



AGENDA

FOR COUNCIL ASSESSMENT PANEL MEETING TO BE HELD ON

27 AUGUST 2019 AT 6:00 PM

IN THE COUNCIL CHAMBER, 12 JAMES STREET, SALISBURY

MEMBERS

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

REQUIRED 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 Curti
Planning Consultant, Mr M Atkinson

APOLOGIES

LEAVE OF ABSENCE

ENDORSED MINUTES FROM PREVIOUS MEETING

Copy of the Endorsed Minutes of the Council Assessment Panel Meeting held on 23 July 2019.

DECLARATIONS OF CONFLICTS OF INTEREST

REPORTS

Development Applications

- 5.1.1 361/821/2019/3B 15**
172 and 174 Burton Road, Paralowie SA 5108
Alterations and additions to existing community facility and place of worship - retrospective (including extension of car park onto 174 Burton Road) for TK Building Design
- 5.1.2 361/366/2019/3B 137**
193 Salisbury Highway, Salisbury Downs SA 5108
Parking of a Truck In Excess of 3 Tonne Tare for Mr Shawn Van Groesen
- 5.1.3 361/849/2019/3B 229**
21 Playford Crescent, Salisbury North SA 5108
Construction of a Place of Worship with associated carparking, acoustic fencing and landscaping (to be constructed in two (2) stages) for Vaishnav Sangh of Adelaide

OTHER BUSINESS

- 5.2.1 Annual Report of the Council Assessment Panel for 2018/19 **359**
- 5.2.2 Status of Current Appeal Matters and Deferred Items
- 5.2.3 Policy Issues is Arising from Consideration of Development Applications
- 5.2.4 Future Meetings & Agenda Items

CLOSE

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**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.

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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

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- * 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.

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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)

ITEM	5.1.1
	COUNCIL ASSESSMENT PANEL
DATE	27 August 2019
APPLICATION NO.	361/821/2019/3B
APPLICANT	TK Building Design
PROPOSAL	Alterations and additions to existing community facility and place of worship - retrospective (including extension of car park onto 174 Burton Road)
LOCATION	172 and 174 Burton Road, Paralowie
CERTIFICATE OF TITLE	CT-5510/402, CT-5510/156
AUTHOR	Matt Atkinson, Planning Consultant

1. DEVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Residential Zone
Application Type	On-Merit
Public Notification Category	3
Public Notification	Representations received: 5 Representations to be heard: 1
Referrals - Statutory	Nil
Referrals – Internal	Development Engineering
Development Plan Version	Salisbury (City) Development Plan Consolidated 4 th April 2019
Assessing Officer	Matt Atkinson, Consultant Planner
Recommendation	Grant Development Plan Consent subject to conditions
Meeting Date	27 August 2019

2. REPORT CONTENTS

Attachment 1:	Copy of existing Development Approval 361/425/2003 and stamped plans
Attachment 2:	Plans and Documentation
Attachment 3:	Public notification notice, copy of representations and applicant's response
Attachment 4:	Relevant Development Plan Provisions - Consolidated 4th April 2019

3. EXECUTIVE SUMMARY

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

- a) The existing place of worship and community centre land use is an existing and lawful use of the land;
- b) The proposed development essentially seeks the retrospective approval for several unapproved structures including verandahs, toilets, the reconfiguration and formalisation of the car parking area onto adjacent land and internal building alterations;
- c) The existing appearance of the site will not be significantly altered by the proposal, given that the development application is retrospective;
- d) The use will not result in any unreasonable impacts to the locality relating to noise, traffic or lighting; and
- e) Adequate on-site car parking is available.

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

4. BACKGROUND

The Wat Khmer Santipheap Association of SA Inc. obtained Development Plan Consent in 2003 to establish a community centre at 172 Burton Road, Paralowie. The use commenced, despite Building Rules Consent and full Development Approval not being obtained.

In 2016, the Association approached Council seeking to undertake further development works at the site. At this time, staff identified that the 2003 Development Plan Consent had not received a Building Rules Consent and Development Approval. In addition, staff found a number of existing buildings on the site did not have a valid Development Approval and a car park had been constructed onto the adjacent site at 174 Burton Road.

The applicant subsequently obtained Development Approval for the “*community centre with associated store, car parking and landscaping*” on 6th November 2018 to regularise the status of the 2003 application. A copy of the Development Approval and stamped approved plans are contained in **Attachment 1**. The current use is subject to conditions that the maximum number of attendees at the site shall not exceed 50 persons and hours of operation between 7.00am and 10.00pm.

A further application (being the current application) was subsequently lodged with Council on 15th May 2019 to seek retrospective Development Approval for alterations and additions to the existing community facility and place of worship (including extension of car park onto 174 Burton Road). Should the Panel grant Development Plan Consent, the applicant will engage a Private Certifier to seek Building Rules Consent.

5. SUBJECT SITE

The subject site is located at 172-174 Burton Road, Paralowie, which is comprised of two (2) allotments; Certificates of Title, Volume 5510 Folio 402 and Volume 5510 Folio 156.

The site has a primary frontage to Burton Road of 28.2 metres, which increases in width to 46.9 metres at the rear of the allotment. The site has a depth of 88.2 metres and an overall site area of 3,345.9 square metres.

ITEM 5.1.1

The site is occupied by an existing community facility and place of worship. Given that the Development Application has been lodged retrospectively, most of the proposed building work is already existing on the site.

The existing buildings are single storey in form, with masonry (face brick and rendered) walls and simple low-pitch roof forms.

The buildings have total floor area of 982.4m², comprised of two (2) meeting halls, a Monk's residence, an office, three (3) verandahs, a shed with two (2) additional connected verandahs, a tool shed and separate male, female and accessible amenities.

Access to the site is provided through a two-way driveway crossover from Burton Road. On-site car parking is provided for fifty-two (52) vehicles.

Landscaping on the site is limited to a mature pine tree, a couple of juvenile trees and a row of pencil pines adjacent the Burton Road frontage.

Site photos are provided on the following pages:

Photo 1.
Looking south-west from Burton Road toward the subject site



Photo 2.
Looking south-west from Burton Road toward the subject site and neighbouring dwelling at 176 Burton Road. Note the Pencil Pines lining the street frontage



Photo 3.
Looking south-west from car park toward the rear of the site



Photo 4.
*Looking west
 from car park
 toward the
 Meeting Hall*



6. LOCALITY

The locality is generally characterised by residential, community and small-scale retail land uses. Residential development is predominantly in the form of single-storey detached dwellings at relatively low densities.

Community uses include the existing community facility and place of worship on the site and another community facility and place of worship at 184-188 Burton Road.

A local shopping centre is located at 180-182 Burton Road, which includes takeaway food outlets, a convenience shop, a laundry and consulting rooms.

A large area of private open space is located at 178 Burton Road, which is occupied by high-voltage powerlines and two (2) radio transmission towers/aerials.




The remainder of the locality is residential in nature.

Burton Road is a public transport route, with a bus stop located opposite the site.

Locality and contextual plans are provided below.






Locality Plan - Aerial



Legend (Source: Geocortex)	
	Subject site
	Site boundary
	Locality boundary and properties notified

Locality Plan – Cadastre





Legend (Source: Geocortex)	
	Subject site
	Site boundary
	Locality boundary and properties notified
	Representors
	Representor wishing to be heard

Item 5.1.1

Contextual Plan:



Legend (Source: Nearmap)	
	Subject site
	Zone boundary

7. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant seeks Development Plan Consent for alterations and additions to existing community facility and place of worship - retrospective (including an extension of car park onto 174 Burton Road) at 172 and 174 Burton Road, Paralowie.

The majority of the works are retrospective, other than a toilet block (labelled on plans as “WC 1”) and reconfiguration of the car park to bring it into compliance with Australian Standard 2890.

The existing community centre and place of worship is available for members of the local Cambodian Buddhist community to gather for worship and community uses.

The development application seeks retrospective consent for a range of building work that has been constructed on the site either without consent or at variance with previous development approvals. A list of the work requiring development approval is set out below:

- The establishment of the car parking area onto 174 Burton Road (built between March and June 2017);
- Delete a children’s play area (grass) that has been replaced with car parking (built between March and June 2017);
- Construction of a ‘tool shed’ in the south-eastern rear corner of the site;

- Construction of verandahs to the front and rear of the large shed (building located centrally adjacent the rear boundary of the site);
- Demolition of a swimming pool and associated safety fence;
- Enclosure of a verandah attached to the western side of the “Monk’s residence” to create “Meeting Hall 2”;
- Enclosure and enlargement of the verandah attached to the northern side of the “Monk’s residence” to create the “Meeting Hall”;
- Construction of a verandah attached to the western side of the office (located in the south-western rear corner of the site);
- Construction of a verandah between the ‘monk’s residence’ and the office; and
- “WC 1” comprising three (3) toilets, include one (1) accessible toilet attached to the northern side of the office and ‘verandah 2’;
- “WC 2” comprising three (3) toilets attached to the southern side of the office.

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

8. CLASSIFICATION

The site is located in the Residential Zone, as identified within the Council’s Development Plan (consolidated 4 April 2019). In this Zone, a community facility and place of worship are neither listed as complying or non-complying forms of development and, as such, the application must be assessed as a merit form of development.

9. PUBLIC NOTIFICATION

The proposed development is neither listed as a Category 1 or Category 2 form of development within the Residential Zone or under Schedule 9 of the *Development Regulations 2008*. Accordingly, the application was notified as a Category 3 form of development pursuant to Section 38 of the *Development Act 1993*.

Public notification took place between 28 May and 11 June 2019. Council received five (5) representations during the notification period, one (1) of which has expressed a desire to be heard by the Panel. Four (4) of the representors support the proposal while one (1) representor is in opposition to the proposal. The representors are listed in the table below.

Representations received		
Representations received		Wish to be Heard
1	A & S Bach 16 Clement Avenue PARALOWIE 5108	√
2	C Alexopoulos 54 Vincent Road PARALOWIE 5108	
3	Mesbert Pty Ltd C/- Commercial SA 180-182 Burton Road PARALOWIE 5108	
4	E C Hallam 189 Burton Road PARALOWIE 5108	

5	G R Gransden & V M Steenholdt 177 Burton Road PARALOWIE 5108	
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A copy of the Category 3 public notice, submissions received and the applicant's response are contained in **Attachment 3**. The contents of the representations and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
<i>A & S Bach</i>	
<i>Supports the proposal in-principle - would like their common fence increased in height to reduce noise and headlight intrusion.</i>	<i>The fence between the Cambodian Centre and 16 Clement Avenue is already 1800mm above ground level. Headlight glare is adequately screened by the existing fence. A 2100mm-high fence would not make any difference to noise. However, if a new fence is desired, it is suggested that the representor contact the management of the Cambodian Centre to discuss in accordance with the Fences Act 1975.</i>
<i>C Alexopoulos</i>	
<i>The existing centre makes too much noise;</i>	<i>It is unclear at which times the centre creates "too much noise". On balance, the surrounding residents have not indicated any issues with noise;</i>
<i>The road will become too busy;</i>	<i>The claim that the road will become "too busy" is unsubstantiated. The application provides substantial on-site car parking and will not affect traffic flow on Burton Road;</i>
<i>Other Mosques are located nearby.</i>	<i>The Application is for alterations and additions to a Buddhist Temple, not a Mosque.</i>
<i>Mesbert Pty Ltd</i>	
<i>Supports the proposal – have not experienced any issues with the community centre and place of worship.</i>	<i>Support is noted and appreciated.</i>
<i>E C Hallam</i>	
<i>Supports the proposed development and the associated expansion of the car parking area.</i>	<i>Support is noted and appreciated.</i>
<i>G R Gransden & V M Steenholdt</i>	
<i>Supports the proposed development.</i>	<i>Support is noted and appreciated.</i>

10. REFERRALS – STATUTORY

The application was not subject to any referrals under Schedule 8 of the *Development Regulations 2008*.

11. REFERRALS – INTERNAL

The application was referred to Council’s Principal Development Engineer for assessment in respect to the car park design. The following comments were received:

<i>Development Engineering</i>	<p><i>The proposed remarking of the carpark mostly complies with requirements of AS2890.1:2004 (user class 2). There is a negligible 20mm shortfall in overall carpark length for the centre aisle parking spaces. It is preferable to maintain the aisle depth for the parking spaces on the eastern side of the site than adjust the central parking bays.</i></p> <p><i>The kerb crossover, driveway apron and aisle widths throughout the carpark are compliant with AS2890.1 requirements.</i></p> <p><i>There are no particular concerns with the revised proposal. Existing line marking should be removed prior to painting of new lines.</i></p>
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12. 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 4th April 2019, as a place of worship and small scale community facilities are anticipated within the Residential Zone, subject to it being appropriately sited and managed to ensure that there are no unreasonable impacts on adjacent and nearby residents.

Assessment

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

A detailed assessment of the application has been undertaken against the relevant provisions of the Salisbury (City) Development Plan, as described below under headings.

An extract of the relevant Development Plan, Consolidated 4th April 2019, is contained in **Attachment 4**. The relevant provisions are also highlighted in the Attachment.

Zoning and Land Use

Principle of Development Control (PDC) 1 of the Residential Zone envisages small scale community uses. PDC 1 states (in part):

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

- *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*

The existing place of worship and community centre is considered to be a small-scale community land use, which is anticipated within the Residential Zone by PDC 1. While a place of worship and community centre are not specifically listed within the examples provided by Zone PDC 1, it is clearly a form of community use that is relatively common within residential areas.

PDC 4 of the General Section: Community Facilities module provides further guidance with respect to appropriate locations for a Place of Worship in the City of Salisbury, as described below.

