbury, SA, 5108  
 P: 08 8406 8222  
 F: 08 8281 5466  
 TTY: 08 8406 8596  
 W: [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

**From:** George Manos [REDACTED]  
**Sent:** Wednesday, 3 August 2016 10:48 AM  
**To:** Aaron Curtis  
**Cc:** [REDACTED]; Development; [REDACTED]  
**Subject:** DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111

Dear Aaron

I act for Ahrens Handling Equipment of 76 Woomera Avenue Edinburgh.

Please see attached representation.

Please note my client wishes to be heard.

Please acknowledge receipt of this email and attached representation.

Regards



George Manos

t. 8212 9777 | f. 8212 8099

Botten Levinson Lawyers | Level 1 Darling Building, 28 Franklin Street, Adelaide SA 5000  
[www.blawyers.com.au](http://www.blawyers.com.au)

Please notify us immediately if this communication has been sent to you by mistake.  
If it has, client legal privilege is not waived or lost and you are not entitled to use it in any way.

**WE ARE MOVING OFFICE!**

On 29 July we will be relocating to our new premises Level 1 Darling Building, 28 Franklin Street, Adelaide.

Our South Terrace office will close at 5pm on 28 July and we will re-open at our new office at Franklin Street at 9am on 2 August.

Phone and email contact details remain unchanged.





Our ref: GM/211160

The Chief Executive  
City of Salisbury  
12 James Street  
SALISBURY SA 5108

Attn: Mr Aaron Curtis

Dear Sir

**DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111**

I act for Ahrns Handling Equipment Pty Ltd (AHE) which is the owner and occupier of the land at 76 Woomera Avenue, Edinburgh Park. The land is directly opposite the land the subject of the above development application.

My client has instructed me to lodge a representation opposing the development proposed in the above application.

#### **AHE Operations**

AHE have developed their land for a high quality office/industrial property involved in the manufacture of specialized transport and automotive workshop equipment. The range of goods produced by my client is extensive. AHE employs some 20 people, on a full time basis.

Given the nature of my client's work, it is important to provide adequate ventilation. Hence there are a number of roller doors which can be opened and indeed they are often kept open.

Some of the goods manufactured require painting and dust must be avoided.

In addition, my client has purchased adjoining land to the south of its site, on Haslam Road.

#### **Proposed development**

It is understood that there are two parcels of land involved, the site on Woomera Avenue upon which has been established a large shed. It is proposed to use that shed generally for the purposes of "recycling". On the land to the "east" of that, a facility is proposed to provide an extensive range of activities from the storage and minor servicing of vehicles involved in the recycling facility and the refuelling of those vehicles. Largely that area will be used for truck parking.

In addition, a large number of trees are proposed to be removed, a number of which are significant trees whilst other trees are regulated trees.

#### **EPA referral**

It is understood that because the application involves recycling ie, activities associate with waste, the Council referred part of the application to the EPA. The EPA has provided comments in relation to the waste activity but provided no comments in relation to the use of the land on Gidgie Court which I will describe as truck parking and associated activities. There is little doubt that the truck parking and associated facilities will have substantial impact on the amenity of the locality.

#### **Locality**

The land is within the Urban Employment Zone pursuant to the Council's Development Plan. The locality, and the broader locality, have been developed to a high standard, attracting a number of new businesses. There is new infrastructure and generally speaking a very high level of development has been established, particularly from a visual aspect. However as a newly developing area, there is not a lot existing mature vegetation particularly on private land. The removal of the significant trees and/or regulated trees from the land is contrary to the expectations of the Development Plan and will have a negative impact on the amenity of the locality which currently benefits from the existing mature vegetation.

In addition to the report to the EPA, reference is made to a report from URPS and also a traffic engineer's report, together with a report regarding odour modelling. It is noted that URPS share the view about the high level of amenity.

It is beyond doubt that the truck parking and associated facilities is of a form that is inconsistent with the existing high quality built form in the locality. There is very little that can be done about that - the area will contain a very very significant amount of paved space together with some associated buildings. The paved space will of course be storage areas for trucks themselves together with car parking bays for persons associated with the activities proposed on both parcels of land. The storage of the trucks in itself detracts from the visual amenity.

#### **Impacts**

Despite the advice of the EPA and the odour modelling undertaken, my client is most concerned as to odours that may be emitted. The existing premises of NAWMA have been inspected and observations made. It is clear that odours are emitted from the existing facility - which is effectively proposed to be relocated to the subject land - particularly at different times of the year. This arises because all waste that is disposed of is not clean waste, for whatever reason.

A report from the traffic engineers has also been noted. It is clear that there will be a very significant number of traffic movements, involving large trucks, associated with the waste facility and the parking facility/use of the Gidgie Court land. Those trucks will bring will them a number of associated impacts in terms of noise, vibration and dust. As regards the traffic movements, it is noted that there is no specific or detailed discussion in the report from Phil Weaver and Associates in relation to the impact of the trucks on the existing road network as opposed to the form of street network. Obviously, in an area which involves industrial activities and road transport terminals

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and the like, one can reasonably expect movement of large vehicles. However, the subject land is wholly dependent on the constant use large vehicles and those vehicles will clearly impact on the road network. This is over and above the other issues discussed in further detail below. My client is concerned for the users of its site and its employees as a result of the very substantial increase in truck movements all of which will effectively have to pass my client's premises on Woomera Avenue.

Dust is a particular concern to my client. As observed above, my client's business involves the production of various items where a dust free environment is required particularly when items are being painted. As some of the work is done outdoors, or at least the eastern side rollers doors are open on a regular basis, fumes from the trucks which will regularly pass a few metres from the improvements on my client's land will be noticeable and could adversely impact on the health of workers employed by my client. My client takes seriously the health and wellbeing of their employees (and their general duty of care to their employees) in the performance of their duties. Due to the nature of activities my client is simply unable to perform many of its activities in an enclosed factory environment.

Given the size and number of truck movements, there will also be vibration which could potentially affect some of the machinery used by my client when it is manufacturing specialised goods.

#### **Litter**

The waste facility will handle lightweight materials, plastics, paper, aluminum cans and the like. It is quite easy for such lightweight items to be picked up in breezes and readily escape from the vehicle involved in the transport of the same or once on site. Wind blown litter would therefore be a feature of the development despite the best endeavours of the operators. It is simply part and parcel of such a use.

This aspect of the proposal is again inconsistent with the desire of the Development Plan for the high quality development see further discussion below. My client operates a business consistent with the Development Plan expectations and my client has established a high quality development. Within the locality there are a number of high quality developments, many of which are sensitive to the environment in which they are established.

#### **Proposed new office and workshop building**

The proposed office and workshop building seems to present merely as a "shed". It has a simple skillion roof. It does not appear to be of the same standard as that established in the locality. Further it is inconsistent with the expectations of the Development Plan seeking high quality built form.

#### **Development Plan**

The land is in the Urban Employment Zone. It is clear from a consideration of the Objectives and the Desired Character that whilst the zone will cater for industry, it is a Zone far removed from a traditional industrial type zone. It clearly seeks a higher standard of development than one typically finds in an Industry Zone and also will cater for a broader range of activities. For example, in Objective 3 the Development Plan actively seeks "high technology and/or research in development facilities". It is difficult to see how a waste centre and associated truck storage with its unsightly appearance

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is consistent with the desire to encourage high technology and research and development facilities into the area noting that when such facilities are established, a high quality of amenity is required particularly from a dust perspective. For example the premises occupied by Mayfield on the northern side of the site requires specialised conditions to be able to manufacture innovative and highly technical electrical equipment.

The above case is further made out by Objective 4 which reads as follows:

*The effective location and management of activities at the interface of the industrial/commercial activities with land uses that are sensitive to these operations.*

In addition to my clients' premises and the Mayfield premises, there is another adjacent business associated with food production immediately on the western side of the subject land. That is a business operated by Chep. They supply Woolworths and have certain accreditation that may well be at risk should the waste facility be established next door. There are other food producers/processors in the broader locality as well.

Even if one were to limit the consideration to my client's premises, the Mayfield premises and the Chep premises clearly the establishment of a waste facility next door to those sites is completely inconsistent with Objective 4.

The issue of compatibility of land uses is further discussed in the desired character. The desired character relevantly reads as follows:

*A high level of compatibility between land uses in the Zone is envisaged to ensure a quality and attractive business environment is maintained.*

The discussion then goes on to consider the quality of the development - and this relates to visual impact as discussed above. The desired character seeks high quality innovative contemporary architecture - that goal can hardly be said to be achieved by the proposed workshop building and the truck parking and car parking area which is a very large unattractive expanse proposed on a corner site. Outdoor storage and service areas are also expected to be located in positions where they can be screened from public view. That part of the desired character is also not achieved in the situation. It is virtually impossible to appropriately screen such a large area and the view of some 30 odd trucks associated with the waste activity.

The **Desired Character** recognises the establishment of business clusters. Certain businesses can then align themselves with similar businesses. Again it is inconsistent with that part of the desired character for a site associated with waste and the movement of the same to be established in this particular locality.

It is noted that a special industry should not occur in the Zone unless it is associated with food and beverage production. Although the use is not necessarily a special industry, if not properly managed, it has the potential to become a special industry, again contrary to the Development Plan's clear expectations.

#### **Future Expansion**

It is noted that in the EPA letter dated 21 July 2016 the following appears

gm:p211160\_331.docx



*It is acknowledged that a waste processing facility may be developed at the site in the future.*

It is clear that what has been put forward is an initial scheme with plans for a future expansion. Whilst it may be said a planning authority can only deal with the application that is before it, the Full Supreme Court in the matter of Compaction Application Tips also said that a planning authority can and should seek full details of a proposed development such that there be full disclosure of a proposed development rather than proceeding in a piece meal fashion. No doubt the scheme adopted here is for the Applicant to establish a development that will have lesser impacts than a full waste processing facility but once established it will seek to expand the site for a full blown use. The situation is akin to the 'thin edge of a wedge' approach. However as noted the EPA has identified a future expansion and the area of land behind the waste processing shed is earmarked for future development. Thus this is not a case of speculation - a significant future expansion has been identified.

Council must seek details from the applicant as to what its future plans are and details of the waste processing facility. If council fails to do so my client fully reserves their rights.

#### **Conclusion**

The development proposed is to treat waste and to also provide a large truck parking and adjunct uses associated with that waste activity.

The Development Plan clearly has an expectation for a high quality development and for development to be appropriately sited within the Urban Employment Zone and not to randomly locate developments wherever someone may propose. There can be no doubt whatsoever of the correctness of that approach.

It is completely incompatible with the Development Plan expectations to site a waste facility and the unsightly truck parking car parking area on the subject land. This issue is further compounded by the proposal to remove significant and regulated trees from private land given the limited amount of mature vegetation particularly within the locality and also the broader locality.

The application will have significant impacts in terms of traffic movement, noise, dust and detrimental visual impact. Further it has been my client's experience that recycling centres do emit odours and my client rightly remains concerned about the odour impact, particularly noting that a number of my client's workers are engaged in outdoor activities. The odours and fumes from the trucks will further compound that issue together with the noise that will be generated by such a large number of traffic movements.

My client is most concerned about its staff. It operates a specialised manufacturing industry that requires highly skilled tradespeople and a long term commitment from those staff. The ability to retain suitably qualified employees may be put in jeopardy if the work conditions deteriorate.

My client's premises are long standing and an appropriate use in the Zone. My client has secured the adjacent land for further expansion. However should this development proceed not only would the expansion be jeopardized but also existing business because of the adverse impacts that will arise.

gm:p211160\_331.docx

– 6 –

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The future expansion will further exacerbate what will be an unacceptable situation to an intolerable situation.

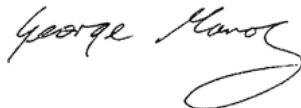
For these reasons, the application should not be granted Development Plan Consent.

