



AGENDA

FOR DEVELOPMENT ASSESSMENT PANEL MEETING TO BE HELD ON

25 JULY 2017 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 J Watson
Mr S White

REQUIRED STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos
Development Officer – Planning & Compliance, Ms M Molinaro
Development Officer - Planning, Mr C Carrey

APOLOGIES

Mr G Reynolds

LEAVE OF ABSENCE

PRESENTATION OF MINUTES

Presentation of the Minutes of the Development Assessment Panel Meeting held on 27 June 2017.

DECLARATIONS OF CONFLICTS OF INTEREST

REPORTS

Development Applications

- 5.1.1 361/888/2017/3B 9**
 Change of use to a group fitness centre (tenancy 7) at 7/96 Research Road, Pooraka for Justin Beard.
- 5.1.2 361/865/2017/NB 53**
 Change of use from dwelling and office to office and advertising signage (non-complying) at 120 Salisbury Highway, Salisbury for Paul Cowling.

OTHER BUSINESS

- 5.2.1 Annual Report of the Development Assessment Panel for 2016/17 169
- 5.2.2 Status of Current Appeal Matters and Deferred Items
- 5.2.3 Policy Issues
- 5.2.4 Future Meetings & Agenda Items

CLOSE

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

27 JUNE 2017

MEMBERS PRESENT

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

STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos
Development Officer – Planning, Ms K Thrussell

The meeting commenced at 6:04 pm.

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

APOLOGIES

Apologies were received from Mr S Johnston.

PRESENTATION OF MINUTES

The Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 28 March 2017, be taken and read as confirmed.

The Development Assessment Panel Meeting held on 23 May 2017 was cancelled as a quorum could not be achieved. The development applications were considered under delegated authority by the Manager Development Services.

With the leave of the meeting, item 5.2.1 was brought forward on the agenda for consideration by members.

5.2.1 Status of Current Appeal Matters and Deferred Items

Mr C Zafiropoulos provided an update on the following appeals:

361/1549/2016

The Environment, Resources and Development Court has held a hearing for the six (6) third party appeals made against the decision of the Panel to approve the place of worship with associated activities and cemetery at 256 Bridge Road, Pooraka for the Shia Community of South Australia. The hearing is still continuing and the court will schedule additional dates to hear witnesses.

361/1075/2016/2B

The development application for the Northern Adelaide Waste Management Authority to change of use from industry to material recovery facility (recycling depot) and service depot at 1-2 Gidgie Court, Edinburgh has been approved by the Development Assessment Commission. All third party appeals have been withdrawn following a conciliation agreement between the parties.

DECLARATIONS OF CONFLICTS OF INTEREST

Mr S White declared a conflict of interest in relation to item 5.1.2 as he had provided prior advice to representors in relation to this application in his capacity as an Elected Member, and did not participate in debate on this item, and left the meeting at 6:08 pm.

REPORTS

Development Applications

5.1.2 361/128/2017/2A

Two (2), Two Storey Dwellings at 32 Nelson Crescent, Mawson Lakes SA 5095 for 3mt Solutions Pty Ltd

REPRESENTORS

Anita Marling-Bauer spoke on behalf of self and K & S A Roche, S M Renfrey, R P & T Dellow, D Murphy and E J T Murphy, to their representations.

Marcus Rolfe, Planning Consultant, URPS, appeared on behalf of the applicant, in conjunction with the applicant represented by Ms Natasha Yacoumis.

Mr R Bateup moved

Ms L Caruso seconded, and the Development Assessment Panel resolved that:

- A. The proposed development is considered not to be seriously at variance with the Salisbury Development Plan – Consolidated 15 December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/128/2017/2A for Two (2), Two Storey Dwellings in accordance with the plans and details submitted with the application and subject to the following conditions:

Reserved Matters:

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

1. The Applicant shall submit a Landscaping Plan, drawn to scale, which shall include all of the following:
 - a. Location for all designated landscaped areas;
 - b. Planting of shade trees, shrubs and groundcovers within the designated landscaped areas;
 - c. Details of irrigation management.
2. The Applicant shall submit a full schedule of colours and materials.

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
8716-1	Siteworks and Drainage Plan	27/01/17	Jim Pantzikas & Associates
Sheet 1 of 6, Revision 2	Site Plan	28/02/17	3MT Solutions
Sheet 2 of 6, Revision 2	Dwelling 1 Ground Floor Plan	28/02/17	3MT Solutions
Sheet 3 of 6, Revision 2	Dwelling 1 Upper Floor Plan	28/02/17	3MT Solutions
Sheet 4 of 6, Revision 2	Dwelling 1 Elevations 1,3,5 & 6	28/02/17	3MT Solutions
Sheet 5 of 6, Revision 2	Dwelling 1 Elevations 2 & 4	28/02/17	3MT Solutions
Sheet 6 of 6, Revision 2	Dwelling 1 Details	28/02/17	3MT Solutions
Sheet 1 of 6, Revision 2	Site Plan	28/02/17	3MT Solutions
Sheet 2 of 6, Revision 2	Dwelling 2 Ground Floor Plan	28/02/17	3MT Solutions
Sheet 3 of 6, Revision 2	Dwelling 2 Upper Floor Plan	28/02/17	3MT Solutions
Sheet 4 of 6, Revision 2	Dwelling 2 Elevations 1, 3 & 5	28/02/17	3MT Solutions
Sheet 5 of 6, Revision 2	Dwelling 2 Elevations 2 & 4	28/02/17	3MT Solutions
Sheet 6 of 6, Revision 2	Dwelling 2 Details	28/02/17	3MT Solutions

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

2. The designated landscaping areas approved by Council under Reserved Matters shall be planted with shade trees, shrubs and ground covers as appropriate to achieve a high level of residential amenity. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council at all times.

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

3. Stormwater systems shall be designed and constructed to cater for minor storm flows (Residential ARI =5yrs). 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

5.1.1 361/1144/2016/3B

Mixed use development comprising Prayer Hall, Dining Hall and Library/Museum with associated facilities, including playground, carpark, caretakers residence, community garden and horse enclosure, and the removal of a regulated tree. at 701-709 Port Wakefield Road, Globe Derby Park for Town Planning Advisors

This item was deferred following a request from the applicant to investigate alternative options for the use of the site prior to the determination of the application by the Panel.

OTHER BUSINESS

5.2.2 Presentation on Changes to Development Assessment Panels arising from implementation of Planning, Development and Infrastructure Act.

The Panel was provided a presentation on the implementation of the Planning, Development and Infrastructure Act and the proposed introduction of Council Assessment Panels on 1 October 2017. The Panel was informed of Council’s decision to offer an extension of term to the independent members until May 2019.

5.2.3 Policy Issues is Arising from Consideration of Development Applications

Nil

5.2.4 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 25 July 2017.

The meeting closed at 7:23 pm.

PRESIDING
MEMBER.....

DATE.....

ITEM	5.1.1
	DEVELOPMENT ASSESSMENT PANEL
DATE	25 July 2017
APPLICATION NO.	361/888/2017/3B
APPLICANT	Justin Beard
PROPOSAL	Change of use to a group fitness centre (tenancy 7)
LOCATION	7/96 Research Road, Pooraka
CERTIFICATE OF TITLE	Volume 5046 Folio 146
AUTHOR	Marie Molinaro, Development Officer Planning and Compliance, City Development

REVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Industry Zone
Application Type	Merit Category 3
Public Notification	Representations received: Two Representations to be heard: One
Referrals - Statutory	Nil
Referrals – Internal	Nil
Development Plan Version	Salisbury Council Development Plan Consolidated 15 December 2016
Assessing Officer	Marie Molinaro – Development Officer – Planning and Compliance
Recommendation	Grant Development Plan Consent subject to conditions
Meeting Date	25 July 2017

1. REPORT CONTENTS

Assessment Report

Attachment 1:	Proposal Plans
Attachment 2:	Notice of Category 3 Application, Copies of Representations and Applicant's Response
Attachment 3:	Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

2. EXECUTIVE SUMMARY

The applicant seeks Development Plan Consent for a change of use to a Group Fitness Centre at 7/96 Research Road, Pooraka. The proposed development is a merit form of development in the Industry Zone of the Salisbury Council Development Plan.

The application was subject to Category 3 public notification. Two representations were received during the public notification period. One representor was in support of the proposal and one representor was in opposition. The opposing representor requests to be heard.

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

- a) The proposed land use is considered to be appropriate within the Industry Zone, despite a group fitness centre not being listed as an envisaged use.
- b) Off-street car-parking is adequate given that the use will operate for limited periods, with main group training sessions taking place when the majority of other tenancies at the site are closed.
- c) The use will not result in any unreasonable impacts to the locality in terms of noise, or traffic.
- d) Proposed operational hours will increase surveillance opportunities within the site and the surrounding locality during periods of low activity.
- e) The overall appearance of the site will not be altered by the proposal, given that the use will be accommodated within an existing building.

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

3. SUBJECT SITE

The site is located at 96 Research Road, Pooraka, which is comprised of one allotment Lot 7, Certificate of Title Volume 5046 Folio 146.

The site is irregular in shape, with a street frontage to Research Road of approximately 49 metres. The site is near the intersection of Bridge Road; but is separated from Bridge Road by another 14 metre wide allotment.

Built form on the land consists of one building and a freestanding advertisement.

The building is located near the eastern portion of the land, and is separated into seven (7) tenancies. The tenancies are used for commercial (shop, including adult book shop) purposes.

To the western side of the building is a double-width cross-over and sealed car-parking area, which is shared by all the tenancies. The car-parking area provides 16 sealed and line-marked parking spaces.

A second single width cross-over is also provided on the eastern side of the building. This access leads to the rear of tenancy 7 where an additional 4 (four) car-parking spaces are provided (northern side of tenancy 7).

In total 20 car-park spaces are provided on the site.

The proposed group fitness centre is to occupy tenancy 7, which is located at the rear of the building.

Tenancy 7 is the largest tenancy and has a floor area of 249 square metres. The tenancy is largely open plan but also contains a separate enclosed office space (20 square metres), toilet area and showroom (50 square metres). The open plan portion of the tenancy has a floor area of 145 square metres.

There are no easements, encumbrances or land management agreements registered on the Certificate of Title.

Site photos are provided on the following page.



Photo 1: *Standing on the southern side of Research Road looking north toward the building, car-parking area and double-width cross-over. This is the western portion of the site.*



Photo 2: *Standing on the southern side of Research Road looking north toward the building, single-width cross-over and signage. This is the eastern portion of the land.*



Photo 3: *Standing on the subject land looking south towards Research Road from the western car-park.*



Photo 4: Tenancy 7 (for lease sign on sliding door)



Photo 5: Standing at the rear of tenancy 7 looking east towards Bridge Road and showing four additional car-parking spaces.



Photo 6: *Looking south from the rear of tenancy 7 across the Bridge Road frontage – this sealed driveway leads to the four car-parking spaces shown in photo 5.*

4. LOCALITY

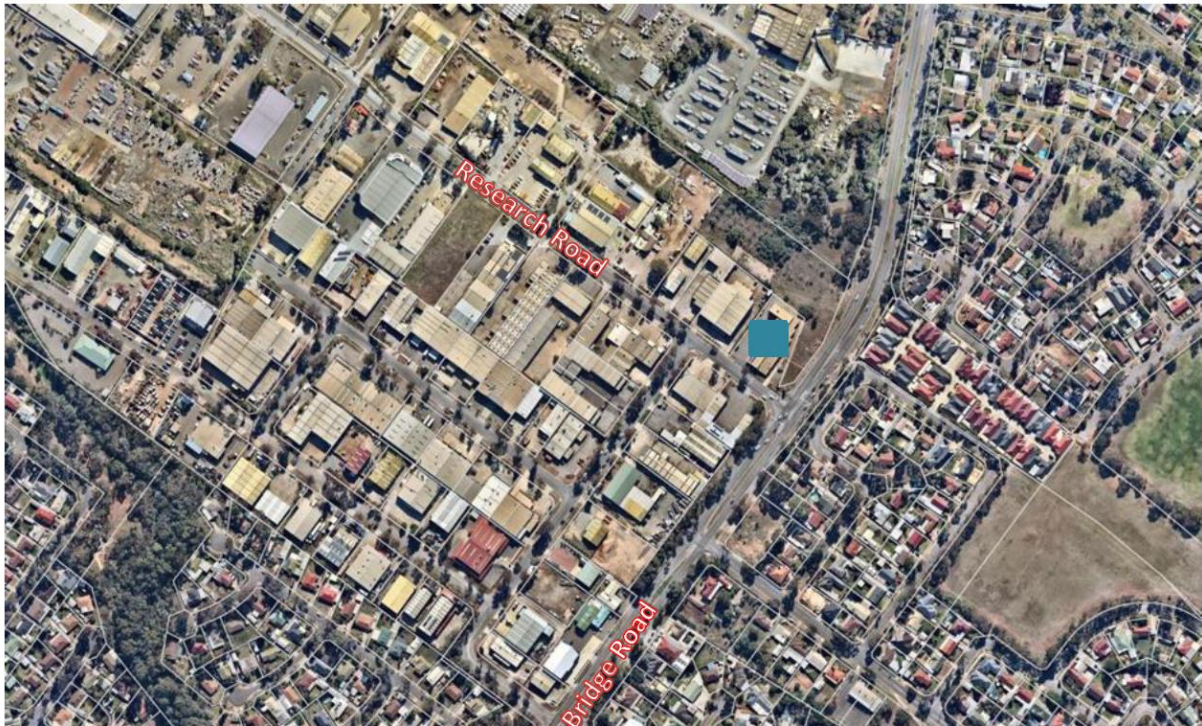
The site is located in the Industry Zone of the Salisbury Council Development Plan (consolidated 15 December 2016).


The locality is generally characterized by allotments that have been developed for industrial and commercial purposes.

The site is approximately 23 metres east of the Residential Zone boundary; and 60m from the nearest dwelling.

A locality plan and contextual plan are provided below.

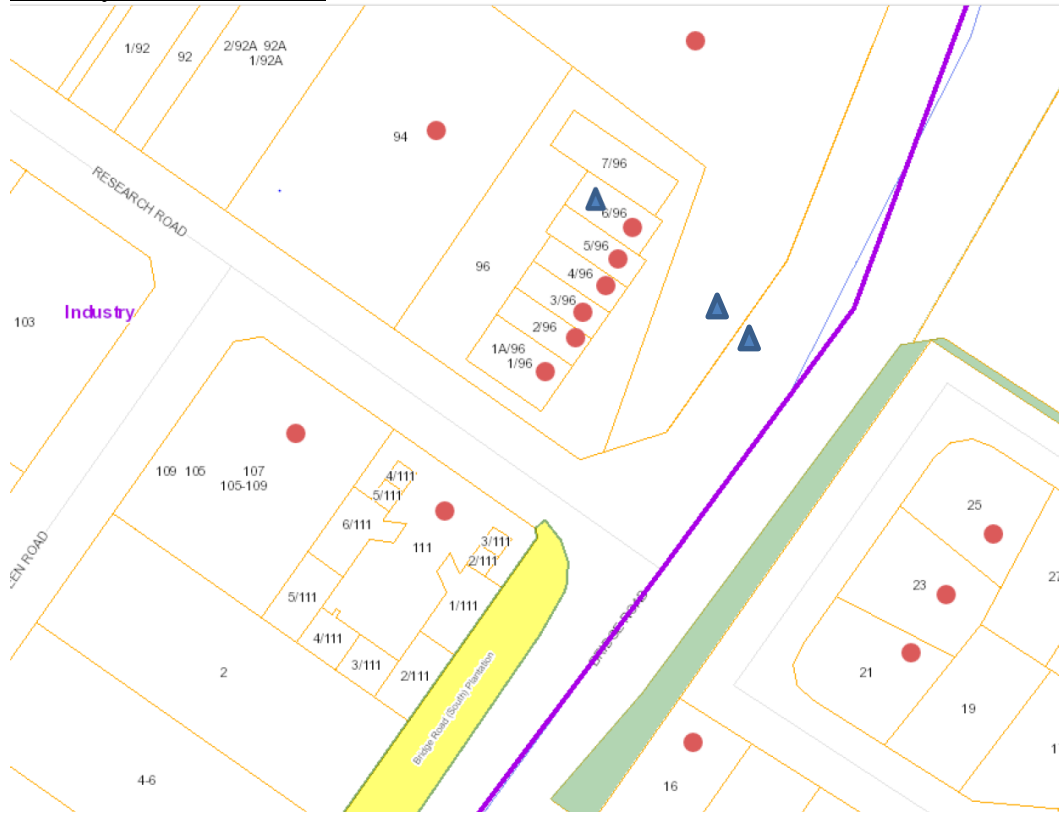
Locality Plan – Aerial







Legend (Source: Nearmap)	
	Subject site

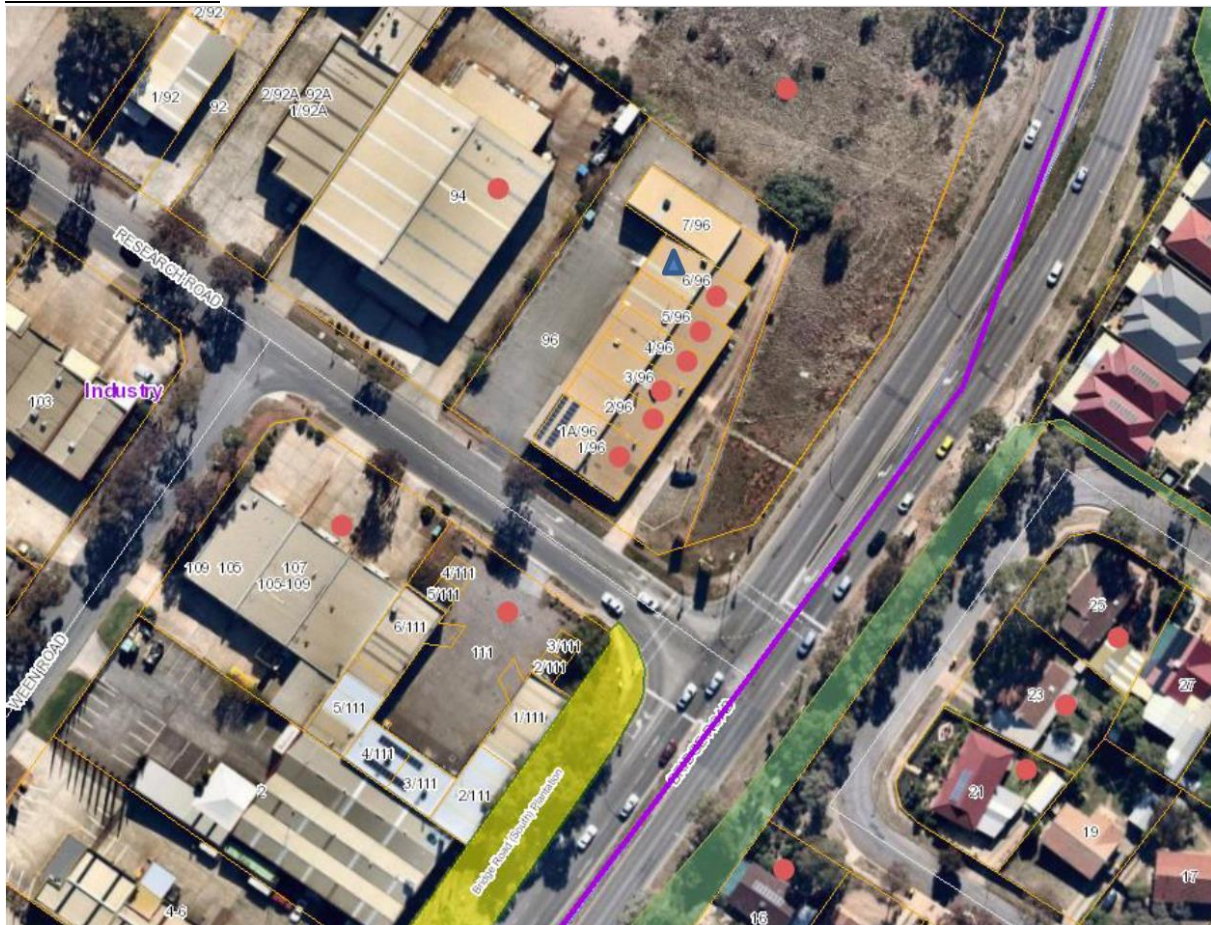
Item 5.1.1

Locality Plan – Cadastre







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

Contextual Plan:



Legend (Source: Nearmap)

	Subject site
	Representor
	Zone boundary
	Zone boundary

5. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks Development Plan Consent for a change of use to a group fitness centre at 7/96 Research Road, Pooraka.

The previous use of the subject tenancy is unclear, however the 'for lease' floor plan indicates that tenancy 7 was used for warehouse and showroom purposes. A search of Council records revealed that there are no previous approvals for a group fitness centre at any of the tenancies at the site. However, the records did reveal that sale of second-hand furniture, pizza preparation and a dance studio are all uses that have been approved at the site.

Group fitness training sessions are proposed to take place as follows:

- Tuesday 9:30am-10:30am (maximum of five (5) clients)
- Tuesday 6:30pm-7:30pm (maximum of 15 clients)
- Thursday 6:30pm-7:30pm (maximum of 15 clients)

Outside of these set training session times the applicant is seeking the flexibility to run another two (2) group training sessions per week, which will commence at 6:30pm or later. These sessions may occur on Monday, Wednesday or Friday evening or directly after the evening sessions on Tuesday and Thursday. These sessions will also run for a maximum of one (1) hour.

In summary, the applicant seeks to run a total of five (5), one (1) hour group training sessions per week.

Outside of the group fitness training session times, the applicant is also seeking to offer personalised training sessions during the hours of 7:00am and 8:30pm Monday-Friday to a maximum of two (2) clients at any one time.

All training sessions will be held by the applicant, who may occasionally seek the assistance of a second personal trainer.

The shop portion of the tenancy will be used to sell fitness equipment and apparel as an ancillary service to group fitness training session clients.

No internal building work or advertising is proposed in association with this development, except where otherwise required to satisfy any Building Rules requirements.

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

6. CLASSIFICATION

The site is located in the Industry Zone of the Council Development Plan (consolidated 15 December 2016). In this Zone a group fitness centre is neither listed as a Complying or Non-Complying form of development; and therefore is assessed an On-merit form of development.

7. PUBLIC NOTIFICATION

A group fitness centre is neither listed as a Category 1 or Category 2 form development in the Industry Zone or in Schedule 9 of the Development Regulations (2008). Accordingly, the proposal must be a Category 3 form development as per Section 38 of the Development Act (1993).

The Category 3 public notification period took place between 1 June and 19 June 2017. Council received two representations during the public notification period. One representor supported the proposal and one representor objected to the proposal. The representors are listed in the table below.

Representations received		
Representations received		Wish to be Heard
1	T & T Lazandreas 10 Serena Avenue SALISBURY DOWNS SA 5108 (Landlord)	
2	Ray Byster 58 Hill Street GAWLER SOUTH (Owner/operator of shop 6 in the group of tenancies)	✓

After the public notification period closed, Council received a petition in support of the proposal from occupiers of other tenancies at the site.

As the petition was received after the close of the public notification period, this petition was not accepted as formal representation.

A copy of the Category 3 public notice, submissions received and the applicant's response are contained in Attachment 2.

The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
The operating details provided by the applicant do not make sense.	<ul style="list-style-type: none"> The applicant has provided further clarification regarding the proposed business model and hours of operation.
<ul style="list-style-type: none"> The proposed land use will negatively impact on car-parking availability for other tenancies at the site. 	<ul style="list-style-type: none"> The applicant intends to minimise the impact of the proposed use on car-parking by holding the majority of the group training sessions in the evening when the majority of other tenancies are closed. The applicant has cancelled/deleted

	<p>a proposed group training session that was to be held on Monday mornings.</p> <ul style="list-style-type: none"> The applicant advises that a number of his clients will car-pool to the site.
<ul style="list-style-type: none"> The addition of a second personal trainer will lead to an increase in group training questions. 	<ul style="list-style-type: none"> The applicant advises that assistance provided by a second personal trainer will be to provide greater supervision to clients, not to increase client numbers.
<ul style="list-style-type: none"> The proposed land use is not appropriate in this location considering any underage clients may be exposed to the adult book shop at the subject land (adjoining tenancy). 	<ul style="list-style-type: none"> No response provided, however this is not considered to be a material planning consideration.

8. REFERRALS – STATUTORY

The application was not subject to any referrals pursuant to Schedule 8 of the Development Regulations (2008).

9. REFERRALS – INTERNAL

No internal referrals were required.

10. 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 15 December 2016. The following reasons are given in support of this recommendation:

- The proposed land use is considered to be appropriate within the Industry Zone, despite a group fitness centre not being listed as an envisaged use.
- Off-street car-parking is adequate given that the use will operate for limited periods, with main group training sessions taking place when the majority of tenancies at the site are closed.
- The use will not result in any unreasonable impacts to the locality in terms of noise or traffic.
- Proposed operational hours will increase surveillance opportunities within the site and the surrounding locality during periods of low activity.
- The overall appearance of the site will not be altered by the proposal, given that the use will be accommodated within an existing building.

Assessment

A 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 15 December 2016, is contained in Attachment 3. The relevant provisions are also highlighted in the Attachment.

Zoning and Land Use

Objective 1 of the Industry Zone states:

1 A zone primarily accommodating a wide range of industrial, warehouse, storage and transport land uses.

Principle of Development Control (PDC) 1 of the Industry Zone further identifies the following forms of development as being envisaged within the Zone:

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

- *industry*
- *office in association with and ancillary to industry*
- *transport distribution*
- *warehouse.*

Objective 1 of the General Section: Centres and Retail Development also states that amongst other uses recreational facilities should be located in integrated centres.

A group fitness centre is not an envisaged land use in the Industry Zone. If a group fitness centre is considered to be a recreational facility, the proposal should be located within a Centre Zone.

In this instance the group fitness centre is considered to be appropriately located in the Industry Zone; despite being located outside of a dedicated Centre Zone.

The subject land is located on the fringe of the Industry Zone and a number of tenancies at the site operate as shops. The development approval history also reveals that a dance studio (considered to be akin to a group fitness centre) has operated from the subject site.

To this extent, there is already an intrusion of non-industrial land uses at the site. The addition of the proposed group fitness centre is not anticipated to significantly add to this intrusion or otherwise adversely impact on the ability of other tenancies or adjacent sites; given the limited operating hours and complementary hours of operation.

The proposed group fitness centre is considered to be small in scale and will not detract from the function of the nearest Centre Zone. The nearest Centre Zone is a Neighbourhood Centre, which is located approximately 1km west of the subject site on Research Road.

In summary, the proposed land use is considered to be acceptable.

Car Parking

PDC 32 of General Section: Transportation and Access 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 or Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas (whichever applies) 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, Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area and Concept Plan Map Sal/32 - Mawson Lakes Town Centre Car Parking Fund Area

(b) it can be demonstrated that fewer car parks would be required to meet the car parking needs associated with the development.

Twenty (20) shared car-parking spaces are provided at the site.

A car-parking rate is not assigned to a group fitness centre in Table Sal/2 of the Salisbury Council Development Plan. Given this, reference is made to the off-street car-parking requirements of the Planning Bulletin Parking Provisions For Selected Land Uses (Suburban Metropolitan Adelaide) (2001). The bulletin states that the recommended car-parking requirements for an indoor recreation facility/gymnasium should be assessed on a as needs basis.

The greatest car-parking demand will be in the evening (6:30pm-8:30pm), when up to seventeen (17) people may be present at any one time (fifteen (15) clients and two (2) personal trainers).

During this time, the adult book shop is the only business open in the tenancy complex.

The adult book shop has an approximate floor area of 180 square metres and Table Sal/2 of the Salisbury Council Development Plan states that general shops should provide seven (7) off-street car-parking spaces per 100 square metres of floor area.

Whilst the Development Plan seeks general shops to provide seven (7) off-street car-parking spaces, common practice is to apply a car-parking rate to general shops of five (5) spaces per 100 square metres of floor area.