4 *Places of worship should be developed according to the following hierarchy.*

Scale	Development Form	Congregation Size
<i>Small (local)</i>	<i>Associated with an area of worship ancillary to a residence. These activities are particularly common for religious organisations that do not have a large following and/or lack funds to purchase a standalone building</i>	<i>Typically accommodate approximately 5 to 30 worshippers in any one session</i>
<i>Medium (neighbourhood)</i>	<i>Purpose built or re-use of existing buildings with medium footprints that are found in most suburbs and country towns</i>	<i>Typically have congregations of up to 100-300 persons in any one session</i>
<i>Large (regional)</i>	<i>Purpose built or re-use of existing buildings with large footprints and catering for a variety of ancillary activities</i>	<i>In excess of 300 persons in any one session</i>

The existing place of worship and community centre is considered to fall within the Medium sized category, as described within PDC 4 above (albeit on the smaller side).

General Section: Community Facilities module PDC 5 states:

- 5** *Small (local) to medium (neighbourhood) scale places of worship within residential areas should be appropriately located on major collector roads to minimize congestion or traffic conflict within local streets.*

PDC 5, Community Facilities clearly illustrates that small-scale Places of Worship, such as the proposed development, are anticipated within the Residential Zone. Burton Road is considered to be a major collector road for the local area, linking nearby residents with Salisbury Highway and Bolivar Road. There is also another place of worship and local shopping centre that front Burton Road in the locality.

Potential impacts associated with the proposal are considered below under headings, however, in general terms it is considered that there will be limited impact on adjacent and nearby residents, given that the place of worship and community centre have existed for some time, albeit without all relevant approvals, and have appeared to operate without any unreasonable impacts on surrounding and nearby residents.

Appearance of Development

The development involves some additional building work on the site, mostly clustered in the south-western rear corner. The majority of the building works are internalised or are open in style in the form of verandahs and hence do not have any appreciable visual impact upon neighbouring properties, having regard to their low height and limited lengths.

The development also includes enclosure of two approved verandahs, attached to the western and northern sides of the 'monk's residence'. The western enclosure is built to the side boundary while the northern enclosure is located 600mm off the fenceline. The wall is 2.75m in wall height, other than the gable end section of the meeting hall which is 4.667m.

The walls are proposed to be finished in rendered Hebel concrete block and will be fire rated, in order to achieve compliance with the Building Code. The northern elevation has some windows which are accommodated within the wall to break up the appearance of this elevation, noting that the windows must also comply with the Building Code.

Design and Appearance module, Principle of Development Control 4 states:

- 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 to neighbouring buildings.*

The site borders an undeveloped site to the west which contains two (2) radio transmission towers/aerials and the adjacent land is undeveloped. While the wall is of considerable length, due to the site having frontage to the undeveloped land, this wall does not have any unreasonable impact on that property. It is also noted the wall is already established.

In respect to the northern wall is setback 600mm from the boundary, thus reducing the scale of the wall upon the neighbouring property at 176 Burton Road. There are mature trees in the rear yard of that site which screen this elevation to some degree. In respect to overshadow, due to the building being south of that site, the building has no impact.

Having regard to the location of the wall, the undeveloped nature of the neighbouring site to the west and that the walls will not have an unreasonable impact in terms of sense of enclosure or overshadow, the walls are considered to be compliant with Principle of Development Control 4.

Interface Between Land Uses

Some of the representors have cited noise, traffic and headlight intrusion as issues of concern. In relation to noise and other potential interface issues, the following provisions of the Council's Development Plan are most relevant.

General Section: Interface Between Land Uses module PDC 1 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

A place of worship and community centre has potential to generate noise in the form of music, singing and talking during services, and from vehicles travelling to and from the site. All worshipping activities will occur inside the building. A condition of consent is recommended to ensure that any noise emanating from the building be within the relevant EPA guidelines for development within a residential area.

The place of worship and community centre benefits from existing development approval and the formalisation of the car parking areas, the construction of verandahs and toilet facilities (i.e. this proposal) will not create any additional noise beyond that already occurring on the site.

As such, the proposed development is not expected to generate any additional noise.

Traffic

Burton Road is a major collector road and has a capacity that will accommodate any additional traffic generation.

It is noted that the place of worship and community centre has been operating for some time in a configuration that is similar to that proposal and that no significant traffic issues have been reported as a result of the development.

The existing approval (refer to Attachment 1) is subject to condition that the maximum number of attendees at the site shall not exceed 50 persons. This condition continues to apply and is not altered by this proposal. Hence the proposal will not increase attendance at the site.

The proposed car parking configuration, as proposed, has been reviewed by Council's Principal Development Engineer and the resulting one-way traffic movements will improve access and egress. In addition, the extension of the car park onto 174 Burton Road has facilitated a widening of the access, thereby improving simultaneous entry/exit.

The majority of traffic will be restricted to passenger vehicles.

Headlight intrusion

The site is bounded by 1.8m-high Colorbond fencing, which provides adequate screening from headlight glare emanating from cars within the car parking area. Given the location and orientation of the existing building and its brick construction, use of lighting inside the building is unlikely to result in any unreasonable interference to surrounding properties.

Car Parking

The proposed development includes the formalisation and reconfiguration of an existing on-site car parking area on the abutting allotment at 174 Burton Road, which was established informally between March and June 2017.

The formalisation of the existing car parking area will ensure that the existing place of worship and community centre can maintain adequate on-site car parking in accordance with Community Facilities module PDC 8 and Table Sal/2.

General Section: Community Facilities module PDC 8 states:

- 8 *Places of worship should be established with one car parking space for every three seats or every three attendees to the place of worship.*

Community Centres generate a theoretical car parking demand of 10 spaces for every 100 square metres (Table Sal/2).

The existing place of worship and community centre is unusual in that there is no Temple. The place of worship comprises a Monk's residence, two (2) meeting (or community) halls and an ancillary office.

The 'meeting halls' are open plan and do not include any set seating, which makes it difficult to apply the regular car parking rate for places of worship, which is calculated per seat and applies as rate of 1 space per 3 seats.

In this instance, it is considered more appropriate to apply the practical rate for a Community Centre (10 per 100m²) for the 'meeting hall' portions of the building.

Meeting Hall 1 has a floor area of 191m² and Meeting Hall 2 has a floor area of 86m², resulting in an overall floor area of 277m². This creates a theoretical car parking demand for 28 on-site car parking spaces.

It is also reasonable to assume the Monk's residence will generate a demand for two (2) additional car parking spaces (based on the rate for a detached dwelling) and that the 67m² office component will create a demand for 3 spaces, based on the rate of 4 spaces per 100m² for offices contained within Table Sal/2.

As such, the total theoretical car parking demand associated with the site is 33 spaces.

Fifty-two (52) on-site car parking spaces are proposed within the reconfigured car parking area.

The provision of on-site car parking is therefore considered to be appropriate to the demands generated by the place of worship and community facility and is not expected to result in any increase in demand for on-street car parking within the locality, noting that the maximum number of attendees is limited to 50 persons.

The proposed car parking layout was reviewed by Council's Principal Development Engineer and several amendments were suggested to improve access and manoeuvrability by incorporating pavement markings, providing wheel stops or low kerbing, increasing the width of the car parking spaces to 2.5 metres, and to provide accessible car parking space in accordance with Australian Standard 2890.

The Applicant has amended the car parking configuration in accordance with Australian Standard 2890 and the amended plans now form part of the Application. Council's Principal Development Engineer has reviewed the amended plans and has advised the proposed reconfiguration of the car parking area now mostly complies with Australian Standard 2890, with the minor exception of a 20mm shortfall in the overall car park length for the centre aisle car parking bays.

This shortfall is considered to be negligible and is preferable to maintain the aisle depth for the parking spaces on the eastern side of the site, rather than to adjust the central parking bays. Overall, the revised proposal is considered acceptable by Council's Principal Development Engineer.

Crime prevention

General Section: Crime Prevention module Objective 1 states:

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

The community building ensures that the site remains active and will increase passive surveillance opportunities within the locality, thereby creating a safer environment in accordance with Objective 1 above.

Waste Management

General Section: Waste module Objective 1 states:

- 1 Development that, in order of priority, avoids the production of waste, minimizes the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.*

The place of worship and community centre is unlikely to generate any significant amounts of waste. Waste that is generated on-site can be disposed of utilising the Council's regular three (3) bin residential waste collection service.

13. CONCLUSION

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 existing Place of Worship and Community Centre land use is an existing and lawful use of the land;
- b) The proposed development essentially seeks the retrospective approval for several unapproved structures including verandahs, toilets, the reconfiguration and formalisation of the car parking area onto abutting land and internal building alterations;
- c) The existing appearance of the site will not be significantly altered by the proposal, given that the development application is retrospective;
- d) The use will not result in any unreasonable impacts to the locality relating to noise, traffic or lighting; and
- e) Adequate on-site car parking is available.

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

14. STAFF RECOMMENDATION

That 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; and
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/821/2019/3B for alterations and additions to existing community facility and place of worship – retrospective (including extension of car park onto 174 Burton Road), in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
File No. 1669 Dated 2/7/2019	Site Plan	Dated 2 July 2019	TK Building Design
Dated 25 th June 2019	Response to Representations	Letter dated 25 th June 2019	TK Building Design
File No. 1669 Dated 26/4/2019	Floor Plan & Elevations	Dated 26 April 2019	TK Building Design

File No. 1669 Dated 26/4/2019	Toilet & Tool Shed Floor Plans & Elevations	Dated 26 April 2019	TK Building Design
File No. 1669 Dated 26/4/2019	Shed & Verandah Plans & Elevations	Dated 26 April 2019	TK Building Design
File No. 1669 Dated 26/4/2019	Monk's Residence, Meeting Halls and Office Floor Plans	Dated 26 April 2019	TK Building Design
File No. 1669 Dated 26/4/2019	Monk's Residence, Meeting Halls and Office Elevations	Dated 26 April 2019	TK Building Design

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

2. Except where otherwise approved, the place of worship and community centre shall be limited to operating hours between 7:00am and 10:00pm.

Reason: To limit the effect of nuisance to residents living in the locality.

3. Except where otherwise approved, the maximum number of persons on the site at any one time shall not exceed 50 persons.

Reason: To limit the impact of the facility on nearby residential properties.

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

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

5. Internal noise shall be limited to ensure that noise measured at the nearest residential property boundary remains within the requirements of the Environment Protection Authority (EPA) guidelines for development within a residential area.

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

6. All driveways and car parking areas as shown on the Approved Site Plan, prepared by TK Building Design, dated 2nd July 2019, shall be constructed in concrete, pavers or bitumen. Individual car parking bays shall be line-marked and wheel stops provided where designated. The driveways and car parking areas shall be established within three months from the date of Development Approval and shall be maintained at all times thereafter 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.

7. The designated landscaping areas shown on the Approved Site Plan, prepared by TK Building Design, dated 2nd July 2019, shall be planted with shade trees, shrubs and ground covers. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping shall be completed within three months from the date of Development Approval.

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

8. All waste and other rubbish shall be contained and stored pending removal in covered containers, in an area screened from public view. The waste containers must not be located within designated car parks or manoeuvring areas at any time.

Reason: To maintain the amenity of the locality.

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

Reason: To ensure the car parking 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.

10. Except where otherwise approved, all open sided structures (ie. Verandahs) shall remain open and unobstructed at all times.

Reason: To maintain the open appearance of these structures.

11. Outside lighting shall be restricted to that necessary for security purposes only and shall be directed and shaded to prevent light overspill and/or nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

Advice Notes

1. This is not a Building Rules Consent. An application for Building Rules Consent must be granted before the Council can issue a Development Approval.
2. Advertisements and advertising displays are not included in this Consent. A fresh application must be made to the Council for any signage.
3. Except where otherwise varied by this Consent, the conditions imposed herein are in addition to conditions that apply to the subject property from previous approvals that remain active.

4. The applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.
5. 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 don't 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 were 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>.

CO-ORDINATION

Officer:	GMCiD	MDS
Date:	13.08.19	12.08.19

ATTACHMENTS

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

1. Copy of existing Development Approval 361/425/2003 and stamped plans
2. Plans and Documentation
3. Public notification notice, copy of representations and applicant's response
4. Relevant Development Plan Provisions - Consolidated 4th April 2019

Attachment 1:
Copy of existing Development Approval
361/425/2003 and stamped plans



City of Salisbury
ABN 82 615 416 895

12 James Street
PO Box 8
Salisbury SA 5108
Australia

Telephone 08 8406 8222
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(for hearing impaired)
www.salisbury.sa.gov.au

6 November 2018

Wat Khmer Santipheap Association of SA Inc
172 Burton Rd
PARALOWIE SA 5108

Dear Sir/Madam

Application Number: 361/425/2003/3B
Applicant: Cambodian Association and TK Building Design
Application Description: COMMUNITY CENTRE WITH ASSOCIATED STORE, CARPARKING AND LANDSCAPING
Location of Development: 172 Burton Road , Paralowie SA 5108

Council records indicate that you are the owner of the property which has been listed above.

This letter is to advise you as the property owner that Council has made a decision on the above development on your land as lodged by Cambodian Association and TK Building Design.

Attached you will find a copy of the Decision Notice sent to the Applicant. You should read this carefully, as there may be conditions imposed that may have some impact on your use of the development.

If you have any queries about the development as listed above, please contact Development Services on (08) 8406 8358 and ask to speak to Jeffrey Shillabeer and quote 361/425/2003/3B.

Jeffrey Shillabeer
DEVELOPMENT SERVICES

Document Authentication No. 02319341.doc 06-Nov-2018



DECISION NOTIFICATION

FOR DEVELOPMENT APPLICATION

Development Number: 361/425/2003/3B
 Application Date: 17 February 2003
 Registered on: 18 February 2003

APPLICANT	TK Building Design PO Box 603 GOODWOOD SA 5034
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LOCATION OF PROPOSED DEVELOPMENT:

Subject Site: 172 Burton Road , Paralowie SA 5108
Parcel: Lot 73 D 21843 Sec S3224
Certificate of Title: CT-5510/402

<p>Nature of Proposed Development:</p> <p style="text-align: center;">COMMUNITY CENTRE WITH ASSOCIATED STORE, CARPARKING AND LANDSCAPING</p>
--

In respect of this proposed development you are informed that:

Nature of Decision	Consent	No. of Conditions
Development Plan Consent	GRANTED	NINE
Building Rules Consent	GRANTED	TWO
Other	-	-
DEVELOPMENT APPROVAL	GRANTED	ELEVEN

Building Classification: 9B- Assembly Building

Responsible Officer: Jeffrey Shillabeer
 Decision Date: 6 November 2018

Document Authentication No. 02319341.doc 06-Nov-2018



DECISION NOTIFICATION

SCHEDULE OF CONDITIONS

Development No: 361/425/2003/3B

Council considers the conditions are necessary to ensure that the use of land and activities associated with that use do not injuriously or detrimentally affect the amenity of the locality or the zone.