If despite this representation the Council is minded to grant Development Plan Consent conditions MUST be imposed ensuring that unreasonable nuisances do not escape from the land. I have sighted a report from Phillip Brunning & Associates and endorse at least the imposition of conditions set out therein. That said the conditions are really playing around with the edges because fundamentally the proposal should not be located on the proposed site given the conditions in the locality and no amount of conditions can overcome the siting issue.

**Request to be heard**

My clients wish to be heard by the Development Assessment Panel at the time of consideration of this application either in person or by their agent.

Yours faithfully



**George Manos**  
**BOTTEN LEVINSON**

Email: 

gm:p211160\_331.docx

**Aaron Curtis**

**From:** Aaron Curtis  
**Sent:** Tuesday, 2 August 2016 1:41 PM  
**To:** 'Phillip Brunning'; City of Salisbury  
**Cc:** 'Alan Steele'  
**Subject:** RE: Development Application No.361/1075/2016/2B - Representation

Hello Phil,

Thanks for forwarding the representation.

We will acknowledge receipt formally by way of letter in the coming days.

Regards

**Aaron Curtis**  
 Team Leader - Planning  
 Development Services  
 D: 84068367  
 E: [ACurtis@salisbury.sa.gov.au](mailto:ACurtis@salisbury.sa.gov.au)

City of Salisbury  
 12 James St, Salisbury, SA, 5108  
 P: 08 8406 8222  
 F: 08 8281 5466  
 TTY: 08 8406 8596  
 W: [www.salisbury.sa.gov.au](http://www.salisbury.sa.gov.au)

**From:** Phillip Brunning [mailto:phillip.brunning@pba.com.au]  
**Sent:** Tuesday, 2 August 2016 1:09 PM  
**To:** City of Salisbury  
**Cc:** Aaron Curtis; 'Alan Steele'  
**Subject:** Development Application No.361/1075/2016/2B - Representation

**Attention: Aaron Curtis, Team Leader – Planning**

Please find attached.

Might you please confirm receipt?

Regards from

**Phillip Brunning**  
 Director

pba

Phillip Brunning & Associates  
 26 Wakeham Street  
 ADELAIDE SA 5000

M: 0407 019 748  
 T: 08 8232 5686

Edinburgh 1524 001 - Final

2 August 2016

Mr John Harry  
Chief Executive Officer  
City of Salisbury  
PO Box 8  
SALISBURY SA 5108

Attention: Mr Aaron Curtis, Team Leader - Planning

Dear John,

**Development Application No. 361/1075/2016/2B**

I refer to the above mentioned Development Application by the Northern Adelaide Waste Management Authority (NAWMA) that seeks Development Plan Consent to establish a waste management facility in the form of a recycling depot on land located at 1-2 Gidgie Court and 71-75 Woomera Avenue, Edinburgh.

I have been engaged by Mayfield Industries (immediately to the north of the subject land) to make the following representation in respect to the proposed development. For the reasons that I outline below, my Client objects to the proposed development and submits that Council's Development Assessment Panel should refuse consent.

That said, if the Panel is of the mind to approve this development then I say that further detail is required in respect to the operation and management of this facility, such that appropriate conditions may be placed on an approval which avoid any ambiguity or confusion as to what activities may occur on site.

Fundamentally, I am of the view that this is an inappropriate location for a land use such as this which has the potential to conflict with and frustrate the efficient and economic use of existing businesses on surrounding land including that of my Client. The proposed facility presents an unreasonable potential for undesirable off site impacts.

Mayfield is a design and manufacturing company of transportable switch rooms, electrical switchgear, motor control centres used by manufacturing and processing industries, the oil and gas sector, mining and mineral operations, and utility companies that are of strategic economic importance to the State and Australia.

This process involves the installation of environmentally sensitive components including programmable logical controllers, electrical relays, and intelligent control networks. These components are particularly susceptible to damage from dust and other airborne pollutants.

**Phillip Brunning & Associates**

ABN 40 118 903 021

26 Wakeham Street  
Adelaide SA 5000  
Telephone 08 8232 5686  
Mobile 0407 019 748  
phil@phillipbrunning.com



Town Planning  
Development Advice  
Strategic Management





The manufacture of transportable switch rooms for heavy industry throughout Australia and off shore is undertaken at their premises at 3 Gidgie Court, which adjoins the subject land immediately to the north, under open canopies which susceptible to airborne particles.

I am instructed that finished transportable switch rooms, which maybe up to 30 metres long, are transported under escort using 16 axle specialist transport vehicles. Any changes to Gidgie Court and Woomera Avenue traffic management will have a significant impact on Mayfield ability to dispatch these switch rooms.

Mayfield employ in the order of 100 staff and operate between the hours of 6.00 AM and 10.00 PM 7 days per week depending on demand from customers. Mayfield aim to expand their workforce by transitioning former employees of GMH into the business, assisted by grants from Government over the coming year/s.

Mayfield feel very strongly that the proposed waste management facility poses a significant threat to their continued operations and ongoing success. Waste management facilities invariably result in off-site impacts despite reassurances to the contrary, and therefore ought to be located well away from sensitive uses.

I draw your attention to certain provisions of the Development Plan which speak to the appropriate location and management of activities, including waste management facilities, which should guide the assessment of this proposal. I encourage careful consideration of these policies and the intent behind them.

#### GENERAL SECTION

##### Industrial Development

##### OBJECTIVES

- 1 Industrial, warehouse, storage and transport distribution development on appropriately located land, integrated with transport networks and designed to minimise potential impact on these networks.
- 3 Industrially zoned allotments and uses protected from encroachment by adjoining uses that would reduce industrial development or expansion.
- 5 Compatibility between industrial uses within industrial zones.
- 6 The improved amenity of industrial areas.

##### PRINCIPLES OF DEVELOPMENT CONTROL

- 6 Industrial development should minimise significant adverse impact on adjoining uses due to hours of operation, traffic, noise, fumes, smell, dust, paint or other chemical over-spray, vibration, glare or light spill, electronic interference, ash or other harmful or nuisance-creating impacts.

##### Interface between Land Uses

##### OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

##### 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 impacts on existing and potential future land uses desired in the locality.

#### Air Quality

- 11 Development with the potential to emit harmful or nuisance-generating air pollution should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.

#### Orderly and Sustainable Development

##### OBJECTIVES

- 3 Development that does not jeopardise the continuance of adjoining authorised land uses.

##### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not prejudice the development of a zone for its intended purpose.

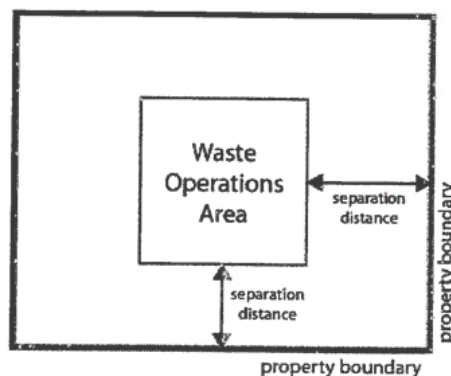
#### Waste Management Facilities

##### OBJECTIVES

- 1 The orderly and economic development of waste management facilities in appropriate locations.
- 2 Minimisation of human and environmental health impacts from the location and operation of waste management facilities.
- 3 Protection of waste management facilities from incompatible development.

##### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Waste management facilities should be located and designed to minimise adverse impacts on both the site and surrounding areas from the generation of surface water and groundwater pollution, traffic, noise, odours, dust, vermin, weeds, litter, gas and visual impact.
- 4 Waste management facilities should:
  - (a) be appropriately separated from sensitive land uses and environmentally-sensitive areas
  - (b) incorporate the separation distance between the waste operations area (including all closed, operating and future cells) and sensitive uses within the development site as illustrated in the figure below:



- (c) not incorporate other land uses and activities within the separation distance unless they are compatible with both a waste management facility and any adjacent land uses.

**Urban Employment Zone****OBJECTIVES**

- 4 The effective location and management of activities at the interface of industrial/commercial activity with land uses that are sensitive to these operations.
- 5 A high standard of development which promotes distinctive building, landscape and streetscape design, with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones.
- 6 Development that promotes business clusters that provide a range of economic and environmental benefits.

**DESIRED CHARACTER**

Greater Edinburgh Parks will be a high quality enterprise and employment destination, attracting a specialised workforce and providing a focus for manufacturing, research and technology, logistics and transport services, intermodal operations and expansion of defence industries in particular. Development will build on existing industrial and enterprise activities at Edinburgh Parks, the Defence Science Technology Organisation and RAAF Base, and major automotive manufacturing at Elizabeth South.

This zone provides for the establishment of business clusters that create opportunities for innovation, start up and the growth of new businesses, and link businesses to global investment opportunities.

Desirable land uses include a wide range of activities that generate employment, focusing on industry, indoor industrialised horticulture and associated processing and packaging, transport and technology-based activities that can operate on a twenty-four hour, seven day per week basis where appropriate, together with offices and industry-related training and educational establishments. Existing defence operations, including explosive ordnance activities, will be protected and not adversely impacted by development. Development should also comprise high technology and/or research and development related uses where it is compatible with adjoining uses.

A high level of compatibility between land uses in the zone is envisaged to ensure a quality and attractive business environment is maintained. Clustering of industrial activities to share resources and reduce waste impacts and energy needs is encouraged in the zone, as well as shared use of facilities and services, including training, communication and information technology, shipping and receiving facilities, and car parking areas where practical.

**PRINCIPLES OF DEVELOPMENT CONTROL****Land Use**

- 1 The following forms of development, or combination thereof, are envisaged in the zone:
  - consulting room
  - dwelling in association with industry
  - electricity substation
  - fuel depot
  - indoor industrialised horticulture
  - indoor recreation centre
  - industry
  - intermodal rail freight facility
  - motor repair station
  - office
  - petrol filling station
  - pre-school
  - prescribed mains
  - public service depot
  - road transport terminal
  - service trade premises
  - service industry
  - shop or group of shops
  - training facility
  - store
  - warehouse.
- 4 Development should not impede the operation of established land uses through encroachment, over development of sites or noise/emissions or any other harmful or nuisance-creating impact.





Having regard to the nature of the proposed development in the context of this particular locality, the proposal does not sufficiently accord with the above mentioned provisions of the Development Plan and therefore consent should not be granted by the Panel. More particularly, I ask the Panel to consider the following matters.

- 1) A waste management facility is not an envisaged use within the Urban Employment zone. The Development Plan directs waste transfer depots of this nature to the Infrastructure Policy Area 9 of the Industry Zone more specifically.
- 2) This is not an appropriate locality for the establishment of a waste management facility of the nature proposed given the impact that it is likely to have on existing lawful uses in terms of compromising and/or retarding their ongoing operations;
- 3) The Development Plan is very clear in terms of protecting existing uses from incompatible activities, and seeks compatibility between industrial land uses within industrial zones;
- 4) While the title of this zone has more recently changed to Urban Employment, it is nonetheless an 'industrial' type of zone in terms of the nature of uses which are envisaged and which have been developed over time;
- 5) It would serve no planning purpose to allow the entry of this incompatible use into an otherwise harmonious precinct of complementary industrial and commercial uses, such that would lead to conflict and ongoing complaint.
- 6) There is a very real risk that if this development were to be established, it would not only compromise the continued operation of existing uses, but effectively 'sterilise' surrounding vacant land from appropriate development.
- 7) Would it not be appropriate to be establish this facility in a location that provides for growth and the clustering of similar and reinforcing uses, as specifically encouraged by the Development Plan?
- 8) I note that the documents provided in support of the proposal make reference to subsequent stages of development on the land for waste processing and the like. This suggests an even intensification of an otherwise inappropriate use.
- 9) The planning authority should be satisfied that it has a clear and complete picture of what is proposed prior to making a decision on this application, rather than being provided with the various components in a 'piece meal' fashion.
- 10) The Development Plan promotes Edinburgh as a high quality enterprise and employment destination, attracting a specialised workforce and providing a focus for manufacturing, research and technology, logistics and transport services.
- 11) A waste management facility is not aligned within the desired character for this zone.
- 12) Activities of the nature proposed invariably produce odour, dust, vermin and other externalities including traffic congestion, which unless managed appropriately, can have a profound effect on amenity and function of other uses.
- 13) The proposal provides inadequate detail of proposed operations in this regard together with measures and safeguards that may be implemented in order to minimise the potential for undesirable off site impacts.





