



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

**27 SEPTEMBER 2016**

**MEMBERS PRESENT**

Mr D Wallace (Presiding Member)  
Mr R Bateup (from 6:13pm)  
Ms L Caruso  
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 Zafiroopoulos  
Team Leader – Planning, Mr A Curtis  
Planning Consultant, Mr B Green

The meeting commenced at 6:01 pm.

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

**APOLOGIES**

Nil

**LEAVE OF ABSENCE**

**PRESENTATION OF MINUTES**

Mr J Watson moved, and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 23 August 2016, be taken and read as confirmed.

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## REPORTS

### *Development Applications*

The Presiding Member, Mr D Wallace brought item 5.1.2 forward on the agenda.

#### **5.1.2 361/1075/2016/2B**

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

Mr Graham Reynolds declared a conflict of interest in Item 5.1.2 as a Deputy Board Member of NAWMA and left the meeting at 6:04pm for the duration of consideration of the item.

## REPRESENTORS

Stuart Henry SC appeared on behalf of Delpar Pty Ltd.

Linda Caruso left the meeting at 6:09pm and returned at 6:10pm.

Ross Bateup joined the meeting at 6:13pm. He declared an interest (but not a conflict of interest) due to having been contracted to undertake work for NAWMA in the 1990's. Mr Bateup remained in the meeting for consideration of the item.

George Manos (Botten Levinson Lawyers) appeared on behalf of Ahrns Handling Equipment Pty Ltd.

Phillip Brunning (Planning Consultant) appeared on behalf of Mayfield Industries.

Paul Davies, State Manager, appeared on behalf of GTS Freight Management Pty Ltd.

## APPLICANT

Grazio Maiorano, URPS Planning Consultants, and Brian King, NAWMA CEO, appeared on behalf of the applicant.

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**MOVED:** Mr R Bateup moved, and the Panel resolved:

## **CONFIDENTIAL ITEMS**

### **5.3.1 361/1075/2016/2B**

That pursuant to sections 56A(12)(a)(viii) and (ix) of the *Development Act 1993* (SA), the public (with the exception of General Manager City Development (Mr T Sutcliffe), Manager Development Services (Mr C Zafiropoulos), Team Leader – Planning (Mr A Curtis), Planning Consultant (Mr B Green) and other Council staff or Council’s legal representatives) be excluded from so much of the meeting as is necessary to allow the Panel to receive, discuss and consider in confidence, and not disclose to the public, the confidential supplementary report prepared by Mr A Curtis, Team Leader – Planning, dated 23 September 2016, including the legal advice received from Minter Ellison dated 23 September 2016, in respect to Development Application Number 361/1075/2016/2B and associated matters before the Environment, Resources and Development Court.

The meeting moved into confidence at 6:57 pm.

The meeting moved out of confidence at 7:34 pm.

Ms S Johnston moved, and the Panel resolved that:

The consideration of Development Application 361/1075/2016/2B be deferred to enable legal advice to be obtained in relation to the legal process matters raised by the representors, and the application be further considered upon receipt of such legal advice.

Mr G Reynolds returned to the meeting at 7:36 pm.

5.1.1

**361/935/2015/NB**

Market (Shops) in car park of existing hotel (Non-complying) at 1955 Main North Road, Salisbury Heights for Farm Direct Community Market

Mr S White moved, and the Panel resolved 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*

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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.

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**OTHER BUSINESS**

**5.2.1 Status of Current Appeal Matters and Deferred Items**

Nil

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

Nil

**5.2.3 Future Meetings & Agenda Items**

Next meeting scheduled for Tuesday 25<sup>th</sup> October 2016.

The meeting closed at 7:44 pm.

PRESIDING  
MEMBER.....

DATE.....