DEVELOPMENT PLAN CONDITIONS:

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

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

2. All stormwater from the building and paved areas shall be disposed of in a manner that is to the satisfaction of Council's Development Engineering section prior to occupation of the building.

Reason: To ensure stormwater is disposed of in a controlled manner

3. The colours and finishes of all external building material shall match as near as practicable or complement those of the principal building.

Reason: To ensure the building appears as one and maintains the amenity of the locality.

4. That the maximum number of people on the subject property at any one time not exceed 50 people.

Reason: To limit the impact of the facility on nearby residential properties..

5. The approved use operating times shall be limited to the following:
Sunday to Saturday 7.00am to 10.00pm.

Reason: To limit the effect of nuisance to residents living in the locality.

6. The proposed storeroom abutting the rear boundary shall only be used as a store and not as a room to be used for meetings, functions other social gatherings.

Reason: To limit the effect of the facility on the amenity of the locality.

DEVELOPMENT PLAN CONDITIONS CONTINUED:

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DECISION NOTIFICATION

7. 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. Shade trees shall be planted throughout the carparking areas and screening shrubs shall be located to obscure views of large blank walls and less attractive elements of the development. All landscaping shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council. All landscaping is to be completed within three (3) months of the approved use commencing.

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

8. All driveways and carparking areas shall be constructed with 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.

9. No significant trees located on the subject property shall be removed or pruned without the prior approval of Council in writing.

Reason: To enhance the amenity of the locality

BUILDING RULES CONDITIONS:

Provisional Building Rules Consent by Private Certifier Professional Building Services Australia Pty Ltd - see certification approval for further notes and advices.

10. A system of self-contained smoke alarms which comply with Clause 3.7.2 of the National Construction Code must be installed.

11. The development shall be undertaken in accordance with the Council approved Development Plan Consent plans and conditions subject only to the variations specified in the Schedule 22A – Certificate of Consistency.

Responsible Officer: Jeffrey Shillabeer
Decision Date: 6 November 2018

Document Authentication No. 02319341.doc 06-Nov-2018



DECISION NOTIFICATION

ADVICES

Development No: 361/425/2003/3B

Council considers the following advices may be relevant to the development now granted approval:

Council Notification

The Builder/Owner is required to give Council *one business days* notice of the following stages of construction;

- Intended commencement of building work on the site; and
- Prior to placement of concrete for footings or other structural purposes; and
- Where an Engineer carries out an inspection, a copy of the Engineer's inspection certificate shall be provided to the council within fourteen (14) days of the inspection date;
- Prior to the installation of any 'designated building product'¹ on a designated building²; and
- Within one business days of notification for the installation of 'designated building product' a signed checklist (as required by Regulation 74 of the Development Regulations 2008) shall be provided to council; and
- At the completion of the building works, prior to hand over.

A person who breaches one of the above requirements is guilty of an offence.

Maximum penalty: \$10 000

Expiation fee: \$500

¹ A designated building product is any metal panel or lining formed with aluminium, or similar thin metal sheet material irrespective of what the core material is – metal, polyethylene or unknown.

² A designated building is as follows; Class 2, 3, 9 which has 2 or more storeys and Class 5, 6, 7, 8 which has 3 or more storeys

Statement of Compliance

The Development Act requires that at the completion of the building work a "Statement of Compliance" shall be supplied to Council signed by both the Licensed Builder and the Owner declaring that the building work carried out has been undertaken in accordance with the relevant approvals.

A pro-forma of the Statement of Compliance is enclosed which may be used to submit to Council.

Should the building work be undertaken by an Owner Builder then the Statement shall be signed by a Building Works Supervisor or Private Certifier as well as the Owner.

Document Authentication No. 02319341.doc 06-Nov-2018



DECISION NOTIFICATION

Schedule of Essential Safety Provisions

Enclosed you will find a "Schedule of Essential Safety Provisions – Form 1" which outlines the essential safety provisions which are to be installed in the building if applicable to your application.

Also enclosed is a "Certificate of Compliance with Essential Safety Provisions - Form 2" **must** be signed by the relevant person/s responsible for the installations and sent to Council before Council can issue the Certificate of Occupancy.

Certificate of Occupancy

The building **MUST NOT** be OCCUPIED in whole or in part until a Certificate of Occupancy has been issued by Council. A Certificate of Occupancy can be issued upon completion of the building work.

You **MUST** make application for the Certificate of Occupancy when the building is completed by submitting a statement from an appropriately qualified person to Council and paying the relevant fee.

Please note it is an offence under the Development Act to occupy, or allow a building to be occupied without a valid "Certificate of Occupancy".

If relevant, Certificate of Compliance with Essential Safety Provisions - Form 2 must also be submitted with the statement prior to the issuing of the Certificate of Occupancy.

Certificate of Compliance with maintenance procedures for Essential Safety Provisions

In certain circumstances at the time of approval you will have also been provided with a "Certificate of Compliance with maintenance procedures for Essential Safety Provisions – Form 3". This form is to be completed and supplied to Council **at the beginning of each calendar year** by the owner of the building.

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 don't 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>

Document Authentication No. 02319341.doc 06-Nov-2018



IMPORTANT INFORMATION

IF YOU AGREE WITH COUNCIL'S DECISION

If **consent** has been granted and you, as the applicant, agree with the conditions attached:

The approved development must be **substantially commenced within 12 months** of the date of this Notification unless this period has been extended by the Council or the Development Assessment Commission.

The approved development must be **substantially or fully completed within 3 years** of the date of this Notification unless a longer time has been allowed by the Council or the Development Assessment Commission.

If you are unable to satisfy these requirements, you will require a fresh consent before commencing or continuing the development.

For clarification on any of the above matters, please do not hesitate to contact Council's Planning Department on 8406 8358.

IF YOU DISAGREE WITH COUNCIL'S DECISION

If you as the applicant disagree with any of the conditions of consent attached to the approval or Council's decision to refuse the application, you may have a right of appeal.

An appeal must be lodged with the Environment Resources and Development Court **within 2 months** after receiving notice of this decision, unless you are granted an extension of time by the Court.

Please contact the Environment Resources and Development Court which is located in the Sir Samuel Way Building, Victoria Square, Adelaide or phone the Court on 8204 0300 if you wish to pursue an appeal.

Document Authentication No. 02319341.doc 06-Nov-2018



IMPORTANT INFORMATION

APPROVED PLANS ON SITE

The Council approved plans should be available on site at all times whilst performing the building work.

BOUNDARY FENCING, RETAINING WALLS AND BUILDING NEAR BOUNDARY

It is your responsibility to ensure that any building work is correctly sited with respect to the property boundaries of the subject land and it is strongly recommended that a boundary survey be undertaken before any work commences.

You will also need to obtain prior permission from your neighbour should you wish to access their property to carry out construction work adjacent the boundary or if you wish to erect common boundary fencing or boundary retaining walls, as required under the *Fences Act 1975*.

COMMENCEMENT OF BUILDING WORK

Except otherwise determined or specified in writing by Council, one business days' notice must be given to Council before the following stages of building work have been reached:

- (a) After the placement of steelwork in footings and before concrete is placed. A certificate indicating that the footings have been constructed in accordance with the requirements of the soil report shall be submitted to Council prior to construction of the walls.
- (b) After the completion of the building work.

OTHER AUTHORITIES

It is important that other authorities responsible for sewer, water, telecommunications and power etc. are consulted before any work commences to ensure compliance with the relevant Acts and Regulations which are not covered by this decision.

It is recommended that you apply for services early (eg power) to confirm availability of supply and to allow sufficient time for any network upgrade that may be required to service your development. Costs may apply.

CHANGE OF ADDRESS

It is very important to notify the Council of any changes in mailing address details immediately.

You can update your mailing/contact details via:

- Our online link: [Eservices - Change of Details](#) (click on Lodge a Request for Service, then Services Available, then Customer Account Details).
- By Email: city@salisbury.sa.gov.au
- In writing to: City of Salisbury, PO Box 8 , SALISBURY SA 5108
- Telephone: 8406 8222
- In person at: City of Salisbury, 12 James Street, Salisbury SA 5108

Document Authentication No. 02319341.doc 06-Nov-2018



IMPORTANT INFORMATION

WORKS ON COUNCIL LAND (INCLUDING ROAD VERGE)

This Development Approval does not constitute land owners approval. The following applies to any works on Council land:

- (a) Any person making alteration to Council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in, on, across, under or over Council land, must obtain a permit from Council under Section 221 of the *Local Government Act 1999*;
- (b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
- (c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development such as irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works;
- (d) It is the developer's/owner's responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any wilful damage.

If any of the above circumstances applies, please contact Council's Customer Centre on 8406 8222.

Document Authentication No. 02319341.doc 06-Nov-2018



STATEMENT OF COMPLIANCE

Development Act 1993 - Development Regulation 1993 – Regulation 83AB

Note: Pursuant to section 45(1) of the Development Act, 1993, a person must not perform building work, or cause it to be performed, except in accordance with technical details, particulars, plans, drawings and specifications approved under the Act.

This statement relates to:

Council:	City of Salisbury
Development Number:	361/425/2003/3B
Building Work:	COMMUNITY CENTRE WITH ASSOCIATED STORE, CARPARKING AND LANDSCAPING
Site Address:	172 Burton Road , Paralowie SA 5108
Applicant:	TK Building Design
Classification:	9B - Assembly Building

PART A – BUILDERS WRITTEN STATEMENT

This statement must be signed by the building work contractor responsible for carrying out the relevant building work or, if there is no such person, by a registered building work supervisor or a private certifier.

I certify the following:

- The building work described above (disregarding any variation of a minor nature that has no adverse effect on the structural soundness or safety of the building, or on the health of the occupants of the building, or any variation undertaken with the consent of the relevant authority) has been performed in accordance with the documents referred to in Part B.
- All service connections have been made in accordance with the requirements of the relevant supply authority.
- All requirements under regulation 76(3) of the *Development Regulations 1993* relating to the essential safety provisions have been satisfied.
- All notifications requires under section 59 of the *Development Act 1993* have been given in accordance with that Act and the requirements of the *Development Regulations 1993*.

Signed: _____ Date: / /

Name: _____ Status: _____

Licence Number: _____ Contact Number: _____

Address: _____

PART B – OWNERS WRITTEN STATEMENT

This statement must be signed by the owner of the relevant land, or by someone acting on his or her behalf.

I certify the following:

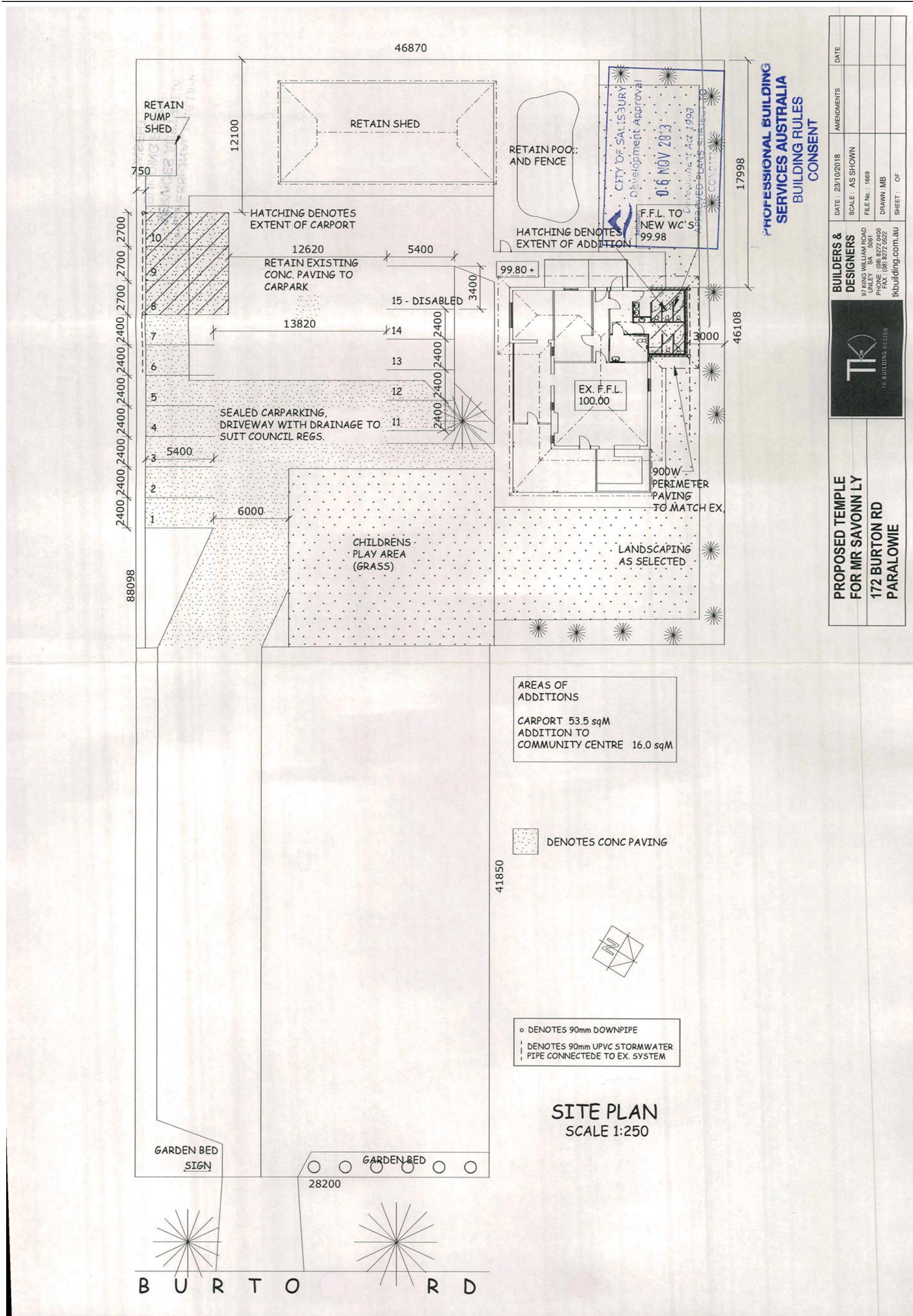
- The documents (including all contract documents, amendments, attachments, instructions, annotations, variations and clarifying correspondence) issued for the purposes of the building work described above (disregarding any variation of a minor nature that has no adverse effect on the structural soundness or safety of the building, or on the health of the occupants of the building, or any other variation undertaken with the consent of the relevant authority) are consistent with the relevant development approval issued on the **6 November 2018**.
- Any conditions of approval relating to the building work have been satisfied.