- 14) I note that the proposal seeks the removal of regulated and significant trees. While advice has been provided in respect to their health and condition, an assessment of visual impact arising has not been undertaken.
- 15) Furthermore, the Applicant has not demonstrated that *'all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring'*.
- 16) While the Tree Report by Project Green specifies a Structural Root Zone (SRZ) and a Tree Protection Zone (TPZ) for the trees to be retained, a specific assessment of the development on these trees has not been performed.
- 17) Given that an extensive area has not be proposed for development, might not activity be moved away from these mature gum trees more centrally into the site providing greater opportunity for their retention and landscape buffering?
- 18) While the Stormwater Management Plan prepared by Walbridge & Gilbert Consulting Engineers provides a design for infiltration swales and a detention basin, such is not reflected on the proposal plan.
- 19) In respect to the Traffic & Parking Assessment provided by Mr Phil Weaver, I note that the estimated average weekday traffic volumes on Woomera Avenue are equivalent to approximately 1500 vehicles per day, with 800 on Gidgie Court.
- 20) Furthermore, Mr Weaver is of the view that there would be in the order of 200 to 250 vehicles per day accessing the subject site associated with the proposed use, with in the order of 40 movements in both the am and pm peak hour periods.
- 21) This suggests an increase in traffic along Gidgie Court in the order of 30% and does not take into account the further two stages of development that are spoken of within Mr Weaver's report at page 7.

If the Panel is of a mind to approve this development, we ask that consideration be given to the following measures which may be required by condition (preferably offered by the Applicant) so as to avoid, minimise and/or mitigate the likely externalities arising from this use.

- a) The Applicant be requested to provide a complete overview of the nature and form of development proposed for this land, acknowledging their ability to lodge individual applications for each stage.
- b) The preparation and provision of an Operation Environment Management Plan (OEMP) which clearly documents the processes to be undertaken and the manner by which potential off site impacts are to be addressed.
- c) The OEMP may be referred to by condition of approval which reinforces the significance of the undertakings made by the Applicant and provides for an objective reference or measure should enforcement action be required.
- d) Suitable landscape screening of the development from Gidgie Court and Woomera Avenue with semi-mature plantings, together with the retention of existing vegetation adjacent the eastern boundary.
- e) The installation and ongoing maintenance of a sprinkler system to suppress dust.



- f) A condition of approval which requires that all doors to the sorting facility are kept closed while the building is in use so as to contain noise and dust arising from the activity within. Consideration should be given to use of automated doors.
- g) A 2.1 metre high 'Colorbond' steel fence be installed between the Mayfield premises and the sorting building so as to screen this activity from view and aid in the management of noise and dust.
- h) A vermin management program to be implemented at all times.

These measures are, with respect, the minimum that may reasonably be expected in the circumstance so as to provide my Client and other land owners/operators within the locality, sufficient confidence that the impacts arising from the proposed development may be minimised so as not to prejudice their existing operations.

Notwithstanding, we ask in the first instance for the Panel to refuse consent.

As provided for we seek the opportunity to address the Panel further to the matters raised in this representation. Can you therefore please advise on the time and date of the meeting at which this matter it is to be considered, together with any further information or response that may be provided by the Applicant in the meantime.

Yours faithfully

**PHILLIP BRUNNING & ASSOCIATES PTY LTD**

A handwritten signature in black ink, appearing to be 'PB', is written over a horizontal line.

**PHILLIP BRUNNING MPIA**  
Certified Practising Planner

**Cassandra White**

---

**From:** Paul Davies <[REDACTED]>  
**Sent:** Wednesday, 3 August 2016 6:43 PM  
**To:** Development  
**Subject:** FW: Scanned Document  
**Attachments:** [Untitled].pdf

Good evening,

Updated documents regarding DA 362/075/2016/2B

Rejections,

**Paul Davies** | S A State Manager  
**GTS Freight Management Pty Ltd** | G1 Logistics Pty Ltd | 4 Gidgie Court Edinburgh SA 5111  
**D 08 8182 3863** | **T 08 81824544** | **F 08 8285 1674** | **M 0408 825 778** | [REDACTED]

CONFIDENTIALITY: This message, including attachments, may be confidential. If you believe this message was sent to you in error, do not read it. If you are not the intended recipient, any revelation, dissemination, distribution, or copying of this communication is strictly prohibited. Please reply to the sender that you have received the message in error and delete it.



# 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:	361/1075/2016/2B
Applicant:	Northern Adelaide Waste Management Authority
Location:	1-2 Gidgie Court, Edinburgh SA 5111 and 71-75 Woomera Avenue, Edinburgh SA 5111
Proposed Development:	CHANGE OF USE FROM INDUSTRY TO RECYCLING DEPOT AND SERVICE DEPOT (INCLUDING TRUCK PARKING), CONSTRUCTION OF OFFICE AND WORKSHOP, GAS REFUELING FACILITIES COMPRISING SUPPLY LINES AND STORAGE, TWO FREESTANDING SIGNS, REMOVAL OF THREE SIGNIFICANT TREES, PRUNING OF FOUR REGULATED TREES AND NINE SIGNIFICANT TREES AND ASSOCIATED VEHICLE PARKING, MANOEUVRING AREAS, FENCING, LANDSCAPING AND SERVICE COMPOUND

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

NAME(S): Paul Davies  
 ADDRESS: 9/0 4 Gidgie Court Edinburgh  
 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.**

Please see attached letter



Regulation 35(e) of the Development Regulations 2008 requires that a representation must indicate a person's desire to be heard. 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: .....

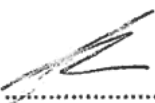
Contact details: .....

*(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 3<sup>rd</sup> August 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: 3 / 8 / 2016

#### **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 3<sup>rd</sup> August 2016.**



**G.T.S. Freight Management Pty Ltd**

ABN 58 007 997 604  
564-580 Benetook Avenue MILDURA 3500  
PO Box 2773 MILDURA, Victoria 3502  
Telephone: (03) 5022 1999 • Facsimile: (03) 5022 1600

3 August 2016

The Chief Executive  
City of Salisbury  
12 James Street  
SALISBURY SA 5108

Attn: Mr Aaron Curtis

Dear Aaron,

**DA 362/1075/2016/2B - Development proposed at 71-75 Woomera Avenue and 1 - 2 Gidgie Court, Edinburgh, SA 5111**

I refer to the above development application and confirm that GTS Freight Management Pty Ltd (GTS) is the occupier of the land at 4 Gidgie Court, Edinburgh Park. The land is directly next door to the proposed development.

GTS opposes the development proposed in the above application.

We confirm that GTS is a national freight company that operates a road transport terminal and warehouse facility. GTS employees in excess of 25 staff at the site and it is a major component of the GTS national distribution network.

GTS has recently undertaken significant capital works at the site including sealing rear yard (to eliminate dust), upgrading warehousing facilities and installation of CCTV cameras. These significant capital upgrades allowed GTS to be chosen as the Adelaide distribution hub for Woolworths Primary Freight (WWPF) in June 2016. This contract incorporates the warehousing and transport of WWPF products (predominately related to the food, wine and beverage industry). To maintain this contract, it is imperative that the site be well maintained, dust free, clean and free of any odours.

GTS has significant concerns that the proposed development will create excessive litter/rubbish, dusk, unsightly visual impact and unpleasant odours. All these are inconsistent with a facility that predominantly handles food, wine and beverage related products.

Despite advice from the EPA regarding odour modelling, we are concerned as to the odours that may be emitted. Our experience with similar sites is that the odour emitted from like facilities (such as the current facility used by NAWMA) is significant. In addition, the waste facility will also handle lightweight materials, plastics, papers, cans that are very susceptible to be moved around in breezes. We have concerns that this will create litter and debris on our site and in the near vicinity.

It is further note that most of GTS's employees are engaged in outdoor activities in the course of employment. We have significant concerns that the impact of the odours will have on our employees (and also the ability to attract and retain staff).



orm F023-4

**G.T.S. Freight Management Pty Ltd**

ABN 58 007 997 604

564-580 Benetook Avenue MILDURA 3500

PO Box 2773 MILDURA, Victoria 3502

Telephone: (03) 5022 1999 • Facsimile: (03) 5022 1600

GTS has significant concerns about the impact this proposal would have on its ongoing operations at the site (particularly financially in terms of lost contracts and staff) and strongly opposes the development.

Yours Faithfully,  
GTS Freight Management Pty Ltd

Damien Matthews  
Managing Director

orm F023-4



## ATTACHMENT 3

### EPA Referral Response



Environment Protection Authority  
www.epa.sa.gov.au



GPO Box 2607 Adelaide SA 5001  
250 Victoria Square Adelaide SA  
T (08) 8204 2000 F (08) 8204 2020  
Country areas 1800 623 445

EPA Reference: 33824

21 July 2016

Mr Aaron Curtis  
Team Leader - Planning  
City Of Salisbury  
PO Box 8  
SALISBURY SA 5108

Dear Mr Curtis

#### DIRECTION - Activities of Major Environmental Significance

Development Application No.	361/1075/2016/1B
Applicant	Northern Adelaide Waste Management Authority (URPS)
Location	A505 DP68296, Hundred Munno Para, 1-2 Gidgie Court, Edinburgh SA 5111. A506 DP68296, Hundred Munno Para, 71-75 Woomera Avenue, Edinburgh SA 5111.
Activity of Environmental Significance	Schedule 8 Item 11; Schedule 22 Part A Activities, Item 22-3(3)
Proposal	Change of use to Recycling Depot, Service Depot and Removal of Three Significant Trees.
Decision Notification	A copy of the decision notification must be forwarded to: Client Services Officer Environment Protection Authority GPO Box 2607 ADELAIDE SA 5001

I refer to the above development application forwarded to the Environment Protection Authority (EPA) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves an activity of major environmental significance as described above.

The following response is provided in accordance with Section 37(4)(b)(ii) of the *Development Act 1993* and Schedule 8 Item 11 of the *Development Regulations 2008*.

In determining this response the EPA had regard to and sought to further the objects of the

*Environment Protection Act 1993*, and also had regard to:

- the General Environmental Duty, as defined in Part 4, Section 25 (1) of the Act; and
- relevant Environment Protection Policies made under Part 5 of the Act.

Please direct all queries relating to the contents of this correspondence to Helen Malone on telephone (08) 82042078 or facsimile (08) 81244673 or email [helen.malone@epa.sa.gov.au](mailto:helen.malone@epa.sa.gov.au).

#### THE PROPOSAL

The proposed development involves two components being for:

- the change of land use to facilitate a recycling depot for the receipt, sorting and dispatch of recyclable materials from curbside collection. The received recyclable materials would include plastic, paper, glass, aluminum and cardboard. No putrescible waste (including green waste) or E - waste would be received and/or processed at the site.
- the construction of buildings and associated infrastructure for use by SUEZ Environment waste contractor, which would include administrative offices, truck parking (including the provision of a weighbridge and truck washing facility), maintenance workshop and a compressed natural gas refueling station.

The proposed development involves the relocation of the Northern Adelaide Waste Management Authority's (NAWMA's) existing materials recovery facility (from Bellchambers Road, Edinburgh North to Gidgie Court, Edinburgh) and would continue to receive approximately 21, 000 tonnes of recyclable materials per year.

The proposal would also include an extensive environmental education centre within the facility.

It is acknowledged that a waste processing facility may be developed at the site in the future. However, the waste processing facility does not form part of this development application.

#### SITE DESCRIPTION

The site of the proposed development is located at on two contiguous allotments including:

- 1 - 2 Gidgie Court, also referred to Allotment 505 in Deposited Plan 68296 and Certificate of Title Volume 5946 Folio 160; and
- 71 - 75 Woomera Avenue, also referred to Allotment 506 in Deposited Plan 68296 and Certificate of Title Volume 5960 Folio 906.