With this in mind and taking a balanced approach to the two figures above, it is calculated that book shop will require 10.5 car-parking spaces. This will then leave nine (9) to ten (10) car-park spaces for the proposed group fitness centre.

While seventeen (17) people may be present at the group fitness sessions, it is considered that nine (9) to ten (10) car-parking spaces will be sufficient.

This is considering that attendees are anticipated to car-pool to the site and that there is provision for overflow parking on the eastern side of the tenancy building. Off-street car-parking is also available on Ween Road, which is 40m from the site on the southern side of Research Road.

It also considered that the specialised nature of the adult book shop is such that it does not generate the general shop car-parking rate demand.

Recommended condition two (2) will ensure that client numbers are capped and restricted to certain times, which will assist in controlling car-parking demand.

In summary, the level of our car-parking provided on-site is considered to be acceptable.

Interface Between Land Uses

Objective 1 of the General Section: Interface Between Land Uses seeks that development be located and designed to minimise adverse impact and conflict between land uses.

PDC 1 of the General Section: Interface between land uses further states:

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.*

Noise

The proposed use is anticipated to generate noise in the form of music played during training sessions and from clients entering and exiting the car-park. It also anticipated that some noise may occur in association with the use of fitness training equipment, such as the dropping of weights.

The levels of noise generated by these activities is considered to be appropriate within the Industry Zone. This is considering that the site is surrounded by industrial and commercial land uses and the nearest dwelling is approximately 60 metres away; separated from the site by an arterial road (Bridge Road). The noise levels are also considered to be appropriate given the limited operating hours of the facility.

Traffic

Vehicle movements to and from the site take place in association with existing tenancies on the site. The proposed activity will utilise existing car-parking and is unlikely to generate an unreasonable volume of traffic given the relatively modest number of attendees.

Further, traffic conflict with surrounding land uses will be limited given the proposed hours of operation for the majority of the group fitness sessions.

In addition, given the nature of the use, the development is not expected to generate heavy vehicle movements to/from the site. The majority of vehicle movements are anticipated to consist of passenger vehicles.

Crime Prevention

Objective 1 of the General Section: Crime Prevention module states:

1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance

In addition, PDC 4 of the General Section: Crime Prevention states:

4 Development should provide lighting in frequently used public spaces including those: around public facilities including car parks.

Whilst no lighting is provided to the car-parking area, the proposed use will increase activity and surveillance within the site.

Although the majority of group fitness classes will operate during the evening, it is anticipated that clients will enter and leave the site at approximately the same time, which is considered to somewhat negate the lack of lighting in the car-park area.

The proposal is therefore considered to be sufficiently consistent with Objective 1 and PDC 4.

11. CONCLUSION

The applicant seeks Development Plan Consent for a change of use to a Group Fitness Centre at 7/96 Research Road, Pooraka. The proposed development is an On-merit form of development in the Industry Zone of the Council Development Plan.

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

- a) The proposed land use is considered to be appropriate within the Industry Zone, despite a group fitness centre not being listed as an envisaged use.
- b) Off-street car-parking is adequate given that the use will operate for limited periods, with main group training sessions taking place when the majority of tenancies at the site are closed.
- c) The use will not result in any unreasonable impacts to the locality in terms of noise, traffic or lighting.
- d) Proposed operational hours will increase surveillance opportunities within the site and the surrounding locality during periods of low activity.
- e) The overall appearance of the site will not be altered by the proposal, given that the use will be accommodated within an existing building.

Accordingly, it is recommended that Development Plan Consent be granted, subject to conditions.

12. 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 15 December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/888/2017/3B for Change of use to a group fitness centre (tenancy 7) in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

1. The proposal shall be developed in accordance with the details submitted with the application and the following Council stamped approved plans, except where varied by the conditions herein:

Drawing No.	Drawing Type	Date	Prepared By
	Site plan	30 May 2017	
	Floor plan	17 May 2017	
	Written correspondence	17 May & 21 June 2017	Justin Beard

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

2. Except where otherwise approved, the operating hours and maximum client numbers shall not exceed the following;

Monday – Friday 7:00am-8:30pm up to a maximum of two (2) clients.

Additional clients may be accommodated at the following times;

- Tuesday 9:30am-10:30am up to a maximum of five (5) clients.
- Anytime Monday-Friday from 6:30pm-8:30pm up to a maximum of 15 clients at a time.

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

Reason: To maintain the amenity of the locality.

4. No materials, goods or containers shall be stored outside of the building at any time.

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

Advice Notes

1. This is not a building consent, and a satisfactory application for Provisional Building Rules Consent has to be submitted before Council can issue a Development Approval.
2. Advertisements and advertising displays are not included in the consent granted. It will be necessary to make a fresh and separate application for any future proposed advertising signage.
3. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the subject property from previous approvals that remain active.

CO-ORDINATION

Officer: MDS
Date: 07.07.17

ATTACHMENTS

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

1. Proposal Plans
2. Notice of Category 3 Application, Copies of Representations and Applicant's Response
3. Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

Attachment 1
Proposal Plans

Item 5.1.1 - Attachment 1 - Proposal Plans

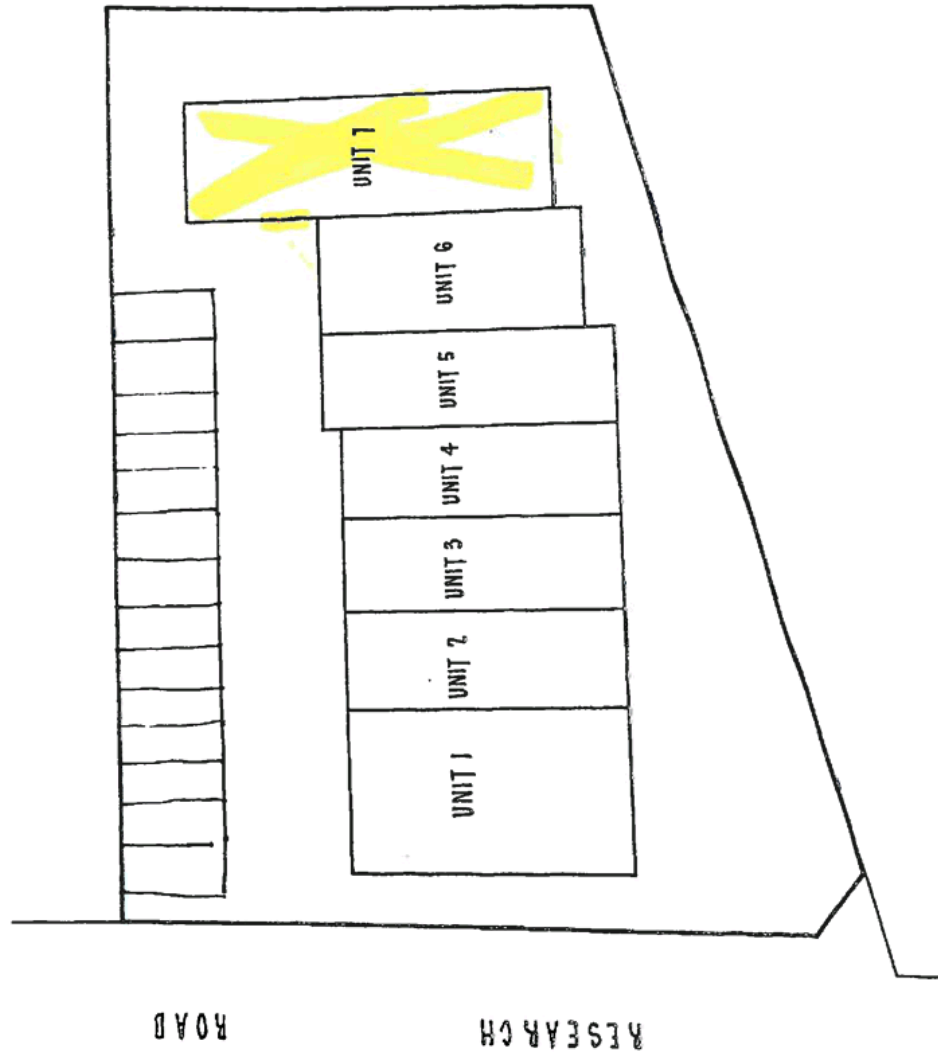
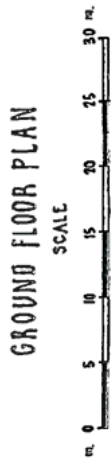
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SP 4082

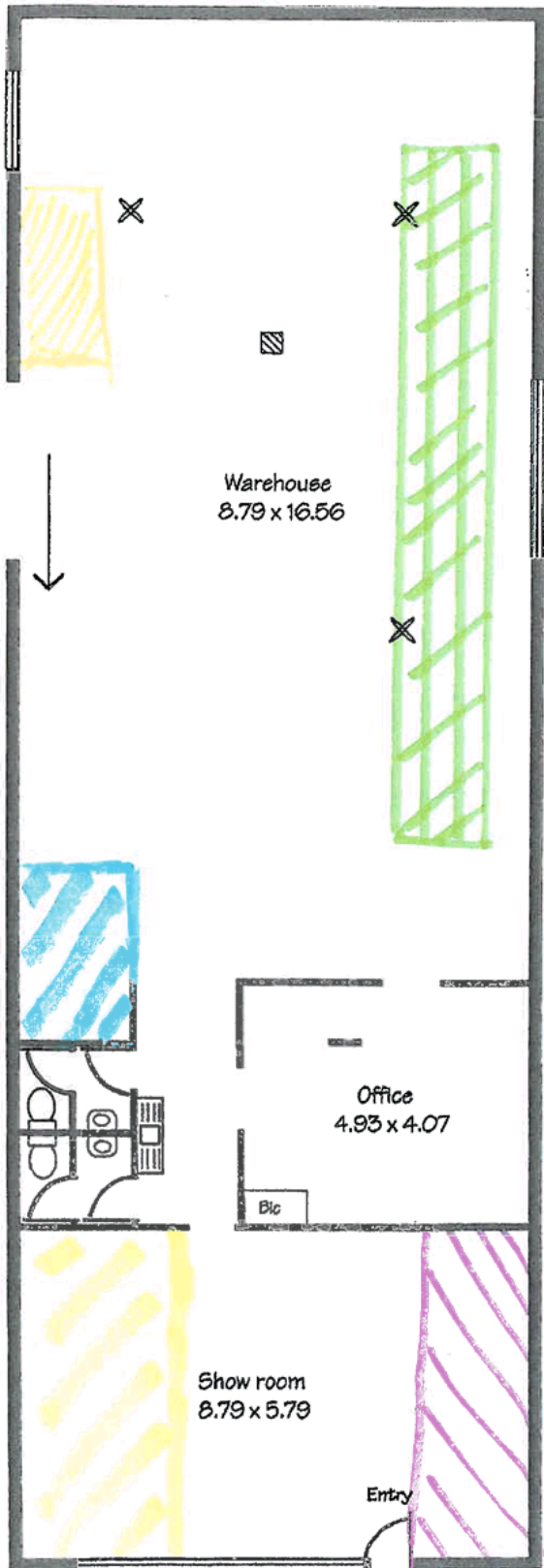
ACCEPTED FOR DEPOSIT
[Signature]
pro Registrar-General
23/5/1979






Reference Map No.
CITY OF SALISBURY
COUNCIL


THIS IS SHEET 1 OF 3 SHEETS

RECEIVED
31 MAY 2017





-  Weights
Kettle Bells
Medicine Balls
-  Weight Sled
-  Cardio Equipment
-  Running Shoes and apparel
-  Suspension Training
Battle ropes

 Airconditioning Ducts

Living:	249.32m ² (approx)
Total:	249.32m ² (approx)

This Drawing is for illustration purposes only.
All measurements are approximate and details
intended to be relied upon should be independantly verified



Push Your Limits Personal Training

Address 7/96 Research Rd
Business: Push Your Limits Personal Training

Parking availability: 20 Car Parks available and spread between businesses

Staff: Currently 1 with the potential to expand to 2-3 trainers in the future.

Push Your Limits Personal Training is essentially a 1 on 1 Personal Training business.

We run 5 sessions per week in a group setting. Our groups are never bigger than 15 clients and we encourage carpooling which is never an issue. Our busiest times are after normal business hours with our biggest sessions usually held at 6:30pm on two days of the week.

Hours of Operation

Monday-Friday

Mon 7am-8:30pm
Tues 7am-8:30pm
Wed 7am-8:30pm
Thurs 7am-8:30pm
Fri 7am-8:30pm

Group Session Numbers

Monday

Hour of Power Mon 9:30-10:30am
3-8 people max (Never more than 5)

Tuesday

Hour of Power 9:30-10:30am
3-8 people max

Strength and Conditioning 6:30pm-7:30pm
5-12 people

Thursday

Group Boxing 6:30-7:30pm
8-15 People



We don't use heavy equipment as we focus on functional training and weight loss. Most of our

equipment is under 20kg and are free weights. Our only large equipment is a bike, weight sled, rowing machine and potentially a treadmill.

Signage: Any outdoor signage will only replace the existing signage currently on the building and won't exceed the current size of each board.

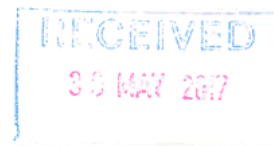
Hi Marie

This space will be run as mainly a Personal Training Studio with group classes in the morning and evening. Whilst currently running only 5 Group sessions as stated in the outline of the business plan I'd like to think that this will expand over time so if I can apply for 10 sessions I'll agree to having all morning sessions capped to a maximum of 5 cars in the parking lot.

There are 16 car spaces on the premises and I've never had more than 15 people in a group session. If granted use of the property I'll make it quite clear that with only 16 car spaces available we will need to cap the evening sessions as well unless everyone car pools (they usually do anyway)

All the best

Justin Beard



Marie Molinaro

From: Push Your Limits Personal Training <justinbeard0@gmail.com>
Sent: Wednesday, 21 June 2017 10:21 AM
To: Marie Molinaro
Subject: Re: Copy of representations received - application 361/888/17 - 7/96 Research Road, Pooraka

Hi Marie

This all looks pretty good. Just a couple of changes though.

The two other evening sessions might precede or follow my sessions on Tuesday or Thursday, depending on availability.

Every now and then I might have a 2 on 1 PT (myself and 2 others) This is rare but I'd like to cover all bases to make sure that if it were to occur I wouldn't be breaching the conditions of approval.

All the best

Justin

On 21 Jun 2017, at 10:14 am, Marie Molinaro <MMolinaro@salisbury.sa.gov.au> wrote:

Hi Justin

Thanks for your email and your time again on the phone this morning.

To confirm that I understand correctly, outside of the group training sessions you seek to be open from 7:00am-8:30pm to run one on one sessions only (you and only one client).

In regards to the group sessions at this time I understand you are seeking to run sessions as follows;

Tuesday

9:30am-10:30am (max. 5 persons)

6:30pm-7:30pm (max. 15 persons)

Thursday

6:30pm-7:30pm (max. 15 persons)

Two other evening sessions to commence at or after 5:30pm on either Monday, Wednesday or Friday (max. 15 persons).

Moving forward with the application if you can confirm the above I will need to contact the representor to see if this clarification satisfies their concerns.

Following this, if the application is supported Council would look to control the above as conditions of approval.

Can you please reply that the above is correct before I contact the representor.

Kind regards

Marie Molinaro

Attachment 2

Notice of Category 3 Application, Copies of Representations and Applicant's Response

**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:

DEVELOPMENT NO:	361/888/2017/3B
APPLICANT:	J Beard 14 Keane Ave MUNNO PARA WEST SA 5115
NATURE OF THE DEVELOPMENT:	CHANGE OF USE TO GROUP FITNESS CENTRE (TENANCY 7)
LOCATED AT:	Unit 7 / 96 Research Road , Pooraka SA 5095
CERTIFICATE OF TITLE:	CT-5046/146
ZONE:	Industry

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. Any person or body may make representations in writing, or by email to 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. Representations must be received **no later than Monday 19th June 2017**.

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: Marie Molinaro, Development Officer

Date: 1 June 2017

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the Development Act

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



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:	361/888/2017/3B
Applicant:	J Beard
Location:	Unit 7 / 96 Research Road , Pooraka SA 5095
Proposed Development:	CHANGE OF USE TO GROUP FITNESS CENTRE (TENANCY 7)

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

NAME(S): RAY BYSTER

ADDRESS: 58 HILL ST CAULGA SOUTH

PHONE NO: EMAIL:

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

- The owner/occupier of the property located at: SHOP 6 / 96 Research
- Other (please state): RD POORAKA S.A. 5095

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.

I, RAY BYSTER OPPOSE THE PROPOSAL FOR THE SIMPLE REASON IF THEY SAY THEY ARE ONLY GOING TO DO A MORNING SESSION FROM 9.30am to 10.30am THEN A EVENING SESSION FROM 6.30pm to 7.30pm AND THERE OPENING

PTO

Item 5.1.1 - Attachment 2 - Notice of Category 3 Application, Copies of Representations and Applicant's Response

361/888/2017/3B

ARE TIMES ARE MONDAY TO FRIDAY 7 AM TO 8.30 P.M.
 NUMBER (1) THAT DOESNT MAKE ANY SENSE WHY WOULD THEY BE
 OPEN FOR 13.5 HOURS A DAY AND HAVE ONLY 2 / 1 HOUR SESSIONS
 THEN THEY SAY THEY HAVE (1) STAFF WHO TRAINS THE GROUP
 WITH THE POTENTIAL TO EXPAND TO (2) (3) TRAINERS IN THE
 FUTURE IF (1) TRAINER HAS A GROUP UP TO 15 PEOPLE
 THAT MEANS 3 TRAINERS WILL HAVE A GROUP UP TO
 (50 people) ~~WE~~ WE ALREADY HAVE PROBLEMS WITH
 CAR PARKING THERE ARE 20 CARPARKS THE DELI USES 3
 THE POOL SHOP 1 THE LAUNDRY SHOP 2 THE BLIND SHOP 3 ADULT BOOKSHOP
 2 CLOUDBY SHEEP 2 THATS 12 CARPARKS TAKEN ALREADY
 BY THE SHOP OCCUPIERS THEN THE DELI THE POOL SHOP
 THE BLINDSHOP CLOUDBY SHEEP SHOP AND THE ADULT BOOKSHOP
 (RELY) ON PASSING TRAFFIC AND CARPARKS TO BE

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

AVAILABLE TO SURVIVE AND MAKE A LIVING

13.5 HOURS A DAY DOES NOT MAKE ANY SENSE AND
 HAVE A MORNING SESSION THEN A EVENING SESSION
 AT 1 HOUR PER SESSION WITH 3 TRAINERS

I STRONGLY OPPOSE THIS

AND ALSO WHAT IF THEY HAVE CHILDREN NOT GOOD
 TO BE AROUND ADULT BOOKSHOP

PTO

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 Monday 19th June 2017, 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 16 17

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 **Monday 19th June 2017.**

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

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:	361/888/2017/3B
Applicant:	J Beard
Location:	Unit 7 / 96 Research Road , Pooraka SA 5095
Proposed Development:	CHANGE OF USE TO GROUP FITNESS CENTRE (TENANCY 7)

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

NAME(S): T & T LAZANDREAS
ADDRESS: 10 SERENA AVENUE, SALISBURY Downs SA 5108
PHONE NO: [REDACTED] EMAIL:

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

- The owner/occupier of the property located at:
- Other (please state): LANDLORD OF THIS PROPERTY

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.

I support the Application For the
Proposed use By the Applicant.

PTO

361/888/2017/3B

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

N/A.
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PTO

Item 5.1.1 - Attachment 2 - Notice of Category 3 Application, Copies of Representations and Applicant's Response

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 Monday 19th June 2017, to ensure that it is a valid representation and taken into account.

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Signature: TET LAZ ANDREAS
TET LAZ ANDREAS

Date: 5 16 17

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 **Monday 19th June 2017**.

I would like to address some of the concerns Mr Ray Byster has in regards to the development of shop 7/96 Research Road Pooraka.

- I've listed the times 7am-8:30pm as I have personal training clients and wanted to make sure that I covered the hours that I am prepared to work (Never had 13 individual clients in a day). I hope that this helps with some of the confusion.

-Number of trainers versus number of clients. Once again this is just covering the bases. I've never had a session with more than 15 people and don't intend to in a relatively small space. Adding a trainer won't mean 30 people in the building at the same time more or less someone to help cover classes etc.

-Car parks. I've made it quite clear that I don't intend on taking too many car parking spaces during normal business hours. My morning sessions are generally quite small and have never had more than 6 in the class. I'm happy to scrap the Monday morning session and just leave the Tuesday session instead. If it looked like my sessions are expanding I'd simply cut down the number of people allowed in the session and run a session directly afterwards. My bigger sessions would be at a time when most of the other businesses are closed. If needed I can further cap my sessions if parking becomes a problem.

I'd be more than happy to discuss any further concerns with you in order to work through this together so if you'd like to talk it over my number is as follows **0830 72 4800**

All the best

Justin Beard

Attachment 3
Relevant Development Plan Extracts and Location
Maps consolidated 15 December 2016

Industry Zone

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

OBJECTIVES

- 1 A zone primarily accommodating a wide range of industrial, warehouse, storage and transport land uses.
- 2 Development that is compatible with existing and forecast noise nuisance from aircraft operations based at RAAF Edinburgh or Parafield Airport.
- 3 Provision of landscaped buffers adjacent to main roads and residential areas.
- 4 Water sensitive urban design and landscaping incorporated as an integral elements of development within the zone.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 The following forms of development are envisaged in the zone:
 - industry
 - office in association with and ancillary to industry
 - transport distribution
 - warehouse.
- 2 Centre facilities such as shops, offices and consulting rooms should not occur unless it can be demonstrated that they primarily serve businesses in the zone and do not detract from the function of any centre zone or centres generally.
- 3 Development listed as non-complying is generally inappropriate.

Form and Character

- 4 Development should be set back from any road frontage in accordance with [Table Sal/1- Building Setbacks from Road Boundaries](#).
- 5 Industrial buildings should not occupy more than 50 per cent of the total area of the site upon which they are located.
- 6 In areas where a uniform street setback pattern has not been established, buildings should be set back in accordance with the following criteria (subject to adequate provision of car parking spaces and landscaping between buildings and the road):
 - (a) buildings up to a height of 6 metres should be sited at least 8 metres from the primary street alignment
 - (b) buildings exceeding a height of 6 metres should be sited at least 10 metres from the primary street alignment
 - (c) where an allotment has two street frontages, no building should be erected within 4 metres of the secondary street alignment.

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

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 or Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas (whichever applies) 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, Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area and Concept Plan Map Sal/32 - Mawson Lakes Town Centre Car Parking 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.

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.

Crime Prevention

OBJECTIVES

- 1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.
- 2 Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.
- 3 Development should provide a robust environment that is resistant to vandalism and graffiti.
- 4 Development should provide lighting in frequently used public spaces including those:
 - (a) along dedicated cyclist and pedestrian pathways, laneways and access routes
 - (b) around public facilities such as toilets, telephones, bus stops, seating, litter bins, automatic teller machines, taxi ranks and car parks.
- 5 Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.
- 6 Landscaping should be used to assist in discouraging crime by:
 - (a) screen planting areas susceptible to vandalism
 - (b) planting trees or ground covers, rather than shrubs, alongside footpaths
 - (c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.
- 7 Site planning, buildings, fences, landscaping and other features should clearly differentiate public, communal and private areas.
- 8 Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.
- 9 Public toilets should be located, sited and designed:
 - (a) to promote the visibility of people entering and exiting the facility (eg by avoiding recessed entrances and dense shrubbery that obstructs passive surveillance)
 - (b) near public and community transport links and pedestrian and cyclist networks to maximise visibility.
- 10 Development should avoid pedestrian entrapment spots and movement predictors (eg routes or paths that are predictable or unchangeable and offer no choice to pedestrians).



Item 5.1.1 - Attachment 3 - Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

ITEM	5.1.2
	DEVELOPMENT ASSESSMENT PANEL
DATE	25 July 2017
APPLICATION NO.	361/865/2017/NB
APPLICANT	Paul Cowling
PROPOSAL	Change of use from dwelling and office to office and advertising signage (non-complying)
LOCATION	120 Salisbury Highway, Salisbury, SA 5108
CERTIFICATE OF TITLE	Allotment 148 Deposited Plan 22641 Volume 5398 Folio 531
AUTHOR	Chris Carrey, Development Officer, City Development

1. DEVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Residential Zone
Application Type	Non-complying Category 3
Public Notification	Representations received: Two (2) Representations to be heard: Nil (0)
Referrals - Statutory	Nil
Referrals – Internal	Urban Policy
Development Plan Version	Salisbury Council Development Plan Consolidated 15 December 2016
Assessing Officer	Chris Carrey; Development Officer - Planning
Recommendation	Grant Development Plan Consent subject to conditions and seek the concurrence of the Development Assessment Commission
Meeting Date	25 July 2017

2. REPORT CONTENTS

Assessment Report

Attachment 1:	Proposal plans and supporting documentation, including Statement of Support and Statement of Effect
Attachment 2:	Notice of Category 3 Application and Representations received
Attachment 3:	Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

3. BACKGROUND AND EXECUTIVE SUMMARY

On 12 June 2003, Council granted Development Approval for *Alterations and Additions to the existing building, including construction of a rear addition and freestanding garage, and change of use to a dwelling and office* in respect of the subject site (DA No. 361/452/2003/3B). That approval was subject to nineteen (19) conditions of approval. These conditions addressed matters including:

- a maximum of 46m² to be utilised for the office component of the land use, with the remainder of the building to be used as a dwelling;
- a maximum of 6 car parking spaces to be provided on site;
- office use operating hours limited to Monday to Saturday 7.00am to 6.00pm with no activity on Sundays or Public Holidays; and
- a single sign with an area of no greater than 0.6m² to be erected on the site.

The current applicant purchased the property in 2009 and has advised that at the time of purchase the entire building was being used as an office with no residential activity occurring. The applicant has also advised the property was marketed for such commercial use and has provided real estate documentation from that period to support this position (see Attachment 1 to this report). The applicant has been using the site as an office since that time.

No previous approvals have been granted for the use of the entire building as an office.

To address this, the applicant seeks Development Plan Consent for a change of use from dwelling and office, to office and advertising signage. The proposed development is a form of non-complying development in the Residential Zone of Council's Development Plan.

At the time of lodging the application the applicant provided a Statement in Support of the proposal. Council's Development Assessment Unit considered the proposed development on 18 May 2017 and in accordance with Regulation 17(3)(b) of the *Development Regulations* 2008, resolved to proceed with an assessment of the application. The applicant subsequently provided a Statement of Effect in support of the proposal.

The application was subject to Category 3 public notification. Two representations in support were received during the notification period with no requests to be heard.

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

- a) The site is located on the edge of the Residential Zone and thus acts as an appropriate transition/buffer between activities occurring within the Urban Core (Salisbury) Zone and residential land uses within the Residential Zone.
- b) The proposed land use is appropriate within this locality of the Residential Zone having regard to the existing character of the locality which comprises a mix of residential and non-residential uses.
- c) The appearance and scale of the development is compatible with surrounding residential development.
- d) The use will not result in unreasonable impacts to the locality with regards to noise, hours of operation, traffic or lighting.
- e) Access to and from the site is appropriate, with no direct access provided to Salisbury Highway.

- f) Adequate car parking is provided which is appropriately screened from the street and surrounding residential properties.
- g) An appropriate level of landscaping is provided to enhance the appearance of the site.
- h) The proposed advertising signage will not result in signage clutter or driver distraction and is compatible with the built form.

Given the above, it is recommended that Development Plan Consent be granted subject to conditions and the concurrence of the Development Assessment Commission.

4. SUBJECT SITE

The subject site is a corner property located on the south-eastern side of Salisbury Highway and the south-western side of Fleet Street. The rectangular shaped allotment has a frontage to Salisbury Highway of 15.3 metres, corner cut off of 6.36 metres and frontage to Fleet Street of 35.66 metres. The site has one double width vehicular crossover and separate pedestrian access to Fleet Street. There is no access to the site from Salisbury Highway.