Signed: _____ Date: / /

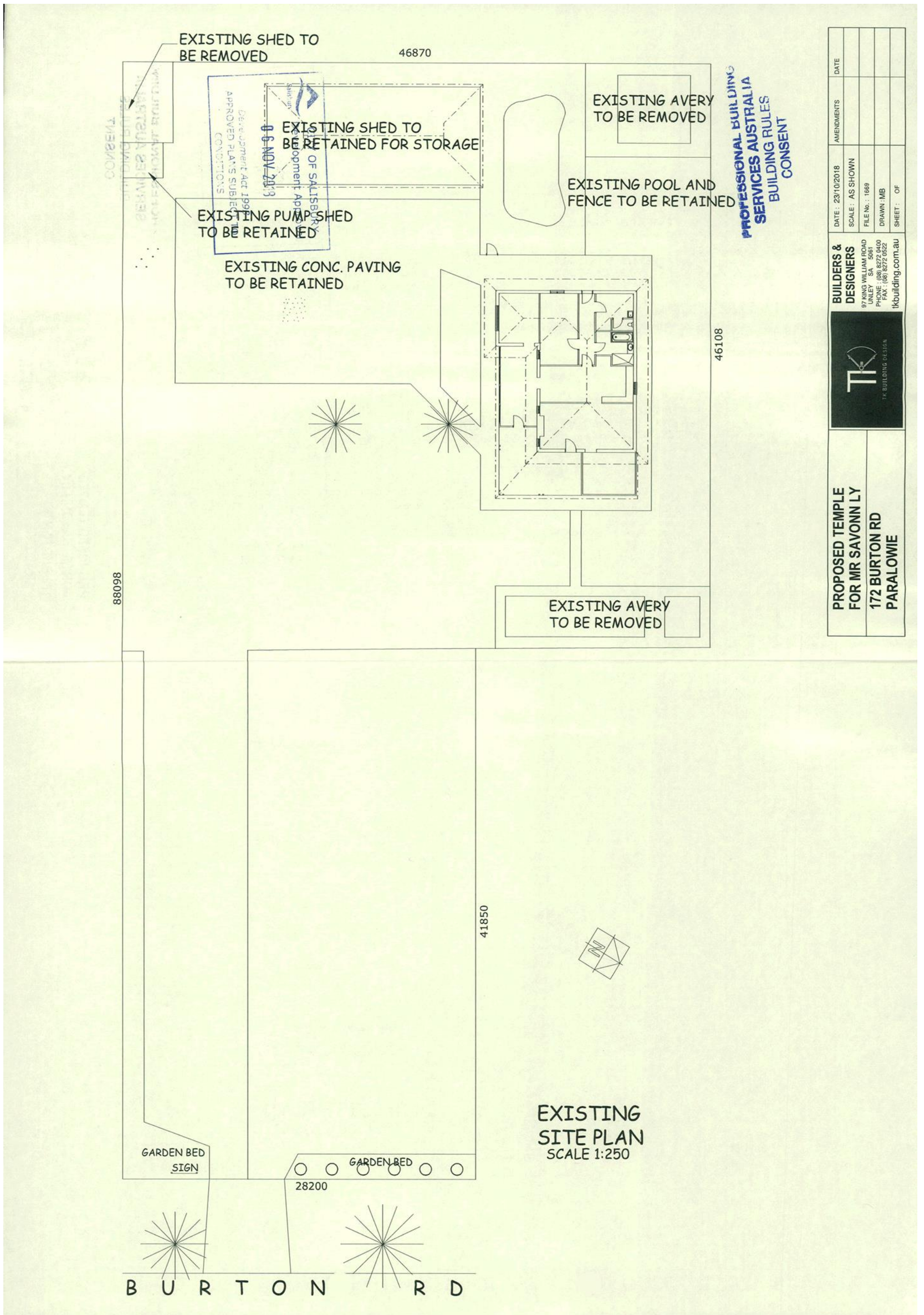
Name: _____ Contact Number: _____

Address: _____

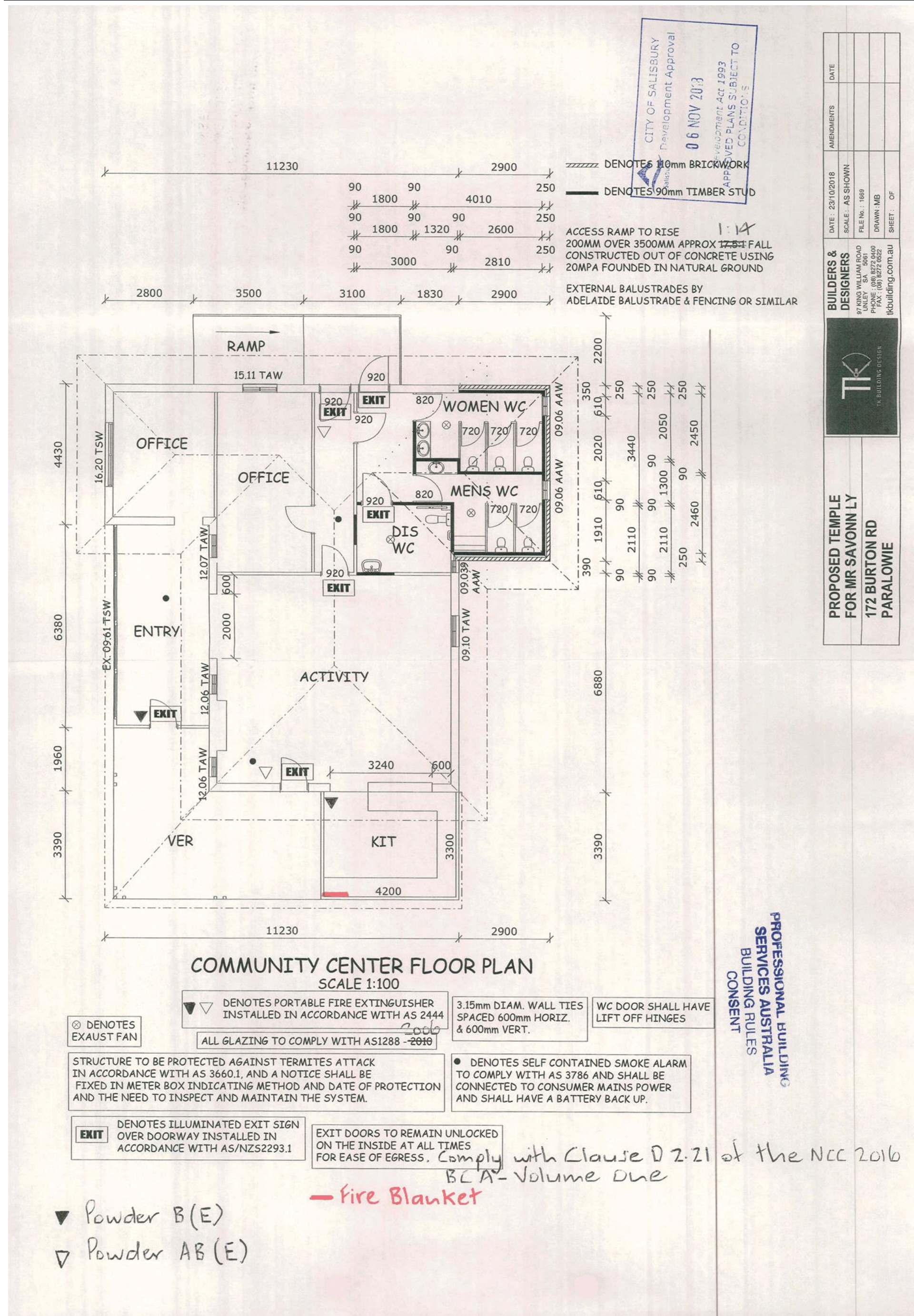
Document Authentication No. 02319341.doc 06-Nov-2018



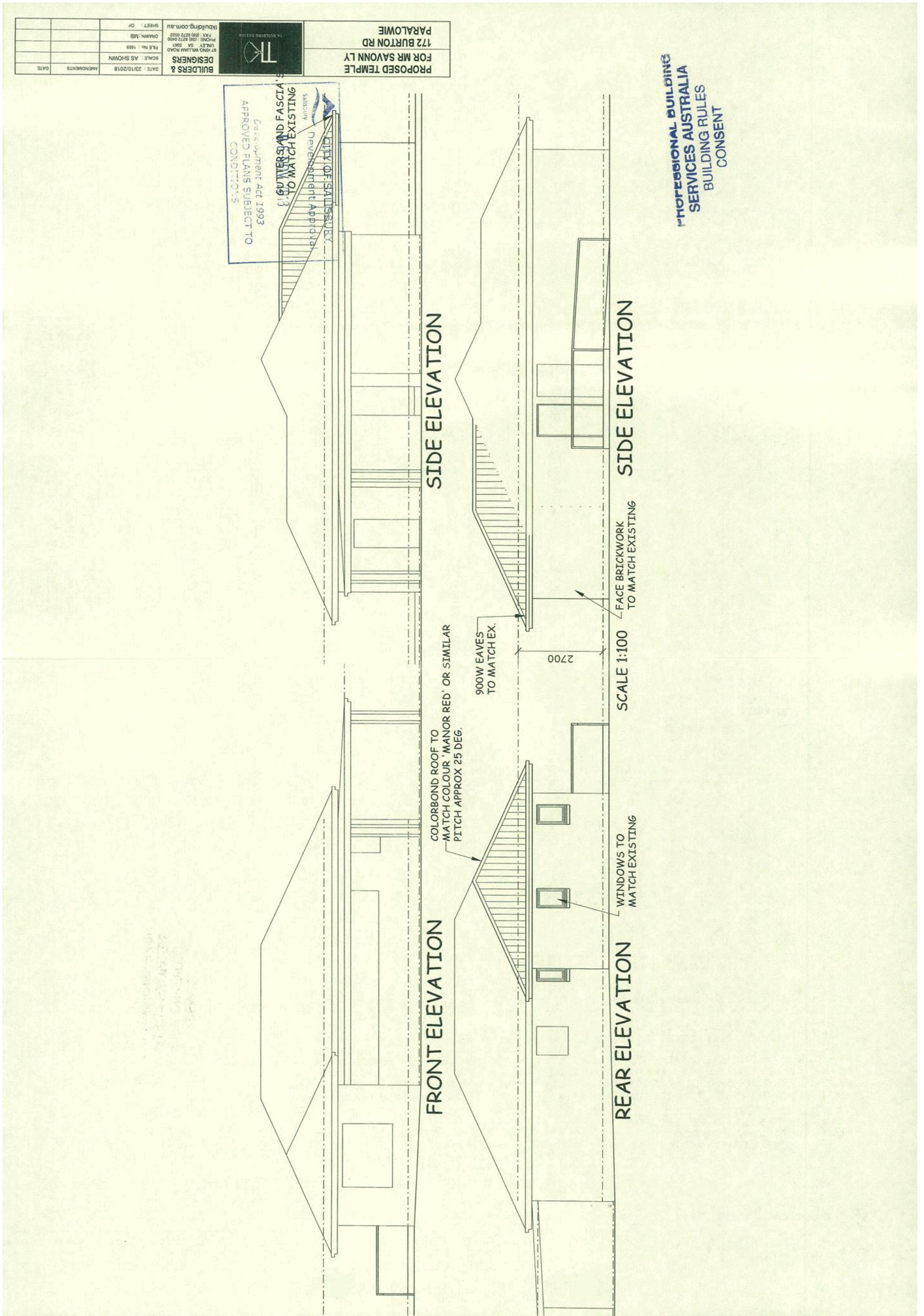
Item 5.1.1 - Attachment 1 - Copy of existing Development Approval 361/425/2003 and stamped plans