The allotments have a total area of approximately 42,000m<sup>2</sup> and are located within the Urban Employment Zone of the City of Salisbury Development Plan (consolidated 5 May 2016). The subject land is surrounded by the Edinburgh Parks industrial estate.

Allotment 505 is currently vacant. Allotment 506 contains a building (including associated driveways and car parking areas) that was formerly used for the manufacturing of car parts by ArcelorMittal.

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The closest sensitive receiver is identified as being located approximately 420 metres south west from the proposed development.

The EPA holds records of known contamination at the site.

A site visit was conducted by EPA staff on Monday 27 June 2016. The site has also been viewed using aerial photography and geographic information and imagery available to the EPA.

#### CONSIDERATION

Advice in this letter includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.

The 'Discussion Relating to Direction' and 'Direction' sections of the following response are provided in accordance with Section 37(4)(a)(i) of the *Development Act 1993* and Schedule 8 Item 11 of the *Development Regulations 2008*.

It should be noted that the referral trigger to the EPA for assessment was for waste and recycling purposes only, as per Schedule 22, 3(3) of the *Development Regulations 2008*. The EPA has therefore only provided an assessment of the potential environmental impacts associated with the proposed waste or recycling activities located on allotment 506.

The 'Other Comments' section of this response is provided to assist the relevant authority to undertake an environmental assessment of those parts of the application outside the scope of the activity of environmental significance that triggered a referral to the EPA.

In its assessment of the application, the EPA considered the following information provided in the application, including:

- Planning Report prepared by URPS titled *Proposed Material Recovery Facility (Recycling Depot) at 1 - 2 Gidgie Court and 71 - 75 Woomera Avenue, Edinburgh for Northern Adelaide Waste Management Authority*, dated 27 May 2016.
- *Site Plans* prepared by Plan It Building Design dated 26 April 2016
- *Traffic and Parking Assessment Report* prepared by Phil Weaver and Associates Pty Ltd, dated 27 May 2016
- *City of Salisbury Development Application Form* dated 31 May 2016
- *Odour Assessment Report* prepared by Enviroscan Industrial and Marine Surveys Pty Ltd. dated 19 April 2016
- *Stormwater Management Plan* prepared by Wallbridge and Gillbert Consulting Engineers, dated 20 April 2016.

The applicant currently holds an EPA License for the conduct of a prescribed activity of environmental significance at a nearby site pursuant to Schedule 1 of the *Environment Protection Act 1993*, namely activity 3(3) 'Waste or recycling depots' at Bellchambers Road, Edinburgh. Although this proposal relates to the recycling activities undertaken at Bellchambers Road, they would be carried out upon another parcel of land. As such, a new EPA license would be required for the conduct of a 'waste or recycling depot' at the proposed site.

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## DISCUSSION RELATING TO DIRECTION

### Separation Distances

Whilst the EPA promotes waste and resource recovery, it should be noted that recycling depots if not located and designed adequately may have the potential to cause off-site noise and odour impacts.

The EPA's *Guidelines for Separation Distances* (December 2007) (the guidelines) recommends a minimum air (odour) separation distance of 300 metres between a recycling depot and a sensitive receptor (i.e. dwelling). The guidelines do not recommend a minimum noise separation distance.

The proposed recycling depot is located within an Urban Employment Zone. The nearest residential dwelling, is located within a Residential Zone located approximately 420 metres south west of the site.

As the proposed development is located outside of the EPA's recommended separation distance for air quality purposes, the potential for odour nuisance from this facility is considered to be low. However, the potential for both air quality and noise impacts have been assessed in more detail below.

### Waste Management

The proposed development involves the relocation of NAWMA's existing materials recovery facility, which would continue to receive approximately 21,000 tonnes of recyclable materials per year.

Waste received at the site would include recyclable materials only and would consist of plastic, steel cans, paper, glass, aluminum and cardboard. No putrescible waste (including green waste) or E - waste would be received or processed at the site.

All materials sorting would occur indoors on a concrete surface. It is understood the site would be designed to allow for a circulation area in order to facilitate through access for waste collection vehicles. Materials would be brought to the site from sealed trucks and unloaded such that no materials would escape during transportation.

Three new access points are proposed to be located on Allotment 506 to facilitate traffic movement through to Allotment 505, where B - double vehicles up to 26 metres in length, medium rigid vehicles and semi trailers would be used within the facility.

The objective of the *Environment Protection (Waste to Resources) Policy 2010* is:

- *to achieve sustainable waste management by applying the waste management hierarchy consistently with the principles of ecologically sustainable development.*

Given the proposed development would establish a resource recovery facility where materials are received for recycling, the EPA considers this facility would provide a sustainable way to manage and reuse wastes that would otherwise be disposed to landfill.

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This is acceptable to the EPA.

#### Air Quality

The EPA's *Guidelines for Separation Distances 2007* (December 2007) recommends a minimum air quality separation distance of 300 metres from a recycling depot to the nearest sensitive receptor. The nearest sensitive receiver is located outside the EPA's recommended separation distance for air quality purposes.

In terms of dust management, all internal roadways are proposed to be sealed with either concrete or bitumen and therefore no dust would be generated at the site. This is satisfactory to the EPA.

It is acknowledged that the recycling depot would only receive paper, cardboard, plastics, glass, steel and aluminium. The site would not receive organic or putrescible materials.

Odour generation at recycling depots may potentially arise from milk related recyclable items where sour milk can be intense at very short distances. The EPA notes the proportion of odorous material (remnant in emptied but unwashed containers) would remain small relative to the bulk quantity of non odorous waste materials expected to be received at the site.

An *Odour Assessment Report* prepared by Enviroscan Industrial and Marine Surveys Pty Ltd. dated 19 April 2016 was provided with the application. It is acknowledged the odour modelling was assessed using the *EPA Guideline: Odour assessment using odour source modelling (April 2007)* and was modelled based on odour emission samples that were taken from the current Northern Adelaide Waste Management Authority (NAWMA) materials recovery centre (MRC) and waste processing facility (WPF). As this application is for a recycling depot only, the EPA considers that the report modelled operations that would be significantly more odorous than the proposed recycling operations.

The odour modelling results (based on both the MRC and WPF) predicted ground level odour as being 2 odour units (OU) approximately 50 metres beyond the site boundary. It was predicted that ground level odour at the closest resident located approximately 420 metres south west of the site in a residential zone would be 0.3 OU, well below the EPA's recommended 20U criteria.

Given the provided odour modelling was based on predicted odour impacts from both the existing MRC and WPF operations, and that the proposed development is only for a recycling depot, the EPA considers the provided odour modelling was undertaken in a conservative manner. Furthermore, it is understood the following odour control measures would be implemented at the site:

- waste transfer activities would be conducted inside an enclosed building on a concrete pad
- only dry recyclable materials would be collected on site; and
- no permanent storage of waste materials would occur at the site.

Based on the provided information relating to potential air quality impacts, the EPA considers that both dust and odour impacts from the proposed recycling depot would be unlikely to occur at the closest sensitive receiver located approximately 420 metres south west of the

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site.

#### Noise

The proposed recycling depot would comprise several activities and items of plant and equipment that would have the potential to generate off-site noise impacts. These sources are likely to include (but not limited to) the following:

- movements of kerbside collection vehicles, including depositing of materials within the shed in-loading area
- outloading of processed materials
- materials handling (e.g. front end loader)
- automated materials sorting equipment (e.g. conveyors and conveyor drives, trommels, ballistic separators, balers); and
- noise from manual sorting activities.

The EPA acknowledges that the proposed hours of operation would be from Monday to Friday 6am - 6pm and on weekends from 7am - 12pm. All recycling activities (including depositing of materials by collection vehicles) would be undertaken inside the existing shed building located on Allotment 506. It is understood that no roller door openings would face towards the nearest noise sensitive receivers and as such, it is anticipated that noise would be well contained within the building.

A compound for gas compressors and cooling plants is proposed as being located at the front of Allotment 505 (along Woomera Avenue). The application states that the containers proposed on Allotment 505 to house the associated gas compressor and cooling plant would be designed to appropriately manage potential off site noise impacts. Further information provided to the EPA (received 4 July 2016) indicated that the proposed containers would be designed to meet 75dB(A) at a distance of 3 metres. As such, the EPA considers it is unlikely that noise from this plant would have an adverse impact at the closest noise sensitive receivers, located approximately 420 metres south west of the site.

Furthermore, the existing ambient noise at the subject site already includes similar industrial, commercial and light industrial land uses which would provide some masking of any noise impacts, particularly as the proposed development would generally operate during day-time periods only. The EPA also acknowledges that the nearest noise sensitive receivers are also located directly adjacent to a freight railway line.

Provided all recycling depot operations would be undertaken within the proposed operating hours, the EPA considers the proposal is unlikely to have an adverse noise impact at the closest sensitive receivers located approximately 420 metres south west of the site.

#### OTHER COMMENTS

The following comments are provided to assist the relevant authority undertake an environmental assessment of those parts of the application that do not directly relate to the activity which triggered the EPA referral. Further information has not been sought by the EPA in relation to these comments and no conditions are advised in relation to these matters.

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### Site Contamination

The planning authority should be aware that the EPA holds records of site contamination which relate to two Certificates of Title subject to this application, including CT 5946/160 and CT 5960/906.

The two records held by the EPA relating to these titles include:

- An interim audit report titled: *Interim Audit Report, prepared for the Defence Science & Technology Organisation (DSTO) Facility, First Street Salisbury, South Australia*. Prepared by: Mr Alex Eadie of Golder Associates Pty Ltd. Dated: 4 July 1997.; and
- A pre-2009 site audit report notification of commencement and subsequent termination (before completion).

The interim audit report prepared by Golder Associates, 4 July 1997 includes a site history assessment that relates to a larger area of land, (approximately 1800 hectares) formerly owned by the Department of Defence. The two Certificates of Title relating to this application (CT 5946/160 and CT 5960/906) fall within the subject area (including land identified as the former RAAF Edinburgh Base) and hence, were subject to this interim audit report.

The interim audit report outlines the following potentially contaminating activities as having been undertaken at the former RAAF site:

- landfilling activities, including the burial of missile and rocket parts, various waste disposal products, and liquid waste disposal products;
- sheep dip and yard areas;
- electrical transformers at unknown locations;
- electroplating activities; and
- ammunition manufacturing.

Whilst the proposal is for a recycling depot and the change in land use is not moving to a more sensitive use, the EPA advises that where construction and/or excavation works are anticipated at the site, the Planning Authority should request that:

- A Construction and Environmental Management Plan (CEMP) be prepared by a suitably qualified site contamination consultant in accordance with the *EPA Guidelines for the Environmental Management of On-Site Remediation*, (November 2008) in order to address the following matters:
  - soil, including fill importation, stockpile management and prevention of soil contamination.
  - air quality, including dust management
  - surface water including erosion and sediment control
  - groundwater, including prevention of groundwater contamination
  - occupational health and safety

Given the significant site contamination issues that have been historically identified, appropriate consideration should be given to the anticipated excavation and/or construction works in order to ensure potential risks to human health and/or the environment are avoided.

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The *EPA Guidelines for the Environmental Management of On-Site Remediation*, (November 2008) can be accessed via the following link:

[http://www.epa.sa.gov.au/data\\_and\\_publications/search-documents?q=on+site+remediation&published=&category=181&doctype=](http://www.epa.sa.gov.au/data_and_publications/search-documents?q=on+site+remediation&published=&category=181&doctype=)

#### Water Quality

The provided *Stormwater Management Plan* prepared by Wallbridge and Gillbert Consulting Engineers (dated 20 April 2016) outlines how stormwater would be managed at Allotment 505. The Stormwater Management Plan states that Allotment 506 (where receipt, sorting and dispatch of recyclable materials within the existing building would occur) already has suitable drainage infrastructure in place and therefore was not considered as part of the report.

