



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

23 JULY 2019

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Ms C Gill
Mr M Canny
Mr B Brug

STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos (Assessment Manager)
Team Leader – Planning, Mr A Curtis
Development Officer – Planning, Ms G Cutri
Planning Consultant, Mr B Green

The meeting commenced at 6.00pm

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

APOLOGIES

Nil

LEAVE OF ABSENCE

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 28 May 2019, be taken and read as confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1 361/467/2019

Alterations and additions to existing material recycling facility (building extension to rear of building, extension to rear hardstand and consequential adjustment to storage area, fencing and stormwater system) at 71-75 Woomera Avenue, Edinburgh for BGI Building Group

REPRESENTORS

Mr Des Ahrns, Ahrns Equipment Pty Ltd, spoke to his representation.

Mr Stuart Henry, QC, on behalf of Delpar Pty Ltd and Mayfield Property Holdings, spoke to their representations.

APPLICANT

Mr Simon Channon, Associate ,URPS and Mr Adam Faulkner, CEO, NAWMA. spoke on behalf of the applicant.

Mr Bateup moved and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 15th December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/467/2019 for Alterations and additions to existing material recycling facility (building extension to rear of building, extension to rear hardstand and consequential adjustment to storage area, fencing and stormwater system) in accordance with the plans and details submitted with the application and subject to the following Reserved Matter and conditions:

Reserved Matters:

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

1. A detailed civil and storm water management plan shall be prepared by a suitably qualified consultant and shall demonstrate the proposed stormwater system is designed and constructed to ensure that pre-development peak flows are not exceeded and that the stormwater water quality is equivalent to or better than its pre-development state.

Note: Refer to Development Plan Consent Conditions 8-11 inclusive which relate to stormwater management and shall be considered/addressed as part of the civil and storm water management plan.

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 |
|--------------------------------------|--|--|---------------------|
| Ref 16-0051 | Response to Representations | Letter dated 29 th May 2019 | URPS |
| Ref 2016-0051 | Response to request for additional info | Letter dated 23 rd May 2019 | URPS |
| Refer 2016-0051 | Response to request for additional info | Letter dated 8 th May 2019 | URPS |
| Dwg No. BG 10 Revision B | Site Plan with aerial superimposed | Dated 18.03.19 | BGI Building Group |
| Dwg No. BG 11 Revision B | Site Plan | Dated 18.03.19 | BGI Building Group |
| Dwg No. BG 20 Revision B | Floor Plan | Dated 18.03.19 | BGI Building Group |
| Dwg No. BG 30 Revision C | North and West Elevation and Section | Dated 17.06.19 | BGI Building Group |
| Dwg No. 1 Issue A | Stormwater Management Plan | Dated 03.05.19 | Triaxial Consulting |
| Dwg No. 2 Issue A | Technical Detail | Dated 03.05.19 | Triaxial Consulting |
| Revision 1 | Stormwater Calculation Package | Dated 03.05.19 | Triaxial Consulting |
| Dwg 11192-EGA01 Issue A | MRF Existing Plant Layout Plan | Dated 04.04.19 | Macweld Industries |
| Dwg 11192-GA01 Issue A | MRF Proposed Plant Expansion | Dated 04.04.19 | Macweld Industries |
| Dwg NA-RP-01 Revision C Sheet 1 of 3 | Proposed Glass Clean-Up System - Trommel | Dated 07.05.19 | RDT Engineering |
| Dwg NA-RP-01 Revision C Sheet 2 of 3 | Proposed Glass Clean-Up System - Trommel | Dated 07.05.19 | RDT Engineering |
| Dwg NA-RP-01 Revision C | Proposed Glass Clean-Up System - | Dated 07.05.19 | RDT Engineering |

| | | | |
|--------------|-------------------------------|--------------|-------|
| Sheet 3 of 3 | Trommel | | |
| Version 2.2 | Environmental Management Plan | 18 June 2019 | NAWMA |

- * The approved documents referred to above are subject to change permitted by minor variations under Regulation 47A of the *Development Regulations 2008*.
- * Except where otherwise stated, the development shall be completed prior to occupation/commencement of use (of the building extension).
- * All documents approved under Reserved Matter 1 constitute approved documents and form part of this Consent.

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

2. Materials likely to be windblown shall not be handled or stored outside of the building at any time.

Reason: To ensure all materials are contained on-site and do not pollute the environment.

3. All doors around the perimeter of the Material Recovery Facility shall be kept closed during operations, except where otherwise required to facilitate the movement of baled materials by forklift or during the entry and exit of trucks.

Reason: To minimise noise, dust emissions and escape of any materials/litter.