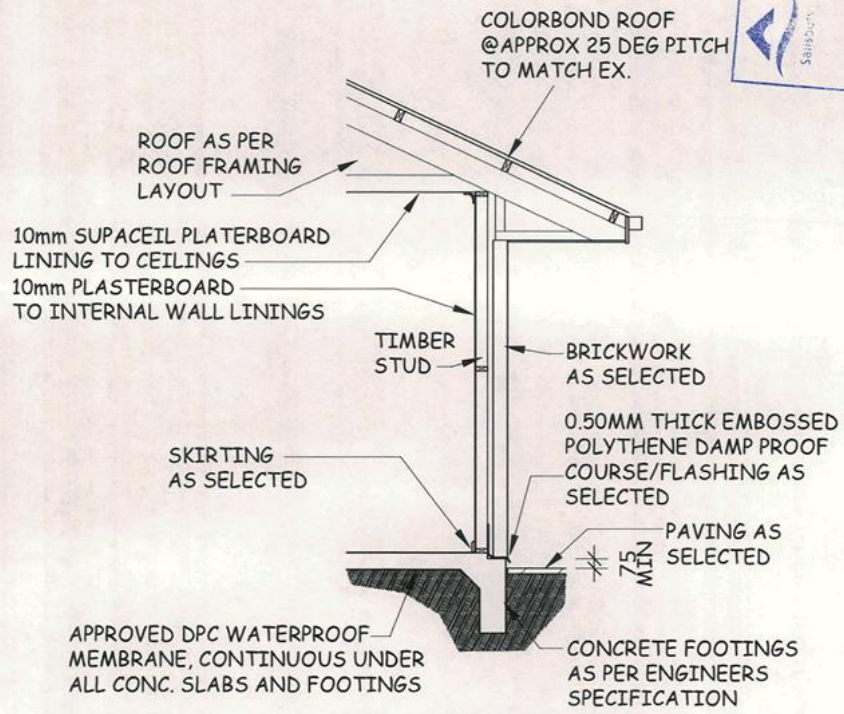
BUILDERS & DESIGNERS 97 KING WILLIAM ROAD UNLEY SA 5061 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au	DATE : 23/10/2018 SCALE : AS SHOWN FILE No. : 1669 DRAWN : MB SHEET : OF	AMENDMENTS	DATE
PROPOSED TEMPLE FOR MR SAVONN LY 172 BURTON RD PARALOWIE			



Item 5.1.1 - Attachment 1 - Copy of existing Development Approval 361/425/2003 and stamped plans



CONSENT
 BUILDING RULES
 SERVICES AUSTRALIA



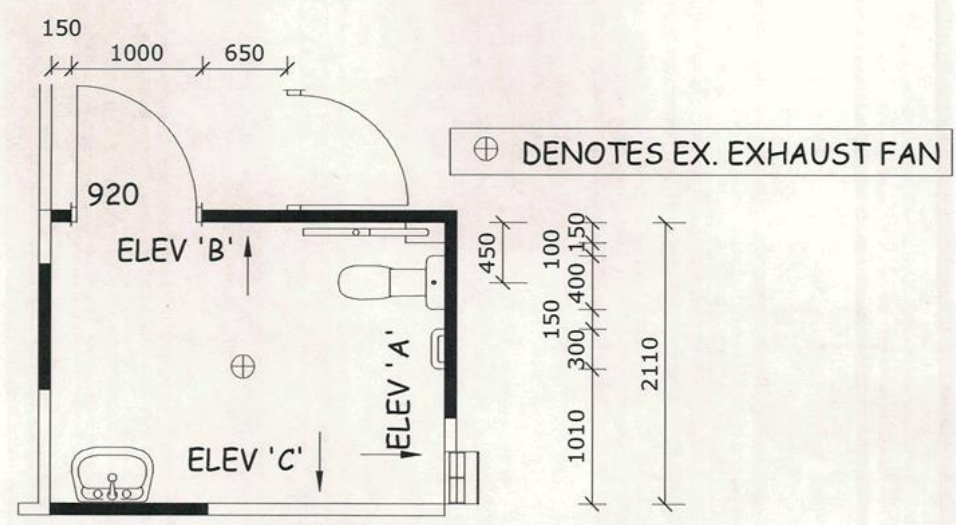
PROFESSIONAL BUILDING SERVICES AUSTRALIA
 BUILDING RULES CONSENT

DATE: 23/10/2018	AMENDMENTS	DATE
SCALE: AS SHOWN		
FILE No.: 1669		
DRAWN: MB		
SHEET: OF		

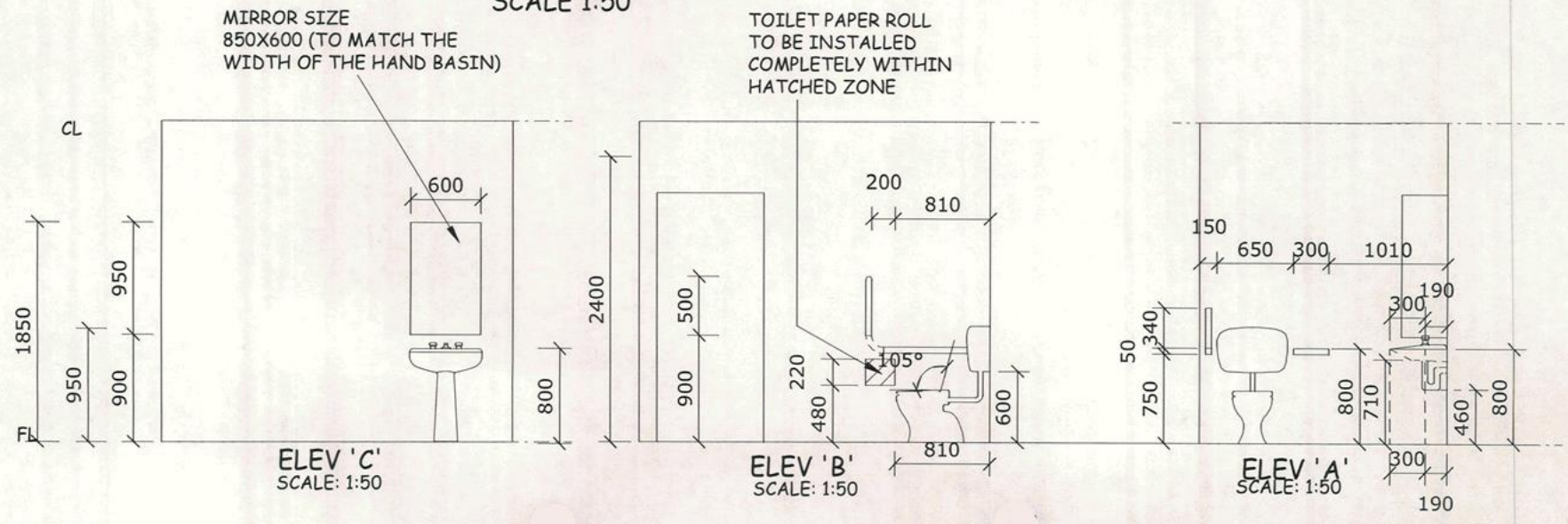
BUILDERS & DESIGNERS 47 KING WILLIAM ROAD UNLEY SA 5001 PHONE: (08) 8272 0400 FAX: (08) 8272 0522 tkbuilding.com.au	
---	--

PROPOSED TEMPLE FOR MR SAVONN LY 172 BURTON RD PARALOWIE
--

TYPICAL SECTION THROUGH EXTERNAL WALL SCALE 1:50



DISABLED WC LAYOUT SCALE 1:50



Item 5.1.1 - Attachment 1 - Copy of existing Development Approval 361/425/2003 and stamped plans

PROPOSED TEMPLE FOR MR SAVONN LY PARALOWIE
172 BURTON RD

BUILDERS & DESIGNERS
97 KING WILLIAM ROAD
UNLEY SA 5061
PHONE: (08) 8272 0400
FAX: (08) 8272 0522
tkbuilding.com.au

DATE: 23/10/2018
SCALE: AS SHOWN
DRAWN: MB
SHEET: OF

CITY OF SALISBURY
Development Approval

06 NOV 2018

Development Act 1993
APPROVED PLANS SUBJECT TO
CONDITIONS

ROOF FRAMING LAYOUT
SCALE 1:100

STRUTTING BEAM 200x63 HYPAN

STRUTTING BEAM 150x75 HYPAN

HIP RAFTERS 240x35 MGP10

COMMON RAFTERS 190x45 MGP10 @1200 MAX CTS

O DENOTES 70x70 MGP10 STRUT

WALL FRAMING LAYOUT
SCALE 1:100

STRUTTING BEAM AS PER ENGINEERS SPECS

300x45 HYPAN LINTEL

300x45 HYPAN LINTEL

120x45 MGP10

90x45 MGP10

90x45 MGP10

90x45 MGP10

7430

TIMBER FRAMING TO COMPLY WITH AS 1684-2010
TOP WALL PLATES 2/35x90 MGP10
BOTTOM WALL PLATES 35x90 MGP10
STUDS 90x35 MGP10 AT 600 CENTRES
ROOF BATTENS 90x45 MGP10 AT 900 CENTRES
NOGGINGS 90x35 MGP10 AT 1350 CENTRES
USE DOUBLE STUDS EITHER SIDE OF OPENINGS & UNDER STRUTTING BEAMS

PROFESSIONAL BUILDING SERVICES AUSTRALIA
BUILDING RULES CONSENT

A DESIGNATES HARDIES A TYPE BRACING TO THE NOMINATED STUD WALL 900mm W - 3.3 KN/m

X DESIGNATES DOUBLE DIAGONAL TENSION BRACING TO THE NOMINATED STUD WALL 1800mm W - 3.0 KN/m

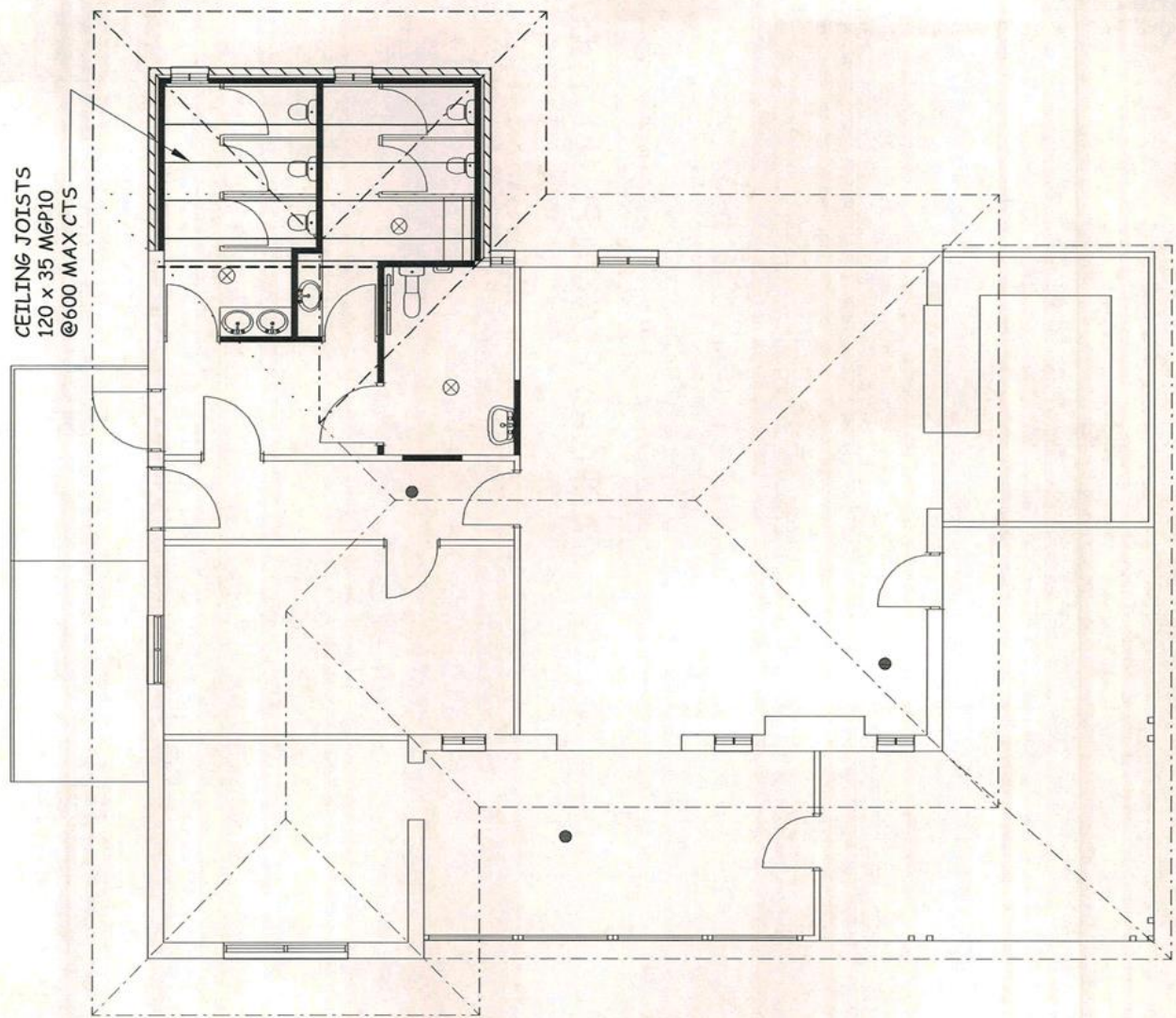
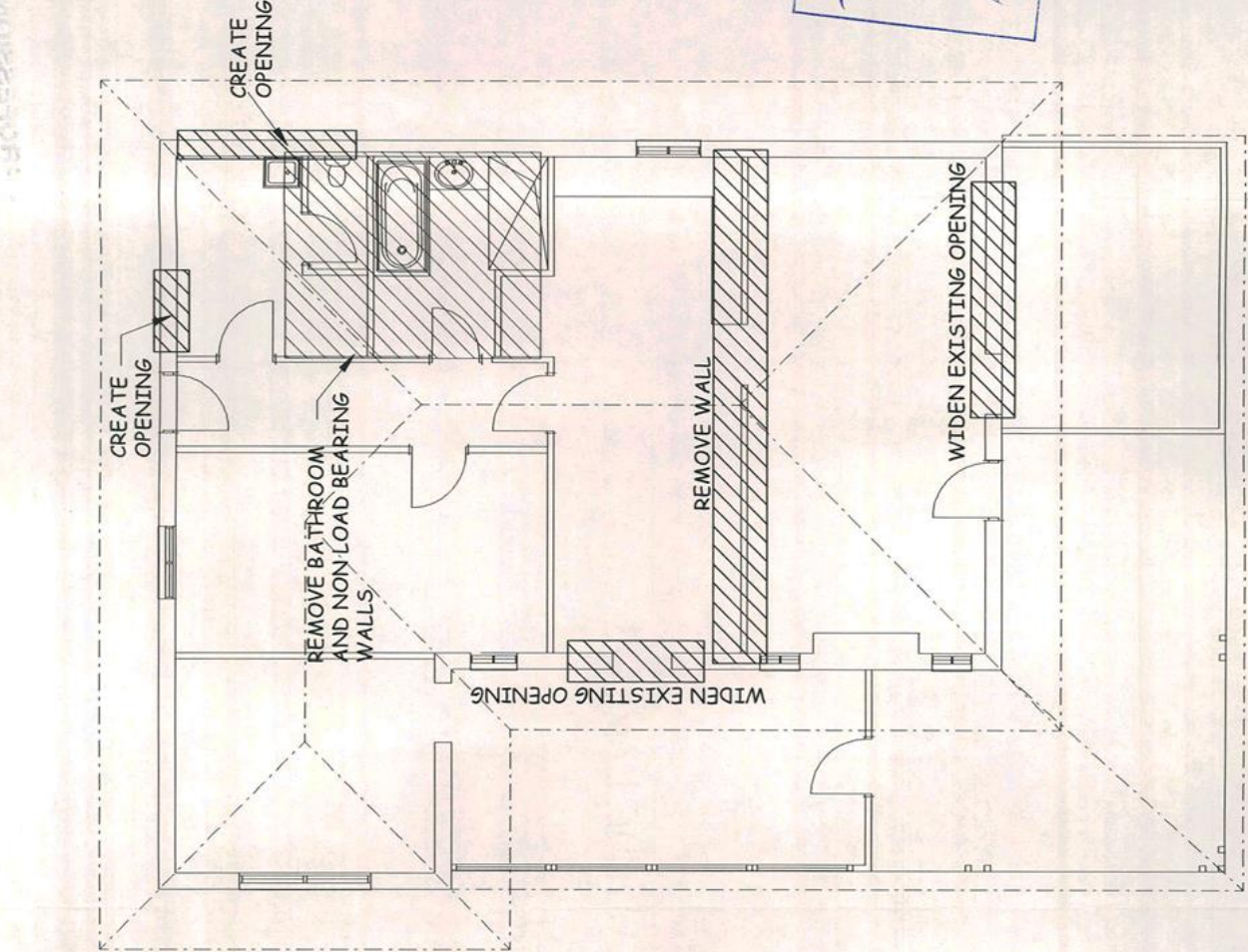
DATE: 23/10/2018	AMENDMENTS	DATE
SCALE: AS SHOWN		
FILE NO.: 1669		
DRAWN: MB		
SHEET: OF		