The EPA considers that best management practices for new development involves not increasing stormwater flows above pre - development flows while minimizing the quantity of pollutants in the stormwater flowing from the site. The stormwater management information provided with the application includes an assessment of both flood management and water quality management at Allotment 505. In terms of flood management, a high level DRAINS model was prepared to determine the required size of anticipated swales and the volume of detention storage needed. It identified that 125m<sup>3</sup> of detention storage would be required to facilitate post development runoff. The required detention would be provided within a retention basin located at the southern end of the site and would be sized to cater for a 45 minute duration, 2 year ARI storm event to enable pre development flow rates (which equates to a retention volume of approximately 150m<sup>3</sup>). This is satisfactory to the EPA.

In order to meet water quality targets outlined in the *Water Sensitive Urban Design (WSUD) Guide for South Australia* (2013), WSUD measures proposed include vegetated swales that would treat water via bio-filtration and a retention basin. In addition, the stormwater management plan prepared by Wallbridge and Gilbert also undertook MUSIC Modelling for Allotment 505 which identified that the treatment performance of the proposed stormwater scheme would achieve the following stormwater quality targets:

Pollutant	Current Best Practice Performance Objective
Suspended Solids (SS)	80% reduction in average annual pollutant load compared to an equivalent urban catchment with no water quality management
Total Phosphorus (TP)	60% reduction in average annual pollutant load compared to an equivalent urban catchment with no water quality management
Total nitrogen (TN)	45% reduction in average annual pollutant load compared to an equivalent urban catchment with no water quality management
Litter	Reduction of litter greater than 50 millimetres for flows up to 3 month ARI peak flow

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Oil and Grease	No visible oils for flows up to the 3 month ARI peak flow
Flow	Run-off rates that do not exceed the rate of discharge from the site that existed during pre-development.

The planning authority may wish to condition that the detailed design of the stormwater management system is established in accordance with the MUSIC Modelling as proposed in the report *Stormwater Management Plan*, dated 20 April 2016 and would meet the water quality objectives above.

#### Truck Wash Facility

The provided *Stormwater Management Plan* prepared by Wallbridge and Gillbert Consulting Engineers, dated 20 April 2016 identifies that a truck washbay facility is proposed as being located at the site (on Allotment 505). As the referral trigger to the EPA only relates to waste and recycling facilities, the EPA has not undertaken an assessment of how vehicle washdown water would be managed at the site.

It should be noted that clause 10 of the *Environment Protection (Water Quality) Policy 2015* states that 'a person must not discharge a class 1 pollutant into any waters or onto land in a place from which it is reasonably likely to enter any waters (including by processes such as seepage or infiltration or carriage by wind, rain, sea spray or stormwater or by the rising of the water table)'. Washdown water from cleaning vehicles is defined as a class 1 pollutant.

As such, the planning authority is advised to consider how any waters (including the stormwater system) would be protected from entry of vehicle washdown water. Guidance on this issue can be found in the EPA Information Sheet: *Stormwater Management for Wash Bays (2004)* (found at: [http://www.epa.sa.gov.au/files/7593\\_water\\_wash.pdf](http://www.epa.sa.gov.au/files/7593_water_wash.pdf)).

#### CONCLUSION

Whilst the EPA promotes waste and resource recovery, recycling depots if not appropriately located and adequately designed may have the potential to cause off-site noise and odour impacts. Given the proposed development is for the receipt and processing of recyclable materials only (including plastic, paper, glass, aluminum and cardboard) and that no putrescible waste (including green waste) or E - waste would be received and/or processed at the site, the EPA considers the proposed development would not create adverse noise and air quality (including odour) impacts at the closest sensitive receivers located approximately 420 metres south west of the site.

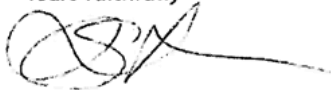
Provided all recycling depot operations would be undertaken within the proposed operating hours, the EPA is satisfied the proposed recycling depot is unlikely to result in unacceptable impacts to the environment.

DIRECTION

No conditions are directed, however the following notes provide important information for the benefit of the applicant and are requested to be included in any approval:

- The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:  
[http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence) .
- A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

Yours faithfully



Courtney Stollznov  
Delegate  
ENVIRONMENT PROTECTION AUTHORITY



## ATTACHMENT 4

### RELEVANT DEVELOPMENT PLAN PROVISIONS



# Development Plan

**Salisbury Council**

**Consolidated – 5 May 2016**

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

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## Advertisements

### OBJECTIVES

- 1 Urban and rural landscapes that are not disfigured by advertisements and/or advertising hoardings.
- 2 Advertisements and/or advertising hoardings that do not create a hazard.
- 3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The location, siting, design, materials, size, and shape of advertisements and/or advertising hoardings should be:
  - (a) consistent with the predominant character of the urban or rural landscape
  - (b) in harmony with any buildings or sites of historic significance or heritage value in the area
  - (c) co-ordinated with and complement the architectural form and design of the building they are to be located on.
- 2 The number of advertisements and/or advertising hoardings associated with a development should be minimised to avoid:
  - (a) clutter
  - (b) disorder
  - (c) untidiness of buildings and their surrounds
  - (d) driver distraction.
- 3 Buildings occupied by a number of tenants should exhibit co-ordinated and complementary advertisements and/or advertising hoardings to identify the tenants and their type of business.
- 4 The content of advertisements should be limited to information relating to the legitimate use of the associated land.
- 5 Advertisements and/or advertising hoardings should:
  - (a) be completely contained within the boundaries of the subject allotment
  - (b) be sited to avoid damage to, or pruning or lopping of, on-site landscaping or street trees
  - (c) not obscure views to vistas or objects of high amenity value.
- 6 Advertisements and/or advertising hoardings should not be erected on:
  - (a) a public footpath or veranda post
  - (b) a road, median strip or traffic island
  - (c) a vehicle adapted and exhibited primarily as an advertisement



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- (d) residential land.
- 7 Advertisements and/or advertising hoardings attached to buildings should not be sited on the roof or higher than the walls of a building.
- 8 Advertisements and/or advertising hoardings erected on a veranda or that project from a building wall should:
  - (a) have a clearance over a footway, of at least 2.5 metres, to allow for safe and convenient pedestrian access
  - (b) where erected on the side of a veranda, not exceed the width of the veranda or project from the veranda
  - (c) where erected on the front of a veranda, not exceed the length of the veranda or project from the veranda
  - (d) where projecting from a wall, have the edge of the advertisement or advertising hoarding abutting the surface of the wall.
- 9 Advertisements should be designed to conceal their supporting advertising hoarding from view.
- 10 Advertisements should convey the owner/occupier and/or generic type of business, merchandise or services using simple, clear and concise language, symbols, print style and layout and a small number of colours.
- 11 Advertisements which perform a secondary role in identifying the business, goods or services should only be readable in the immediate vicinity of the site.
- 12 Outside of townships and country settlements advertisements other than traffic signs, tourist signs or advertisements on an existing tourist information bay display board, should not be erected in road reserves.

### Safety

- 13 Advertisements and/or advertising hoardings should not create a hazard by:
  - (a) being so highly illuminated as to cause discomfort to an approaching driver, or to create difficulty in the driver's perception of the road or persons or objects on the road
  - (b) being liable to interpretation by drivers as an official traffic sign, or convey to drivers information that might be confused with instructions given by traffic signals or other control devices, or impair the conspicuous nature of traffic signs or signals
  - (c) distracting drivers from the primary driving task at a location especially where the demands on driver concentration are high
  - (d) obscuring a driver's view of other road or rail vehicles at/or approaching level crossings, or of pedestrians or of features of the road that are potentially hazardous (eg junctions, bends, changes in width, traffic control devices).
- 14 Any internally illuminated advertising signs and/or advertising hoardings which utilise LED, LCD or other similar technologies should be located a minimum of 80 metres from traffic signals, level crossings and other important traffic control devices.

### Freestanding Advertisements

- 15 Freestanding advertisements and/or advertising hoardings should be:
  - (a) limited to only one primary advertisement per site or complex

- (b) of a scale and size in keeping with the desired character of the locality and compatible with the development on the site.
- 16 Freestanding advertisements and/or advertising hoardings for multiple-business tenancy complexes should:
- (a) incorporate the name or nature of each business or activity within the site or complex in a single advertisement
  - (b) be integrally designed and mounted below the more predominant main complex or site identity advertisement.
- 17 Portable, easel or A-frame advertisements should be displayed only where:
- (a) no other appropriate opportunity exists for an adequate co-ordinated and permanently erected advertisement and/or advertising hoarding
  - (b) they do not obstruct or compromise the safety of pedestrians or vehicle movement
  - (c) there is no unnecessary duplication or proliferation of advertising information
  - (d) there is no damage to, or removal of, any landscaping on the site
  - (e) they are restricted to 1 per site, or 1 per major road frontage if located upon a large corner site
  - (f) each sign does not exceed 1 square metre in advertisement area per face, and 1.2 metres in height.
- 18 Freestanding advertisements should not exceed the total height (measured from natural ground level) as specified within the following table:

Location of freestanding advertisement	Total height (in metres)
Mixed Use (Bulky Goods, Entertainment and Leisure) Zone	8
Precinct 8 Retail Core (within the Ingle Farm Policy Area 2)	
Precinct 13 Retail Core (within the Salisbury Town Centre Policy Area 3)	
Precinct 17 Retail Core (within the Salisbury Downs Policy Area 4)	
Bulky Goods Zone	
Precinct 23 Greenfields Commercial (within the Commercial Zone)	
Industry Zone	6
Neighbourhood Centre Zone	
Precinct 21 Para Hills West Commercial (within the Commercial Zone)	
Precinct 24 Pooraka Commercial (within the Commercial Zone)	
Commercial Zone (Except within Precinct 23 Greenfields Commercial, Precinct 21 Para Hills West Commercial or Precinct 24 Pooraka Commercial)	4
Precinct 5 Education (within the Ingle Farm Policy Area 2)	
Precinct 7 Recreation (within the Ingle Farm Policy Area 2)	
Local Centre Zone	
Precinct 9 Civic (within the Salisbury Town Centre Policy Area 3)	
Precinct 11 Community and Tertiary (within the Salisbury Town Centre Policy Area 3)	
Precinct 12 Interchange (within the Salisbury Town Centre Policy Area 3)	
Precinct 15 Community (within the Salisbury Downs Policy Area 4)	
Precinct 16 Mixed Use (within the Salisbury Downs Policy Area 4)	
In all other locations	3

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- 19 Portable, easel or A-frame advertisements associated with a development should be displayed only during the hours the development is open for trading.

**Flags, Bunting and Streamers**

- 20 Advertisements and/or advertising hoardings incorporating any flags, bunting, streamers, or suspended objects should:
- (a) be placed or arranged to complement and accord with the scale of the associated development
  - (b) other than flags, not be positioned higher than the building they are attached or related to
  - (c) not be displayed in residential areas.

**Advertising along Arterial Roads**

- 21 Advertising and/or advertising hoardings should not be placed along arterial roads that have a speed limit of 80 km/h or more.

## Design and Appearance

### OBJECTIVES

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, buildings and land uses laid out and linked so that they are easy to understand and navigate.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 The design of a building may be of a contemporary nature and exhibit an innovative style provided the overall form is sympathetic to the scale of development in the locality and with the context of its setting with regard to shape, size, materials and colour.
- 2 Buildings should be designed and sited to avoid creating extensive areas of uninterrupted walling facing areas exposed to public view.
- 3 Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:
  - (a) articulation
  - (b) colour and detailing
  - (c) small vertical and horizontal components
  - (d) design and placing of windows
  - (e) variations to facades.
- 4 Where a building is sited on or close to a side boundary, the side boundary wall should be sited and limited in length and height to minimise:
  - (a) the visual impact of the building as viewed from adjoining properties
  - (b) overshadowing of adjoining properties and allow adequate sun light to neighbouring buildings.
- 5 Building form should not unreasonably restrict existing views available from neighbouring properties and public spaces.
- 6 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building with brickwork or timber, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.
- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.
- 8 Structures located on the roofs of buildings to house plant and equipment should form an integral part of the building design in relation to external finishes, shaping and colours.
- 9 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.