The existing dwelling is located on the north-western portion of the site with the front of the dwelling facing Fleet Street.

The south-eastern portion of the site comprises an existing garage and nine line marked car parking spaces.

There are no easements, encumbrances or land management agreements registered to the Certificate of Title.

Site photos are provided below:



Photo 1: Front façade facing Fleet Street (looking south-west with Salisbury Highway on right)



Photo 2: Looking west towards the formalised vehicle access and Fleet Street frontage



Photo 3: Looking north-west from Salisbury Highway with the subject site on right



Photo 4: Looking south along Salisbury Highway with the subject site on left

5. LOCALITY

The site is situated in the Residential Zone of Council's Development Plan adjacent to the Urban Core (Salisbury) Zone which is located on the north-eastern side of Fleet Street. The land is bounded by one residential allotment to the south-west and two residential allotments to the south-east. To the north-east across Fleet Street (within the Urban Core (Salisbury) Zone), there are a number of non-residential land uses including a motor repair station, shop, an integrated service station and office/consulting rooms.

The predominant land use within the Residential Zone is residential comprising low to medium density housing. However, there are a number of non-residential land uses in the locality. North-west across Salisbury Highway (within the Residential Zone) includes offices/consulting rooms, a place of worship and on 9 May 2017 the Development Assessment Commission (DAC) granted planning consent to a separate proposal for a change of use from dwelling to consulting rooms (gambling counselling service). Further to the south-west, also within the Residential Zone there are non-residential uses facing Salisbury Highway in the form of an integrated service station (with car wash) and a veterinary clinic.


In summary, the locality is characterised by a mix of residential and non-residential land uses. Residential amenity in this location is low, influenced by the high level of vehicular traffic along Salisbury Highway.

Locality and aerial plans are provided below.

Aerial Plan





Legend (Source: NearMap)

	Subject site
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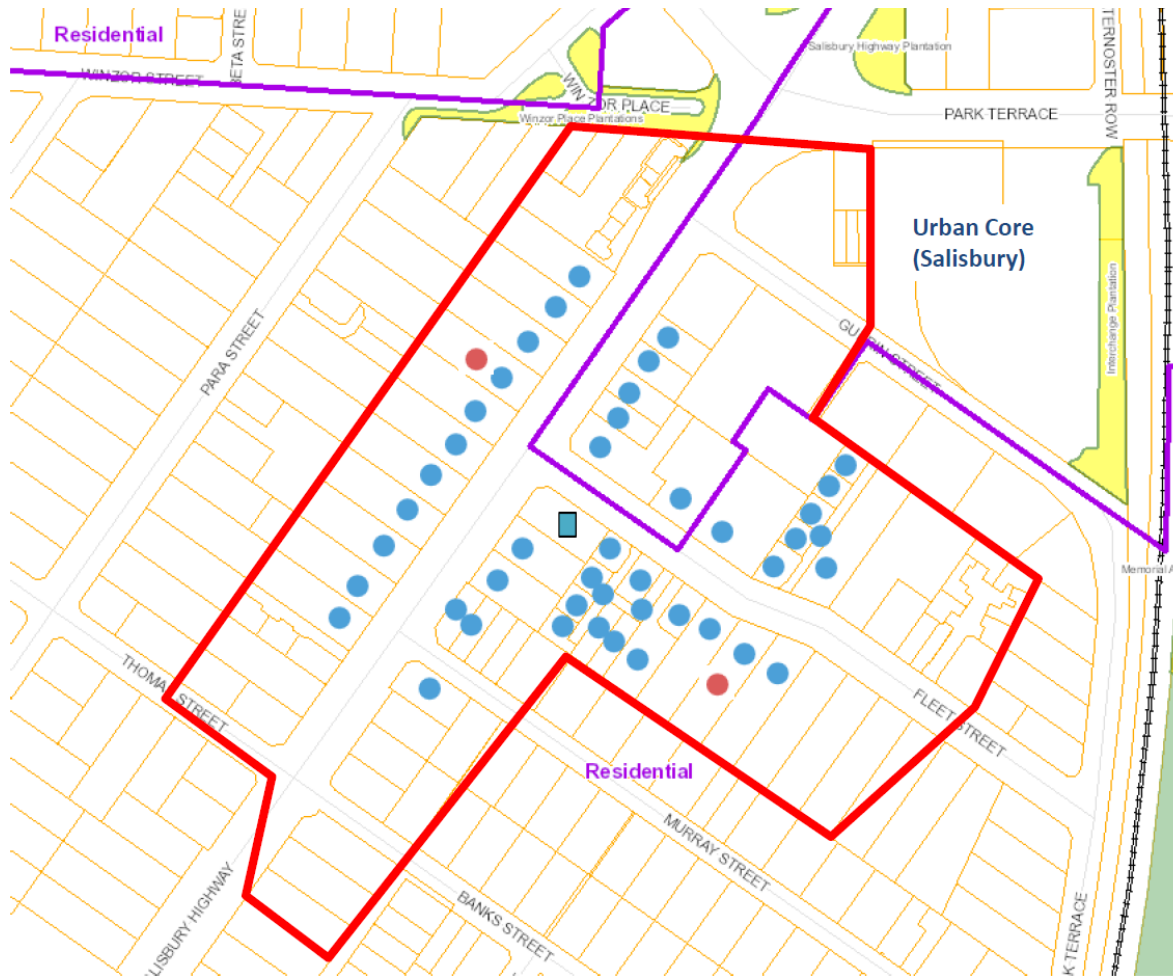
Locality Plan including nearby non-residential land uses:








Legend (Source: Nearmap)

	Subject site
	Locality boundary

Locality Plan – Cadastre



Legend (Source: Geocortex)	
	Subject site
	Locality boundary
	Zone boundary
	Properties notified
	Representors

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The applicant seeks Development Plan Consent for a change of use from dwelling and office, to office and advertising signage. The proposed development is retrospective with the use having commenced in 2009. No new built form is proposed with the use occupying the existing dwelling and garage.

The total floor area of the existing dwelling (164m²) is to be used as an office in association with the applicant’s home renovation business. The proposed floor layout incorporates a reception/entrance area, two rooms to be used as offices, a boardroom, communications room, kitchen and associated amenities.

The business employs two receptionists, two site supervisors and one building estimator. The two receptionists are permanently based at the office while the building estimator and site supervisors spend the majority of their time out of the office.

Operating hours for the office will be Monday to Saturday, 7.00am to 5.30pm.

There is an existing garage on the site which is to be used for the storage of office archive materials and small incidental building fixtures and fittings. The Applicant advises that no bulk building materials will be stored on the site and delivery vehicles will not be permitted in relation to bulk building materials.

There are currently two advertising signs located on the Salisbury Highway building frontage. The Applicant proposes to remove the lower sign and will retain the upper sign as part of the development (see Figure 1). There is a further advertising sign located on the verandah above the entrance point facing Fleet Street (see Figure 2). This sign is also to be retained.



Figure 1 – Advertisements facing Salisbury Highway
(Source: Assessing Officer photograph)

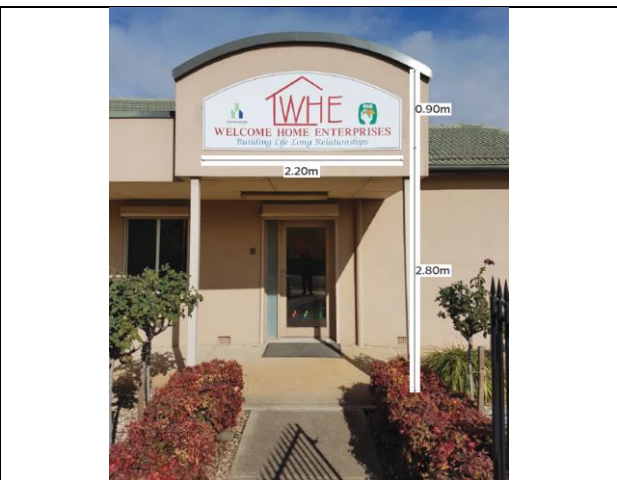


Figure 2 – Advertisement facing Fleet Street
(Source: Masterplan)

Existing landscaping adjacent Fleet Street shall remain, with additional landscaping proposed around the car parking area adjacent the south-eastern and south-western boundaries.

The site is currently fenced with open tubular fencing facing Salisbury Highway and to the majority of the Fleet Street frontage. The remainder of the site is fenced with Colorbond sheet metal fencing.

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

7. CLASSIFICATION

The subject site is located in the Residential Zone of Council's Development Plan (consolidated 15 December 2016). In this Zone, an Office is listed as a non-complying form of development, except where:

- (a) The total floor area is less than 100 square metres*
- (b) The site does not front an arterial road*

The office has a total floor area of 164m² which is in excess of clause (a) therefore the application must be a non-complying form of development.

In accordance with Regulation 17(1) of the *Development Regulations* 2008 ("the Regulations") the Applicant provided a Statement of Support for the non-complying proposal at the time of lodgement of the development application (15 May 2017 and partly amended on 17 May 2017).

On 18 May 2017, Council's Development Assessment Unit considered the Statement of Support and in accordance with Regulation 17(3)(b) of the Regulations, resolved to proceed with an assessment of the application.

In accordance with Regulation 17(4) of the Regulations, the applicant submitted a Statement of Effect on 2 June 2017 in support of the development.

The Applicant's Statement of Support and Statement of Effect are contained within Attachment 1 of this report.

8. PUBLIC NOTIFICATION

The proposed development is neither listed as being a Category 1 or 2 form of development under the Residential Zone or under Schedule 9 of the Regulations. Accordingly, the application must be a default Category 3 form of development in accordance with Section 38 of the *Development Act 1993* (“the Act”).

Public notification took place between 6 June and 22 June 2017. Council received two representations in support of the proposal during the public notification period.

Representations received	
1	Kapil Muni Dahal 9 Fleet Street SALISBURY 5108
2	Caryl Williams 115 Salisbury Highway SALISBURY 5108

A copy of the Category 3 public notice and submissions received are contained in Attachment 2.

9. REFERRALS – STATUTORY

The application was not subject to any referrals under Schedule 8 of the Regulations.

It is worth noting that Schedule 8(3) of Regulations provides that certain forms of development adjacent to main roads (arterial roads such as Salisbury Highway) may be subject of referral to the Commissioner of Highways.

This application was not referred as the proposal does not provide for access directly on to Salisbury Highway. The point of access from Fleet Street is existing and is located approximately 30 metres from the Fleet Street/Salisbury Highway intersection. This access remains unaltered by this proposal. The proposal will not change the nature of movement through this access given the intensity of the proposed use and having regard to the earlier land use approval obtained in DA 361/452/2003.

10. REFERRALS – INTERNAL

DIVISION	SUMMARISED COMMENT
<i>Urban Policy</i>	<p><i>Given the adjacent nature of the Urban Core (Salisbury) Zone and the transitional function of the proposed land use to lower impacts, it is not expected that the proposal would be detrimental in the policy context.</i></p> <p><i>Signage, access and egress are also appropriate in their nature.</i></p> <p><i>Given the current low amenity of Salisbury Highway a business land use which creates a more active street and generates employment is an appropriate outcome.</i></p>

11. ASSESSMENT

Pursuant to Section 35(2) of the Act, it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury Council Development Plan, Consolidated 15 December 2016. An office may be an appropriate form of development in the Residential Zone, subject to it being of an appropriate design, intensity of use and sited in a suitable location.

Assessment

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

An extract of the relevant Development Plan, Consolidated 15 December 2016, is contained in Attachment 3. The relevant provisions are also highlighted in the Attachment.

Zoning and Land Use

An office is not an envisaged use within the Residential Zone and the main intent of the Zone is to *primarily* accommodate residential development. However, some non-residential uses are anticipated provided they are of an appropriate scale, intensity and are consistent with the character of the locality. This is emphasised in Principle of Development Control (PDC) 4 of the Residential Zone as follows:

4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:

- (a) serves the local community*
- (b) is consistent with the character of the locality*
- (c) does not detrimentally impact on the amenity of nearby residents*
- (d) will not undermine the efficient operation of nearby centres.*

A number of non-residential land uses already exist within the Residential Zone in close proximity to the subject site. These include a veterinary clinic, integrated petrol station, place of worship, consulting rooms and offices. In addition, on 9 May 2017, the Development Assessment Commission (DAC) granted planning consent for change of use from dwelling to consulting rooms at 129 Salisbury Highway. These uses have a frontage to Salisbury Highway which also has a strong influence on the character of the locality. The high level of vehicular traffic carried along this road impacts upon residential amenity through noise, vibration and frequency and times of movements.

The scale and proximity of these non-residential uses provide some justification for consideration of the proposed development in that this locality exhibits a mixed character. Furthermore, within the Residential Zone, an office with a footprint of less than 100m² is an 'on-merit' development (rather than as a non-complying form of development), which suggests that an office may be an appropriate land use subject to location, design and impact considerations.

While the proposal exceeds the 100m² floor area prescribed in the Zone, the office use is considered to be of a low scale and will not affect the operation of nearby centres. In addition, although the service provided by the development is not restricted to a 'local' catchment, it has the ability to serve the local community.

While the subject site is located in the Residential Zone, consideration should also be given to its adjacency to the Urban Core (Salisbury) Zone and the Transition Area of that Zone as identified in the Development Plan (see Figure 3 below).

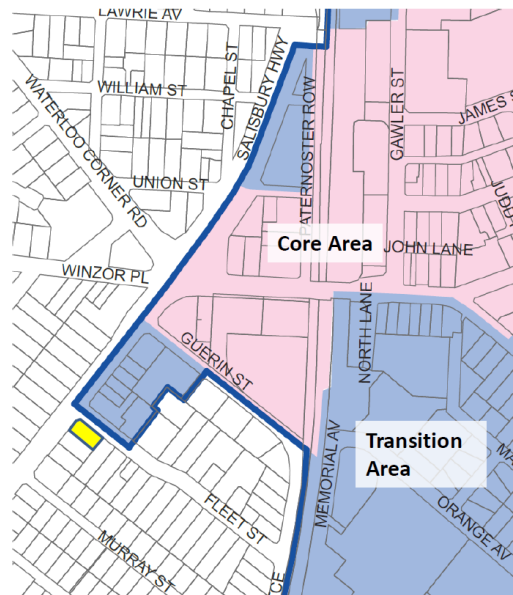


Figure 3: Core Area and Transition Area
Salisbury City Centre

(Source: Concept Plan Map Sal/33 - Development Plan)

The adjacent Urban Core (Salisbury) Zone lists an office as an envisaged land use as provided for in PDC 1 of the Zone:

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

Within the locality, the Urban Core (Salisbury) Zone contains a number of commercial developments including a motor repair station immediately to the north east, offices further to the south-east along Fleet Street, and a shop, integrated petrol station and consulting rooms further to the north-east along Salisbury Highway. Again, these land uses have an impact upon the residential amenity of the locality given the adjacency.

The intent of the Transition Area of the Zone is to provide a buffer between the Core Area of the Zone (located further to the north-east) and adjacent established residential areas. This is reflected in an excerpt from the Desired Character of the Zone:

The Transition Area will provide a buffer between the Core Area and adjacent established residential areas / zones with development taking the form of smaller scale mixed use commercial land uses, medium density housing, community, education, sport and recreation facilities designed to reduce impact and contribute to the established character and amenity of adjoining zones. Development will reduce in scale to transition down where there is an interface with low rise residential development in an adjacent zone. Buildings at the periphery of the zone will have an appropriate transition that relates to the height and setback of development in adjacent zones of a lower scale and intensity.

It is considered that given the location of the subject site it also contributes in the transition from the Urban Core (Salisbury) Zone to the residential area. This position, along with the established mix of land uses occurring within the locality, suggests the proposal is an appropriate form of development in this locality provided it is compatible in form and scale with surrounding residential development and has minimal amenity impact. These matters are considered further below.

Scale of Development

The Desired Character Statement of the Residential Zone states:

Development will be of a form and scale compatible with adjoining residential development.

The scale of the proposed development is considered to be appropriate. The applicant proposes to utilise the existing dwelling and garage. No new additional built form is proposed. The building is compatible with surrounding residential development in terms of height, setback and appearance. Further, the building remains adaptable for re-use as a residential dwelling if required in the future.

Amenity Impacts

Objective 1 and PDC 1 of the General Section: Interface between Land Uses states:

Objective 1 Development located and designed to minimise adverse impact and conflict between land uses.

PDC 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.*

It is important to note that the residential amenity in this locality is already compromised through land use activities and hours of operation that are permitted within the adjacent Urban Core (Salisbury) Zone as well as noise from traffic along Salisbury Highway. The visual aspect enjoyed by the existing dwelling is further compromised by its orientation towards the Urban Core (Salisbury) Zone and currently faces the adjacent motor repair station, as indicated in photograph 5 below:



Photo 5: Looking north-east across Fleet Street from the front of the subject site

The use of the building as an office which mainly involves administrative tasks is unlikely to generate a significant amount of operational noise. The building and entrance is oriented away from the Residential Zone, facing the Urban Core (Salisbury) Zone which will further mitigate noise of persons attending the premises for meetings etc.

The proposed hours of operation are unlikely to have a negative impact on the locality and it is noted the hours remain relatively consistent with the hours of operation approved in Development Authorisation 361/452/2003/3B. The proposed hours are significantly less than activities within the adjacent Urban Core (Salisbury) Zone such as the petrol station which operates 24 hours and is consistent with the nearby motor repair station and shop.

Traffic impacts associated with the use are unlikely to generate any significant amenity impacts. The applicant has advised that no bulk building materials will be stored or delivered to the site. While vehicle movements will exceed those which would be associated with 'normal' residential use, given the proximity to Salisbury Highway and the extent of established vehicle movement and noise, this is considered to be acceptable. Vehicles entering and exiting the site are likely to utilise Salisbury Highway, which will further reduce the impact on nearby residential properties along Fleet Street.

As the office operates during business hours and there is no early morning or late night activity, the use is unlikely to generate any unreasonable interference through light spillage.

In summary, the proposal is considered to be consistent with Objective 1 and PDC 1 and the impact on the locality is considered to be appropriate.

Appearance and Landscaping

PDC 11 of the General Section: Design and Appearance provides:

11 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.

Objective 1 of the General Section: Landscaping, Fences and Walls further states:

1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.

As this is a retrospective development and the office has been operating for some time, we have the benefit of the viewing the development ‘as is’ as well as considering the plans and documentation submitted with the application.

The existing building and garage are well maintained and present well to Salisbury Highway and Fleet Street. The site is well landscaped along the Fleet Street frontage as illustrated in photograph 6 below and the landscaping is clearly maintained on a regular basis.



Photo 6: Landscaping to the front of the building

The existing open tubular fencing to Fleet Street and Salisbury Highway also assists in enhancing the attractiveness of the site and ensures the property is visible from the street, as well as offering opportunities for passive surveillance.

The location of the car park to the rear of the site, behind existing fencing reduces the impact of the sealed surface when viewed from Fleet Street. The car park is also screened from adjoining residential development by solid fencing which further minimises its impact in terms of noise. The applicant proposes additional landscaping around the car parking area which will further enhance the appearance of the site.

Accordingly, the proposal accords with PDC 11 and Objective 1.

Access and Car Parking

PDCs 25, 32 and 34 of the General Section: Transportation and Access provide:

- 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*
- 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*
- 34 *Vehicle parking areas should be sited and designed in a manner that will:*
 - (f) *minimise the number of vehicle access points to public roads*
 - (g) *avoid the necessity for backing onto public roads*
 - (i) *not dominate the character and appearance of a site when viewed from public roads and spaces*

In accordance with Table Sal/2, an office of 164m² requires 6.56 car parking spaces. The proposal provides for 9 line marked spaces which exceeds this minimum standard.

The site does not provide access to Salisbury Highway. All access to the site is via Fleet Street and sufficient manoeuvring space is provided on-site to allow all vehicles to enter and exit the site in a forward direction.

While a remnant crossover/invert remains located on the kerb line adjacent to the south-west corner of the site on Salisbury Highway, the applicant has confirmed in writing that this crossover is not to be utilised. The site is currently fenced (including a raised concrete plinth) adjacent to the invert which prevents access.

Therefore, the proposal sufficiently accords with PDCs 25, 32 and 34(f), (g) and (i).

Advertisements

Objective 3 and PDCs 4 and 6 of the General Section: Advertisements provide:

- Objective 3 Advertisements and/or advertising hoardings designed to enhance the appearance of the building and locality.*
- PDC 4 The content of advertisements should be limited to information relating to the legitimate use of the associated land.*

The applicant proposes to retain the existing sign above the Fleet Street entrance and to retain the upper sign located on the Salisbury Highway frontage. The lower existing sign on the Salisbury Highway frontage is to be removed. No additional signage is proposed. The proposed signs are not illuminated.

The signage solely relates to the proposed use of the site and is restricted to simple and clear language and is appropriately located below the roof line of the building. The signage is also of a professional appearance.

The signage does not result in undue clutter or driver distraction, and is of a lesser scale than nearby established signage within the locality.

Therefore, the proposed signage is considered to be appropriate and the proposal accords with Objective 3 and PDC 4.

12. CONCLUSION

The applicant seeks Development Plan Consent for a change of use from dwelling and office, to office and advertising signage. No new built form is proposed with the use occupying the existing dwelling and garage. The proposed development is a form of non-complying development in the Residential Zone.

This report has provided a detailed assessment of the application against the relevant provisions of the Development Plan. The assessment found that:

- a) The site is located on the edge of the Residential Zone and thus acts as an appropriate transition/buffer between activities occurring within the Urban Core (Salisbury) Zone and residential land uses within the Residential Zone.
- b) The proposed land use is appropriate within this locality of the Residential Zone having regard to the existing character of the locality which comprises a mix of residential and non-residential uses.
- c) The appearance and scale of the development is compatible with surrounding residential development.
- d) The use will not result in unreasonable impacts to the locality with regards to noise, hours of operation, traffic or lighting.
- e) Access to and from the site is appropriate, with no direct access provided to Salisbury Highway.
- f) Adequate car parking is provided which is appropriately screened from the street and surrounding residential properties.
- g) An appropriate level of landscaping is provided to enhance the appearance of the site.
- h) The proposed advertising signage will not result in signage clutter or driver distraction and is compatible with the built form.

Accordingly, it is recommended that Development Plan Consent be granted, subject to conditions and the concurrence of the Development Assessment Commission.

13. STAFF RECOMMENDATION

That the Development Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Council Development Plan – Consolidated 15 December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/865/2017/NB for Change of use from dwelling and office to office and advertising signage (non-complying) in accordance with the plans and details submitted with the application subject to the following conditions and the concurrence of the Development Assessment Commission:

Development Plan Consent Conditions

1. The proposal shall be developed in accordance with the details submitted with the application and the following Council stamped approved plans, except where varied by the conditions herein:

<i>Drawing No.</i>	<i>Drawing Type</i>	<i>Date</i>	<i>Prepared By</i>
N/A	Planning Report Statement of Effect June 2017	Date Received 2 June 2017	MasterPlan
N/A	Statement of Support	Date Received 17 May 2017 & 15 May 2017	Masterplan
Apr 2017 DS:50332 1.0	Site and Floor Plan	Date Received 17 May 2017	Masterplan
May 2017 DS:50332 1.0	Elevation Drawing Retrospective Sign Application	Date Received 2 June 2017	MasterPlan
July 2017 DS:50331 1.0	Elevation Drawing Retrospective Sign Application (Entrance)	Date Received 4 July 2017	Masterplan

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

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

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

3. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers as appropriate to complement the approved buildings and site layout and achieve a high level of amenity within 3 months form the date of development approval. 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.

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

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

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

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

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

Advice Notes

1. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the subject property from previous approvals that remain active.
2. This is not a building consent, and a satisfactory application for Provisional Building Rules Consent has to be submitted before Council can issue a Development Approval.

CO-ORDINATION

Officer: MDS
Date: 05.07.17

ATTACHMENTS

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

1. Proposal plans and supporting documentation, including Statement of Support and Statement of Effect
2. Notice of Category 3 Application and Representations received
3. Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

Attachment 1

Proposal Plans and supporting documentation,
including Statement of Support and Statement of Effect

DEVELOPMENT APPLICATION FORM

COUNCIL: SALISBURY

APPLICANT: PAUL COWLING
 Postal Address: C/ - MASTERPLAN
33 CARRINGTON STREET, ADELAIDE 5000

OWNER: PAUL COWLING
 Postal Address: 120 SALISBURY HIGHWAY
SALISBURY SA 5108

BUILDER: _____
 Postal Address: _____
 Licence No: _____

CONTACT PERSON FOR FURTHER INFORMATION:
 Name: STEWART HOCKING- MASTERPLAN SA PTY LTD
 Telephone: 8193 5600
 Email: stewarth@masterplan.com.au
 Mobile: 0418 853 601

EXISTING USE:
DWELLING AND OFFICE

FOR OFFICE USE				
Development No: _____				
Previous Development No: _____				
Assessment No: _____				
<input type="checkbox"/> Complying	Application forwarded to DA			
<input type="checkbox"/> Non-complying	Commission/Council on: _____ / _____ / _____			
<input type="checkbox"/> Notification Cat 2	Decision: _____			
<input type="checkbox"/> Notification Cat 3	Type: _____			
<input type="checkbox"/> Referrals/Concurrence	Date: _____ / _____ / _____			
<input type="checkbox"/> DA Commission				
	Decision	Fees	Receipt No	Date
Planning:				
Building:				
Land Division:				
Additional:				
Dev Approval:				

DESCRIPTION OF PROPOSED DEVELOPMENT: LAND USE CHANGE FROM DWELLING AND OFFICE TO OFFICE

LOCATION OF PROPOSED DEVELOPMENT:
 House No: 120 Lot No: 140 Street: SALISBURY HIGHWAY Town/Suburb: SALSIBURY
 Section No (full/part): _____ Hundred: 22641 Volume: 5398 ✓ Folio: 531 ✓
 Section No (full/part): _____ Hundred: _____ Volume: _____ Folio: _____

LAND DIVISION:
 Site Area (m²): _____ Reserve Area (m²): _____ No of Existing Allotments: _____
 Number of Additional Allotments - (Excluding Road and Reserve): _____ Lease: YES: NO:

BUILDING RULES CLASSIFICATION SOUGHT:
 If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Female: _____ Male: _____
 If Class 9a classification is sought, state the number of persons for whom accommodation is required: _____
 If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 2008 APPLY? YES: NO:
HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993 LEVY BEEN PAID? YES: NO:

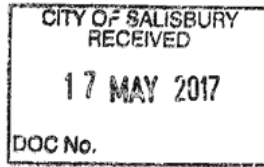
DEVELOPMENT COST (Do not include any fit-out costs): \$0

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 2008.

SIGNATURE: _____ 

Dated: 12/05/17

XXXXDAF01.docx



STATEMENT OF SUPPORT

Proposed Change of Use from Office and Dwelling, to Office

AT: 120 Salisbury Highway, Salisbury

FOR: Paul Cowling

1.0 INTRODUCTION

MasterPlan SA Pty Ltd has been engaged by Paul Cowling to assist in the preparation and lodgement of a development application to change the use of land at 120 Salisbury Highway from dwelling and office, to office.

The property is disposed as a single storey building with an existing approval to be used as a dwelling with an associated office component of 46 square metres, accommodated by six car parking spaces.

The current owner and operator of the site purchased the property in 2009, at which time the entire building was being used as an office with no residence on the site. The property was marketed for sale at that time contemplating that use, as referenced in the **attached** floor plan compiled by the relevant real estate agent.

My client has been using the entire building as an office since 2009 in a similar fashion to that of the previous owner. Notably, the previous owner also constructed an additional three car parking spaces prior to 2009 (as evident on Google street view dated February 2008), resulting in a total of nine car parking spaces.