BUILDERS & DESIGNERS
 97 KING WILLIAM ROAD
 UNLEY SA 5061
 PHONE: (08) 8272 0400
 FAX: (08) 8272 0522
 tkbuilding.com.au

PROPOSED TEMPLE FOR MR SAVONN LY
 172 BURTON RD
 PARALOWIE

CITY OF SALISBURY
 Development Approval
06 NOV 2018
 Development Act 1993
 APPROVED PLANS SUBJECT TO
 CONDITIONS

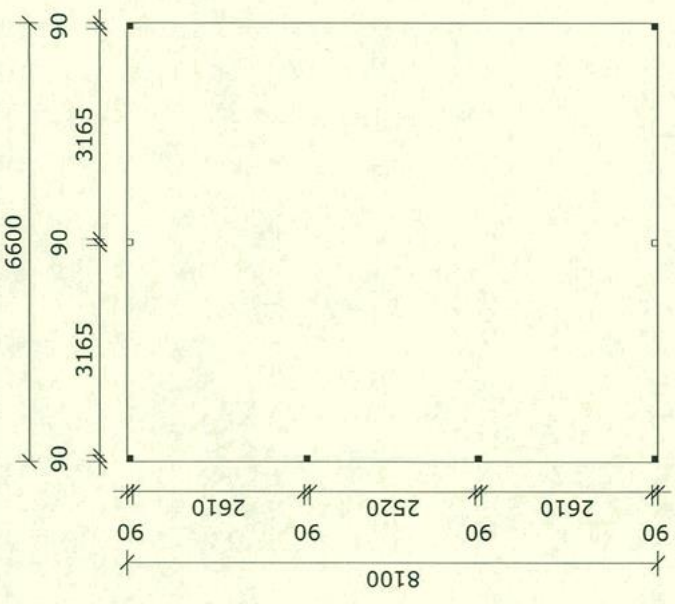
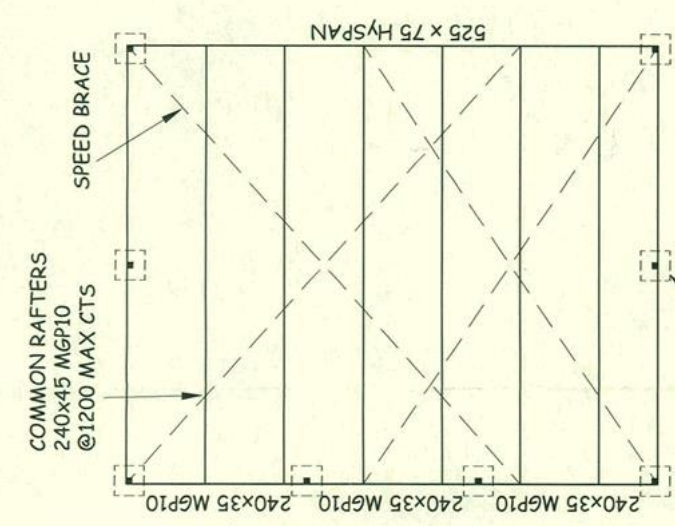
PROFESSIONAL BUILDING SERVICES AUSTRALIA
 BUILDING RULES
 CONSENT



PROPOSED TEMPLE FOR MR SAVONN LY 172 BURTON RD PARALOWIE	
DESIGNERS & BUILDERS 97 KING WILLIAM ROAD UNLEY SA 5061 PHONE: (08) 8272 0400 FAX: (08) 8272 0522 kbuilding.com.au	SHEET: OF DRAWN: MB FILE NO.: 1669 SCALE: AS SHOWN DATE: 23/10/2018 AMENDMENTS

CITY OF SALISBURY
 Development Approval
 06 NOV 2013
 APPROVED PLANS SUBJECT TO
 CONDITIONS

PROFESSIONAL BUILDING
 SERVICES AUSTRALIA
 BUILDING RULES
 CONSENT

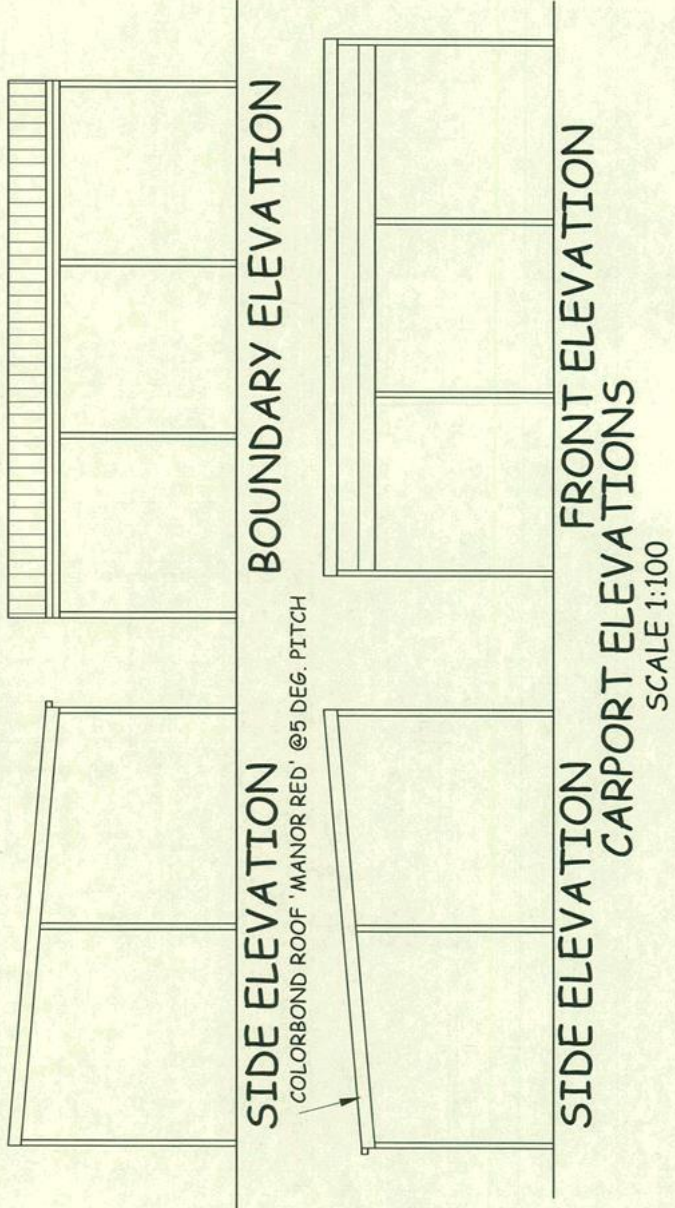


90 x 90 TIMBER POSTS
 FIXED TO 450x450x600D CONCRETE
 PAD FOOTINGS 20MPa FOUNDED IN
 NATURAL GROUND.
 FIXED USING PRYDA OR SIMILAR POST SHOES AS PER
 MANUFACTURERS SPECS

CARPORT FLOOR PLAN AND FRAMING LAYOUT

SCALE 1:100

TIMBER FRAMING TO COMPLY WITH AS 1684-2010
 ROOF BATTENS 90x45 MGP10 AT 900 CENTRES



SIDE ELEVATION

BOUNDARY ELEVATION

FRONT ELEVATION

CARPORT ELEVATIONS

SCALE 1:100

Attachment 2:
Plans and Documentation



**CITY OF SALISBURY
DEVELOPMENT APPLICATION FORM**

361/ 821 /2017/ 3B

15 MAY 2019

Please use BLOCK LETTERS and Black or Blue Ink

APPLICANT: COMPANY / FIRST NAME TK BUILDING DEISGN		SURNAME	
POSTAL ADDRESS: PO BOX 603 GOODWOOD SA 5034			
OWNER NAME: (This must be completed) Cambodian Association			<input type="checkbox"/> as above
OWNER POSTAL ADDRESS: 172-174 BURTON RD PARALOWIE			<input type="checkbox"/> as above
OWNER PHONE NO:	OWNER FAX NO:	OWNER EMAIL:	
CONTACT PERSON FOR FURTHER INFORMATION <input type="checkbox"/> as above			
NAME: MICHAEL BAACK		TELEPHONE (W): (M): 8272 0400	
EMAIL: michael@tkbuildingdesign.com.au		FAX:	
BUILDER NAME: tba		BUILDERS EMAIL:	
BUILDER POSTAL ADDRESS:		CONTACT NO.:	
		LICENCE NO.:	
CURRENT USE OF PROPERTY: CAMBODIAM ASSOCIATION AND TEMPLE			
DESCRIPTION OF PROPOSAL: TO BE CONFIRMED WITH AARON CURTIS		DEVELOPMENT COST \$ 20,000	
LOCATION OF PROPOSAL			
Street No: 172	Street: BURTON RD	Suburb: PARALOWIE	
Lot No:	Section:	Plan:	Volume: Folio:
OFFICE USE ONLY			
Registration Date: / /2017	Zone:	Ward:	
BUILDING RULES CLASSIFICATION			
Classification sought:			
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees			Male: Female:
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:			
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:			

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

SIGNATURE: Michael Baack

DATE: 10 / 5 / 19

Item 5.1.1 - Attachment 2 - Plans and Documentation

DEVELOPMENT REGULATIONS 1993

**DECLARATION OF APPLICANT
(BUILDING SAFELY NEAR POWERLINES)
(Pursuant to clause 2A(1) of Schedule 5)**

TO City Of Salisbury
Development Services – Lodgement Officer
PO Box 8, SALISBURY SA 5108

FROM Name TK BUILDING DESIGN
Address PO BOX 603 GOODWOOD SA 5034
Phone No 82720400 (Mob) _____

Date of Application 10 / 5 / 19

LOCATION OF PROPOSED DEVELOPMENT

House No 172 Lot No _____ Street BURTON RD

Town/Suburb PARALOWIE

Section No (full/part) _____ Hundred _____

Volume _____ Folio _____

NATURE OF PROPOSED DEVELOPMENT

CAMBODIAN ASSOCIATION WORKS

I (*inset full name*) MICHAEL BAACK

being the applicant / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. I make this declaration under Clause 2A (1) of Schedule 5 of the Development Regulations 1993.

SIGNED Michael Baack **DATE** 10 / 5 / 19

PLEASE NOTE THAT THE FORM CONTINUES OVER

DEVELOPMENT REGULATIONS 1993

**DECLARATION OF APPLICANT (continued) ...
(BUILDING SAFELY NEAR POWERLINES)
(Pursuant to clause 2A(1) of Schedule 5)**

Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in Section 4 (1) of *the Development Act 1993*), other than where the development is limited to -

- a) an internal alteration of a building; or
- b) an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of section 86 of the *Electricity Act 1996* do not apply in relation to:

- a) fence that is less than 2.0 m in height; or
- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied

Note 3

Section 86 of the *Electricity Act 1996* refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually also comply.

Particular care needs to be taken where high voltage powerlines exist; where the development:

- Is on a major road;
- Commercial / industrial in nature; or
- Built to the property boundary.

Note 5

Information brochures 'Powerline Clearance Declaration Guide' and 'Building Safely Near Powerlines' have been prepared by the Technical Regulator to assist applicants and other interested persons. Copies of these brochures are available from council and the Office of the Technical Regulator. The brochures and other relevant information can also be found at www.technicalregulator.sa.gov.au.

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.