4. All external building materials and finishes of the building addition shall:

- a) Be of new non-reflective materials; and
- b) Be of natural tones which match the external colours of the existing building; and
- c) Be maintained in good and reasonable condition at all times.

Reason: To ensure the building work achieves a high standard of design and complements the amenity of the locality.

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

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

6. All goods and materials placed in the areas designated for outdoor storage purposes on the approved plans shall be kept in a tidy manner at all times.

Reason: To improve the site appearance and amenity of the locality.

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

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

8. Stormwater systems shall be designed and constructed to cater for minor storm flows (Industrial / Commercial ARI =10yrs). 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 building.

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

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

10. Stormwater from paved areas shall undergo water quality treatment prior to discharge using the principles of Water Sensitive Urban Design, consisting of grassed or vegetated swale drains, sedimentation basins and bio-retention / filtration swales and basins.

Reason: To ensure water quality is suitable for discharge.

EPA Condition

11. The new stormwater swale must be sized to capture a 1 in 100 year rain event.

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. Except where otherwise approved, no advertisements or advertising displays including flags, streamers or buntings shall be displayed on or about the subject land at any time.
3. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way that causes or may cause environmental harm.

4. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licencing requirements. Information on licenses can be accessed here:
http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence.
5. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>
6. If you are a developer, you are responsible for providing telecommunications infrastructure in your developments. You can choose any carrier you want to service your development, if you do not wish to choose another carrier, NBN is the infrastructure provider of last resort (IPOLR) in those areas of its fixed line footprint where NBN has established its network, or where it has publicly identified an area as a fixed line rollout region. NBN is also the IPOLR for developments with 100 lots or more. Telstra is the IPOLR in developments with fewer than 100 lots where NBN Co has not established its network. Carriers, including NBN and Telstra, can charge for providing infrastructure in new developments. More information can be found at <https://www.communications.gov.au/policy/policy-listing/telecommunications-new-developments>.

If you choose NBN to service your development, you will need to enter into a development agreement with NBN. The first step is to register the development via <http://www.nbnco.com.au/buildwithnbn> once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least 3 months before any civil works commence.

All telecommunications infrastructure should be built to NBN guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design-build-install.html>.

5.1.2 361/624/2019/NB

Drive through coffee shop, associated advertising signage (including 4.8m high illuminated pylon sign), access, car parking, light poles and landscaping (non-complying) at 316 Salisbury Highway, Salisbury Downs for First Things First Coffee

REPRESENTORS

Nil

Mr Brug moved and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 4th April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/624/2019/NB for Drive through coffee shop, associated advertising signage (including 4.8m high illuminated pylon sign), access, car parking, light poles and landscaping (non-complying) in accordance with the plans and details submitted with the application and subject to the following conditions and the concurrence of the State Commission Assessment Panel:

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 |
|----------------------|---------------------------|-----------|--------------------------|
| PD01– Revision B | Demolition Plan | 2/05/19 | Aspex Building Designers |
| PD02 – Revision D | Site Plan | 08/07/19 | Aspex Building Designers |
| PD03 | Containers set out | 2/04/19 | Aspex Building Designers |
| PD04 | Floor Plan | 2/04/19 | Aspex Building Designers |
| PD05 – Revision B | Elevations | 11/06/19 | Aspex Building Designers |
| PD06 | Elevations | 2/04/19 | Aspex Building Designers |
| PD07 | Landscaping Plan | 2/04/19 | Aspex Building Designers |
| HG0634 Revision A | Siteworks & Drainage Plan | July 2019 | Highgrove Design |

- * The approved documents referred to above are subject to change permitted by minor variations through the Building Rules Consent process as per Regulation 47A of the *Development Regulations 2008*.
- * Except where otherwise stated, the development shall be completed prior to occupation/commencement of use.

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

2. Site work, demolition work and building work shall be limited to the hours of 7:00am to 7:00pm, Monday to Saturday and 9:00am to 5:00pm Sunday.

Reason: To limit the effect of the operating hours on the amenity of the locality.

3. Measures shall be implemented to eliminate dust emissions from the site during the construction period so as not to cause nuisance to adjacent properties or the adjacent road network.

Reason: To preserve the amenity of the locality during construction work.

4. The approved use operating times shall be limited to:

- a) Monday to Saturday, 5:30am to 4:00pm; and
- b) Sunday, 7:30am to 4:00pm.

Reason: To limit the effect of the operating hours on the amenity of the locality.

5. The advertisements and advertising structures shall be maintained in good repair at all times.

Reason: To maintain the visual amenity of the locality.