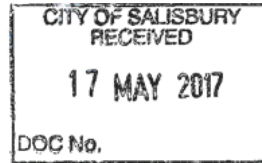
The current site arrangement has been unchanged since that time. I note from Google street view however, that extensive landscaping has been planted by the current owner, resulting in the mature shrubs and groundcovers currently enjoyed from the Fleet Street frontage.

My client wishes to continue operating an office from the entire building in the same manner that has been undertaken since his purchase of the property. Notably, we are not aware of any reported complaints in that time in relation to the office use. Further, the functional elements of the business have not resulted in amenity or traffic implications for adjacent land uses.

The building proposed to operate as an office is approximately 164 square metres in size. The Residential Zone lists "office" as *non-complying* use where the total floor area exceeds 100 square metres and the site does not front an arterial road. As the building floor area exceeds the 100 square metre threshold, the proposal represents a non-complying form of development.

50332SOS01

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It is necessary to first submit a Statement of Support to accompany a non-complying development application which sets out the planning merits of the proposal to determine whether a further detailed assessment is warranted.

This Statement of Support contains a description of the subject land, locality and proposed development, and the reasons why further detailed assessment of the proposed development is warranted.

2.0 NATURE OF DEVELOPMENT

The development comprises the change in use from an office and dwelling, to an office.

The property at 120 Salisbury Highway, Salisbury is in the Residential Zone of the Salisbury Council Development Plan (consolidated version dated 15 December 2016, and shown on Map Sal/25). The Development Plan lists 'office with a floor area in excess of 100 square metres' as a *non-complying* form of development. The proposed office exceeds 100 square metres in floor area, resulting in a non-complying form of development.

3.0 SUBJECT LAND

The subject land is a corner site located on the south-eastern side of Salisbury Highway and the south-western side of Fleet Street. It is formally described as Allotment 148 in Deposited Plan 22641, in the area named Salisbury, Hundred of Yatala, in Certificate of Title Volume 5398, Folio 531. There are no easements or notations on the Certificate of Title. A copy of the relevant Certificate of Title is **attached**.

The subject land has a frontage to Salisbury Highway of 15.3 metres, corner cut off of 6.36 metres and frontage to Fleet Street of 36.66 metres. The allotment is rectangular in shape, with vehicle access obtained via an existing single width crossover to Fleet Street.

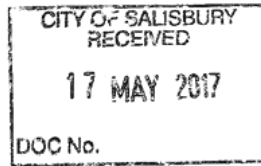
The single storey building on the site is in the form of a typical dwelling constructed during the original development of the area. The building incorporates a hipped roof form and beige render cladding finish.

The building presents to Salisbury Highway with a single window and horizontal, non-illuminated sign. The sign is less than 3.7 metres above ground level on the facade of the building. As such, the signage is 'exempt' from development (pursuant to Schedule 3(e) of the Development Regulations) should the proposed office be supported.

Pedestrian access is gained from a side entrance point off Fleet Street, protected by a significant verandah on that elevation. A second sign presents to Fleet Street on the verandah above that entrance point. This sign would also be exempt from development should the proposed office be supported.

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A glass sliding door is located on the south-eastern elevation, providing direct access to the car park located at the rear. Nine car parking spaces are accommodated, in addition to a garage located on the south-eastern and south-western boundaries, with a floor area of approximately 64 square metres.

4.0 THE LOCALITY

A Locality Plan is **attached** depicting the subject land relative to nearby dwellings and the adjacent Urban Core Zone on the north-eastern side of Fleet Street. The locality is characterised by a mix of uses comprising low to medium density housing and non-residential development fronting Salisbury Highway and Fleet Street, located in both the Residential and Urban Core Zones.

Examples of non-residential development fronting Salisbury Highway within the Residential Zone include an integrated petrol station with car wash, veterinary clinic and place of worship. Each of these uses are interspersed by residential development.

Non-residential development is also a dominant feature within the Urban Core Zone, representing a strong character influence within the locality. The Urban Core Zone is directly to the north-east of the subject site, represented by offices, retail service industries and an integrated petrol station.

As illustrated in the following photographs, the Salisbury Highway and Fleet Street streetscape display a mixed use character, where non-residential development is an evident feature:



118 and 116 Salisbury Highway

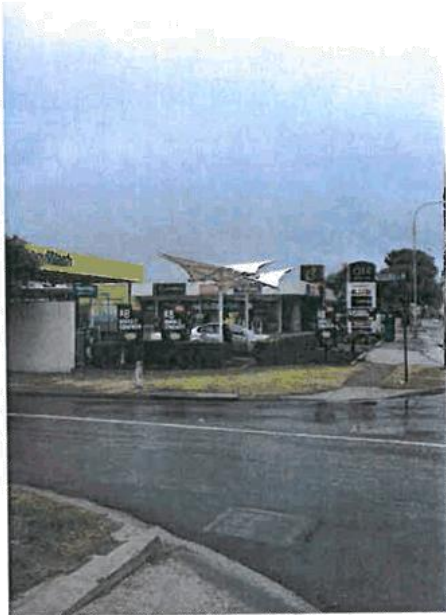


118 Salisbury Highway Viewed from Fleet Street

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142 Salisbury Highway



127 Salisbury Highway



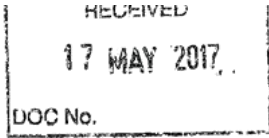
130 Salisbury Highway



8-10 Fleet Street

50332SOS01

4



Further, residential development within the locality generally experiences compromised amenity levels given the high level of vehicle activity on Salisbury Highway and intermixed non-residential uses. As such, high front fences have become a characteristic to address this element:



122 Salisbury Highway



124 Salisbury Highway



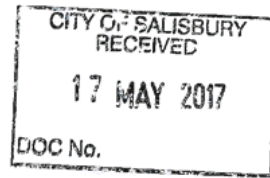
2A Murry Street, Viewed from Salisbury Highway



121 Salisbury Highway

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5.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The proposed development comprises a change in use from an office and dwelling, to office. The **attached** floor plan depicts the proposed configuration of rooms, indicating a large reception/entrance, two rooms to be utilised as offices, a boardroom, communications room, kitchen and associated amenities.

The operating hours of the office will be limited to Monday to Saturday, 7.00 am to 5.30 pm.

The existing mature landscaping adjacent to Fleet Street is to remain. Additional landscaping is proposed to surround the car park adjacent to the south-eastern and south-western boundaries.

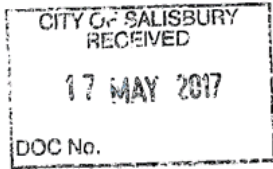
6.0 PLANNING MERITS

The subject land is located directly adjacent to a motor vehicle repair station on the north-eastern side of Fleet Street, which is on the boundary of the Urban Core Zone. The motor vehicle repair works undertaken are located towards the rear of the property, with vehicle access obtained from Fleet Street. This use includes the noisy practises of mechanical repairs, forklift operation and regular vehicle movements. Notably, the motor vehicle repair station is also located directly opposite the residential property, sharing a boundary with the subject site, namely 1 Fleet Street, as depicted below:



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The amenity enjoyed by the dwelling located at 1 Fleet Street is markedly impacted by the vehicle movements and practise undertaken at the motor mechanics and office located directly across the road, as depicted below:



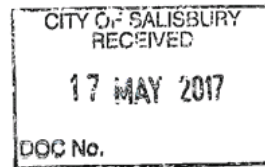
With land use characteristics in mind, I note that the vehicle access point for the proposed office is located closer to Salisbury Highway than the two non-residential uses on the northern side of Fleet Street. It is anticipated that the majority of vehicle movements to the proposed office will be received from the Salisbury Highway/Fleet Street intersection. As such, the proposed office is not considered to pose any additional amenity impact in terms of noise or vehicle movements on the closest residential property to the south-east than that currently experienced.

Additionally, the proposal's planning merits can be summarised as:

- the residential scale of the property will be retained;
- the floor plan allows for easy re-adaption back to residential use, if so required or desired in the future;
- the office use is small in scale and low in impact to not disturb adjacent residential uses;
- sufficient off-street parking for the needs of visitors and employees will be provided;
- all vehicles entering and leaving the subject land can do so in a forward direction;
- additional landscaping will provide a supplementary amenity outcome for adjacent dwellings;

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- the subject land is in a part of the Residential Zone fronting Salisbury Highway, which exhibits a mixed-use character due to significant infiltration by non-residential development;
- the subject land is located directly opposite the Urban Core Zone, representing a natural transition from the larger scale non-residential development to the remainder of the Residential Zone;
- the proposal does not include extended hours of operation;
- no complaints have been received in relation to the ongoing use to date;
- the functional aspects of pedestrian and vehicle access are well managed on the site; and
- the proposal is an orderly and economic form of development.

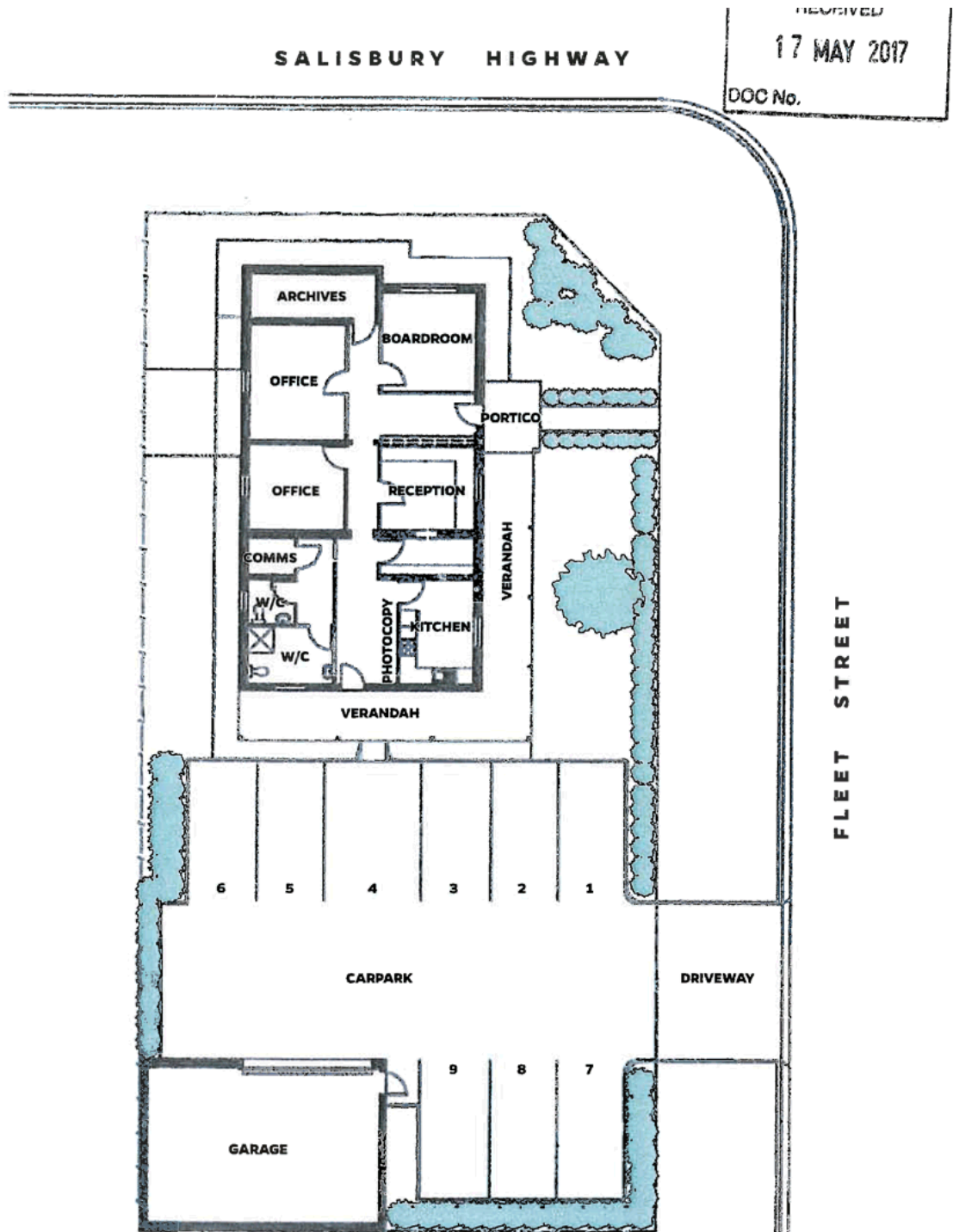
7.0 CONCLUSION

We are of the opinion that the proposal demonstrates substantial planning merit to justify further detailed assessment as a *non-complying* development, in accordance with Regulation 17(5) of the *Development Regulations 2008*.

A handwritten signature in black ink, appearing to read "Stewart Hocking".

Stewart Hocking MPIA
Urban and Regional Planning (Honours)

17 May 2017



SITE AND FLOOR PLAN

120 Salisbury Highway
SALISBURY

for Paul Cowling



NTS

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SA | NT | QLD
© APR 2017 DS:50332 1.0



Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect



Title Register Search

LANDS TITLES OFFICE, ADELAIDE
For a Certificate of Title issued pursuant to the Real Property Act 1886

CITY OF SALISBURY
RECEIVED
17 MAY 2017
DOC No.

REGISTER SEARCH OF CERTIFICATE OF TITLE * VOLUME 5398 FOLIO 531 *

COST : \$0.00 (GST exempt) PARENT TITLE : CT 4357/943
REGION : PIRPROD AUTHORITY : CONVERTED TITLE
AGENT : TSA1 BOX NO : 560 DATE OF ISSUE : 18/02/1997
SEARCHED ON : 02/07/2009 AT : 13:57:02 EDITION : 3

REGISTERED PROPRIETORS IN FEE SIMPLE

ANTONIO PALUMBO AND ASSUNTA MARIA PALUMBO BOTH OF 18 COOMURRA DRIVE
SALISBURY HEIGHTS SA 5109 WITH NO SURVIVORSHIP

DESCRIPTION OF LAND

ALLOTMENT 148 DEPOSITED PLAN 22641
IN THE AREA NAMED SALISBURY
HUNDRED OF YATALA

EASEMENTS

NIL

SCHEDULE OF ENDORSEMENTS

NIL

NOTATIONS

DOCUMENTS AFFECTING THIS TITLE

NIL

REGISTRAR-GENERAL'S NOTES

AMENDMENT TO DIAGRAM VIDE 33/2003

END OF TEXT.

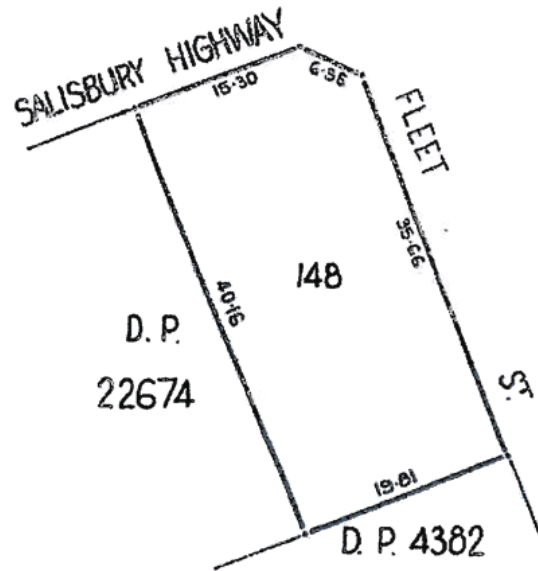
Page 1 of 2

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

SIGHTED DATE: 7 July 2009
COPY RECEIVED:

CITY OF SALISBURY
RECEIVED
17 MAY 2017
DOC No.



Page 2 of 2

SIGHTED DATE: 7th July 2017
COPY RECEIVED: *[Signature]*

Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect

Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect



- Subject Land
- Zone Boundary
- R Residential Zone
- UC(S) Urban Core (Salisbury) Zone

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LOCALITY PLAN

120 Salisbury Highway
SALISBURY

for Paul Cowling



1:2500 @ A4
 0 50m

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MASTERPLAN
 TOWN + COUNTRY PLANNERS

120 Sausbury Highway, SALISBURY

Great opportunity to secure this high exposure office with main road frontage.

Close to the vibrant Salisbury City Centre, with major transport corridors strategically at your door step.

This building has been fully refurbished includes 155m² office space , 65m² of storage/double garage and 9 large car parks.

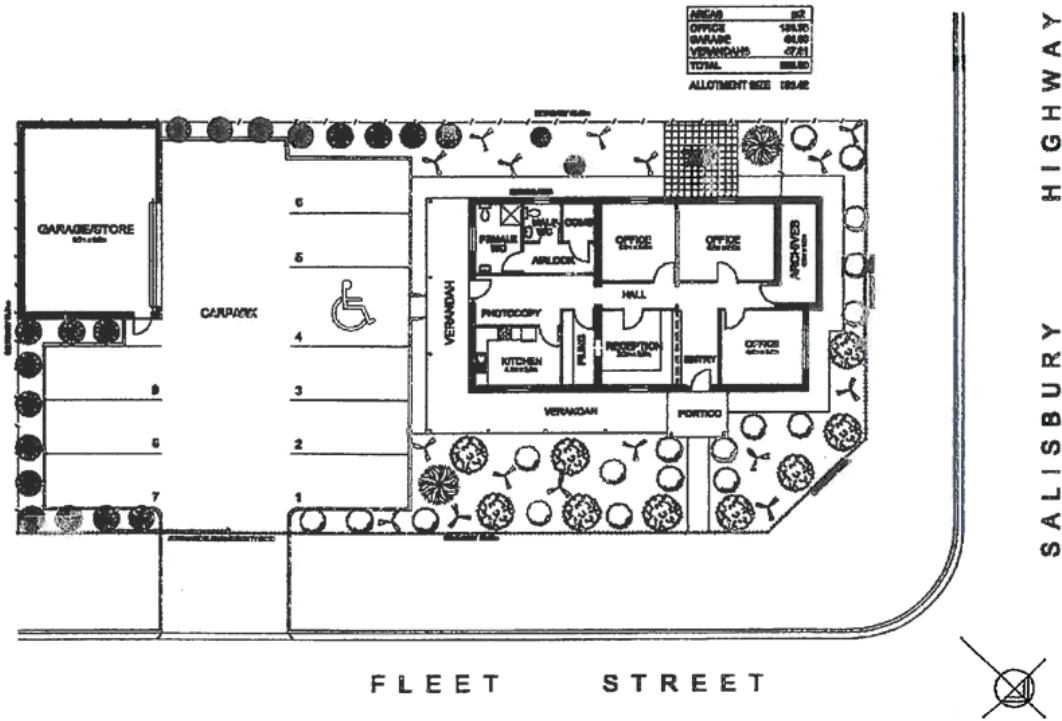
This office is ready for occupation with fitted data cables/security alarm/ automatic entry gate Via Fleet Street.

Includes:

Offices Approx. 154.35m²

65m² Storage/Double Garage

Residential Policy Area 19.

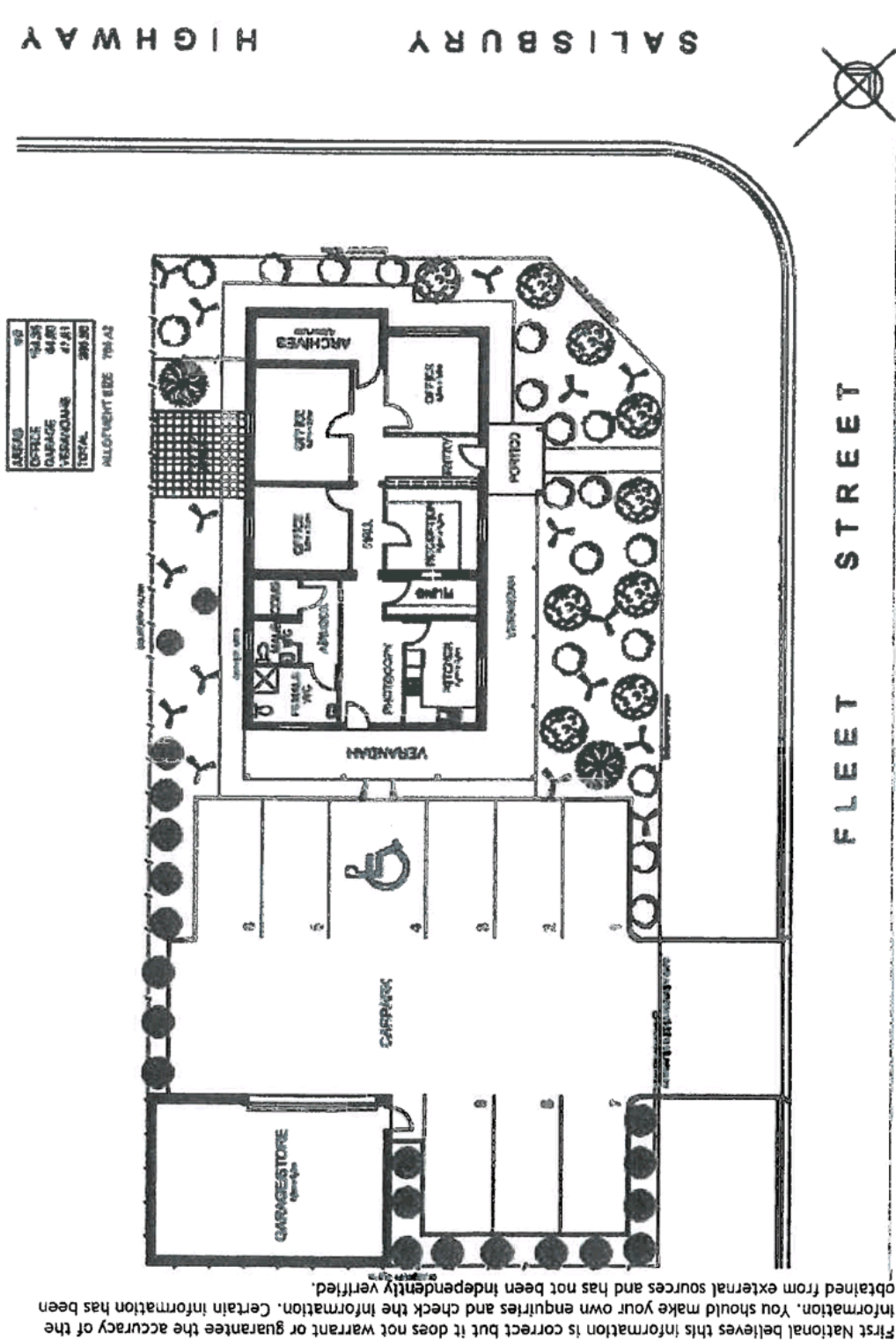


Area Approx. 785.42m²

For More Information call John Martin 0412 856 395

RLA144716

Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect





FOR SALE, \$535,000 - \$588,000
120 SALISBURY HIGHWAY, SALISBURY SA 5108

Contact Agent



FANTASTIC EXPOSURE TO OVER 38,000 VEHICLES EACH DAY!

Great opportunity to secure this high exposure office with main road frontage. Close to the vibrant Salisbury City Centre, with major transport corridors strategically at your door step. This building has been fully refurbished includes 155m2 office space , 65m2 of storage/double garage and 9 large car parks. This office is ready for occupation with fitted data cables/security alarm/ automatic entry gate Via Fleet Street.

Area Approx. 785.42m2

Includes:
Offices Approx. 154.35m2
65m2
Storage/Double Garage
Residential Policy Area 19.

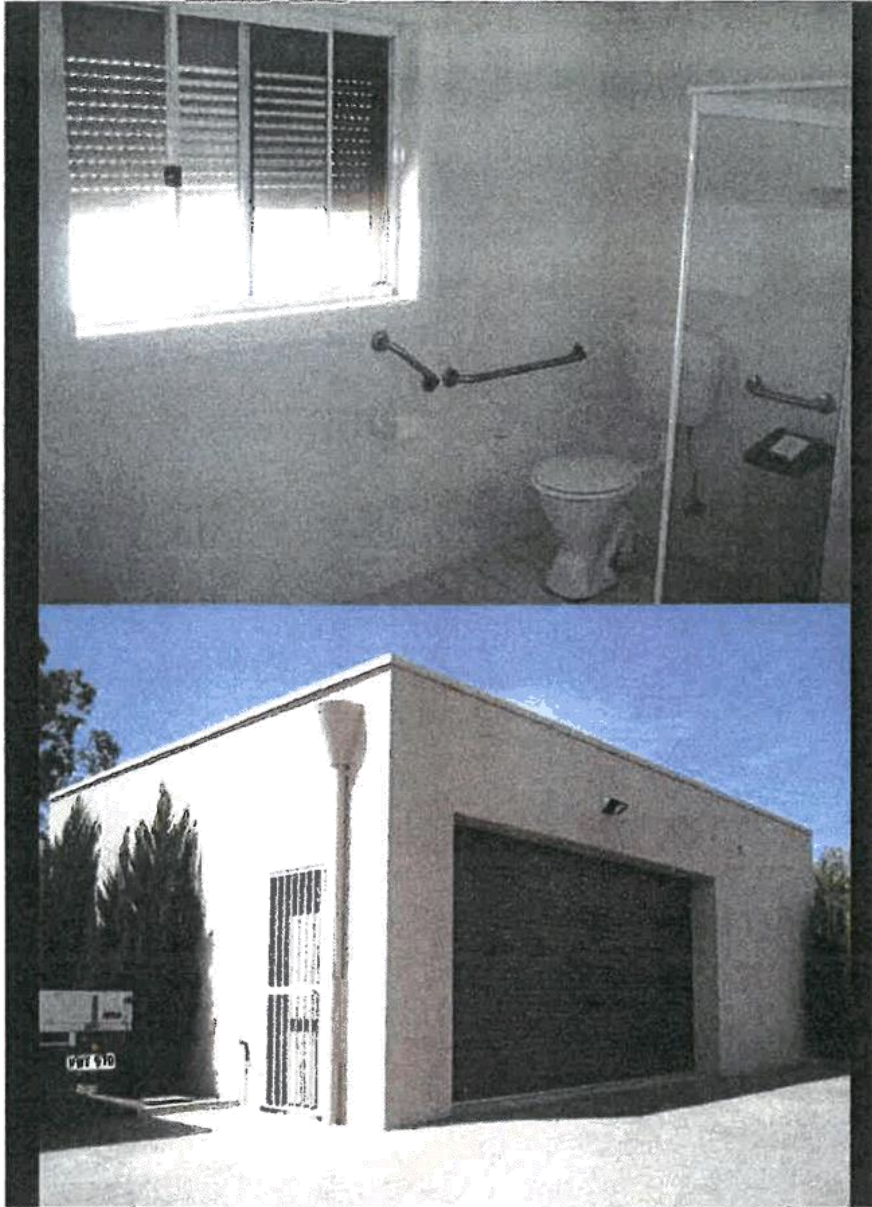
Priced for Sale

For More Information please phone John Martin: 0412 856 395

Property Details

Property ID: 1088897
Property type: building
Land Size: Approx 785 m²
Building: 154 m²

Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect

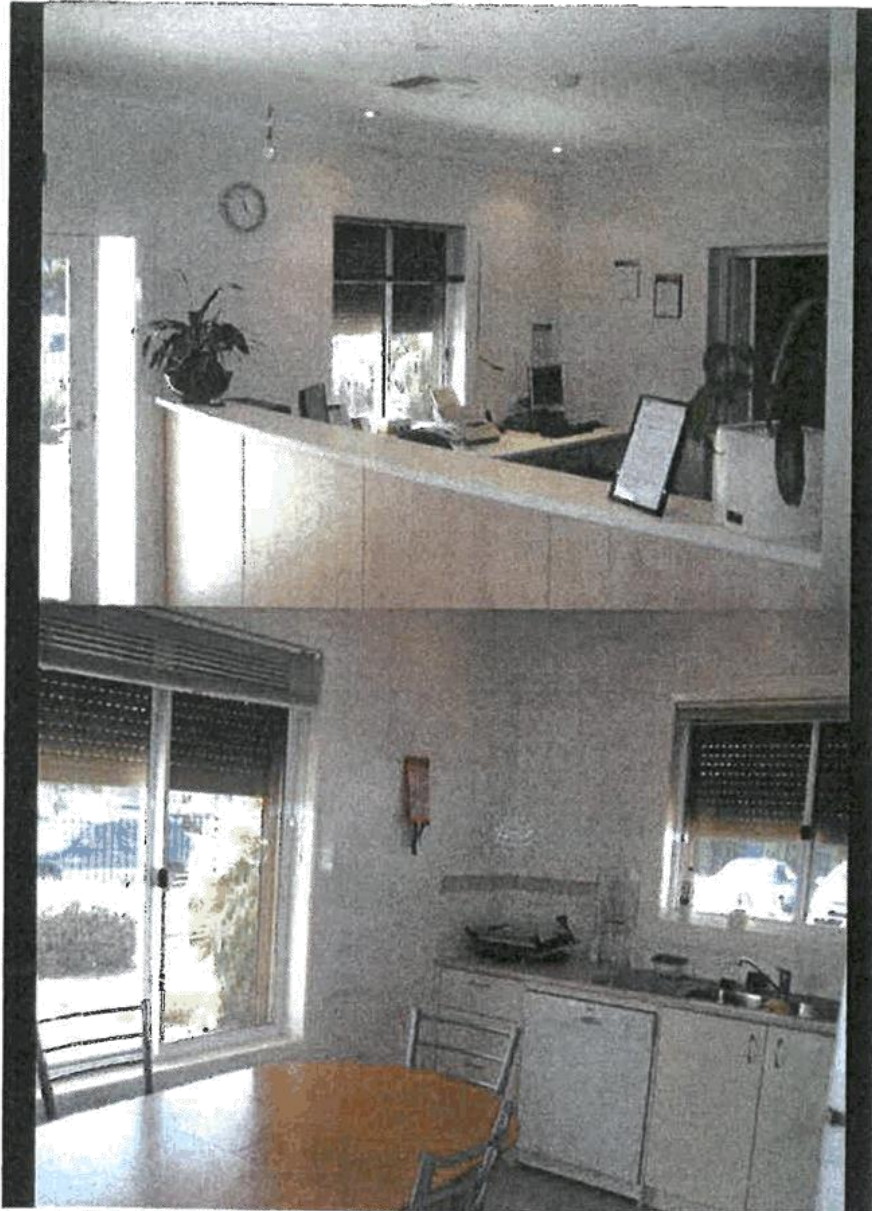


Contact Agent

John Martin

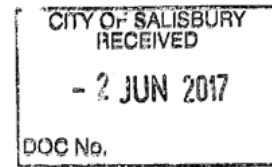
RLA 144716
Phone 08 8250 0000
Mobile 0412 856 395





Size:
Inspection Times
Please Contact
Office

Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect



PLANNING REPORT

Statement of Effect

120 Salisbury Highway, Salisbury

Paul Cowling



Prepared by

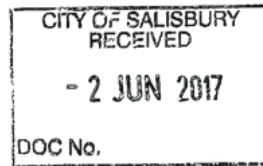
MasterPlan SA Pty Ltd

ABN 30 007 755 277, ISO 9001:2015 Certified

33 Carrington Street, Adelaide SA 5000

Telephone: 8193 5600, masterplan.com.au

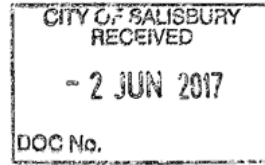
June 2017



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1.0 INTRODUCTION

MasterPlan SA Pty Ltd has been engaged by Paul Cowling to assist in the preparation and lodgement of a development application to change the use of land at 120 Salisbury Highway, Salisbury from dwelling and office, to office and associated advertising.