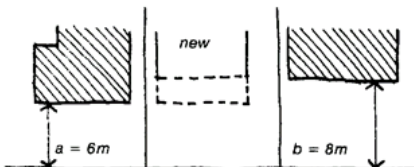


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- 10 Development should provide clearly recognisable links to adjoining areas and facilities.
- 11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 12 Buildings (other than ancillary buildings or group dwellings) should be designed so that their main façade faces the primary street frontage of the land on which they are situated.
- 13 Where applicable, development should incorporate verandas over footpaths to enhance the quality of the pedestrian environment.
- 14 Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.
- 15 Outdoor lighting should not result in light spillage on adjacent land.
- 16 Balconies should:
  - (a) be integrated with the overall architectural form and detail of the building
  - (b) be sited to face predominantly north, east or west to provide solar access
  - (c) have a minimum area of 2 square metres.

#### Building Setbacks from Road Boundaries

- 17 The setback of buildings from public roads should:
  - (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
  - (b) contribute positively to the streetscape character of the locality
  - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.
- 18 Except where specified in a particular zone, policy area or precinct, the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When <math>b - a \leq 2</math>, setback of new dwelling = <math>a</math> or <math>b</math></p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

- 19 Except where specified in a particular zone, policy area, or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Sal/1 - Building Setbacks from Road Boundaries](#).

- 20 Except where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 21 Development likely to encroach within a road widening setback under the *Metropolitan Adelaide Road Widening Plan Act 1972* should be set back sufficiently from the boundary required for road widening.

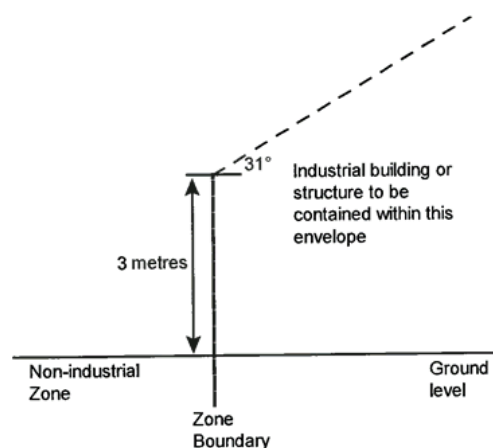
## Industrial Development

### OBJECTIVES

- 1 Industrial, warehouse, storage and transport distribution development on appropriately located land, integrated with transport networks and designed to minimise potential impact on these networks.
- 2 The development of small scale agricultural industries, wineries, mineral water extraction and processing plants, and home based industries in rural areas.
- 3 Industrially zoned allotments and uses protected from encroachment by adjoining uses that would reduce industrial development or expansion.
- 4 Industrial development occurring without adverse effects on the health and amenity of occupiers of land in adjoining zones.
- 5 Compatibility between industrial uses within industrial zones.
- 6 The improved amenity of industrial areas.
- 7 Co-location of industries in townships to enable promotion and implementation of innovative waste recovery practices, methods of power generation and reuse of by-products.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Offices and showrooms associated with industrial, warehouse, storage and transport development should be sited at the front of the building with direct and convenient pedestrian access from the main visitor parking area.
- 2 Any building or structure on, or abutting the boundary of, a non-industrial zone should be restricted to a height of 3 metres above ground level at the boundary and a plane projected at 31 degrees above the horizontal into the development site from that 3 metre height, as shown in the following diagram:



- 3 Industrial development should enable all vehicles to enter and exit the site in a forward direction.
- 4 Industrial development abutting an arterial road, a non-industrial zone boundary, or significant open space should be developed in a manner that does not create adverse visual impacts on the locality.

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- 5 Building facades facing a non-industrial zone, public road, or public open space should:
  - (a) use a variety of building finishes
  - (b) not consist solely of metal cladding
  - (c) contain materials of low reflectivity
  - (d) incorporate design elements to add visual interest
  - (e) avoid large expanses of blank walls.
- 6 Industrial development should minimise significant adverse impact on adjoining uses due to hours of operation, traffic, noise, fumes, smell, dust, paint or other chemical over-spray, vibration, glare or light spill, electronic interference, ash or other harmful or nuisance-creating impacts.
- 7 Development within 50 metres of the Residential Zone boundary should:
  - (a) demonstrate appropriate acoustic performance
  - (b) ensure that all noise sources including machinery, outside loading, unloading and other service areas are located away from the Residential Zone boundary
  - (c) comprise buildings of masonry or equivalent construction to minimise the transmission of noise with openings located away from residential properties
  - (d) limit operating hours to between 7am and 6 pm
  - (e) where there is a railway on the boundary development should:
    - (i) ensure the rear walls of the industrial premises are sited on the rear boundary of the allotments
    - (ii) incorporate building materials that will minimise the reflection of railway traffic noise towards the residential area opposite
    - (iii) where a wall is not located on the boundary, landscaping, including mounding, land sculpting and/or thick planting, is to be established between the rear walls of the industrial premises and the railway in order to minimise the reflection of railway traffic noise.
- 8 Landscaping should be incorporated as an integral element of industrial development along non-industrial zone boundaries.
- 9 Fencing (including colour-coated wire mesh fencing) adjacent to public roads should be set back in one of the following ways:
  - (a) in line with the building facade
  - (b) behind the building line
  - (c) behind a landscaped area that softens its visual impact.
- 10 Marine aquaculture onshore storage, cooling and processing facilities should not impair the coastline and its visual amenity and should:
  - (a) be sited, designed, landscaped and developed at a scale and using external materials that minimise any adverse visual impact on the coastal landscape
  - (b) be sited and designed with appropriate vehicular access arrangement
  - (c) include appropriate waste treatment and disposal.



## Interface between Land Uses

### OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

### 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 impacts on existing and potential future land uses desired in the locality.
- 3 Development adjacent to a **Residential Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 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 desired for the zone should be designed to minimise negative impacts.
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

### Noise Generating Activities

- 7 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises.
- 8 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

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- 9 Outdoor areas (such as beer gardens or dining areas) associated with licensed premises should be designed or sited to minimise adverse noise impacts on adjacent existing or future noise sensitive development.
- 10 Development proposing music should include noise attenuation measures that achieve the following desired noise levels:

Noise level assessment location	Desired noise level
Adjacent existing <i>noise sensitive development</i> property boundary	Less than 8 dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum and Less than 5 dB(A) above the level of background noise ( $LA_{90,15min}$ ) for the overall (sum of all octave bands) A-weighted level
Adjacent <i>land</i> property boundary	Less than 65dB(Lin) at 63Hz and 70dB(Lin) in all other octave bands of the sound spectrum or Less than 8 dB above the level of background noise ( $L_{90,15min}$ ) in any octave band of the sound spectrum and 5 dB(A) overall (sum of all octave bands) A-weighted level

#### Air Quality

- 11 Development with the potential to emit harmful or nuisance-generating air pollution should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.
- 12 Chimneys or exhaust flues associated with commercial development (including cafes, restaurants and fast food outlets) should be designed to ensure they do not cause a nuisance or health concerns to nearby sensitive receivers by:
- (a) incorporating appropriate treatment technology before exhaust emissions are released to the atmosphere
  - (b) ensuring that the location and design of chimneys or exhaust flues maximises dispersion and takes into account the location of nearby sensitive uses.

#### Rural Interface

- 13 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
  - (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 14 Traffic movement, spray drift, dust, noise, odour and the use of frost fans and gas guns associated with primary production should not lead to unreasonable impact on adjacent land uses.
- 15 Existing primary production and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.
- 16 Development that is adjacent to land used for primary production (within either the zone or adjacent zones) should include appropriate setbacks and vegetative plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production.

- 17 New urban development should provide a buffer of at least 40 metres wide (inclusive of any fuel break, emergency vehicle access or road) separating urban and rural activities.
- 18 Development located 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 hours of operation.

## Landscaping, Fences and Walls

### OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
  - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
  - (b) enhance the appearance of road frontages
  - (c) screen service yards, loading areas and outdoor storage areas
  - (d) minimise maintenance and watering requirements
  - (e) enhance and define outdoor spaces, including car parking areas
  - (f) maximise shade and shelter
  - (g) assist in climate control within and around buildings
  - (h) minimise heat absorption and reflection
  - (i) maintain privacy
  - (j) maximise stormwater re-use
  - (k) complement existing vegetation, including native vegetation
  - (l) contribute to the viability of ecosystems and species
  - (m) promote water and biodiversity conservation.
- 2 Landscaping should:
  - (a) include the planting of locally indigenous species where appropriate
  - (b) be oriented towards the street frontage
  - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 3 Landscaping should not:
  - (a) unreasonably restrict solar access to adjoining development
  - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding



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*Landscaping, Fences and Walls*

- (c) introduce pest plants
- (d) increase the risk of bushfire
- (e) remove opportunities for passive surveillance
- (f) increase leaf fall in watercourses
- (g) increase the risk of weed invasion
- (h) obscure driver sight lines
- (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.

4 Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- (e) assist in highlighting building entrances
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.

## Significant Trees

### OBJECTIVES

- 1 The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.
- 2 The conservation of significant trees in balance with achieving appropriate development.

### PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:
  - (a) makes an important contribution to the character or amenity of the local area; or
  - (b) is indigenous to the local area and its species is listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species
  - (c) represents an important habitat for native fauna
  - (d) is part of a wildlife corridor of a remnant area of native vegetation
  - (e) is important to the maintenance of biodiversity in the local environment
  - (f) forms a notable visual element to the landscape of the local area.
- 2 Development should be undertaken so that it has a minimum adverse effect on the health of a significant tree.
- 3 Significant trees should be preserved, and tree-damaging activity should not be undertaken, unless:
  - (a) in the case of tree removal, where at least one of the following apply:
    - (i) the tree is diseased and its life expectancy is short
    - (ii) the tree represents an unacceptable risk to public or private safety
    - (iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area
  - (b) the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value
  - (c) all other reasonable remedial treatments and measures have been determined to be ineffective
  - (d) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.
  - (e) in any other case, any of the following circumstances apply:
    - (i) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree
    - (ii) the work is required due to unacceptable risk to public or private safety

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Significant Trees

- (iii) the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a Bushfire Prone Area
  - (iv) the tree is shown to be causing or threatening to cause damage to a substantial building or structure of value
  - (v) the aesthetic appearance and structural integrity of the tree is maintained
  - (vi) it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.
- 4 Development involving ground work activities such as excavation, filling, and sealing of surrounding surfaces (whether such work takes place on the site of a significant tree or otherwise) should only be undertaken where the aesthetic appearance, health and integrity of a significant tree, including its root system, will not be adversely affected.
- 5 Land should not be divided or developed where the division or development would be likely to result in a substantial tree-damaging activity occurring to a significant tree.

## 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.



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- 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

- (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.

Salisbury Council  
General Section  
Transportation and Access

### 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.

- 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.



Salisbury Council  
General Section  
Waste

## 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

- (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.

Salisbury Council  
General Section  
Waste

- 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.



Salisbury Council  
Zone Section  
Urban Employment Zone

## Urban Employment Zone

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

### OBJECTIVES

- 1 A mixed use employment zone that **primarily** accommodates a range of industrial land uses together with other employment and business activities that generate wealth and employment for the State.
- 2 Local activity centres, which include a range of activities including shops, consulting rooms, personal service establishments, child care and training facilities that provide support services for businesses and an expanding workforce.
- 3 Provision for large floor plate enterprises, such as major logistics and manufacturing plants, and high technology and/or research and development facilities, located to take advantage of existing and future road and rail infrastructure.
- 4 The effective location and management of activities at the interface of industrial/commercial activity with land uses that are sensitive to these operations.
- 5 A high standard of development which promotes distinctive building, landscape and streetscape design, with high visual and environmental amenity, particularly along arterial roads and the boundaries of adjoining zones.
- 6 Development that promotes business clusters that provide a range of economic and environmental benefits.
- 7 Co-ordinated and integrated development that:
  - (a) incorporates high speed information technology and telecommunications facilities and infrastructure
  - (b) contributes to the improvement of the physical, social and economic conditions of adjoining communities where appropriate.
- 8 Development that contributes to the desired character of the zone.