Product Register Search (CT 5510/156)
 Date/Time 01/08/2019 04:29PM
 Customer Reference
 Order ID 20190801010775

REAL PROPERTY ACT, 1886



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.



Certificate of Title - Volume 5510 Folio 156

Parent Title(s) CT 4309/311
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 05/03/1998 Edition 7 Edition Issued 01/09/2014

Estate Type

FEE SIMPLE

Registered Proprietor

WAT KHMER SANTIPHEAP ASSOC OF SA INC
 OF 172 BURTON ROAD PARALOWIE SA 5108

Description of Land

ALLOTMENT 74 DEPOSITED PLAN 21843
 IN THE AREA NAMED PARALOWIE
 HUNDRED OF MUNNO PARA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
12154952	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD.

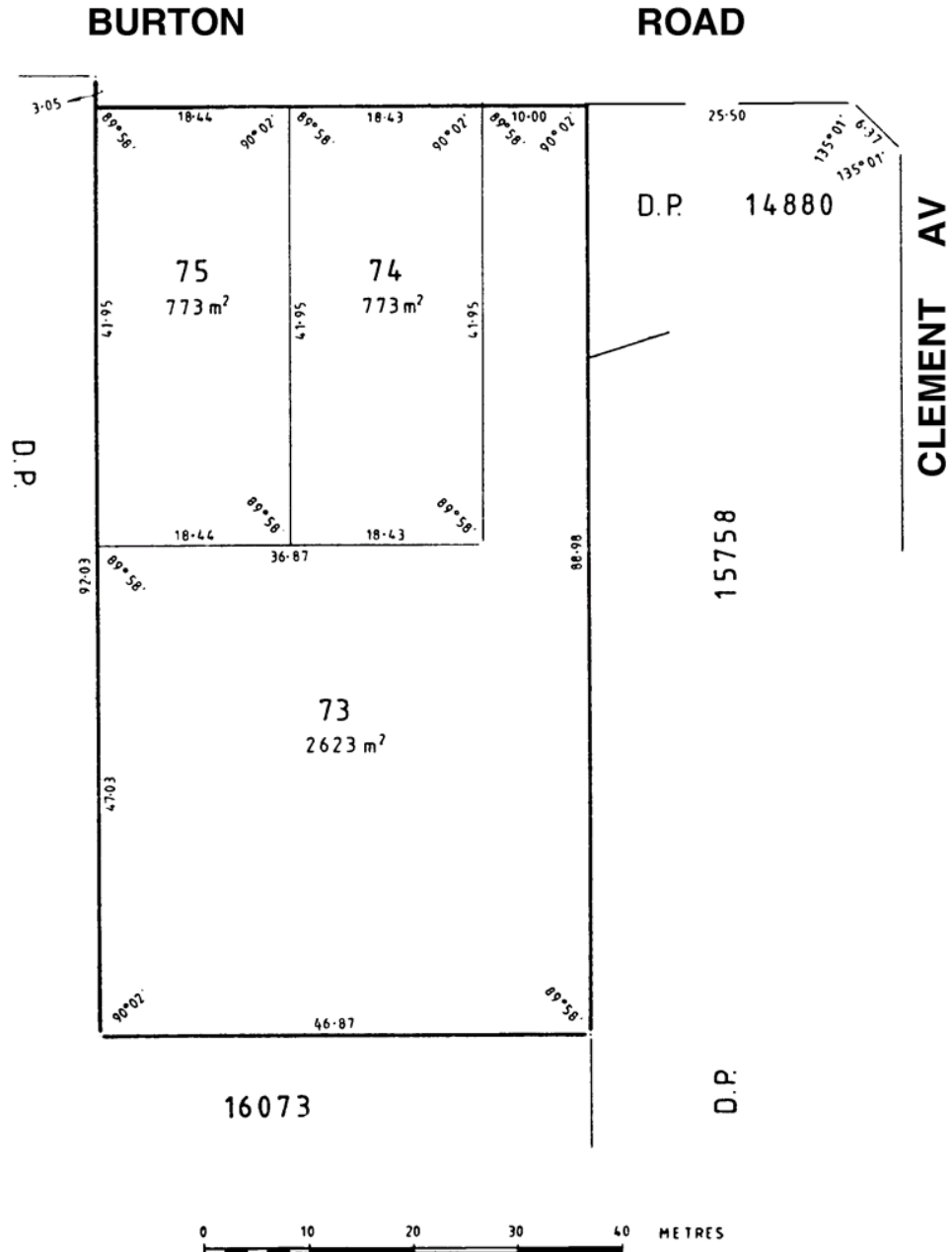
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product Register Search (CT 5510/156)
 Date/Time 01/08/2019 04:29PM
 Customer Reference
 Order ID 20190801010775

Item 5.1.1 - Attachment 2 - Plans and Documentation





Product Register Search (CT 5510/402)
 Date/Time 01/08/2019 04:35PM
 Customer Reference
 Order ID 20190801010888

REAL PROPERTY ACT, 1886



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.



Certificate of Title - Volume 5510 Folio 402

Parent Title(s) CT 4309/310
 Creating Dealing(s) CONVERTED TITLE
 Title Issued 05/03/1998 Edition 6 Edition Issued 22/08/2008

Estate Type

FEE SIMPLE

Registered Proprietor

WAT KHMER SANTIPHEAP ASSOCIATION OF SA INC.
 OF 172 BURTON ROAD PARALOWIE SA 5108

Description of Land

ALLOTMENT 73 DEPOSITED PLAN 21843
 IN THE AREA NAMED PARALOWIE
 HUNDRED OF MUNNO PARA

Easements

NIL

Schedule of Dealings

Dealing Number	Description
11017562	MORTGAGE TO AUSTRALIA & NEW ZEALAND BANKING GROUP LTD. (SINGLE COPY ONLY)

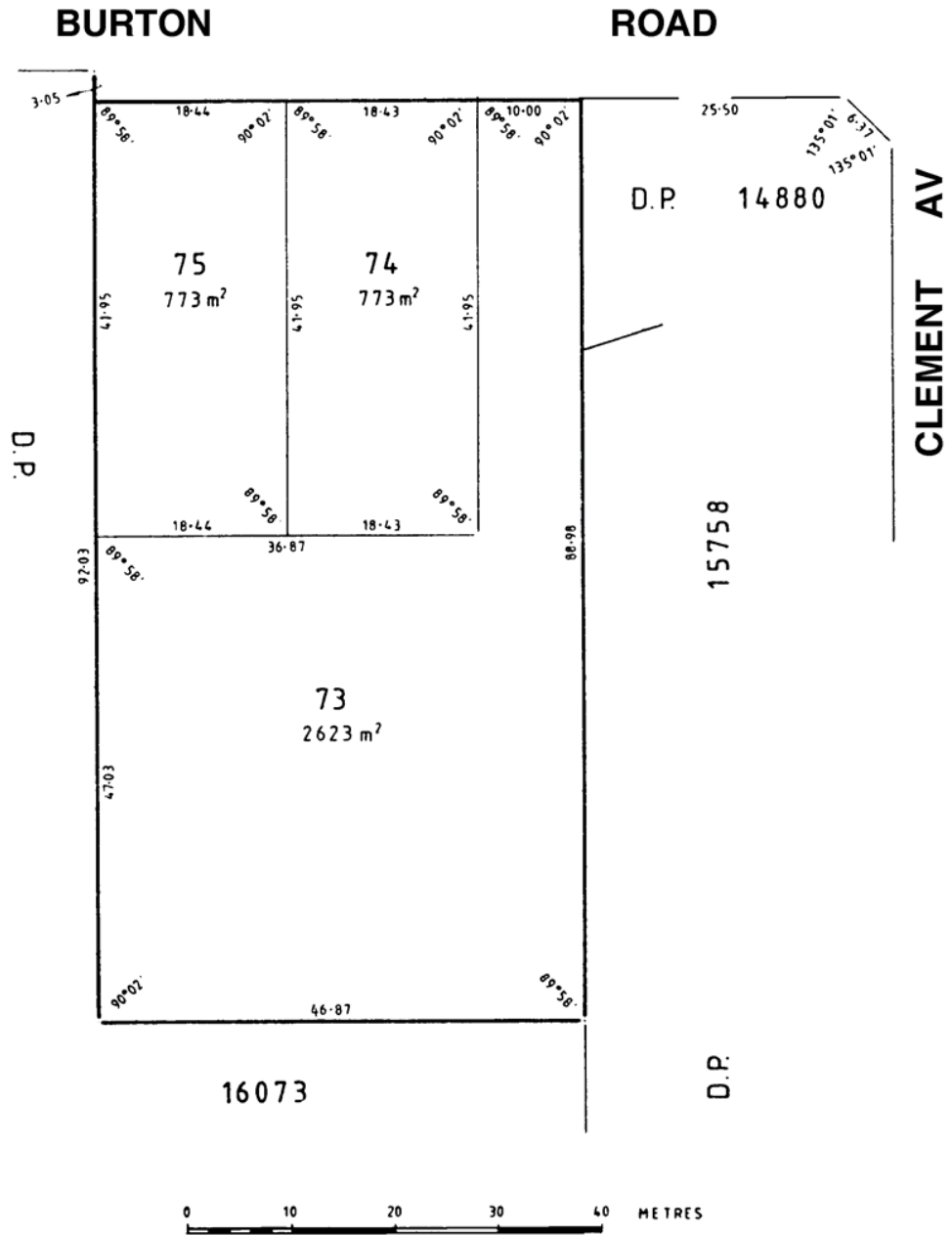
Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product Register Search (CT 5510/402)
Date/Time 01/08/2019 04:35PM
Customer Reference
Order ID 20190801010888

Item 5.1.1 - Attachment 2 - Plans and Documentation





t (08) 8272 0400
f (08) 8272 0522
a 392 Goodwood Rd
Cumberland Park SA 5041
pa P.O. Box 603
Goodwood SA 5034
w tkbuildingdesign.com.au

Tuesday 25th June 2019

Aaron Curtis
City of Salisbury
PO BOX 8
Salisbury SA 5108

**Re: DA 361/821/2019/3B
172-174 Burton Rd
Paralowie SA 5108**

Thank you to:
Misbert Pty LTD of 180-182 Burton Rd Paralowie
Ms Elaine Hallam of 189 Burton Rd Paralowie
Mr Garry Roger Gransean and Vicki May Steenholdt of 177 Burton Rd Paralowie
For your support for this application.

Response to representation made by:

**C Alexopoulous
Owner of
54 Vincent Rd
Paralowie SA 5108**

Mr Alexopoulous has stated
“They make too much noise the road will become too busy they have another mosque close by”

The application is for alterations for alterations and additions to a Buddhist Temple, not a Mosque, as stated by Mr Alexopoulous.
Mr Alexopoulous has said they “make too much noise” without elaborating when they make too much noise, the duration or frequency.
There has been great support from the surrounding neighbours for this application. On balance, most of the surrounding residents have no problem with the noise coming from the Temple, and as Mr Alexopoulous has not elaborated about “too much noise” it is difficult to prepare a response to this.
Mr Alexopoulous has also stated “the road will become too busy” without providing any comments or reports from a qualified Traffic Engineer. If Mr Alexopoulous had serious concerns regarding this we would have expected him to provide some documentation related to the planning aspects of this application. As such he has just made a broad statement with no supporting evidence.
The application has provided substantial on site carparking and will not affect the traffic flow on Burton Rd as they have sufficient off street carparking for their requirements.



t (08) 8272 0400
 f (08) 8272 0522
 a 392 Goodwood Rd
 Cumberland Park SA 5041
 pa P.O. Box 603
 Goodwood SA 5034
 w tkbuildingdesign.com.au

Response to representation made by:

Allan Bach and Sandra Bach
16 Clement Ave
Paralowie SA 5108

Allan and Sandra have stated

"In reply to your letter regarding the proposal of a car park on the Cambodian Community Property. As this is already used as a large car park containing many vehicles bringing with it unavoidable noise and light disturbances, especially after dark. We proposed that the fence adjoining our properties be raised to the highest permissible height to minimise as before mentioned noise and headlight intrusion into our rear windows, especially after dark. While we initially had no issue with the setting up of the Cambodian Centre as it was proposed at the time put forward to us many years ago, the centre is now three times the size and has probably three times of people visiting. We think to minimise requirements we feel should be irrection of a suitable fence along the boundary area between the community centre and residential areas adjoining."

The fence between the Cambodian Centre and 16 Clement Ave is already a minimum of 1800 above natural ground level.

It is a physical impossibility that the light from car headlights can make it over the fence and into ground level rear windows. The light is screened by the current fence. The existing fence meets council and Fencing Act requirements and does not need replacing.