The property is disposed as a single storey building with an existing approval to be used as a dwelling with an associated office component of 46 square metres, accommodated by six car parking spaces.

The current owner and operator of the site purchased the property in 2009, at which time the entire building was being used as an office with no residence on the site. The property was marketed for sale at that time contemplating that use, as referenced in the **attached** floor plan compiled by the relevant real estate agent.

My client has been using the entire building as an office since 2009 in a similar fashion to that of the previous owner. Notably, the previous owner also constructed an additional three car parking spaces prior to 2009 (as evident on Google street view dated February 2008), resulting in a total of nine car parking spaces.

The current site arrangement has been unchanged since that time. I note from Google street view however, that extensive landscaping has been planted by the current owner, resulting in the mature shrubs and groundcovers currently enjoyed from the Fleet Street frontage.

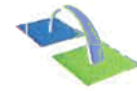
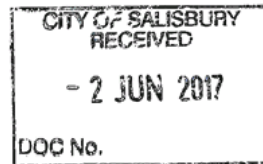
My client wishes to continue operating an office from the entire building in the same manner that has been undertaken since his purchase of the property. Notably, we are not aware of any reported complaints in that time in relation to the office use. Further, the functional elements of the business have not resulted in amenity or traffic implications for adjacent land uses.

The property at 120 Salisbury Highway, Salisbury is located in the Residential Zone of the Salisbury Council Development Plan (consolidated version dated 15 December 2016, and shown on Map Sal/25). The Development Plan lists "office with a floor area in excess of 100 square metres" as a non-complying form of development. The proposed office exceeds 100 square metres in floor area, resulting in a non-complying form of development.

The application was considered by Council's Development Assessment Unit (DAU) on Friday 19 May 2017, with the decision to proceed to assess the non-complying application in accordance with Regulation 17(3)(b) of the Development Regulations (2008). As such, pursuant to Regulation 17(4) of the Regulations, a Statement of Effect is required to be submitted.

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The following Statement of Effect details the subject land and locality, the proposed development, the relevant provisions of the Salisbury Council Development Plan, an assessment against the relevant provisions of the Development Plan, and an assessment of the environmental, social and economic effects of the proposed development.

The proposed change of use from office and dwelling, to office and associated advertising at 120 Salisbury Highway, Salisbury is considered to adequately meet the relevant provisions of the Salisbury Council Development Plan, and therefore warrants a full assessment, despite being a non-complying form of development.

2.0 SUBJECT LAND

The subject land is a corner site located on the south-eastern side of Salisbury Highway and the south-western side of Fleet Street. It is formally described as Allotment 148 in Deposited Plan 22641, in the area named Salisbury, Hundred of Yatala, in Certificate of Title Volume 5398, Folio 531. There are no easements or notations on the Certificate of Title. A copy of the relevant Certificate of Title is **attached**.

The subject land has a frontage to Salisbury Highway of 15.3 metres, corner cut off of 6.36 metres and frontage to Fleet Street of 36.66 metres. The allotment is rectangular in shape, with vehicle access obtained via an existing single width crossover to Fleet Street.

The single storey building on the site is in the form of a typical dwelling constructed during the original development of the area. The building incorporates a hipped roof form and beige render cladding finish.

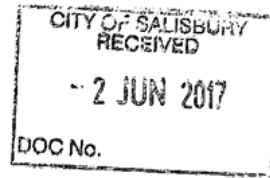
The building presents to Salisbury Highway with a single window and horizontal, non-illuminated sign. The sign is less than 3.7 metres above ground level on the facia of the building. As such, the signage is 'exempt' from development (pursuant to Schedule 3(e) of the Development Regulations) should the proposed office be supported.

Pedestrian access is gained from a side entrance point off Fleet Street, protected by a significant verandah on that elevation. A second sign presents to Fleet Street on the verandah above that entrance point. This sign would also be exempt from development should the proposed office be supported.

A glass sliding door is located on the south-eastern elevation, providing direct access to the car park located at the rear. Nine car parking spaces are accommodated, in addition to a garage located on the south-eastern and south-western boundaries, with a floor area of approximately 64 square metres.

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2



3.0 THE LOCALITY

The Locality Plan depicts the subject land relative to nearby dwellings and the adjacent Urban Core Zone on the north-eastern side of Fleet Street. The locality is characterised by a mix of uses comprising low to medium density housing and non-residential development fronting Salisbury Highway and Fleet Street, located in both the Residential and Urban Core Zones.

Examples of non-residential development fronting Salisbury Highway within the Residential Zone include an integrated petrol station with car wash, veterinary clinic and place of worship. Each of these uses are interspersed by residential development.

Non-residential development is also a dominant feature within the Urban Core Zone, representing a strong character influence within the locality. The Urban Core Zone is directly to the north-east of the subject site, represented by offices, retail service industries and an integrated petrol station.

As illustrated in the following photographs, the Salisbury Highway and Fleet Street streetscape displays a mixed use character, where non-residential development is an evident feature:



118 and 116 Salisbury Highway



118 Salisbury Highway Viewed from Fleet Street

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142 Salisbury Highway



127 Salisbury Highway



130 Salisbury Highway

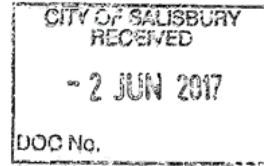


8-10 Fleet Street

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4

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Further, residential development within the locality generally experiences compromised amenity levels given the high level of vehicle activity on Salisbury Highway and intermixed non-residential uses. As such, high front fences have become a characteristic to address this element:



122 Salisbury Highway



124 Salisbury Highway



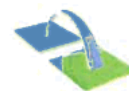
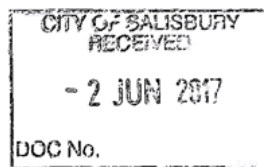
2A Murry Street, Viewed from Salisbury Highway



121 Salisbury Highway

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4.0 DESCRIPTION OF THE PROPOSED DEVELOPMENT

The proposed development comprises a change in use from an office and dwelling, to office and associated advertising. The floor plan depicts the proposed configuration of rooms, indicating a large reception/entrance, two rooms to be utilised as offices, a boardroom, communications room, kitchen and associated amenities. Details of the proposal include:

- a total floor area of 164 square metres to be used as an office;
- the associated garage is to be used for the storage of office archiving, and small incidental building fixtures and fittings. No bulk building materials will be stored on the site, nor will any delivery trucks be received;
- an advertising sign located on the Salisbury Highway frontage;
- a waste bin is to be retained on the site, screened by a Colorbond good neighbour fence and associated gates. The bin is to be used for incidental waste from the office and general waste transferred from the utes associated with the business. Bin collection is on a fortnightly basis and collection is undertaken within operating hours;
- operating hours are limited to Monday to Saturday, 7.00 am to 5.30 pm;
- the business employs two receptionists, two site supervisors and one building estimator. The two receptionists are based at the office, however given the nature of the building work, the site supervisors and building estimator spend the majority of their time on building sites; and
- the existing mature landscaping adjacent to Fleet Street is to remain. Additional landscaping is proposed to surround the car park adjacent to the south-eastern and south-western boundaries.

5.0 RELEVANT PROVISIONS OF THE DEVELOPMENT PLAN

The relevant provisions of the Salisbury Council Development Plan, consolidated 15 December 2016, can be found below:

Residential Zone

Objectives: 3, 4 and 6.

PDC: 1, 2, 4 and 5.

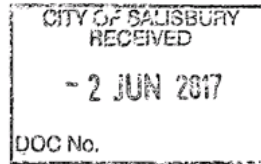
Urban Core Zone

Objectives: 1, 2, 4, 5, 6 and 7.

PDC: 1, 7, 8 and 17.

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General Section

Crime Prevention

Objective: 1.

PDC: 1, 2, 3, 4, 5, 6, 7, 10 and 11.

Interface Between Land Uses

Objectives: 1, 2 and 3.

PDC: 1, 2, 5, 6, 7 and 8.

Landscaping, Fences and Walls

Objectives: 1 and 2.

PDC: 1, 2, 3 and 4.

Orderly and Sustainable Development

Objectives: 1, 2, 3, 4 and 6.

PDC: 1 and 3.

Transportation and Access

Objectives: 1, 2 and 4.

PDC: 1, 2, 8, 9, 14, 19, 22, 23, 30, 32, 33, 34, 35, 38, 39 and 40.

Waste

Objectives: 1 and 2.

PDC: 1, 2, 5 and 6.

6.0 DEVELOPMENT PLAN ASSESSMENT

The following assessment is provided under the key headings of land use, scale of development and amenity, built form and landscaping, access and traffic, and advertising.

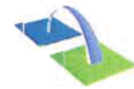
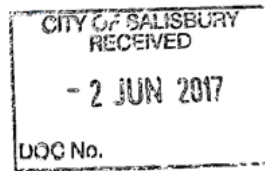
6.1 Land Use

Orderly planning attempts to ensure the rational separation of incompatible land uses generally by establishing zones in which certain activities are contemplated, with the endeavour of envisaged land uses being developed in a sustainable manner which represent a social, economic and environmental benefit for the area.

An important consideration for this proposal is the location of the subject land at the boundary of the Urban Core and Residential Zones. The Urban Core Zone incorporates the two allotments directly to the north-east of the subject site, which currently incorporates a motor repair station and office.

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In addition, the site is separated from a large section of the Residential Zone to the north-west by the Salisbury Highway, representing a dominant element and buffer within the locality.

The site's location creates a unique circumstance where it is quite separate from the remainder of the Residential Zone, with the site's south-western and south-eastern boundaries representing the most direct relationship. As such, these characteristics result in a strong land use pattern influence from the provisions of the Urban Core Zone and resulting commercial character.

Given these unique characteristics and the proximity of the Urban Core Zone, it is our view this places due weight in considering Urban Core Zone provisions and the adjacent commercial character, as was considered appropriate in a similar circumstance in *Wright v City of Mitcham* (2003):

"... taking account of different policy provisions in the Commercial (Coromandel Parade) Zone adjoining the subject land; and reasonable expectations at the boundary of such zone change in terms of amenity levels and character transition"

To this end, the Desired Character of the Urban Core Zone intends to provide a typical town centre at the core of the zone and transitional areas around its periphery, separating the core from the adjacent established residential areas. Notably, the sites on the northern side of Fleet Street have been identified as part of the transition area, with the following development intended:

Desired Character Statement

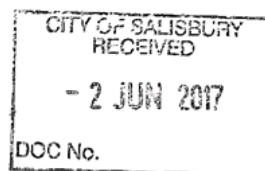
'The Transition Area will provide a buffer between the Core Area and adjacent established residential area/zones with development taking the form of smaller scale mixed use commercial land uses...' (excerpt)

Given the unique attributes of the subject site being located directly adjacent to the transition area and on a corner with Salisbury Highway, the proposal allows the provision of an additional scale transition, consistent with the character of the locality. Given the small-scale of the office and the residential scale of the building, the use represents a natural character progression from the transition area to the remainder of the Residential Zone.

Further, non-residential uses with these attributes are envisaged within the Residential Zone, as outlined in Principle 4:

PDC 4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:

- **serves the local community;**
- **is consistent with the character of the locality;**
- **does not detrimentally impact on the amenity of nearby residents; and**
- **will not undermine the efficient operation of nearby centres.**



Non-residential land uses are clearly envisaged within the Residential Zone, with appropriate tests including scale and the character of the locality. I also note that an office use with a floor area of less than 100 square metres represents an 'on merit' assessment within the Residential Zone. The non-complying trigger provides further direction on the type of scale anticipated, in addition to that of a localities character. It is clear that the support for such a use is determined on its scale, consistency with the character of the locality, and relevant amenity impacts. In our view, the proposal is consistent with the land use intent of the Development Plan and meets each of the tests above, as reviewed under the following headings.

6.2 Scale of Development and Amenity

The appropriateness of an office on the subject land is reliant on the scale of the development and the potential impact that it may have on the residential amenity within the locality. The Residential Zone is supportive of small-scale non-residential uses, as listed in PDC 4, and provides a guide as to what may be considered 'small-scale' in listing offices with a floor area greater than 100 square metres as non-complying. To this end, it is important to note that the proposal incorporates a floor area of 164 square metres, only 64 square metres greater than that for which would result in an on merit assessment.

With this consideration, it is also important to assess the location of the subject site and ascertain if the amenity impacts of this proposal are consistent with that envisaged for 'small-scale' offices, with particular consideration of PDC 4 (listed above) and the following:

Interface Between Land Uses

PDC 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.

Urban Corridor Zone

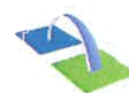
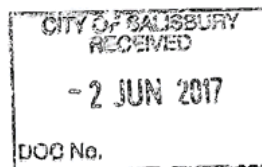
Objective 2: Development within a mixed use environment that is compatible with surrounding development and which does not unreasonably compromise the amenity of the zone or any adjoining residential zone.

The location of the subject site on the periphery of the Residential Zone and being adjacent the Urban Core Zone is important in considering the appropriateness of the development's scale. It is also important to note that the support of this proposal would result in a considerable improvement on the current land use interface conflict between the existing dwelling (and office) on the subject site and the adjacent commercial activities.

The existing dwelling is currently exposed to the amenity impacts of motor vehicle repair works being undertaken directly across Fleet Street, towards the rear of the service trade premises. The use includes the noisy practises of mechanical repairs, forklift operation and regular vehicle movements from Fleet Street, with a 7.00 am commencement time. I also note that an office is located next to the motor vehicle repairs on Fleet Street, resulting in further amenity impacts due to vehicle movements.

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Should this proposal be supported, the interface conflict currently experienced by the existing dwelling will be addressed and a transition down in scale will be provided from the larger commercial uses in the Urban Core Zone to the 'small-scale' office on the subject site, and then to the adjacent residential development. In our view, this 'transition down in scale' is clearly consistent with the intent of both the Urban Core and Residential Zones.

The relevant scale of the use will also have implications on the extent of associated vehicle movements and the potential noise impact on the amenity of adjacent residential development.

In assessing the potential amenity impacts of the vehicle access associated with the proposal, it is important to consider the anticipated number of vehicle movements, the hours in which they will occur, and the Development Plan intent for commercial uses to utilise side streets with the exception of avoiding excessive traffic flows.

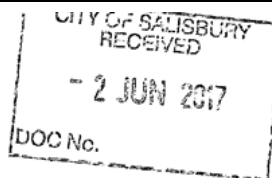
To this end, the operating hours of the office proposed will be between 7.00 am and 5.30 pm Monday to Saturday, consistent with the hours of operation of the adjacent businesses within Fleet Street. It is also important to note that an office generally incorporates a moderate number of traffic movements in comparison to other envisaged non-residential uses, and there will be no truck movements on the site (with the exception of a waste removal truck once a fortnight).

Vehicle access to the site is to be gained from the existing driveway crossover from Fleet Street and is located closer to Salisbury Highway than the two non-residential uses on the northern side of Fleet Street. It is anticipated that the majority of vehicle movements to the proposed office will be received from the Salisbury Highway/Fleet Street intersection. As such, the proposed office is not considered to pose any additional amenity impact in terms of noise or vehicle movements on the closest residential property to the south-east than that currently experienced.

As such, in my view, the vehicle movements associated with the office use on Fleet Street will be of a time consistent with the current commercial movements and will be of such a small number in comparison to what is existing so as not to have an unreasonable impact on the locality in terms of glare, noise or frequency.

Furthermore, in terms of any impact that may be anticipated by traffic movements and vehicle parking, it is appropriate to consider the location in which this will occur, along the perimeter of the Residential and Urban Core Zones. As reviewed under the land use above, the Courts in *Wright v City of Mitcham* (2003) consider that there should be reasonable expectations in the transition of character and amenity levels at a zone boundary and furthermore, in *Papadopoulos v City of Woodville* (1985) it was considered that:

"... the residential integrity of a residential zone at its perimeter might be very different from its residential integrity elsewhere. Lines on a map cannot prevent noise or smoke or smells or the vision or other impact of non-residential development from escaping across the boundary between a non-residential and a residential zone".



As such, in our view, given the unique circumstances of the subject land, the commercial characteristics of the locality, the existing impact of amenity levels from those commercial premises, and the modest scale of the proposal, the office will not detrimentally or unreasonably impact the amenity of nearby residential development.

6.3 Built Form and Landscaping

Given the unique location of the subject site, on the boundary of the Urban Core and Residential Zone's, the scale of the building is an important element to ensure its form is sympathetic to both built form characteristics. Residential Zone PDC 4 (above) considers the relevance of non-residential character, in addition to the Desired Character Statement that includes:

Desired Character Statement

"Development will be of a form and scale compatible with adjoining residential development ..."

Retention of the existing dwelling in terms of floor area and street presentation is an important element of the proposal as it retains the existing form and scale of the building while still allowing its clear identification as an office use with the inclusion of the fascia treatment on the building's primary and secondary frontages. In addition, the existing open fence and landscaping along the Salisbury Highway and Fleet Street frontages will be retained.

Additional landscaping is proposed along the south-eastern and south-western edges of the car park, to further soften the visual impact of the hard paved surfaces at the rear of the property.

The location of the car park spaces to the rear of the building and behind the existing Fleet Street fence reduces the visual impact of the sealed surface when viewed from the street. Further, the car park is unable to be viewed from adjacent dwellings in the locality. As such, retention of the building's domestic scale with the car park incorporating a recessive visual element, is consistent with the desired character of the Residential Zone and represents an appropriate scale transition between the Urban Core Zone and the adjacent residential development.

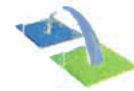
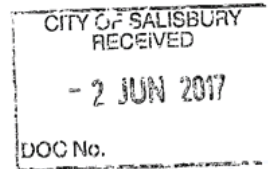
6.4 Access and Traffic

The Development Plan provisions relevant under this heading essentially seek to ensure the safe and efficient movement of people and goods, and that an appropriate level of car parking/access can be provided for all activities.

The proposal incorporates eight on-site car parks located at the rear of the property, with access gained from an existing double width Fleet Street driveway crossover. The car park is bitumen paved, appropriately line-marked, and has been designed to allow two way on-site vehicle movements with sufficient room for on-site vehicle manoeuvring to allow forward egress.

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A second driveway crossover is located on the Salisbury Highway frontage which is no longer utilised. There is no driveway connected to this crossover and a fixed boundary fence prevents its use. Importantly, this arrangement will not be altered. Vehicle access will not be gained from the Salisbury Highway crossover, as is currently the case.

Table Sa/2 of the Development Plan calls for offices to incorporate a car parking rate of 1 space per 25 square metres of total floor area, which in this case results in seven spaces being required for the 164 square metres. As the proposal includes eight on-site car parking spaces, it is well in excess of the required car parking number.

The existing vehicle access point is located over 30 metres from the intersection of Salisbury Highway and Fleet Street, providing a sufficient separation distance so as not to impede the proposal. Further, there will be no truck deliveries to the site, with the exception of waste collection on a fortnightly basis.

The on-site car parking is sufficient to support its intended use as an office, and vehicle access to the site is able to be obtained in a safe and convenient manner.

6.5 Advertising

Existing advertising on the building includes a small sign on the building fascia addressing Fleet Street and two signs on the fascia addressing Salisbury Highway. None of the signs are internally illuminated and only contain information relating to the office business use.

In discussions with Council planning staff, our client has agreed to remove one of the two signs addressing Salisbury Highway. An elevation plan forms part of the application documents.

Should the Development Assessment Panel support the proposal and the Development Assessment Commission provide their concurrence, the sign will be removed by our client within one month of receiving Development Plan Consent.

In our view, the fascia advertising is appropriately integrated within the building and will retain its residential scale and character, while providing clear identification of the building's office use.

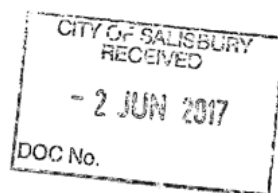
7.0 ASSESSMENT OF THE ECONOMIC, SOCIAL AND ENVIRONMENTAL EFFECTS OF THE PROPOSED DEVELOPMENT

7.1 Economic Effects

- The proposed development is orderly and economic as it utilises existing services without detrimentally affecting the amenity of the locality or the uses of other adjacent land.
- The proposal will add value to adjacent commercial uses which will assist in maintaining the viability of the Salisbury Centre.

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- The proposal will allow retention of the five existing staff members, adding economic benefit to the region.

7.2 Social Effects

- The proposal will not result in any detrimental effect on the living conditions of residents within the locality. Notably, the business has been operating since 2009 with no complaints received to our knowledge.
- The retention of the existing built form and extent of landscaping is in keeping with the building form, scale and character of the area, and will not have a detrimental effect on the visual amenity of the locality.
- It is understood that as a non-complying development this application will be publicly advertised, which permits the opportunity for local residents to comment.

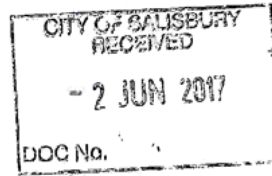
7.3 Environmental Effects

- No vegetation will be impacted on or required to be removed as a result of the development, in fact there will be a net benefit for the site in terms of additional landscaping.
- Stormwater and wastewater management for the existing building will not change and will continue to utilise the existing infrastructure.
- The subject site is appropriately located to public transport services along Salisbury Highway, and is within walking distance of Salisbury Railway Station, facilitating public transport as a practical transportation option for office staff.

8.0 CONCLUSION

In our opinion, the proposed land use change from dwelling and office, to office and associated advertising represents an appropriate form of development consistent with the intent of the Residential Zone, Urban Core Zone, the general provisions of the Development Plan, and the 'unique' circumstances of the subject land. In particular, the proposal is consistent with the land use intent of the Residential Zone as it represents a small-scale non-residential use on the periphery of the zone with no unreasonable impacts on the character or amenity of the locality.

In our opinion, the proposal does not offend the relevant provisions of the Development Plan and given it will add value to the commercial precinct, the development will result in a positive social, economic and environmental outcome for the area.



Importantly, the existing building will be retained representing an appropriate transition in scale between the Urban Core Zone and Residential Zone, with its domestic visual appearance and associated landscaping. Further, the floor plan allows easy re-adaption back to a residential use, if so required in the future.

In my view, this is a desirable outcome which will not adversely impact upon the character of the locality and will not jeopardise the overall intent of the Development Plan.

As such, the proposal suitably accords with, or does not offend (is not seriously at variance with), the overall intent of the Salisbury Council Development Plan, and therefore this application merits, in my view, Development Plan Consent pursuant to Section 33(1)(a) of the Development Act 1993 and the concurrence of the Development Assessment Commission.

A handwritten signature in black ink, appearing to read "Stewart Hocking".

Stewart Hocking MPlA
B/A in Urban and Regional Planning (Hons)

2 June 2017

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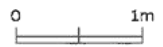
Elevations
RETROSPECTIVE SIGN APPLICATION

120 Salisbury Highway
SALISBURY

for Paul Cowling



1:50 @ A4 (Approx)



MASTERPLAN.COM.AU
SA | NT | QLD
© MAY 2017 DS:50332 1.0



- 4 JUL 2017



Elevation

RETROSPECTIVE SIGN APPLICATION (ENTRANCE)

120 Salisbury Highway
SALISBURY

for Paul Cowling

NOT TO SCALE

MASTERPLAN.COM.AU
SA | NT | QLD
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Item 5.1.2 - Attachment 1 - Proposal plans and supporting documentation, including Statement of Support and Statement of Effect

Attachment 2
Notice of Category 3 Application and Representations
Received

**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:

DEVELOPMENT NO:	361/865/2017/NB
APPLICANT:	P Cowling C/- Masterplan SA 33 Carrington St ADELAIDE SA 5000
NATURE OF THE DEVELOPMENT:	CHANGE OF USE FROM DWELLING AND OFFICE TO OFFICE AND ADVERTISING SIGN (NON COMPLYING)
LOCATED AT:	120 Salisbury Highway , Salisbury SA 5108
CERTIFICATE OF TITLE:	CT-5398/531
ZONE:	Residential

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. Any person or body may make representations in writing, or by email to 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. Representations must be received **no later than Thursday 22nd June 2017**.

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: Chris Carrey, Development Officer

Date: 6 June 2017

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE

RECEIVED 16/06/17
L.F
Valid.

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

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:	361/865/2017/NB
Applicant:	P Cowling
Location:	120 Salisbury Highway , Salisbury SA 5108
Proposed Development:	CHANGE OF USE FROM DWELLING AND OFFICE TO OFFICE AND ADVERTISING SIGN (NON COMPLYING)

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

NAME(S): KAPIL MUNI DAHAL

ADDRESS: 9 FLEET STREET, SALISBURY SA 5108

PHONE NO: [REDACTED] EMAIL: [REDACTED]

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

The owner/occupier of the property located at: 9 FLEET ST

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.