### DESIRED CHARACTER

Greater Edinburgh Parks will be a high quality enterprise and employment destination, attracting a specialised workforce and providing a focus for manufacturing, research and technology, logistics and transport services, intermodal operations and expansion of defence industries in particular. Development will build on existing industrial and enterprise activities at Edinburgh Parks, the Defence Science Technology Organisation and RAAF Base, and major automotive manufacturing at Elizabeth South.

Superior road and rail connections and information communication technology will also link the area to ports and harbours and specialised defence and technology precincts at Osborne and Mawson Lakes, providing significant competitive advantages for the State. Coordinated staging of development and infrastructure, and integration with the Salisbury and the Elizabeth Centres, is envisaged to contribute to the improvement of the physical, social and economic conditions of adjoining communities, including enhancing access to public transport.

This zone provides for the establishment of business clusters that create opportunities for innovation, start up and the growth of new businesses, and link businesses to global investment opportunities.



Desirable land uses include a wide range of activities that generate employment, focusing on industry, indoor industrialised horticulture and associated processing and packaging, transport and technology-based activities that can operate on a twenty-four hour, seven day per week basis where appropriate, together with offices and industry-related training and educational establishments. Existing defence operations, including explosive ordnance activities, will be protected and not adversely impacted by development. Development should also comprise high technology and/or research and development related uses where it is compatible with adjoining uses.

As a primary freight route and key access into Greater Edinburgh Parks, Heaslip Road will be a focus for road-based logistics, warehousing, distribution and transport services requiring convenient access to Port Wakefield Road, the Northern Expressway and rail facilities. Large allotment sizes are envisaged adjacent both sides of Heaslip Road to accommodate large floor plate enterprises. Edinburgh Road will provide the key access route into Edinburgh Parks from Heaslip Road. Access points onto Edinburgh Road and Heaslip Road will therefore be limited and direct property access onto these roads should not occur in order to preserve their planned function.

Special industry should not occur in the zone unless associated with food and beverage production, is considered necessary to support major manufacturing clusters or involves bulk handling activities associated with intermodal and transport operations. Such industries should not be located adjacent or in close proximity to local activity centres, sensitive land uses or other zones. Where special industry is proposed, use of best available technology economically achievable will be encouraged to minimise land use impacts and reduce the need for large buffer or separation areas.

The development of local activity centres accommodating local shops (including cafes and restaurants), consulting rooms, service trade premises, child care facilities, recreation facilities and training facilities is encouraged in the zone to support an expanding workforce and provide support services for business. These activity nodes will be compatible with the function of other zones or nearby centres. More sensitive land uses such as educational establishments, child care centres and consulting rooms will be located and designed to ensure that higher impact land uses such as general industry do not undermine the successful operation of any land use. Locations of activity nodes are shown on Concept Plan Map Sal/7 – Greater Edinburgh Parks.

The bulky goods node or other local activity centres should provide the primary location of bulky goods outlets.

A high level of compatibility between land uses in the zone is envisaged to ensure a quality and attractive business environment is maintained. Clustering of industrial activities to share resources and reduce waste impacts and energy needs is encouraged in the zone, as well as shared use of facilities and services, including training, communication and information technology, shipping and receiving facilities, and car parking areas where practical. Allotments that adjoin the boundary of another zone where more sensitive land uses are anticipated (e.g. residential development), will be large enough to accommodate design features and siting arrangements that limit impact on the adjoining zone. Conventional horticulture is not anticipated in the zone, and will be replaced by envisaged land uses over time. Consequently, establishing new conventional horticulture should not occur. Development will also respect the historical character of places of cultural or heritage significance such as the Sturton Church and graveyard.

Development will comprise high quality, innovative contemporary architecture that is both adaptable and flexible to accommodate multiple uses or changes in future land uses where practical. Buildings will comprise low reflective materials and provide a variation in finishes, façade treatments and setbacks rather than appearing as large uniform buildings with blank facades. Outdoor storage and service areas will also be located away from major roads or residential areas and be screened from public view with fencing/structures of varied materials that limit potential for vandalism.

Landscaping will be used to define gateways to the area and be carefully integrated with built form, ensuring that vegetation is sustainable, drought tolerant, locally indigenous and matched to the scale of development, while also providing a comfortable, pleasant and attractive environment. Siting of development and setbacks from arterial roads, freight routes and the Northern Expressway in particular will allow for suitable landscaped areas to enhance the visual amenity of key movement, entry and arrival points to the area. Car parking areas will include trees to provide shade and enhance visual amenity. The appearance of outdoor storage areas will also be enhanced through landscaping. Landscaping will be carefully designed to minimise opportunity for crime by ensuring passive/active surveillance and minimising places of entrapment. Landscaping, building and structures should also be sited and designed to ensure that the security of the DSTO security fence is not compromised.

Salisbury Council  
Zone Section  
Urban Employment Zone

Water Sensitive Urban Design systems, including the harvest, treatment, storage and reuse of stormwater, will be integrated throughout the area at the neighbourhood, street, site and building level, taking advantage of large allotment sizes and impervious areas. Roadways will be designed to accommodate major stormwater flows in excess of the capacity of underground drainage systems. Major stormwater drainage infrastructure should be developed in accordance with *Concept Plan Map Sal/7 – Greater Edinburgh Parks* and be designed in an attractive form with grass-lined sides and allow for the planting of trees and shrubs on both sides of open channels. Harvested stormwater will improve the aesthetic and functional value of landscaping and open spaces, including public access ways and greenways, contributing to a superior working environment.

Two buried high pressure gas transmission pipelines traverse some areas within the zone, namely the Epic Energy and SEA Gas pipelines. These transmission pipelines are to be designed, constructed, operated and maintained in accordance with Australian Standard (AS) 2885: Pipelines – Gas and Liquid Petroleum to ensure protection of the pipeline, which in turn ensures the safety of the community, protection of the environment and security of (gas) supply to users.

Any change to the use of land and/or proposed construction activity in the vicinity of these pipelines require a detailed assessment to be undertaken to ensure that all risks associated with continued pipeline operations remain acceptable. In light of these requirements, development within 640 metres of the SEAGAS gas pipeline and 400 metres of the Epic gas pipeline as shown on *Overlay Map Sal/1 Development Constraints* should conform with the minimum pipeline safety requirements for AS2885 (Pipeline Gas and Liquid Petroleum).

#### Infrastructure for Greater Edinburgh Parks

Development within the Greater Edinburgh Parks requires the co-ordinated delivery of infrastructure and should only proceed where it has been demonstrated that such co-ordination exists to ensure infrastructure between development sites (or a stage of a development) facilitates the overall achievement of the relevant Concept Plan. In some cases this may include provision for temporary works pending development of adjacent land or other land within the same Concept Plan area.

Particular attention will be given to infrastructure co-ordination to achieve the following:

- (a) an efficient and easily maintained stormwater management system comprising a series of drainage channels and retention / detention basins and /or wetlands
- (b) key upgrades to local road junctions (including Heaslip / Edinburgh Roads, Argent / Womma Roads, Heaslip / Womma Roads and Andrews / Womma Roads to provide either an intersection upgrade or provision of a roundabout to distribute traffic to the existing road network
- (c) key electricity substations located near the intersection of Penfield / Short Roads and Mill / Short Roads to accommodate the requirements of SA Power Networks.

## PRINCIPLES OF DEVELOPMENT CONTROL

### Land Use

1 The following forms of development, or combination thereof, are envisaged in the zone:

- consulting room
- dwelling in association with industry
- electricity substation
- fuel depot
- indoor industrialised horticulture
- indoor recreation centre
- industry
- intermodal rail freight facility
- motor repair station
- office
- petrol filling station



- pre-school
  - prescribed mains
  - public service depot
  - road transport terminal
  - service trade premises
  - service industry
  - shop or group of shops
  - training facility
  - store
  - warehouse.
- 2 Development listed as non-complying is generally inappropriate.
  - 3 Development should be in accordance with the relevant [Concept Plan Map Sal/7 – Greater Edinburgh Parks](#).
  - 4 Development should not impede the operation of established land uses through encroachment, over development of sites or noise/emissions or any other harmful or nuisance-creating impact.
  - 5 Shops or groups of shops (other than bulky good outlets and service trade premises) should serve the local workforce within the zone and have a gross leasable floor area less than:
    - (a) 2500 square metres where located in designated local activity centres shown on [Concept Plan Map Sal/7 – Greater Edinburgh Parks](#).
    - (b) 250 square metres where outside of designated local activity centres
  - 6 Bulky goods outlets and service trade premises should only be located in the bulky goods node or local activity centres identified on [Concept Plan Map Sal/7 – Greater Edinburgh Parks](#).
  - 7 Bulky goods outlets and service trade premises should not have any adverse impacts on heavy vehicle access or freight movements.
  - 8 Restaurants and cafes should only be located in bulky goods outlets or service trade premises that are larger than 2000 square metres, and should have a gross leasable area of 150 square metres or less.
  - 9 Short term workers accommodation or other sensitive uses within the zone should be designed and located to ensure the ongoing operation of any existing activity within the zone is not impeded.

#### Form and Character

- 10 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 11 In areas where a uniform street setback pattern has not been established, buildings should be set back in accordance with the following parameters:

Building height (metres)	Minimum setback from the primary road frontage (metres)	Minimum setback from the secondary road frontage (metres)
6 metres	8 metres	4 metres
Greater than 6 metres	10 metres	4 metres

- 12 Building façades facing land zoned for residential purposes should not contain openings or entrance ways that would result in the transmission of noise or light spillage that would adversely affect the amenity of nearby residents.

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Urban Employment Zone

- 13 Any plant or equipment with potential to cause an environmental nuisance (including a chimney stack or air-conditioning plant) should be sited as far as possible from adjoining allotments not zoned for employment, and should be designed to minimise its effect on the amenity of the locality.
- 14 Development should control noise emissions through the use of attenuation devices and sound proofing, particularly activities requiring extended hours of operation.
- 15 The hours of operation of an activity should not detract from the amenity of any residential area.
- 16 Within 50 metres of a residential zone boundary:
  - (a) non-residential development (including loading and unloading activities) should:
    - (i) demonstrate appropriate acoustic performance
    - (ii) ensure that all noise sources including machinery, loading, unloading and other service areas on allotments nearest to the residential boundary are located within the building
  - (b) development should be designed and constructed of a material to ensure noise emissions are minimised within acceptable standards.
- 17 Development should be adaptable to allow for flexibility of use over time and accommodate multiple uses and shared facilities where practical, including training areas and car parking.
- 18 Buildings should not occupy more than 50 percent of the total area of the site upon which they are located, unless it can be demonstrated that stormwater can be harvested, treated, stored and reused on the site of the development to minimise impacts on external stormwater infrastructure.
- 19 Industries, warehouses, stores and similar developments should be provided with sufficient and convenient parking for staff and visitors based on the following rates:

Building Component	Number of required vehicle parking spaces
Part of development used as office space	3.3 spaces per 100 square metres
Part of development used as non-office space	2 spaces per 100 square metres where industrial building area is under 200 square metres
	1.33 spaces per 100 square metres where industrial building area is between 200-2000 square metres
	0.67 spaces per 100 square metres where industrial building area is greater than 2000 square metres
Service trade premises	2 spaces per 100 square metres

- 20 For labour-intensive industries where car parking demand exceeds the rates in Principle 20 above, the total car parking should be provided at a rate of 0.75 spaces by the number of employees
- 21 For non-labour intensive industries, the rates in Principle 20 above can be varied having regard to expected maximum staff and visitor levels.
- 22 Development within the "Runway Public Safety Area", but located outside of the "Limited Development Area", as identified in [Concept Plan Map Sal/6 – Urban Employment Zone](#) should not:
  - (a) contain any land uses or industries that result in a significant increase in people working or congregating in that area (except warehousing and/or road transport terminals)
  - (b) involve land uses that store flammable or hazardous materials.