6. Except where otherwise approved, the external finishes of the building shall:

- a) Be of new non-reflective materials; and
- b) Be finishes in materials and colours/tones as shown on the Approved Plans; and
- c) Be maintained in good condition at all times.

Reason: To ensure the building achieves a high standard of external appearance.

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

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

8. All trade waste and other rubbish shall be contained and stored pending removal in covered containers which shall be kept to the side or rear of the proposed building, in an area screened from public view.

Reason: To maintain the amenity of the locality.

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

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

10. All landscaping identified on the Approved Plans, prepared by Aspex Building Designers shall be completed, prior to commencement of use (as hereby approved) and shall be maintained at all times thereafter (including the replacement of diseased or dying plants and the removal of weeds and pest plants).

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

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

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

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

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

13. All external lighting and illuminated signage shall achieve compliance with *Australian Standard 4282-1997 'Control of the obtrusive effects of outdoor lighting'* to ensure light spill does not have an adverse impact on the amenity of the locality.

Reason: To limit the effect of light spill the amenity of the locality.

14. The Ecoscol Skill litter basket (or equivalent) shall be maintained in accordance with manufacturer's recommendations.

Reason: To ensure that the quality of stormwater runoff flowing into Council's downstream drainage system is maintained and/or improved.

Commissioner of Highways Conditions

15. All access shall be in general accordance with the Overall Site Plan provided by Aspex Building Designers Pty Ltd, Project No. FTF 3588, Drawing No. PD02, Revision A dated 2 April 2019.
16. The proposed exit to Arnhem Court shall be used by delivery vehicles only and be signed appropriately.
17. The largest vehicle permitted on-site shall be an 8.8 metres long Medium Rigid Vehicle, which shall only be permitted to access the site outside of the regular operating hours.
18. The off-street car parking shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*.
19. The off-street commercial vehicle facilities shall be designed in accordance with *AS 2890.2-2018*.
20. The illuminated signage shall be permitted to use LED lighting for internal illumination of a light box only.
21. The illuminated signs shall be limited to a low level of illumination so as to minimise distraction to motorists (< 150Cd/m²).
22. The signs shall not contain any element that flashes, scrolls, moves, changes or imitates a traffic control device.
23. External lighting shall be appropriately located and shielded in order to minimise the potential for driver distraction or discomfort.

Advice notes

1. Except where otherwise approved, no other advertisements or advertising displays shall be displayed on or about the subject land.
2. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
3. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site:
<http://www.epa.sa.gov.au>.
4. The structure and design of any food premises must be constructed in accordance with the *Food Act 2001* and Food Safety Standard 3.2.3.
5. If you are a developer, you are responsible for providing telecommunications infrastructure in your developments. You can choose any carrier you want to service your development, if you do not wish to choose another carrier, NBN is the infrastructure provider of last resort (IPOLR) in those areas of its fixed line footprint where NBN has established its network, or where it has publicly identified an area as a fixed line rollout region. NBN is also the IPOLR for developments with 100 lots or more. Telstra is the IPOLR in developments with fewer than 100 lots where NBN Co has not established its network. Carriers, including NBN and Telstra, can charge for providing infrastructure in new developments. More information can be found at
<https://www.communications.gov.au/policy/policy-listing/telecommunications-new-developments>.

If you choose NBN to service your development, you will need to enter into a development agreement with NBN. The first step is to register the development via <http://www.nbnco.com.au/buildwithnbn> once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least 3 months before any civil works commence.

All telecommunications infrastructure should be built to NBN guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design-build-install.html>.

6. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 4.5 metres in width from the Salisbury Highway frontage of this site for the possible future upgrading of the Salisbury Highway/Kings Road intersection, together with a 4.5 metres x 4.5 metres cut-off from the Salisbury Highway/Arnhem Court corner. The consent of the Commissioner of Highways under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required to all new building works located on or within 6 metres of the possible requirements.

Should Council approve the application in its current form, the attached consent form should be completed by the applicant and formed to DPTI via email (dpti.luc@sa.gov.au), together with a copy of the Decision Notification Form and a copy of the approved site plan.

OTHER BUSINESS

5.2.1 Appointment of Deputy Presiding Member

1. Mr Mike Canny be appointed as the Deputy Presiding Member to the Council Assessment Panel for the term to 31 May 2021, and the General Operating Procedures be updated to reflect the appointment.

5.2.2 Status of Current Appeal Matters and Deferred Items

Nil

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 27 August 2019.

ADOPTION OF MINUTES

Ms Gill moved , and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 7.18pm.

PRESIDING MEMBER:

Mr T Mosel

DATE:

23 July 2019

(refer to email approving minutes registered in Dataworks Document Number 5503686)