AS BEING THE OWNER OF THE PROPERTY LOCATED AT 9 FLEE ST.
I SUPPORT THE PROPOSED DEVELOPMENT OF 120 SALISBURY HIGHWAY
ASSOCIATED WITH FLEET ST. WHICH WILL LAY THE FOUNDATION STONE
OF DEVELOPMENT IN THIS AREA.

PTO

Item 5.1.2 - Attachment 2 - Notice of Category 3 Application and Representations received

361/865/2017/NB

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

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NO CONCERN, DEVELOPMENT IS NEEDED TO BECOME A
NEW LIVING CITY.
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PTO

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 Thursday 22nd June 2017, 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: *Etshal*

Date: *16/06/2016*

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 **Thursday 22nd June 2017**.

Pursuant to Section 33 of the Development Act



City of Salisbury
20 Box G, SALISBURY SA 5108
Email: development@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: 361/865/2017/NB
Applicant: P Cowling
Address: 120 Salisbury Highway, Salisbury SA 5108
Proposed Development: CHANGE OF USE FROM DWELLING AND OFFICE TO OFFICE AND ADVERTISING SIGN (NON COMPLYING)

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

NAME(S): Caryl Williams

ADDRESS: 115 Salisbury Hwy, Salisbury

PHONE NO: [REDACTED] EMAIL: [REDACTED]

(please tick one of the following boxes as appropriate)

The owner/occupier of the property located at:

Other (please state):

YOUR COMMENTS:

(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 now to ensure that this is a valid representation.

There are no issues impending this development at I am aware of.

361/865/2017/NB

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

PTO

Item 5.1.2 - Attachment 2 - Notice of Category 3 Application and Representations received

Regulation 22 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.

/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:

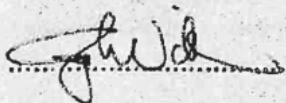
Contact details:

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 Thursday 22nd June 2017, to ensure that it is a valid representation and taken into account.

Presenter'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: 20 / 6 / 17

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 **Thursday 22nd June 2017.**

Attachment 3
Relevant Development Plan Extracts and Location
Maps consolidated 15 December 2016

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)
Mixed Use (Bulky Goods, Entertainment and Leisure) Zone Precinct 8 Retail Core (within the Ingle Farm Policy Area 2) Core area within the Urban Core (Salisbury) Zone Precinct 17 Retail Core (within the Salisbury Downs Policy Area 4) Bulky Goods Zone Precinct 23 Greenfields Commercial (within the Commercial Zone)	8
Industry Zone Neighbourhood Centre Zone Precinct 21 Para Hills West Commercial (within the Commercial Zone) Precinct 24 Pooraka Commercial (within the Commercial Zone)	6
Commercial Zone (Except within Precinct 23 Greenfields Commercial, Precinct 21 Para Hills West Commercial or Precinct 24 Pooraka Commercial) Precinct 5 Education (within the Ingle Farm Policy Area 2) Precinct 7 Recreation (within the Ingle Farm Policy Area 2) Local Centre Zone Precinct 15 Community (within the Salisbury Downs Policy Area 4) Precinct 16 Mixed Use (within the Salisbury Downs Policy Area 4) Transition area within the Urban Core (Salisbury) Zone	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.

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General Section
Advertisements**

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.

Crime Prevention

OBJECTIVES

- 1 A safe, secure, crime resistant environment where land uses are integrated and designed to facilitate community surveillance.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be designed to maximise surveillance of public spaces through the incorporation of clear lines of sight, appropriate lighting and the use of visible permeable barriers wherever practicable.
- 2 Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.
- 3 Development should provide a robust environment that is resistant to vandalism and graffiti.
- 4 Development should provide lighting in frequently used public spaces including those:
 - (a) along dedicated cyclist and pedestrian pathways, laneways and access routes
 - (b) around public facilities such as toilets, telephones, bus stops, seating, litter bins, automatic teller machines, taxi ranks and car parks.
- 5 Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.
- 6 Landscaping should be used to assist in discouraging crime by:
 - (a) screen planting areas susceptible to vandalism
 - (b) planting trees or ground covers, rather than shrubs, alongside footpaths
 - (c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.
- 7 Site planning, buildings, fences, landscaping and other features should clearly differentiate public, communal and private areas.
- 8 Buildings should be designed to minimise and discourage access between roofs, balconies and windows of adjoining dwellings.
- 9 Public toilets should be located, sited and designed:
 - (a) to promote the visibility of people entering and exiting the facility (eg by avoiding recessed entrances and dense shrubbery that obstructs passive surveillance)
 - (b) near public and community transport links and pedestrian and cyclist networks to maximise visibility.
- 10 Development should avoid pedestrian entrapment spots and movement predictors (eg routes or paths that are predictable or unchangeable and offer no choice to pedestrians).

Salisbury Council
General Section
Crime Prevention

- 11 Development should be designed to maximise surveillance of open space, pedestrian routes, centres and residential areas by:
- (a) orienting the frontages and entrances of buildings towards the public street
 - (b) avoiding screens, high walls, carports and landscaping that obscure direct views to public areas
 - (c) placing the entrances of buildings opposite each other across a street, or group entrances of multiple dwelling developments onto a commonly visible area to provide maximum mutual surveillance
 - (d) arranging living areas, windows, access ways and balconies to overlook open space and recreation areas and provide observation points to all areas of a site, particularly entrances and car parks.

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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General Section
Design and Appearance

- 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.

Development Adjacent Heritage Places

- 17 The design of multi-storey buildings should not detract from the form and materials of adjacent State and local heritage places listed in [Table Sal/4 - State Heritage Places](#).
- 18 Development on land adjacent to a State or local heritage place, as listed in [Table Sal/4 - State Heritage Places](#) should be sited and designed to reinforce the historic character of the place and maintain its visual prominence.

Overshadowing

- 19 The design and location of buildings should enable direct winter sunlight into adjacent dwellings and private open space and minimise the overshadowing of:
 - (a) windows of habitable rooms
 - (b) upper-level private balconies that provide the primary open space area for a dwelling
 - (c) solar collectors (such as solar hot water systems and photovoltaic cells).

Visual Privacy

- 20 Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as:
 - (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
 - (b) building setbacks from boundaries (including building boundary to boundary where appropriate) that interrupt views or that provide a spatial separation between balconies or windows of habitable rooms
 - (c) screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.
- 21 Permanently fixed external screening devices should be designed and coloured to complement the associated building's external materials and finishes

Building Setbacks from Road Boundaries

- 22 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.
- 23 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 style="text-align: center;">When $b - a \leq 2$, setback of new dwelling = a or b</p>	
Greater than 2 metres	At least the average setback of the adjacent buildings.

- 24 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](#).
- 25 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.
- 26 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.

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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Interface between Land Uses

- 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:
- incorporating appropriate treatment technology before exhaust emissions are released to the atmosphere
 - 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:
- not locating horticulture or intensive animal keeping on land adjacent to townships
 - 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.

Orderly and Sustainable Development

OBJECTIVES

- 1 Orderly and economical development that creates a safe, convenient and pleasant environment in which to live.
- 2 Development occurring in an orderly sequence and in a compact form to enable the efficient provision of public services and facilities.
- 3 Development that does not jeopardise the continuance of adjoining authorised land uses.
- 4 Development that does not prejudice the achievement of the provisions of the Development Plan.
- 5 Development abutting adjoining Council areas having regard to the policies of that Council's Development Plan.
- 6 Urban development contained within existing townships and settlements and located only in zones designated for such development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not prejudice the development of a zone for its intended purpose.
- 2 Land outside of townships and settlements should primarily be used for primary production and conservation purposes.
- 3 The economic base of the region should be expanded in a sustainable manner.
- 4 Urban development should form a compact extension to an existing built-up area.
- 5 Ribbon development should not occur along the coast, water frontages or arterial roads shown in *Overlay Maps - Transport*.
- 6 Development should be located and staged to achieve the economical provision of public services and infrastructure, and to maximise the use of existing services and infrastructure.
- 7 Where development is expected to impact upon the existing infrastructure network (including the transport network), development should demonstrate how the undue effect will be addressed.
- 8 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to not prejudice the orderly development of adjacent land.

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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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.

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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](#) or [Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas](#) (whichever applies) 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 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](#), [Concept Plan Map Sal/29 - Ingle Farm District Centre Car Park Fund Area](#) and [Concept Plan Map Sal/32 - Mawson Lakes Town Centre Car Parking Fund Area](#)
 - 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:
- facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development
 - include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network
 - not inhibit safe and convenient traffic circulation
 - result in minimal conflict between customer and service vehicles
 - avoid the necessity to use public roads when moving from one part of a parking area to another
 - minimise the number of vehicle access points to public roads
 - avoid the necessity for backing onto public roads
 - 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
 - not dominate the character and appearance of a site when viewed from public roads and spaces
 - 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:
- maximising the potential for passive surveillance by ensuring they can be overlooked from nearby buildings and roads
 - incorporating walls and landscaping that do not obscure vehicles or provide potential hiding places
 - being appropriately lit
 - 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.

Vehicle Parking for Residential Development

- 41 On-site vehicle parking should be provided having regard to:
 - (a) the number, nature and size of proposed dwellings
 - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
 - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- 42 Vehicle parking areas servicing more than one dwelling should be of a size and location to:
 - (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely
 - (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area
 - (c) reinforce or contribute to attractive streetscapes.

Vehicle Parking for Mixed Use and Corridor Zones

- 43 Loading areas and designated parking spaces for service vehicles should:
 - (a) be provided within the boundary of the site
 - (b) not be located in areas where there is parking provided for any other purpose.
- 44 Vehicle parking spaces and multi-level vehicle parking structures within buildings should:
 - (a) enhance active street frontages by providing land uses such as commercial, retail or other non-car park uses along ground floor street frontages
 - (b) complement the surrounding built form in terms of height, massing and scale
 - (c) incorporate facade treatments along major street frontages that are sufficiently enclosed and detailed to complement neighbouring buildings consistent with the desired character of the locality.
- 45 In mixed use buildings, the provision of vehicle parking may be reduced in number and shared where the operating hours of commercial activities complement the residential use of the site.

Undercroft and Below Ground Garaging and Parking of Vehicles

- 46 Undercroft and below ground garaging of vehicles should only occur where envisaged in the relevant zone or policy area or precinct and ensure:
 - (a) the overall height and bulk of the undercroft structure does not adversely impact on streetscape character of the locality or the amenity of adjacent properties

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- (b) vehicles can safely enter and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles
 - (c) driveway gradients provide for safe and functional entry and exit
 - (d) driveways and adjacent walls, fencing and landscaping are designed to provide adequate sightlines from vehicles to pedestrians using the adjacent footpath
 - (e) openings to undercroft areas are integrated with the main building so as to minimise visual impact
 - (f) landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties
 - (g) the overall streetscape character of the locality is not adversely impaired (e.g. visual impact, building bulk, front setbacks relative to adjacent development).
- 47 In the case of undercroft and below ground car parks where cars are visible from public areas, adequate screening and landscaping should be provided.

Waste

OBJECTIVES

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

PRINCIPLES OF DEVELOPMENT CONTROL

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

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General Section
Waste

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

Wastewater

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

Waste Treatment Systems

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

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

Residential Zone

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

OBJECTIVES

- 1 A residential zone comprising a range of dwelling types, including a minimum of 15 per cent affordable housing.
- 2 Increased dwelling densities in close proximity to centres, public transport routes and public open spaces.
- 3 A zone primarily accommodating a range of dwellings to meet the diverse needs and preferences of the community.
- 4 Revitalisation of under-utilised suburbs, particularly public housing areas, to facilitate the provision of a greater mix of housing types and improved residential amenity.
- 5 Residential development designed and insulated to minimise effects of predicted aircraft noise and industrial noise.
- 6 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The zone covers a substantial portion of the Council area and is home to a large and diverse population. The zone is suitable for a range of low to medium density housing, with higher density in appropriate locations. In addition to housing and open space, the zone will also contain a variety of community related, non-residential land uses that contribute to the creation of pleasant, connected, well serviced and socially inclusive neighbourhoods.

A full range of dwelling types on a variety of allotment sizes will be provided, including affordable housing, special needs housing and housing for the aged in appropriate locations. Housing form will be diverse and cater for different household sizes, life cycle stages and housing preferences and will be cost-effective, energy efficient and will make efficient use of available sites. Older neighbourhoods will experience change through turnover in population and ageing of existing residents which will generate a need for more housing diversity as well as changes in density and different services and facilities to complement these changes.

Residential development will reflect a variety of building styles, yet where a consistent character exists, new buildings will be designed to harmonise with that which is existing in terms of form, mass, scale, colours and textures of materials and setback distances. A cohesive built form will be achieved through design elements such as interesting roof forms, articulated buildings, recessed vehicle garaging, and landscaped spaces between buildings and the public road. Buildings will include windows, doors and balconies that overlook the street and areas of public open space to promote surveillance and community interaction.

Setbacks to local streets will be used to enable landscaping to be provided to soften the built form and improve amenity for residents and pedestrians. The visual and physical impact of vehicle access points will be minimised by reducing both the number of access points and the width of associated crossovers and driveways. Sealed surfaces will be minimised to reduce stormwater run-off and to also provide opportunities for landscaping to improve visual amenity. Development will seek to protect and retain regulated trees that contribute to the character of the area.

In order to achieve a compact urban form an overall increase in the residential density is desirable in select locations, in keeping with the objectives for development in the Zone, although it is anticipated that the predominant form of housing will remain detached dwellings at low to medium density throughout much of the zone. Co-ordinated infill housing, redevelopment and refurbishment of existing housing are encouraged

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Residential Zone

to maximise use of the community investment in facilities and services in existing residential areas that are located close to centres and community services. Opportunities exist to gradually develop under-utilised and vacant land within established areas, particularly when a specific housing need arises within the population, but also as an opportunity for improving access to existing services and facilities. Co-ordinated and efficient development of larger sites containing multiple allotments is encouraged in order to achieve greater housing density and diversity.

Medium density forms of housing including semi-detached dwellings, row dwellings, residential flat buildings and group dwellings are encouraged in areas with good access to services and facilities. Concentrated nodes of medium density development of up to 4 storeys in height are anticipated in areas close to centres, public transport and significant public open space, and are to be developed in a co-ordinated and orderly manner. Typically this will involve the amalgamation of sites and will result in development that compliments the prevailing character. A transition in building height will be necessary to ensure issues of overlooking is minimised and solar access maintained.

Development will be of a form and scale compatible with adjoining residential development. As part of the increase in residential density there will be an increase in the number of dwellings of two or more storeys. Such development will recognise the proximity of adjoining development and will be designed and sited to maintain the privacy of adjoining dwellings and their private open space areas, and will be designed to integrate with the existing built form.

Development of land with a known history of a potentially contaminating activity will occur once the site has been assessed and remediated to the standard necessary to ensure it is safe and suitable for the proposed use.

Development in areas which adjoin industrial land uses and areas affected by aircraft noise as identified in [Concept Plan Map Sal/2 - Edinburgh Defence Airfield Aircraft Noise Exposure](#) should be designed, sited and constructed to minimise the effects of noise.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

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

- affordable housing
- domestic outbuilding in association with a dwelling
- domestic structure
- dwelling
- dwelling addition
- small scale non-residential use that serves the local community, for example:
 - child care facility
 - health and welfare service
 - open space
 - primary or secondary school
- recreation area
- supported accommodation.

2 Development listed as non-complying is generally inappropriate.

3 Vacant or underutilised land should be developed in an efficient and co-ordinated manner to increase housing choice by providing dwellings at densities higher than, but compatible in form, scale and design with adjoining residential development.

4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:

- (a) serves the local community
- (b) is consistent with the character of the locality

(c) does not detrimentally impact on the amenity of nearby residents

(d) will not undermine the efficient operation of nearby centres.

- 5 The use and placement of outbuildings should be ancillary to and in association with a dwelling or dwellings.

Form and Character

- 6 Development should be undertaken in accordance with the following Concept Plan Maps:
- [Concept Plan Map Sal/21 - Paralowie Residential Area 3](#)
 - [Concept Plan Map Sal/22 - Burton Residential Area 1](#)
 - [Concept Plan Map Sal/23 - Direk Residential Area](#)
 - [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#)
 - [Concept Plan Map Sal/25 - Paralowie Residential Area 1](#)
 - [Concept Plan Map Sal/26 - Paralowie Residential Area 2](#)
 - [Concept Plan Map Sal/27 - Salisbury Downs Residential Area 1.](#)
- 7 Residential development should only occur within the area marked 'Lot 23' or 'Lot 24' on [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#) where it is developed in accordance with all of the following:
- the construction of a 2.4 metre high acoustical fence, which is comprised of double-sided fibre cement sheeting that has a density of not less than 12.5 kilograms per square metre, along the north-west and south-west boundaries of the land
 - service areas are located between the noise source and the living areas of the dwelling
 - dwellings utilise suitable sound insulation methods such as double-glazing to windows, roof and wall insulation
 - the number of wall openings facing the noise source are minimised.
- 8 Direct vehicular access should not be provided onto Smith Road, Barker Road or Bridge Road.
- 9 Where remnant vegetation is located within road reserves it should be preserved and protected against loss, damage and disfigurement.
- 10 Garages and carports facing the street (other than an access lane way) should be designed with a maximum width of 6 metres or 50 per cent of the allotment or building site frontage width, whichever is the lesser distance.
- 11 Sheds, garages and similar outbuildings should be designed within the following parameters:

Parameter	Value
Maximum floor area for allotments less than 450 square metres	60 square metres
Maximum floor area for allotment greater than 450 square metres	72 square metres
Maximum building height (from natural ground level)	5 metres
Maximum wall height (from natural ground level)	3 metres

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Affordable Housing

- 12 Development should include a minimum 15 per cent of residential dwellings for affordable housing.
- 13 Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.

Land Division

- 14 Land division should create a 5 metre landscaped reserve to limit direct vehicle access where allotments are created fronting the following roads:
 - (a) Martins Road, Parafield Gardens and Paralowie
 - (b) Burton Road, Burton and Paralowie
 - (c) Bolivar Road, Burton and Paralowie
 - (d) Willochra Road, Salisbury.

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Residential Zone

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: <ol style="list-style-type: none"> it does not move, rotate or incorporate flashing lights it does not wholly or partly consist of bunting, streamers, flags, wind vanes and the like if attached to a building, it does not wholly or partly extend above the top of the wall or the fascia.
Amusement machine centre	
Consulting room	Except where: <ol style="list-style-type: none"> the total floor area is less than 100 square metres the site does not front an arterial road.
Crematorium	
Dairy	
Dwelling where it is contained within the 'Concept Area Boundary' identified on Concept Plan Map Sal/22 - Burton Residential Area 1	Except where the dwelling has a maximum height of no more than one-storey above natural ground level.
Farming	
Fuel depot	
Horse keeping	
Horticulture	
Industry	
Intensive animal keeping	
Motor repair station	
Office	Except where: <ol style="list-style-type: none"> the total floor area is less than 100 square metres the site does not front an arterial road.
Petrol filling station	Except where it comprises alterations or additions to a petrol filling station existing at 20 January 1994.
Prescribed mining operations	
Public service depot	
Residential flat building within the Salisbury Residential Policy Area 18	

Form of Development	Exceptions
Restaurant	
Road transport terminal	
Service trade premises	
Shop or group of shops	Except where: (a) the gross leasable area is less than 250 square metres (b) the site does not front an arterial road.
Stock sales yard	
Stock slaughter works	
Store	
Warehouse	
Waste reception, storage, treatment or disposal	
Wrecking yard	

Public Notification

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

Urban Core (Salisbury) Zone

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

OBJECTIVES

- 1 A district level centre that provides the focus for business and commercial services and employment generating land uses for the region, providing a full range of retail, commercial, civic, cultural, community, entertainment, education, religious, recreational facilities and a range of medium to high density residential development supported by high frequency public transport and open space.
- 2 Development within a mixed use environment that is compatible with surrounding development and which does not unreasonably compromise the amenity of the zone or any adjoining residential zone.
- 3 Affordable housing and smaller dwellings, including innovative housing designs, located close to local services and public transport stops and integrated into residential and mixed use development.
- 4 Mixed use development integrated with a high quality public realm that promotes walking, cycling, public transport patronage and positive social interaction.
- 5 Development that promotes street activity and interest to passing pedestrians and contributes to the liveliness, vitality and security of the public realm.
- 6 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The zone is a major district centre which exhibits characteristics typical of that of a traditional town centre including a functioning main street and a fine grain retail experience. The centre will transition to a vibrant business hub and key transit oriented activity centre within Northern Adelaide, building on its existing strengths and capitalising on proximity to the rail and bus interchange. Key components of the revitalisation will include:

- diversification and intensification of retail, commercial activities and supporting land uses, including community services, education facilities and out of hours businesses
- development of increased residential opportunities to accommodate a diverse population
- upgrade of the existing public transport interchange and intensification of development within the zone
- continued provision of sports and recreation facilities and enhancement of open space and streetscapes.

The zone will focus around a Core Area intended to contain the highest intensity and scale of development with a supporting Transition Area adjoining neighbouring zones as identified on [Concept Plan Map Sal/33 – Salisbury City Centre Core and Transition Areas](#).

The Core Area will provide the greatest intensity of land use and activity with a mix of residential, commercial, civic, community, cultural, education, religious, entertainment, recreation and employment generating activities integrated with the public transport interchange and networks. Located within the Core Area is the 'main street' of John Street and the Parabanks Shopping Centre that will continue to provide the primary focus for retail, including large format retail and supermarkets. Facilities within the zone should be sited and designed with a view to promote after-hours uses to reinforce the centre as the focus for community activity in the district.

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Urban Core (Salisbury) Zone

Medium and high density housing in a diverse range of residential dwelling types, including mixed use, student, aged accommodation, serviced apartments and affordable housing will be developed across the zone with a focus around capitalising on existing amenity of key open space and proximity to existing facilities. Overall, the zone is intended to achieve a minimum net residential density ranging from 70 dwellings per hectare in the core reducing to a minimum of 35 in the Transition Area.

The Transition Area will provide a buffer between the Core Area and adjacent established residential areas / zones with development taking the form of smaller scale mixed use commercial land uses, medium density housing, community, education, sport and recreation facilities designed to reduce impact and contribute to the established character and amenity of adjoining zones. Development will reduce in scale to transition down where there is an interface with low rise residential development in an adjacent zone. Buildings at the periphery of the zone will have an appropriate transition that relates to the height and setback of development in adjacent zones of a lower scale and intensity.

Development in the zone will achieve high quality urban design and integration with a focus on pedestrian comfort and safety across both private land and public streets and open spaces. Buildings will contribute to quality streetscapes and public realm by articulating buildings with canopies over footpaths promoting open views, active uses and street based activity. The consolidation of existing land holdings to form larger development sites is encouraged to facilitate the reduction of driveway crossovers and provide spaces for high quality multi-storey development that maximises the amenity of the surrounding public realm.

Off-street parking will be well designed, integrated and managed to maximise efficient use of spaces, minimise the total area of land in the centre required for parking and promote increased use of sustainable modes of transport. On-site parking areas will be consolidated and shared, and driveway entrances minimised to maximise opportunities for on-street parking. Provision of consolidated multi-deck car parking is encouraged, with longer term/all day car parking preferably located on the perimeter of the centre. Provision of safe and well-designed walkways to link car parking areas to destinations is vital.

Pedestrian-scale signage, landscaping, street art, lighting, street furniture, canopies and sheltered walkways will be integrated into buildings, open space and streets to create safe, interesting, attractive and sociable spaces for visitors to access outdoor dining and footpath trading. Principles of universal design should be adopted to ensure the area is usable by people of all abilities. A sheltered pedestrian environment should be created along key pedestrian streets such as John Street and Church Street through the use of verandas and awnings. Legible, safe and accessible cycling routes and pedestrian pathways connecting key public open space and facilities including the Little Para trail, Civic Square, public transport interchange and bus stops will be enhanced.

Upper level facades will provide architectural interest with the use of balconies and roof top outdoor spaces encouraged. Solid material will be balanced with windows and other forms of visual permeability along key streets and public spaces. Plant and service equipment will be enclosed and out of view from the street and neighbouring sites.

As development intensifies and a mix of uses is located within an allotment, street or locality, overlooking, overshadowing and noise impacts will be moderated through good design and noise attenuation techniques. Impacts on adjoining zones and existing residential development and other sensitive uses will be addressed through the use of building envelopes to maximise solar access, consideration of building height transitions, considered design and location of windows, balconies and use of landscaping to maintain privacy. Setbacks of new development should consider the setbacks of adjoining existing development and be consistent with or complement these setback distances where possible.

Buildings of heritage value, including State heritage listed items, should be conserved and their continued use or adaptive re-use is encouraged. Elements which contribute to their heritage value, such as setting and setbacks, building materials, mature trees and landscaping elements and elevations should be retained and enhanced. The design of new development which adjoins these buildings should be sympathetic and not encroach or otherwise negatively impact on the setting of the heritage place.

The centre will explore a range of opportunities to conserve resources, minimise energy use and promote Water Sensitive Urban Design. These opportunities may include the harvest, treatment, storage and reuse of stormwater, green roofs and walls, renewable energy features and innovative waste practices at a neighbourhood, street, site and individual building level where appropriate.

In accordance with the relevant development constraints mapping, buildings which exceed a height of 15 metres may require referral to the Federal Department of Infrastructure and Regional Development.

Core Area

John Street and Civic Square

The village atmosphere and mix of main street fine grain land uses that make John Street unique will be retained and regenerated supporting retail, cafes and restaurants on the ground level, with offices and opportunities for mixed use residential development promoted on upper levels.

Building heights up to 4 levels are envisaged with upper storeys set back from the ground and first storeys to retain the low scale existing pedestrian scale and character of John Street. Development will connect directly to the civic square area, providing strong active frontages. The existing fine grain street based development should be maintained along the western end of John Street, and new development along the eastern portion designed to reflect this pattern.

Pedestrian permeability through to adjoining areas will be improved, with existing pedestrian connections both within streets and through private buildings, carparks and covered malls retained and enhanced. The exterior storage or display of goods or service areas should not compromise pedestrian movement or amenity.

Possible Church Street Extension

An extension to Church Street to the north is envisaged to create a new high street characterised by wide footpaths, street trees and landscape plantings which will assist in improving the overall appearance and legibility of the centre.

Upon completion, this extension to Church Street will provide opportunities for ground level activation incorporating new retail and commercial land uses, mixed use and medium to high density residential development. Building heights up to 6 storeys are anticipated along the Church Street extension within the Core Area.

Parabanks Shopping Centre

This shopping centre will continue to be the focus for large scale retail development, with redevelopment to incorporate active frontages and prominent entrances where directly abutting onto John Street, the Civic Square and the proposed Church Street extension. Over time opportunities for increased ground level activation adjoining Pitman Park and the Little Para River including the incorporation of residential development is encouraged.

Pedestrian connectivity and amenity throughout this area including at grade carparks should be improved, with designated safe, accessible and sheltered walking areas and enhanced landscaping provided.

Interchange

An upgrade of the interchange should incorporate features to increase connectivity across the rail line, with a well-designed overpass provided to ensure safe and convenient pedestrian access. Development adjacent to the public transport interchange will be mixed both vertically and horizontally, with non-residential uses encouraged to create visual interest and active street frontages.

There should be a focus on a mix of land uses with potential for small scale convenience retail, commercial, entertainment and ancillary development. Redevelopment of existing car parking areas immediately adjacent the interchange is encouraged, where existing car parking spaces can be provided in conjunction with the redevelopment, or relocated elsewhere.

Transition Area

Park Terrace

There is significant potential for redevelopment of properties with frontage to Park Terrace to capitalise on passing traffic and proximity to the public transport interchange. As a key gateway into the core area of the City Centre there are opportunities for development of landmark buildings on corner sites to reinforce the character of the City Centre as a vibrant business hub.