- 23 No development should occur within the "Limited Development Area" as identified in [Concept Plan Map Sal/6 – Urban Employment Zone](#), except for the following developments that have heights of no greater than 2.1 metres above ground level:
- (a) car parking
  - (b) outdoor storage area (but not including storage of flammable or hazardous materials)
  - (c) ancillary structures (eg. fencing and street lights)
  - (d) landscaping.
- 24 No development should occur in the "No Structures and Development Area" as identified in [Concept Plan Map Sal/6 – Urban Employment Zone](#).

### Land Division

- 25 Land division should create allotments that are of a size and shape suitable for the intended use.

## PROCEDURAL MATTERS

### Complying Development

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

In addition, the following forms of development, or any combination, are designated as complying subject to the requirements in [Table Sal/1 Building Setbacks from Road Boundaries](#):

Form of development	Complying criteria / conditions
(a) light industry (b) service industry (c) service trade premises (d) warehouse.	<p>1 The building, or any part, is not located within:</p> <ul style="list-style-type: none"> <li>(a) areas affected by aircraft noise shown on <a href="#">Concept Plan Map Sal/2 - Edinburgh Defence Airfield Aircraft Noise Exposure</a></li> <li>(b) an area shown on <a href="#">Concept Plan Map Sal/3 - Edinburgh Defence Airfield Lighting Constraints</a> where restrictions on the amount of upward light apply.</li> </ul> <p>2 The development does not involve an activity of environmental significance or major environmental significance identified in Schedules 21 and 22 of the <i>Development Regulations 2008</i>.</p> <p>3 The development does not require referral pursuant to Section 37 of the <i>Development Act 1993</i>.</p> <p>4 The development site is greater than 60 metres from the nearest residential zone boundary.</p> <p>5 The development has direct access to a sealed roadway.</p> <p>6 All vehicles able to access/egress the site in a forward direction.</p> <p>7 A site coverage of less than 50 per cent.</p> <p>8 Building height does not exceed airport building heights shown on <a href="#">Concept Plan Map Sal/1 - Edinburgh Defence Airfield Defence (Area Control) Regulations</a> and is no greater than 12 metres.</p> <p>9 Building setback in accordance with the following:</p> <ul style="list-style-type: none"> <li>(a) buildings up to a height of 6 metres sited at least 8 metres from the primary street alignment</li> <li>(b) buildings exceeding a height of 6 metres sited at least 10 metres from the primary street alignment</li> </ul>

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Form of development	Complying criteria / conditions
	(c) 4 metres from the secondary street frontage.
10	The development is designed as follows: <ul style="list-style-type: none"> <li>(a) buildings adjacent public streets are designed to overlook the street and have a maximum unarticulated length of 30 metres (15 metres for offices)</li> <li>(b) comprise low-reflective materials and pre-colour treatment if metal clad.</li> </ul>
11	Landscaping comprises: <ul style="list-style-type: none"> <li>(a) an area of not less than 10 per cent of the site</li> <li>(b) a landscaped setback area of more than 3 metres wide along any street boundary, except where a building is setback a lesser distance from any street boundary in which case the intervening setback is landscaped</li> <li>(c) a mix of species expected to grow to less than 0.5 metres in height and species expected to grow with clear stems to 2 metres height and with the canopy above.</li> </ul>
12	A clearance of not less than 3 metres being provided for access purposes between any structure and one side boundary of the site.
13	Off-street vehicle parking and specifically marked disabled parking provided at the rate of not less than: <ul style="list-style-type: none"> <li>(a) 2 per 100 square metres (industrial building area under 200 square metres)</li> <li>(b) 1.33 per 100 square metres (industrial building area 200-2000 square metres)</li> <li>(c) 0.67 per 100 square metres (industrial building area greater than 2000 square metres)</li> <li>(d) 3.3 spaces per 100 square metres (office building area)</li> <li>(e) 2 per 100 square metres (service trade premises building area).</li> </ul>
14	All buildings, including the associated filling of land - are sited, designed and constructed to prevent the entry of floodwaters in a 1-in-100 year average return interval flood event.
15	Areas used for the loading or unloading of materials or for the storage of chemicals and materials used in industrial operations and processes are to incorporate bunding or containment facilities that: <ul style="list-style-type: none"> <li>(a) prevent the entry of external stormwater</li> <li>(b) contain any spilt materials from entering the stormwater system.</li> </ul>
16	All loading and/or unloading of vehicles to occur within the boundaries of the site.
17	All outside loading and unloading and goods storage areas should be screened by solid fencing or dense screen landscaping.
18	All stormwater drainage is retained and treated on-site or connected to an approved stormwater management scheme.
19	Waste collection and storage areas provided which are: <ul style="list-style-type: none"> <li>(a) screened and separated from adjoining areas</li> <li>(b) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system.</li> </ul>

Form of development	Complying criteria / conditions
	<p>20 The development comprises a maximum of two advertising displays, each of which does not encroach upon the public road reserve <b>and accords with the following:</b></p> <p>(a) A maximum of one pylon sign per site that:</p> <ul style="list-style-type: none"> <li>(i) has a maximum height of 6 metres</li> <li>(ii) has a maximum area of 8 square metres</li> <li>(iii) is located between the building and the front property boundary.</li> </ul> <p>(b) A maximum of one freestanding directory sign per site that:</p> <ul style="list-style-type: none"> <li>(i) has a maximum height of 3 metres</li> <li>(ii) has a maximum length of 6 metres.</li> </ul> <p>(c) A maximum of one flush wall sign per site that:</p> <ul style="list-style-type: none"> <li>(i) has a maximum area of 8 square metres</li> <li>(ii) is erected on the building façade</li> <li>(iii) <b>is located below the parapet of the building.</b></li> </ul> <p>21 Fencing exceeding 2.1 metres in height (including colour –coated wire mesh fencing) adjacent to public roads should be set back in one of the following ways:</p> <ul style="list-style-type: none"> <li>(a) in-line with the building façade</li> <li>(b) behind the building line</li> <li>(c) behind a landscaped area that softens its visual impact.</li> </ul>

**Non-complying Development**

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

Form of development	Exceptions
Advertisement or advertising hoarding	<p>Except where the advertisement or advertising hoarding:</p> <ul style="list-style-type: none"> <li>(a) does not move, rotate or incorporate flashing light(s)</li> <li>(b) has no part that projects above the walls or fascia where attached to a building</li> <li>(c) covers less than 10 per cent of the total surface area of a wall oriented to a public road or reserve</li> <li>(d) does not include bunting, streamers, flags or wind vanes.</li> </ul>
Amusement machine centre	
Caravan or residential park	Except for minor alterations and additions within a caravan park or residential park.
Dwelling or Dwellings	<p>Except:</p> <ul style="list-style-type: none"> <li>(a) for short term accommodation that is ancillary to and in association with industry</li> <li>(b) for alterations and additions to existing dwellings.</li> </ul>
Intensive animal keeping	
Motel	
Nursing home	
Place of worship	
Prescribed mining operations	
Primary school	

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Form of development	Exceptions
Secondary school	
Stadium	
Stock slaughter works	
Tourist accommodation	

### Public Notification

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

In addition, the following forms of development, or any combination thereof (except where the development is classified as non-complying), are designated:

Category 1	Category 2
All kinds of development except where the site of the proposed development is within 60 metres of a <b>Residential Zone</b> or a <b>Mixed Use Zone</b> boundary	Development where the site of the proposed development is within 60 metres of a <b>Residential Zone</b> or a <b>Mixed Use Zone</b> boundary



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

The following vehicle parking requirements do not apply:

- (a) 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
- (b) to development that is subject to the requirements in [Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas](#).

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>	

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

Form of Development	Number of Required Car Parking Spaces
Detached dwelling Semi Detached Dwelling Row Dwelling	2 spaces per dwelling, one of which is to be covered
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

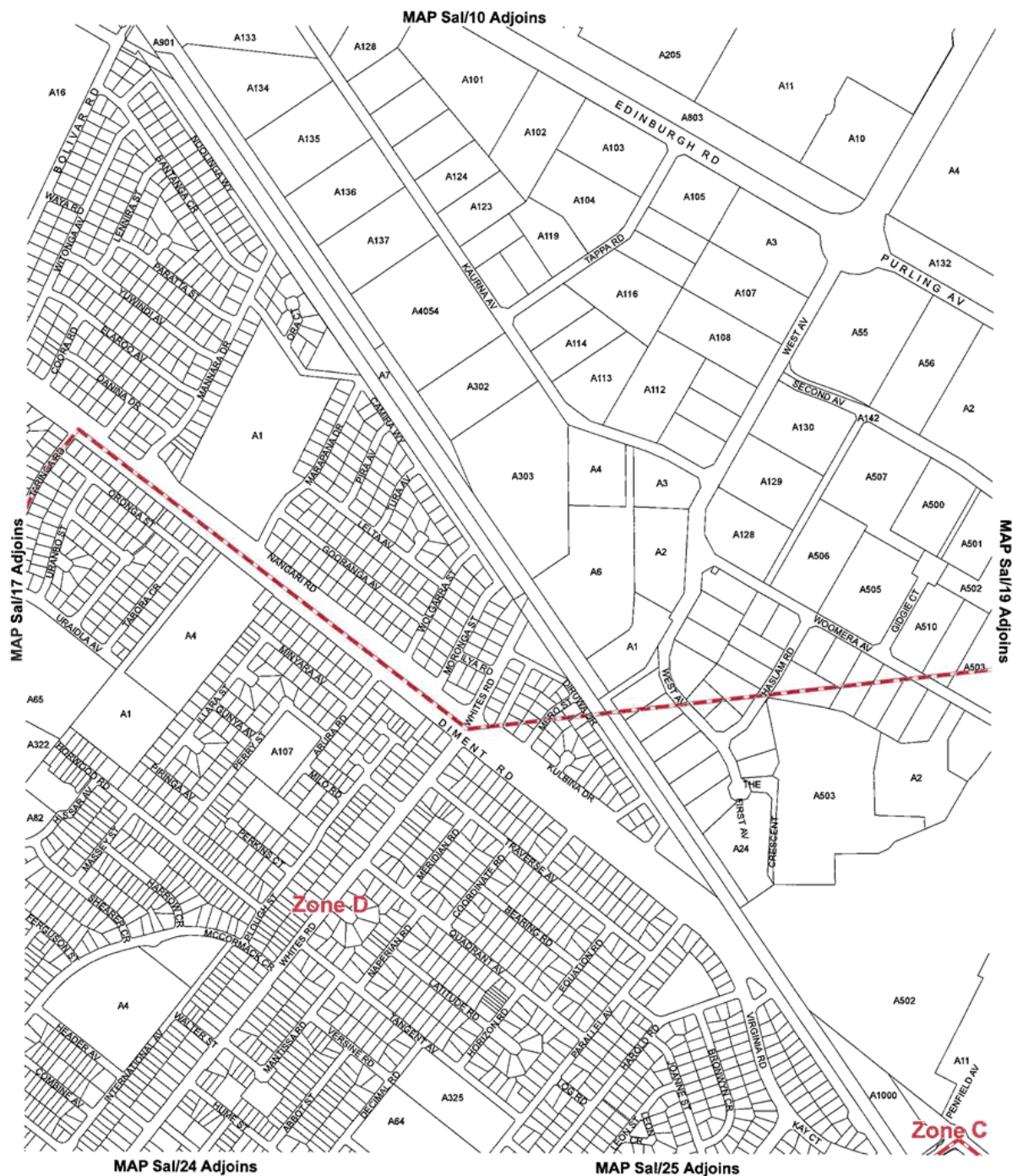


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NOTE: Airport Building Heights should be read in conjunction with concept plan map showing heights for Edinburgh Defence Airfield

**Airport Building Heights**

Referral to Commonwealth Secretary for Dept. of Transport and Regional Services

- Zone C All Structures Exceeding 15 metres above existing ground level
- Zone D All Structures Exceeding 45 metres above existing ground level

 Airport Building Heights

## Overlay Map Sal/18

### DEVELOPMENT CONSTRAINTS

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