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Urban Core (Salisbury) Zone

Ann and Mary Street

The historic character and mix of community, education and community land uses within this area will remain the primary land use. Future opportunities for medium density mixed use and residential development will be supported where the architectural and urban design has addressed integration and complements the existing built form reflecting the lower scale intended within the transition areas.

Salisbury Oval and Surrounds

The area south of Park Terrace will continue to support a range of structured sport and recreation facilities, residential, education, community and open space uses. An increase in density of existing residential development within the area, combined with development of medium density dwellings integrated around the perimeter of the oval in strategic locations to take advantage of views over the open space is envisaged.

Dwelling design should seek to maximise vistas into the open space from surrounding streets and promote built form with open fencing and balconies that improve surveillance and maximise pedestrian legibility, safety, pleasure and comfort. Links between this area and the core area to the north of Park Terrace will be enhanced, and will include provision of a pedestrian and cycling path adjoining the railway corridor and improved connection across Park Terrace. Development will be designed and sited to minimise privacy impacts on adjoining and nearby residential development and other sensitive land uses.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

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

- affordable housing
- aged persons accommodation
- cinema
- civic building
- community centre
- consulting room
- dwelling
- educational establishment
- entertainment venue
- hotel
- gymnasium
- library
- licensed premises
- multi-deck car parking
- nursing home
- office
- place of worship
- pre-school
- public transport interchange
- recreation centre
- residential flat building
- retirement village
- school
- shop or group of shops
- supported accommodation
- theatre
- tourist accommodation.

2 Development listed as non-complying is generally inappropriate.

3 Core and Transition Areas should be developed in accordance with the relevant [Concept Plan Map Sal/33 – Salisbury City Centre Core Transition Areas](#) and [Concept Plan Map Sal/34 – Salisbury City Centre](#).

- 4 The Core Area should be developed to include a range of land uses that are high pedestrian generators, promote public transport use, provide opportunities for multi-purpose trips and include after-hours uses.
- 5 Core and Transition Areas should incorporate integrated public open spaces, sport and recreation facilities, and community areas that act as social hubs for communal activity.
- 6 Except in the Core Area where a higher intensity of development is envisaged, non-residential development should comprise uses that:
 - (a) encourage walking to local shopping, community services and other activities
 - (b) do not detrimentally impact on the amenity of nearby residents.
- 7 Development comprising 20 or more dwellings should include a minimum of 15 per cent affordable housing unless it can be demonstrated that any shortfall in affordable housing from a preceding stage of development will be accommodated in a subsequent stage or stages.
- 8 A shop can occur where it achieves one of the following:
 - (a) it is located within the Core Area
 - (b) it is a bulky goods outlet
 - (c) it is located within the Transition Area and has a maximum floor area of 500 square metres.

Form and Character

- 9 Development should be consistent with the desired character for the zone.
- 10 Residential development (other than residential development in mixed use buildings), should achieve a minimum net residential site density in accordance with the following:

Designated area	Minimum net residential site density
Core Area	70 dwellings per hectare net
Transition Area	35 dwellings per hectare net

- 11 Residential development in a mixed use building should achieve a minimum net residential site density of 35 dwellings per hectare.
- 12 In the Transition Area, development should provide a built form that provides the transition between an intense core of development and neighbouring lower intensity development.

Design and Appearance

- 13 In the Core Area:
 - (a) Development should be adaptable in form to enable convenient conversion of internal spaces to alternative uses without the need for significant change to the building
 - (b) a minimum of 50 per cent of the ground floor primary frontage of buildings should be visually permeable, transparent or clear glazed to promote active street frontages and maximise passive surveillance.

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- 14 Except in the Core Area, development of three or more storeys in height should ensure that:
 - (a) north-facing windows to habitable rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9.00 am and 3.00 pm on 21 June
 - (b) ground level open space of existing buildings receives direct sunlight for a minimum of 2 hours between 9.00 am and 3.00 pm on 21 June to at least the smaller of the following:
 - (i) half of the existing ground level open space
 - (ii) 35 square metres of the existing ground level open space (with at least one of the area's dimensions measuring 2.5 metres).
- 15 Buildings should address public open space and defined pedestrian routes as identified on [Concept Plan Map Sal/34 – Salisbury City Centre](#).
- 16 Development of sites adjoining the Civic Square, as identified on [Concept Plan Map Sal/34 – Salisbury City Centre](#), should provide active frontage to the Civic Square and facilitate uses that will enable increased activation at street level.
- 17 Building setbacks should be consistent with or complement setback distances of adjoining development where possible.

Building Height

- 18 Except where airport building height restrictions prevail, or interface height provisions require a lesser height, building heights (excluding any rooftop located mechanical plant or equipment) should be consistent with the following provisions:

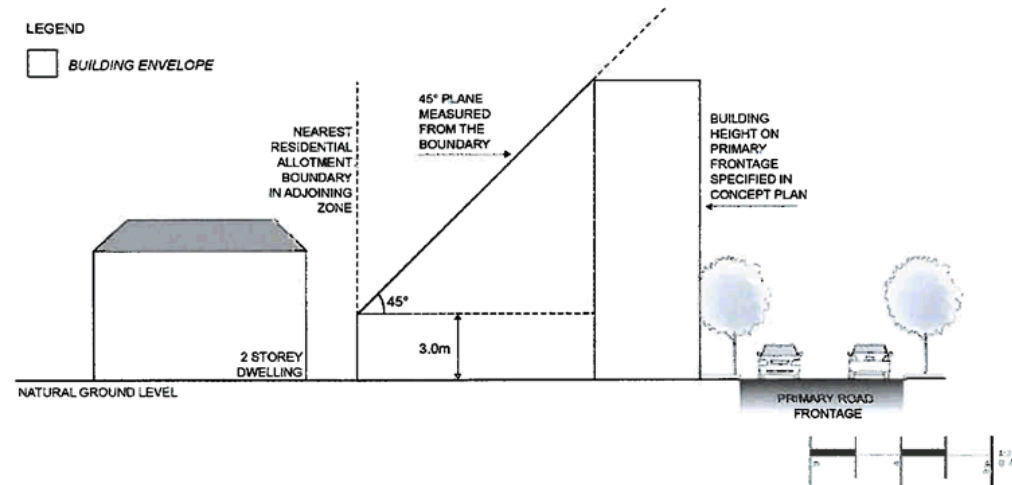
Designated area	Maximum building height
Core Area	6 storeys and 24.50 metres
Transition Area	4 storeys and up to 16.5 metres

- 19 Buildings with frontage to John Street should have a maximum podium/street wall height of 2 storeys, with upper building levels set back from the street wall in the order of 3 metres to reinforce the low scale built form along John Street,.
- 20 Building heights in the Transition Area may exceed 4 storeys (to a maximum of 6 storeys) in the area labelled 'Salisbury Oval Precinct' identified on [Concept Plan Map Sal/34 – Salisbury City Centre](#) where it can be demonstrated that development will retain satisfactory access to sunlight, minimise overlooking of adjacent private open space, and is part of an integrated and precinct planned development of the site.

Interface Height Provisions

- 21 To minimise building massing at the interface with residential development outside of the zone, buildings should be constructed within a building envelope provided by a 45 degree plane, measured from a height of 3 metres above natural ground level at the zone boundary (except where this boundary is primary road frontage), as illustrated in Figure 1:

Figure 1



Off Street Vehicle Parking

- 22 Where [Table Sal/2 – Off Street Vehicle Parking Requirements](#) applies a lesser rate may be applied where justified and based on local circumstances, including if:
- the proposed development is adjacent to a designated pedestrian and/or cycle path
 - convenient on-street car parking is readily available
 - (there is opportunity to utilise shared car parking areas between uses based upon compatible hours of peak operation
 - (suitable arrangements are made for any parking shortfall to be met elsewhere or by other means
 - for studio apartments, dwellings with two bedrooms or less, student accommodation, affordable housing, retirement villages or aged persons accommodation.
- 23 Multi-deck car parking should take the appearance of a commercial building, with active frontages and mixed land uses on the ground level.

Land Division

- 24 A traditional street grid pattern should be reinforced in any comprehensive development of areas for mixed use activity to maintain clear sightlines and ensure maximum connectivity.
- 25 Wherever practicable, land division and site amalgamation should:
- create allotments that vary in size and are suitable for a variety of residential and commercial uses
 - improve the level of integration associated with the design and layout of buildings, vehicle parking areas, access points and landscaping treatments facilitate development as envisaged in [Concept Plan Map Sal/34 – Salisbury City Centre](#).

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Urban Core (Salisbury) Zone

PROCEDURAL MATTERS

Complying Development

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

In addition, the following forms of development (except where the development is non-complying) within the Core Area as identified in relevant [Concept Plan Map Sal/33 - Salisbury City Centre Core Transition Areas](#) are complying:

A change of use to a shop, office, consulting room or any combination of these where all of the following are achieved:

- (a) the area to be occupied by the proposed development is located in an existing building and is currently used as a shop, office, consulting room or any combination of these uses
- (b) the building is not a State heritage place
- (c) it will not involve any alterations or additions to the external appearance of a local heritage place as viewed from a public road or public space
- (d) if the proposed change of use is for a shop that primarily involves the handling and sale of foodstuffs, it achieves either (i) or (ii):
 - (i) all of the following:
 - (A) areas used for the storage and collection of refuse are sited at least 10 metres from any Residential Zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop)
 - (B) if the shop involves the heating and cooking of foodstuffs in a commercial kitchen and is within 30 metres of any Residential Zone boundary or a dwelling (other than a dwelling directly associated with the proposed shop), an exhaust duct and stack (chimney) exists or is capable of being installed for discharging exhaust emissions
 - (ii) the development is the same or substantially the same as a development, which has previously been granted development approval under the *Development Act 1993* or any subsequent Act and Regulations, and the development is to be undertaken and operated in accordance with the conditions attached to the previously approved development
- (e) if the change in use is for a shop with a gross leasable floor area greater than 250 square metres and has direct frontage to an arterial road, it achieves either (i) or (ii):
 - (i) the primary vehicle access (being the access where the majority of vehicles access / egress the site of the proposed development) is from a road that is not an arterial road
 - (ii) the development is located on a site that operates as an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared
- (f) off-street vehicular parking is provided in accordance with the rate(s) specified in [Table Sal/2 - Off Street Vehicle Parking Requirements](#) or the desired minimum in rate in [Table Sal/2A - Off Street Vehicle Parking Requirements for Designated Areas](#) (whichever table applies) to the nearest whole number, except in any one or more of the following circumstances:
 - (i) the building is a local heritage place

- (ii) the development is the same or substantially the same as a development, which has previously been granted development approval under the Development Act 1993 or any subsequent Act and Regulations, and the number and location of parking spaces is the same or substantially the same as that which was previously approved
- (iii) the development is located on a site that operates as an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.

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
Fuel depot	
General industry	
Public service depot	
Road transport terminal	
Special industry	
Store	
Transport depot	
Warehouse	
Waste reception, storage, treatment or disposal	

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 of (except where the development is classified as non-complying), are designated:

Category 1	Category 2
Advertisement	All forms of development not listed as Category 1
Aged persons accommodation	
All forms of development that are ancillary and in association with residential development	
Civic building	
Community centre	
Consulting room	
Dwelling	
Educational establishment	
Indoor recreation facility	
Nursing home	
Office	

Salisbury Council
Zone Section
Urban Core (Salisbury) Zone

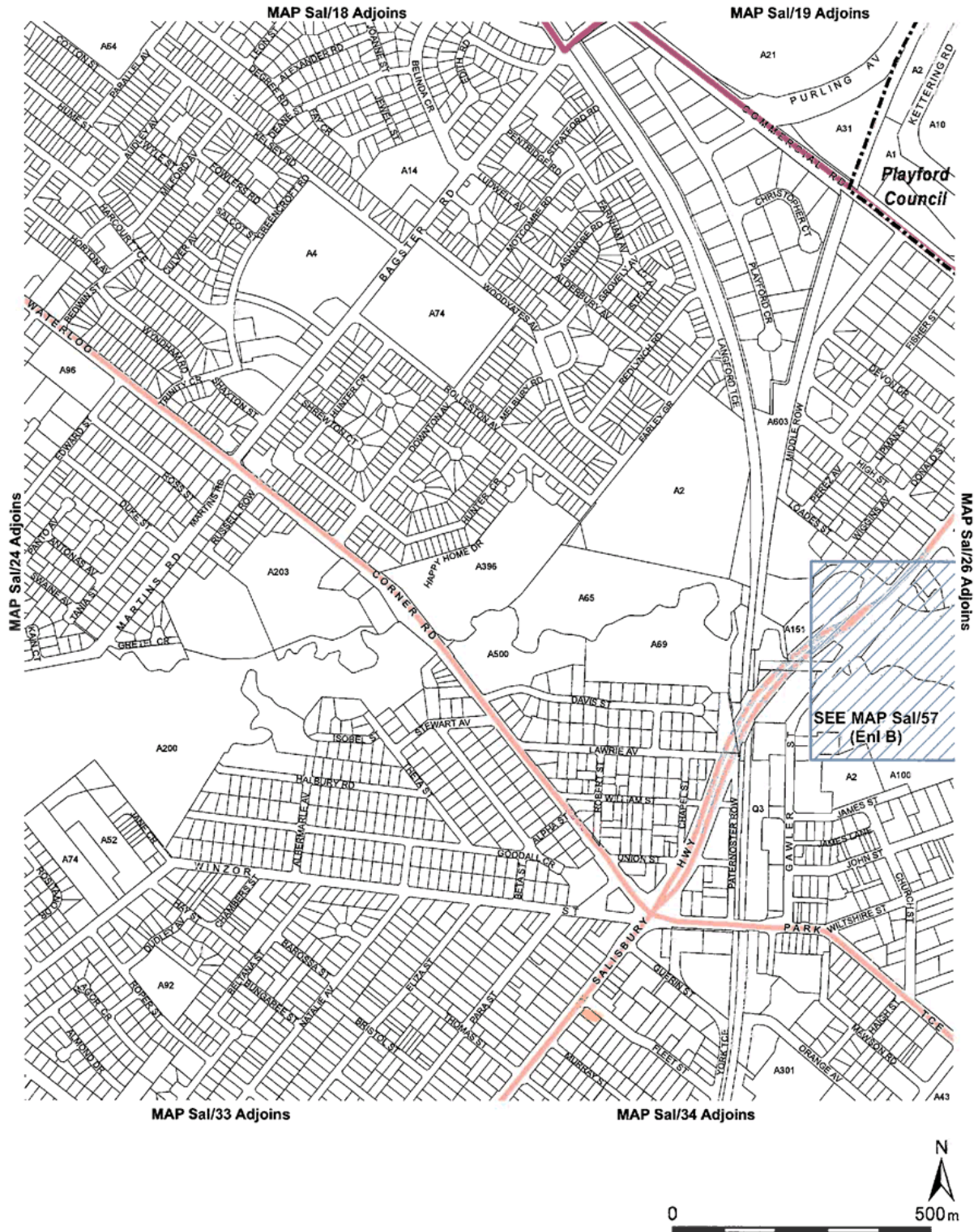
Category 1	Category 2
Pre-school	
Primary school	
Recreation centre	
Residential flat buildings	
Retirement village	
Shop or group of shops, except where it exceeds 500 square metres of gross leasable area within the Transition Area	
Supported accommodation	
Tourist accommodation	

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
Accommodation	
Aged Care / retirement home	1 space per unit
Serviced apartment	1 space per unit plus 1 space per employee
Motel	1 space per unit
Commercial	
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
Community/civic	
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
Dwellings	



- Possible Arterial Roads
- Secondary Arterial Roads
- Development Plan Boundary

Overlay Map Sal/25 TRANSPORT

SALISBURY COUNCIL
Consolidated - 15 December 2016

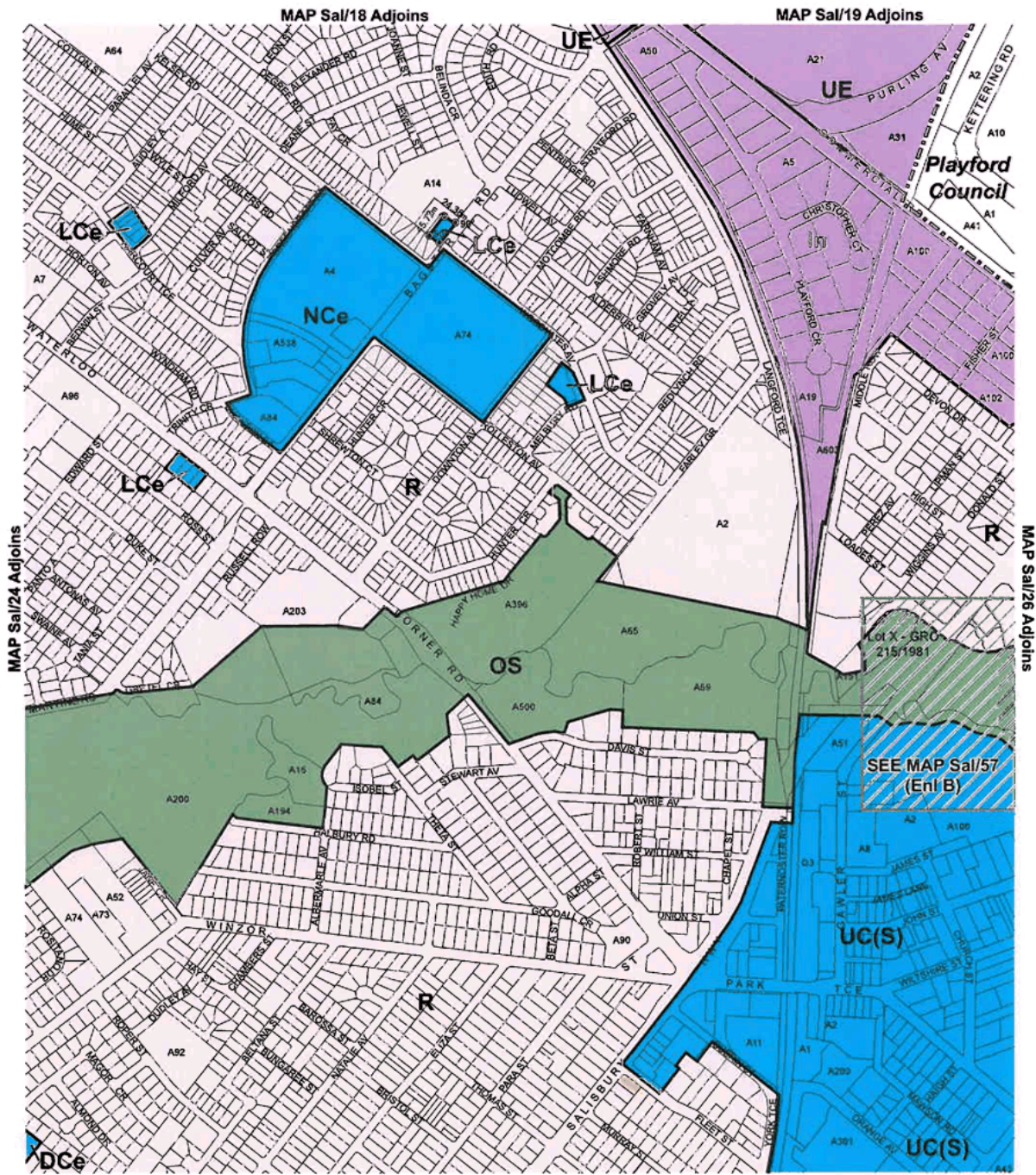
Item 5.1.2 - Attachment 3 - Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016



- Train Line
- Designated Road: type B road
- Noise and Air Emissions Designated Area
- Development Plan Boundary

Overlay Map Sal/25 NOISE AND AIR EMISSIONS

SALISBURY COUNCIL
Consolidated - 15 December 2016



See enlargement map for accurate representation.
Lamberts Conformal Conic Projection, GDA94

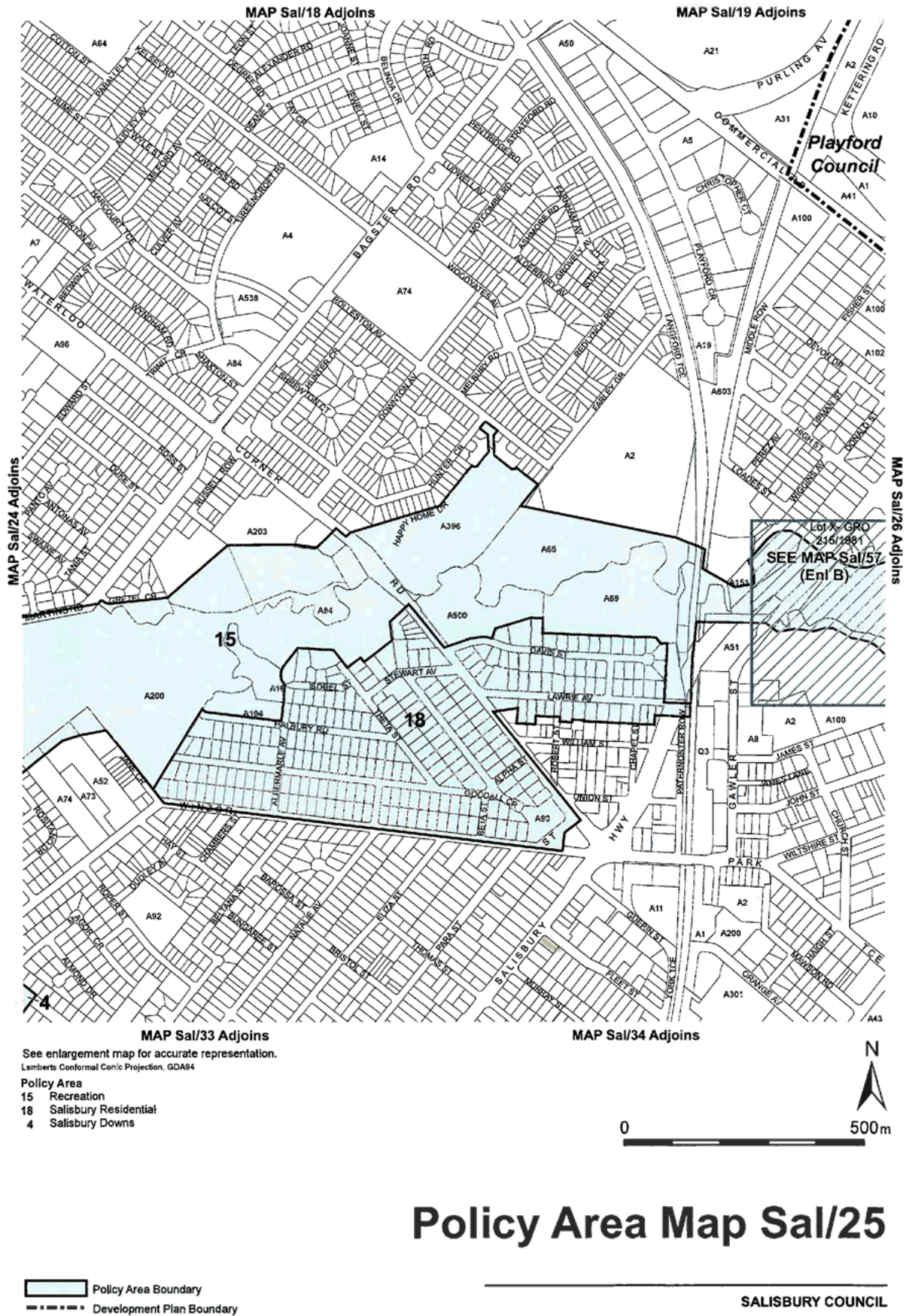
- Zones**
- Industry
 - Local Centre
 - Neighbourhood Centre
 - Open Space
 - Residential
 - Urban Core(Salisbury)
 - Urban Employment
 - Zone Boundary
 - Development Plan Boundary

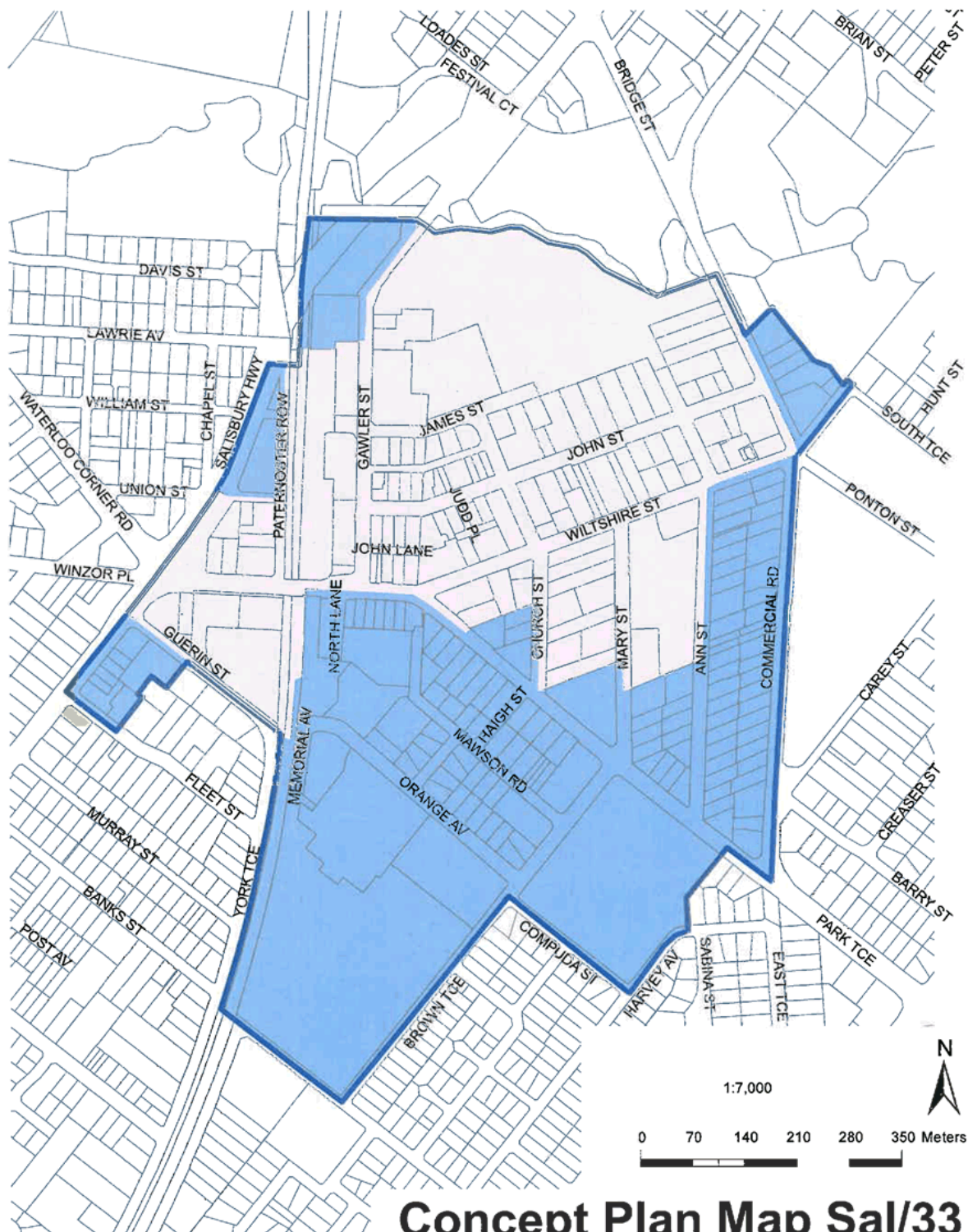


Zone Map Sal/25

SALISBURY COUNCIL
Consolidated - 15 December 2016
Version A 3/6/16

Item 5.1.2 - Attachment 3 - Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016





- Core Area
- Transition Area
- Concept Plan Boundary

Concept Plan Map Sal/33 SALISBURY CITY CENTRE CORE AND TRANSITION AREAS

SALISBURY COUNCIL
Consolidated - 15 December 2016

Item 5.1.2 - Attachment 3 - Relevant Development Plan Extracts and Location Maps consolidated 15 December 2016

ITEM	5.2.1
	DEVELOPMENT ASSESSMENT PANEL
DATE	25 July 2017
HEADING	Annual Report of the Development Assessment Panel for 2016/17
AUTHOR	Chris Zafiroopoulos, Manager Development Services, City Development
CITY PLAN LINKS	1.4 Have well planned urban growth that stimulates investment and facilitates greater housing and employment choice. 4.3 Have robust processes that support consistent service delivery and informed decision making.
SUMMARY	The Development Assessment Panel Operating Procedures require the preparation of an Annual report to Council via the Policy and Planning Committee. A draft report is provided for the Panel's consideration.

RECOMMENDATION

1. That the draft Development Assessment Panel Annual Report for 2016/7 be noted and endorsed.

ATTACHMENTS

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

1. Draft DAP Annual Report 2016/17

1. BACKGROUND

- 1.1 The General Operating Procedures require the Panel to provide an Annual Report to Council via the appropriate standing committee on or around the anniversary of the appointment of the Panel.
- 1.2 The Panel may provide advice to Council on trends, issues and other matters relating to planning and development that have become apparent or arisen through the assessment of applications under the Act.

2. CONSULTATION / COMMUNICATION

- 2.1 Internal
 - 2.1.1 The Panel is not required to consult on its report.

3. REPORT

- 3.1 The Development Act 1993 provides that panel may provide an Annual Report to Council.
- 3.2 A draft report is provided in Attachment 1 for the Panel's consideration and endorsement. The Presiding Member has reviewed the draft report and included commentary as identified under heading.

4. CONCLUSION / PROPOSAL

- 4.1 That the Panel endorses its Annual Report for 2016/17 and that the Presiding Member signs the report and if requested, attends the relevant Council meeting to present the report and answer any questions on behalf of the Panel.

CO-ORDINATION

Officer: MDS
Date: 07.07.17



**Annual Report
of the
Development Assessment Panel
for 2016/17**

City of Salisbury

Doug Wallace

Presiding Member

Item 5.2.1 - Attachment 1 - Draft DAP Annual Report 2016/17

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Attachment 1: Development Assessment Panel General Operating Procedures

Attachment 2: Overview of Development Applications

1. BACKGROUND

- 1.1 Council is required to establish the Development Assessment Panel to act as a delegate of Council for the purposes prescribed in the Development Act 1993 (the Act). The Panel is required to undertake the following functions:
 - 1.1.1 Determine development applications made under the Act.
 - 1.1.2 Provide advice to Council on trends, issues and other matters relating to planning or development matters.
 - 1.1.3 Perform other functions assigned to the Panel by Council.
- 1.2 The General Operating Procedures of the Panel require an annual report to be provided to Council via the appropriate Standing Committee. This report provides an outline of the performance of the Panel and advice to Council on trends and issues.
- 1.3 The Panel endorsed this report at its meeting held 25 July 2017.

2. REPORT

Overview of the Panel

- 2.1 Council has appointed seven members to the Panel comprising four independent members including the Presiding Member:

Mr Doug Wallace	Presiding Member
Mr R Bateup	Independent
Ms S Johnston	Independent
Mr J Watson	Independent
Ms L Caruso	Elected Member
Mr S White	Elected Member
Mr G Reynolds	Elected Member
- 2.2 The Council has delegated its functions and powers to the Panel in accordance with the Act to consider and determine development proposals including:
 - 2.2.1 Applications where third party representors indicate a desire to be heard by the relevant authority;
 - 2.2.2 Applications listed as 'non-complying' in the relevant zone within the Development Plan;
 - 2.2.3 Applications determined of significance to warrant determination by the Development Assessment Panel; and
 - 2.2.4 Where a potential conflict of interest may exist and the Minister has directed that the Panel consider the application.
- 2.3 The Panel has established General Operating Procedures. A copy of the General Operating procedures is provided in Attachment 1.

- 2.4 The Panel takes considerable effort in providing an environment for hearing representors in a way to encourage participation, recognising that for some members of the community presenting to a formal committee in front of a gallery can be an intimidating experience.

Panel Performance

- 2.5 The Panel held ten meetings over the period and considered 21 development applications. This is an increase from the previous 12 month period where the Panel considered 13 development applications. The attendance rate for members at meetings was 91.4% for the period.
- 2.6 The Panel approved the majority of applications. Three refusals related to the removal of regulated trees where the applications were found not to meet the relevant tree removal criteria. The Panel sought advice from staff in relation to the policies and procedures for street tree removal to understand Council's Tree Policy and the alignment with the Regulated and Significant Tree Policies of the Development Plan. The Panel also encouraged staff to assist representors in their access to Home Assist Care with the maintenance of trees. The Panel refused a proposed entertainment facility in Bolivar as the proposal was found to be at variance with the Development Plan.
- 2.7 Two appeals were lodged with the Environment, Resources and Development Court against decisions of the Panel during the period.
- 2.7.1 Farmers Market Independent of Existing Old Spot Hotel (361/935/2015/3B).
- The applicant appealed to the Supreme Court challenging the determination of the market use as a 'shop' by the ERD Court, following a third party appeal (by representor) against the decision to approve this development application. The application was remitted back to the Council for processing of the application as 'non-complying' which was approved by the Panel. The appeal was subsequently withdrawn.
- 2.7.2 Change of use from industry to material recovery facility (361/1075/2016/2B).
- Two third party appeals (by representors) were lodged challenging the classification of the application as a Category 2 Development, arguing the development should be a Category 3 Development. The appeal also challenged the Panel being the relevant authority, arguing that the Development Assessment Commission (DAC) should be the relevant authority. (Council had requested the Minister appoint DAC as the relevant authority before the application was considered by the Panel but this request was declined by the Minister). DAC was ultimately appointed the relevant authority and the appeals against Council were withdrawn. DAC approved the development and the representors lodged new appeals against this decision. The appeals were subsequently withdrawn following conciliation between the parties.

2.7.3 Place of Worship and Cemetery (361/1549/2016/3B)

Six third party appeals (by representors) were lodged against the Panel's decision to approve the development. The appeal is currently under consideration by the ERD Court.

2.8 A summary of key statistics is provided in the table below.

	2015/16	2016/17
Meeting		
Number	9	10
Items	13	21
Meetings with representors	9	9
Development Applications		
Category 1		2
Category 2	2	11
Category 3	7	3
Non Complying	4	5
Decisions		
Approve	13	16
Refuse	0	4
Defer	2	1
ERD Court Appeals		
Applicant	0	1
Third party (representor)	2	2
Compromise	0	0
Appeal withdrawn	1	2
Appeal upheld	0	0
Appeal dismissed	0	0
Still Pending	1	1

2.9 An overview of the development applications considered by the Panel is provided in Attachment 2.

2.10 While the number of applications considered by the Panel is low, they often represent the more complicated and contentious proposals, where representors have objected to a proposal or an element of a proposal. A total of ten applications considered by the Panel included verbal submissions from representors.

2.11 The panel considered a relatively broad range of development applications including religious facilities, residential infill/redevelopment, significant tree removals, and commercial / industrial developments that incorporate new construction or the re-use of existing buildings.

2.12 The applications that are not considered by the Panel have been delegated to Council staff to administer and determine. Staff processed 2526 applications for this period, of which over some 94% were category 1 developments that did not require public notification.

Key Policy and Operational Issues

- 2.13 The Panel identified some confusion amongst residents that appeared before the Panel in the regards to Council's process for the removal of street trees that were classified as Significant or Regulated Trees under the Development Act 1993. The Panel noted:
- 2.13.1 The Council invests considerable resources in the management of public trees, including street trees. The process for those trees that are Regulated or Significant has recently been altered so that only those applications likely to be approved are lodged by Council for Development Approval.
 - 2.13.2 Given the extensive nature of Council's Streetscape Renewal Program, it may be appropriate for Council to seek the Minister for Planning's approval for amendments to the Development Plan for the consideration of street trees in such programs, given that the Development Plan criteria were created by the State Government.
 - 2.13.3 Assistance for maintenance associated with Regulated or Significant Trees is available for older people and younger people with disability, but the assistance available is dependent on the resources available at the time of the request.

Presiding Member General Comments

2.14 Hearings

The Panel has continued to adopt a tolerant and flexible position to ensure all the issues raised are carefully considered with individuals given every opportunity to explain their issues and concerns. Where appropriate a reasonable explanation of the process is provided to ensure representors are satisfied, as far as possible, that a fair hearing has occurred and the basis for the decision understood. It is clear however that there will always be a degree of concern where decisions made do not align with those who had made submissions. Further effort will need to be made to clearly explain the decision outcome that identifies why many issues raised are not relevant with respect to the Development Plan, the fundamental framework for the Panel's decision.

2.15 Member and staff contributions

The positive discussions and inputs provided by Panel Members during the meetings have been appreciated; similarly the staff contributions are commended. However the legibility of hard copy plans remains an issue for members reading plans prior to the meeting; the projection of plans and photographs has proved very effective assisting both the Panel and those in the gallery. Attendance at the Panel meetings has always ensured a quorum and this continues to be appreciated.

2.16 Pending change due to Planning, Development and Infrastructure Act

The introduction of the Planning Development and Infrastructure Act provisions relating to Panels comes into effect October 1, 2017 this will reduce the panel to 5 members with only one elected member and will trigger the need to refine the operating procedures. Other changes will flow through changes to regulations and subsequent policy outcomes. What is

clear is the trend toward reduced community input into a wide range of planning applications. The effect of these changes will take several years to flow through and as a result it can be expected that a similar mix of applications could be expected to continue.

2.17 Other Strategic Issues

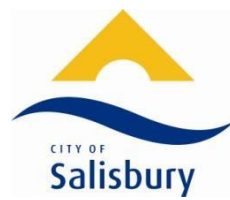
As with last year Salisbury continues to experience rapid urban renewal process that is likely to see aged dwellings, particularly single level detached dwellings on large allotments in strategically important locations, subject to proposals to increase residential density. This in turn will raise issues around transport, waste management and residential amenity. As these issues are likely to continue, Council should consider them in its long term strategic plans such as the Growth Action Plan.

The relatively large number of religious facilities that have been considered by both the Panel and by staff under delegation underlies the need for effective policy within Council's Development Plan for the panel and council to manage such proposals particularly those facilities proposed not sited in proximity or within industrial zones which has in general been a sound policy framework for such developments.

3. CONCLUSION / PROPOSAL

- 3.1 The Development Assessment Panel Annual Report for 2016/17 summarises the activities and outcomes of the Panel over the preceding financial year. The Panel is operating effectively, and reaching decisions on development applications following consideration of relevant matters under the Development Plan, and in accordance with its operating procedures. Accordingly this Report is submitted to Council for noting.

ATTACHMENT 1:



City of Salisbury
DEVELOPMENT ASSESSMENT PANEL
General Operating Procedures

Adopted - 23 February 2016

1. TIMING & NOTICE OF MEETINGS

- 1.1 DAP meetings will be scheduled by the DAP on the fourth Tuesday of the month, or another date as determined by the Presiding Member, subject to there being business to consider.
- 1.2 The DAP will meet in the Council Civic Centre at 12 James Street Salisbury or at such other place as the Presiding Member may determine.
- 1.3 The Delegated Officer pursuant to the Development Act 1993 , must provide written notice detailing the date, time and place of a meeting to all DAP members at least three working days before the meeting. The notice shall include the Agenda for the meeting. The Presiding Member may include late items in the Agenda of a meeting, with the leave of the DAP.
- 1.4 Notice of DAP meetings may be given to DAP members by email, to an email address nominated by a DAP Member, or by personal delivery or post to the usual residence of a DAP Member, or via such other means as authorised by a DAP Member.

- 1.5 A copy of the Agenda (without attachments) for every ordinary meeting of the DAP shall be available for viewing by the public at the Council's offices and on the Council's web site at least three working days before the meeting of the DAP (*Due to copyright restrictions it is not appropriate to provide copies of building plans for the public agenda*).
- 1.6 A special meeting of the DAP may be convened by the Presiding Member, at any time, to consider urgent business by giving not less than two working days written notice to all DAP Members.
- 1.7 Notice of a special meeting of the DAP must be accompanied by an Agenda stating the item(s) of business for which the meeting has been convened. A special meeting must only deal with the business for which the meeting has been convened.

2. COMMENCEMENT OF MEETINGS & QUORUM

- 2.1 DAP Meetings will be conducted in accordance with the requirements of the Development Act 1993 ('the Act') and these Operating Procedures.
- 2.2 Meetings will commence on time, or as soon as a quorum is present. If a quorum is not present within thirty minutes of the time for commencement, the Presiding Member may adjourn the meeting to the next scheduled meeting time and date, or to another time and date.
- 2.3 A quorum for a meeting of the DAP is four (4) DAP Members.
- 2.4 If the number of apologies received by the Delegated Officer in advance of a meeting indicate that a quorum will not be present at a meeting, the Presiding Member may, by notice from the Delegated Officer, provide to all DAP Members in advance of the meeting, a notice adjourning the meeting to a future time and date as specified in the notice (a copy of this notice will be displayed at the Council Offices and on the Council's website).

- 2.5 If a meeting is required to be adjourned by the Presiding Member, the reason for the adjournment, and the date and time to which the meeting is adjourned will be recorded in the Minutes.
- 2.6 A Deputy Presiding Member of the DAP must be appointed by resolution of the DAP, and will preside at any meeting, or part thereof, when the Presiding Member is not present.
- 2.7 If both the Presiding Member and Deputy Presiding Member are absent from a DAP meeting (or part thereof), a DAP Member will be appointed from those present by means of resolution, and will preside at the meeting. That member will have all of the powers and duties of the Presiding Member.
- 2.8 Subject to the Act and these Operating Procedures, the Presiding Member will facilitate the meeting in a manner which promotes relevant, orderly, constructive, respectful and expeditious discussion, but not repetitious discussion, with the intent of ensuring well-informed decisions and debate leading to a determination of any matters before the Panel.
- 2.9 The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a DAP Member, an applicant, a representor, or any other person present at the DAP meeting, until such time as the disruption or disturbance ceases.
- 2.10 The Presiding Member may ask a member of the public who is present at a meeting of a DAP, who is:
- 2.10.1 behaving in a disorderly manner; or
- 2.10.2 causing an interruption; or
- 2.10.3 using audio and video recording devices, without the prior agreement of the

Presiding Member, to leave the meeting.

3. DECISION MAKING

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

- 3.8 All decisions of the DAP shall be made on the basis of a majority decision of the Members present and the Minutes shall record that decision only (Votes for/against will not be recorded, and are not relevant once the majority is determined).
- 3.9 The DAP must use the Development Plan as the basis for its decisions, having had regard to any relevant written and verbal representations made in accordance with the provisions of the Act, or any other relevant legislation.
- 3.10 The DAP will, for each and every application, determine whether the proposal is seriously at variance with the Development Plan, and expressly record its determination on this matter in the Minutes. If the DAP determines that the proposal is seriously at variance with the Development Plan, the DAP must provide reasons for its determination, and must expressly record those reasons in the Minutes.
- 3.11 A development application that is assessed by the DAP as being seriously at variance with the Development Plan will be refused.
- 3.12 The DAP must, for each and every application, provide reasons for granting or refusing Development Plan Consent, and for the imposition of any conditions, and express or record those reasons in the Minutes.
- 3.13 Subject to the Act, a person who has lodged a valid representation in relation to a Category 2 or 3 development application, and has indicated their desire to be heard on their representation, is entitled to appear before the DAP and be heard in support of their representation, in person or by an agent.
- 3.14 Applicants and Representors will be allowed 5 minutes to address the DAP, unless a longer time is allowed by the Presiding Member. Where a person is nominated in a representation or by notice of the representors as representing three or more representors (including themselves) the Presiding Member may allow a longer time to address the Panel. Where an applicant is responding to a significant number of representations or a significant number of issues raised in representations, the Presiding Member may allow a longer time to address the Panel.

- 3.15 Should there be no Representor wishing to be heard for a non-complying development application, Category 2 or Category 3 development application, and the recommendation is for a refusal, the Applicant will be entitled to appear before the DAP and be heard in support of the application. Applicants will be allowed 5 minutes to address the DAP, unless a longer time is allowed by the Presiding Member.
- 3.16 Should there be no Representor wishing to be heard for a non-complying development application, Category 2 or Category 3 development application, and the recommendation is for approval, the Presiding Member may allow the Applicant to address the Panel to seek clarification and/or further information that may be required by the Panel in order to determine the application.
- 3.17 At the discretion of the Presiding Member, any new or additional material to be submitted to the DAP by a person who has made a development application or a valid representation in relation to a matter may be accepted and considered by the DAP. A copy of any additional material accepted shall be provided to the applicant or representors by the party presenting the additional material.
- 3.18 A DAP Member may ask questions of any person appearing before the DAP. Subject to the Presiding Member's determination, all questions shall be relevant to the subject of the development application before the panel.

4. MINUTES AND REPORTING

- 4.1 The Delegated Officer is responsible for ensuring that accurate Minutes are kept of Panel meetings, and that they are confirmed by the Panel and signed by the Presiding Member.
- 4.2 The Minutes of the proceedings of a DAP meeting will record:
- 4.2.1 the names of the DAP Members present;
- 4.2.2 the name and time that a DAP Member enters or leaves the meeting;

- 4.2.3 the name of a person who has made a representation to the DAP at the meeting;
 - 4.2.4 the decision of the DAP, including an express opinion on whether the proposed development is seriously at variance with the Development Plan (including reasons as appropriate);
 - 4.2.5 reasons for granting or refusing Development Plan Consent, and for the imposition of any conditions on a Development Plan Consent;
 - 4.2.6 in the absence of a decision, the deferral of the application including the reasons for the deferral;
 - 4.2.7 any disclosure of interest, or reasonably perceived interest. in a matter made by a DAP Member and the nature of the interest;
 - 4.2.8 a decision to exclude public attendance; and
 - 4.2.9 a notation, describing the confidential nature of the information and matter, in the event a matter has been excluded from the Minutes.
- 4.3 Minutes shall not be formal Minutes of a meeting until adopted by the DAP at its next meeting. This does not, however, preclude the issue of a Decision Notification under the Act, or advising of the determination of the DAP of Development Applications immediately after a meeting at which the DAP determined the particular application.
- 4.4. On the adoption of the Minutes, the Presiding Member will:
- 4.4.1 initial each page of the Minutes, which pages are to be consecutively numbered; and

4.4.2 place his or her signature and the date of adoption at the foot of the last page of the Minutes.

- 4.5. The Minutes of a DAP meeting must be forwarded to the Council and must be publicly available within two business days after their confirmation by the DAP.
- 4.6 The Panel shall prepare and consider an Annual Report for presentation to the Council via the appropriate Standing Committee. The Annual Report may be presented by the Presiding Member and may contain (but not be limited to) statistical information in relation to the number of items considered, the outcomes of decisions on those items, and matters identified by the Panel in the course of its assessment of development applications that warrant referral to Council for consideration of Development Plan policy, legislative, or procedural change.
- 4.7 The Annual Report shall be presented to Council on or around the anniversary date of the appointment of the Panel, subject to Council meeting timing.

5. DAP PROCEDURES & SUPPORT

- 5.1 Insofar as the Act and these Operating Procedures do not prescribe the procedure to be followed at a DAP meeting, the DAP may determine the procedure at the time. Any such determination may be added to these Operating Procedures.
- 5.2 The DAP will permit and encourage the active participation of Council staff in attendance at a meeting in providing advice to the DAP.
- 5.3 The DAP may call for and consider such professional assistance from Council staff and other professional advisors as it deems necessary and appropriate.

- 5.4 For the purpose of facilitating constructive debate on a development application under consideration by DAP, electronic communication or other telecommunication devices may be acceptable delivery method, at the discretion of the Presiding Member, for the purpose of conducting the meeting and hearing verbal representation from a person, or their representative, in support of their representation concerning a development application, and providing the applicant, or their representative, the opportunity to verbally respond to any relevant matter. Should electronic communication or other telecommunication devices be utilised they should ensure fair and equitable communication to all attendees to the DAP meeting.
- 5.5 Should electronic communication or other telecommunication devices be utilised for the conduct of a DAP meeting, all voting shall be conducted on the voices, with the Presiding Member verbally acknowledging each individual vote before declaring the outcome of the vote, and noted in the minutes of the meeting, consistent with Part 3 of the Operating Procedures.
- 5.6 Should electronic communication or other telecommunication devices be utilised for the conduct of a DAP meeting, the Presiding Member and the Delegated Officer shall be present at the meeting place as nominated in the DAP Agenda for that meeting.

ATTACHMENT 2: Applications Considered by the Development Assessment Panel July 2016 - June 2017

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Representors / No. verbal
26-Jul-16	361/650/2016/3B	5-15 Orange Avenue, Salisbury	Shade Structure in Association with the Existing Bowling Club	3	Approved with conditions	Received - Nil Hear - Nil
26-Jul-16	361/743/2016/2B	59 Stanbel Road, Salisbury Plain	Change of Use (Tenancy B) from Warehouse (approved via DA 361/343/2015) to Industry (Powder Coating)	2	Approved with conditions	Received - 5 Hear - 2
26-Jul-16	361/700/2016/3X	263-267 Wright Road, Valley View	Demolition of Existing Freestanding Pylon Sign and Construction of Replacement Freestanding Pylon Sign, Replacement Fascia Signage and Associated Ancillary Signage in Association with Existing Petrol Filling Station (non-complying development)	Non - Complying (Category 1)	Approved with conditions	N/A
23-Aug-16	361/938/2016/3B	1692-1700 Main North Road, Salisbury Plain	Change of use from retail (Pet Shop) to Place of Worship (Shop 9)	3 Non - Complying	Approved with conditions	Received – 3 Hear - Nil
27-Sep-16	361/935/2015/NB	1955 Main North Road, Salisbury Heights	Market (Shops) in car park of existing hotel (Non-complying)	3 Non-Complying	Approved with conditions	Received – Nil Hear – Nil
27-Sep-16	361/1075/2016/2B	71-75 Woomera Avenue, Edinburgh 1-2 Gidgie Court, Edinburgh	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	2	Deferred pending the receipt of legal advice. DAC was subsequently determined to be relevant	Received – 6 Hear – 5

			significant tree and associated vehicle parking, manoeuvring area, fencing and perimeter landscaping		authority.	
25-Oct-16	361/1057/2016/2T	Adjacent 38 Halifax Street, Parafield Gardens	Removal of a Regulated Tree on Road Reserve	2	Refused	Received – 4 Heard - 1
25-Oct-16	361/1512/2016/LD	5-15 Orange Avenue, Salisbury	Land Division	1	Approved with conditions	N/A
22-Nov-16	361/1443/2016/2A	3 Penelope Avenue, Valley View	Four (4) two storey dwellings on one allotment	2	Approved with conditions	Received – 5 Heard – Nil
22-Nov-16	361/11/2016/NA	1572-1582 Main North Road, Brahma Lodge	Amended carpark layout and access arrangements in association with the existing hotel and construct 15 two-storey dwellings with associated car parking and landscaping (Non-Complying Development)	3 Non-complying	Approved with conditions	Received – 3 Heard – Nil
13-Dec-16	361/1258/2016/2B	39-45 Maxwell Road, Pooraka	Concrete batching plant incorporating 13 metre high cement storage silo and acoustic wall in association with existing concrete production facility (industry)	2	Approved with conditions	Received – 37 Heard – 1
13-Dec-16	361/1549/2016/3B	256-258 Bridge Road, Pooraka for Shia Community of South Australia	Place of Worship and associated activities and a cemetery, carparking, landscaping and stormwater arrangements	3	Deferred pending receipt of further information.	Received – 77 Heard – 8
24-Jan-17	361/2086/2016/2T	Adjacent 27 Andrew Smith Drive, Parafield Gardens	Removal of a Regulated Tree on Road Reserve	2	Refused	Received – 5 Heard – 2
24-Jan-17	361/2237/2016/2T	Adjacent 58 Canterbury Drive, Salisbury Heights	Removal of Regulated Tree on Road Reserve	2	Refused	Received – 2 Heard – 1
24-Jan-17	361/1219/2016/NB	Unit 7, 38-50 Barndioota Road, Salisbury Plain	Change of use (unit 7) to place of worship for temporary period of five	3 Non-	Approved with	Received – 5 Heard – Nil

			(5) years (non-complying development)	complying	conditions	
28-Feb-17	361/1238/2016/2A	12-14 Ada Street, Salisbury	Residential Development Comprising Six Two Storey Dwellings	2	Approved with conditions	Received – 3 Heard – 2
28-Feb-17	361/1549/2016/3B	256-258 Bridge Road, Pooraka	Place of Worship with Associated Activities and Cemetery, Carparking, Landscaping and Stormwater Arrangements	3	Approved with conditions	Received – 77 Heard at the 13-Dec-16 meeting
28-Feb-17	361/1812/2016/1X	Lot 512 Bolivar Road, Paralowie (Bolivar Road Interchange)	Corporate Directional Sign	1	Approved with conditions	N/A
28-Mar-17	361/1428/2016/2B	13 Ceafield Road, Para Hills West	Change of land use to General Industry (Manufacture of concrete panels), incidental parking of 1 tray top truck, 2 shipping containers and ancillary storage of materials and finished concrete panels	2	Approved with conditions	Received – 2 Heard – Nil
28-Mar-17	361/1755/2016/3B	1113-1117 Port Wakefield Road 73-79 Summer Road, Bolivar	Entertainment facility comprising three go kart tracks, family entertainment shed, mechanical shed, corporate shed, fuel storage tank and associated boundary fencing, signage, car parking, manoeuvring areas and landscaping	3	Refused	Received – 13 Heard – 4
28-Mar-17	361/1775/2016/2A	29-41 Resthaven Road, Parafield Gardens	Twenty one (21) two storey dwellings and associated internal driveway, landscaping and construction of new vehicle access and refuse collection area on Public Road	2	Approved with conditions	Received – 3 Heard – Nil
23-May-17	The meeting was been cancelled as the quorum could not be achieved. The development applications were considered under delegated authority by the Manager Development Services.					

27-June-17	361/1144/2016/3B	701 – 709 Port Wakefield Road, Globe Derby	Mixed use development comprising Prayer Hall, Dining Hall and Library/Museum with associated facilities, including playground, carpark, caretakers residence, community garden and horse enclosure and removal of regulated tree.	3	Deferred at request of applicant	Received – 31 To be heard – 9
27-June-17	361/128/2017/2A	32 Nelson Crescent, Mawson Lakes	Two (2), Two Storey Dwellings	2	Approve	Received – 15 Heard - 5

Policy and operation matters referred to Councils Administration

Meeting Date	Description
24-Jan-17	<p>The panel requested a report on the policies and procedures for street tree removal, including the Council Tree Policy and the alignment with the Regulated and Significant Tree Policies of the Development Plan, Councils delegations and how the community can access HACC assistance with the maintenance of trees.</p> <p>Item 5.2.1 presented to DAP meeting held on 28 February 2017</p>

Applications subject to Appeal

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Appeal by	ERDC determination
Original DAP Decision Date 21-Jul-15	361/935/2015/3B	1955 Main North Road, Salisbury Heights	Market (Shops) in car park of existing hotel (Non-complying)	3 Non-Complying	Approved with conditions	Applicant	Withdrawn following approval of subsequent application.
27-Sep-16	361/1075/2016/2B	71-75 Woomera Avenue, Edinburgh 1-2 Gidgie Court, Edinburgh	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	2	Not determined by DAP as DAC was assigned relevant authority. Approved with conditions (by DAC).	Two representors	The appeal against Council was withdrawn when DAC was determined as relevant authority. Subsequent appeals have been lodged against DAC decision to approve the development has also been withdrawn.
28-Feb-17	361/1549/2016/3B	256-258 Bridge Road, Pooraka	Place of Worship with Associated Activities and Cemetery, Carparking, Landscaping and Stormwater Arrangements	3	Approved with conditions	Six representors	Pending courts determination.