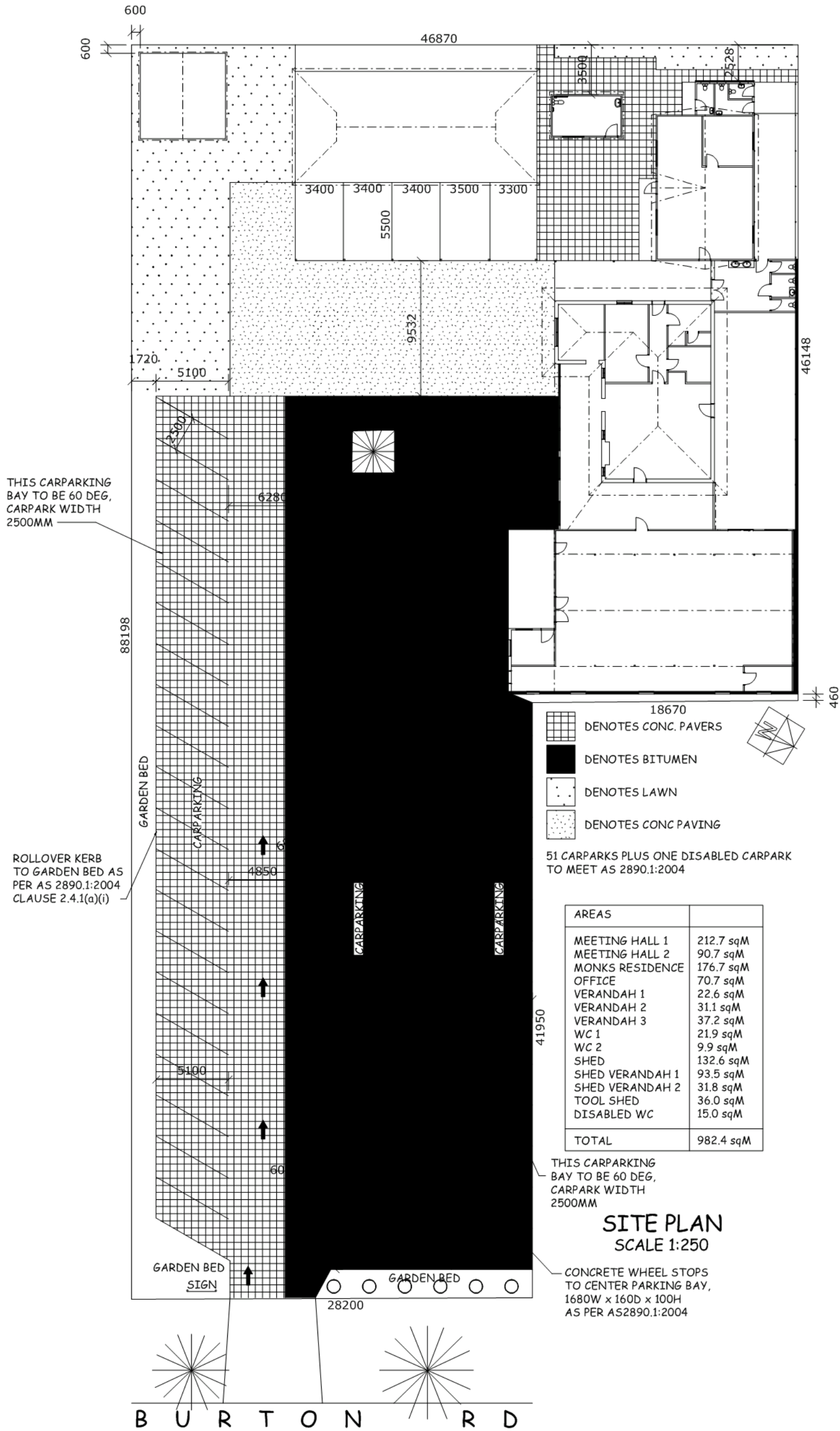
If it was replaced by a 2100 high fence, the noise travelling to the adjoining property at 16 Clements Ave would not be any less than what is currently occurring.

If Allan and Sandra would like a new fence, it is advised they contact the management of the Cambodian Centre and discuss this in accordance with the Fencing Act 1975.

Thanks and Kind Regards

Michael Baack

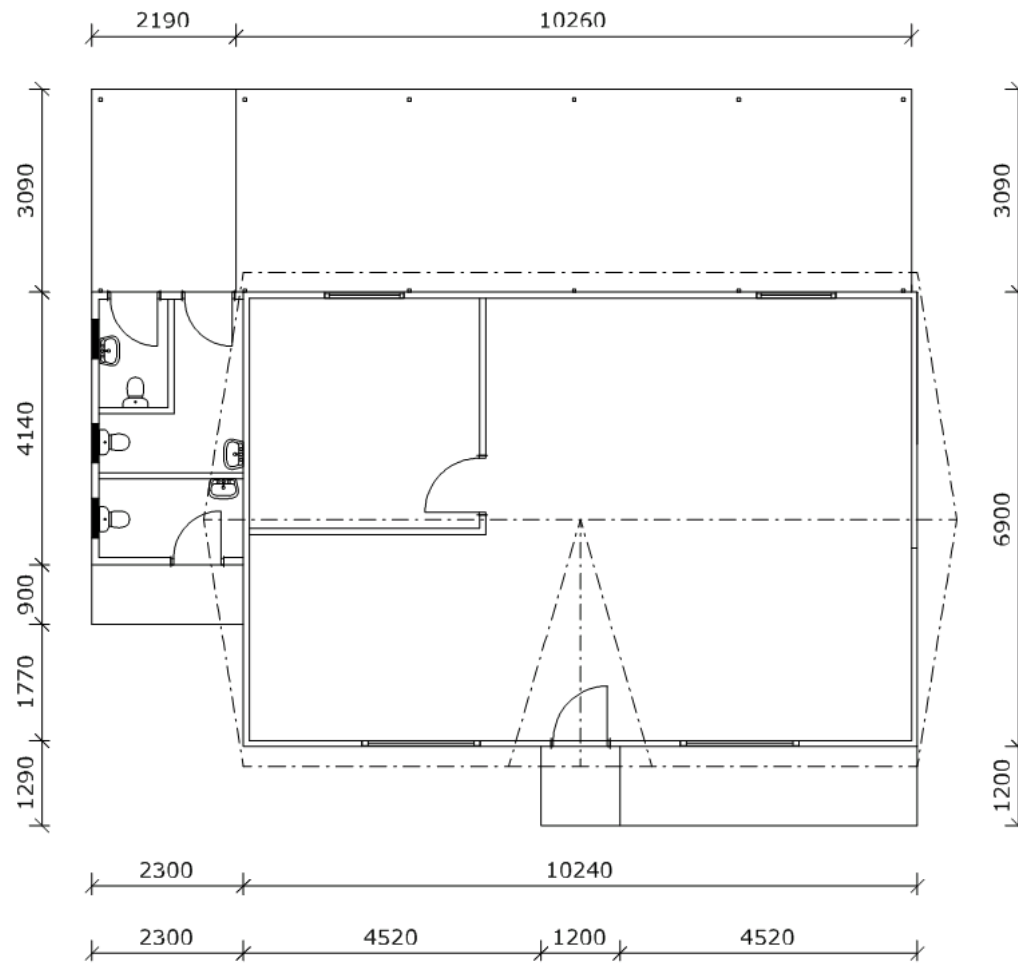
Michael Baack
 Draftsman and Building Designer
 TK Building Design



DATE: 27/2019	AMENDMENTS	DATE
SCALE: AS SHOWN		
FILE NO.: 1669		
PHONE: (08) 8272 0400		
FAX: (08) 8272 0622		
DRAWN: MB		
SHEET: OF		

BUILDERS & DESIGNERS
 97 KING WILLIAM ROAD
 UNLEY SA 5061
 PHONE: (08) 8272 0400
 FAX: (08) 8272 0622
 tkbuilding.com.au

PROPOSED TEMPLE FOR MR SAVONN LY
 172-174 BURTON RD
 PARALOWIE

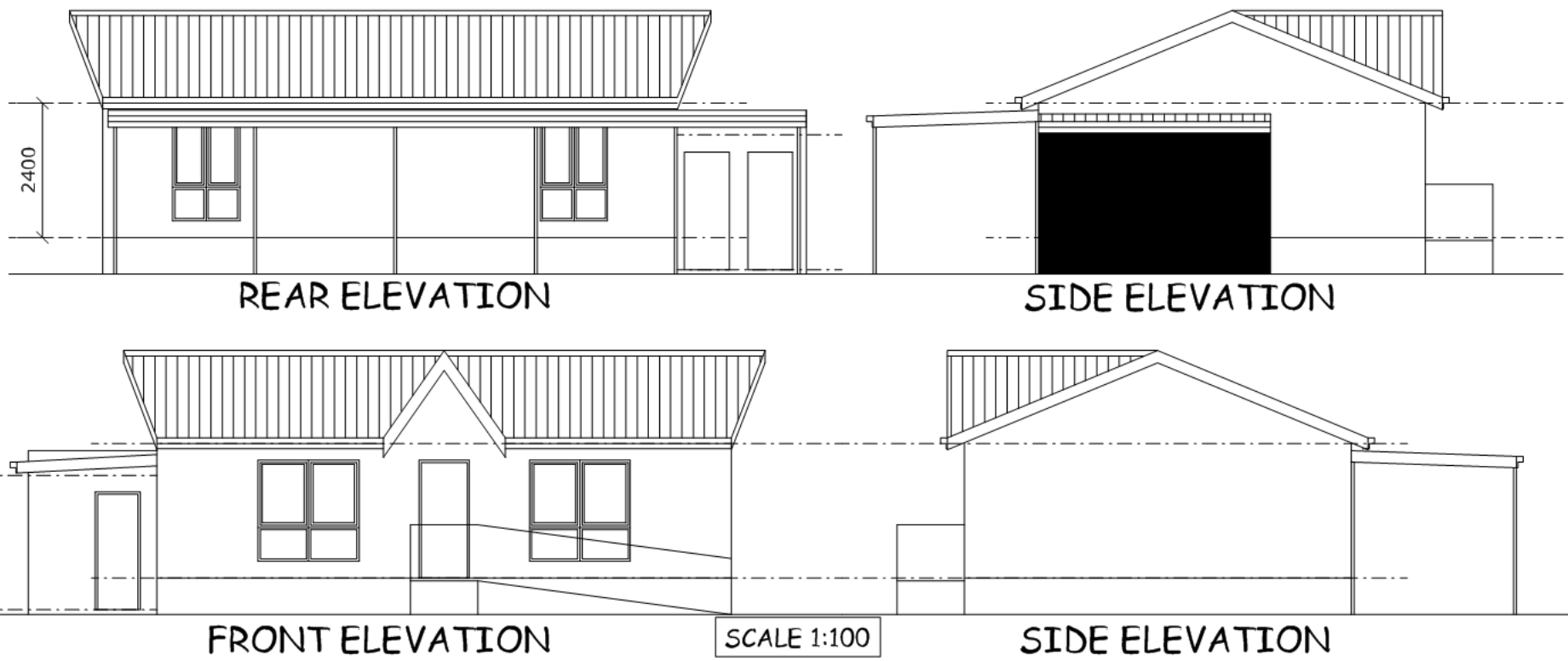


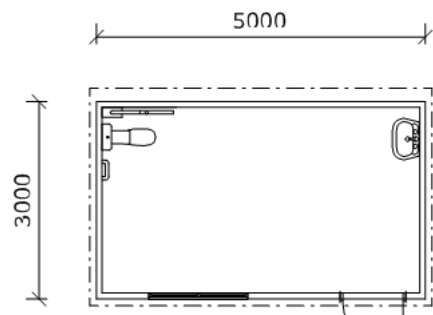
OFFICE AND TOILET BLOCK FLOOR PLANS SCALE 1:100

DATE : 26/4/2019	AMENDMENTS	DATE
SCALE : AS SHOWN		
FILE No. : 1669		
DRAWN : MB		
SHEET : OF		

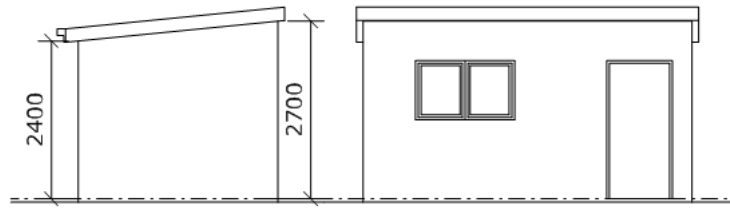
BUILDERS & DESIGNERS
 97 KINGS WILLIAM ROAD
 PARALOWIE SA 5150
 PHONE : (08) 8272 0400
 FAX : (08) 8272 0522
 tkbuilding.com.au

PROPOSED TEMPLE FOR MR SAVONN LY
 172-174 BURTON RD
 PARALOWIE

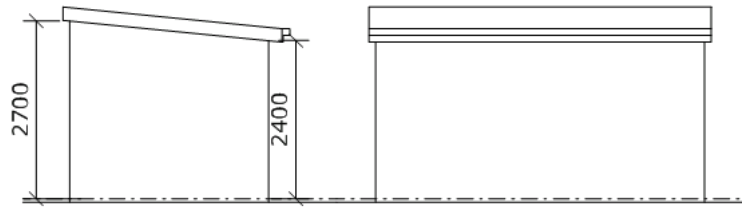




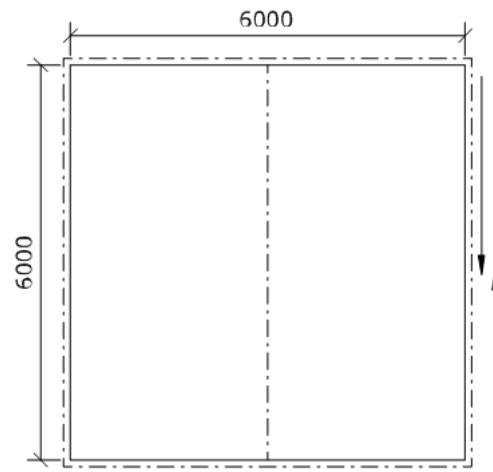
DISABLED WC
SCALE 1:100



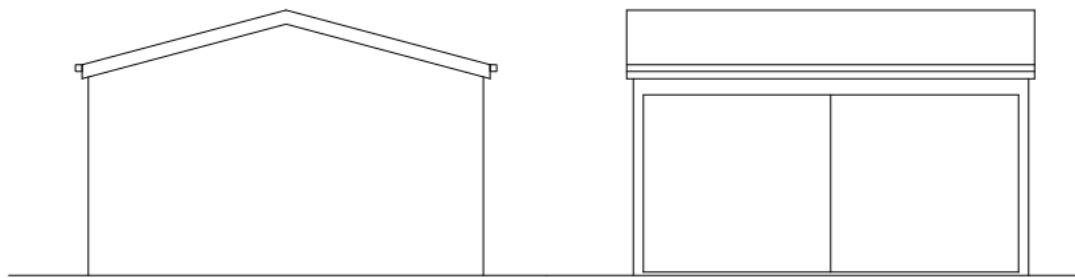
SIDE AND FRONT ELEVATION



SIDE AND REAR ELEVATION
SCALE 1:100

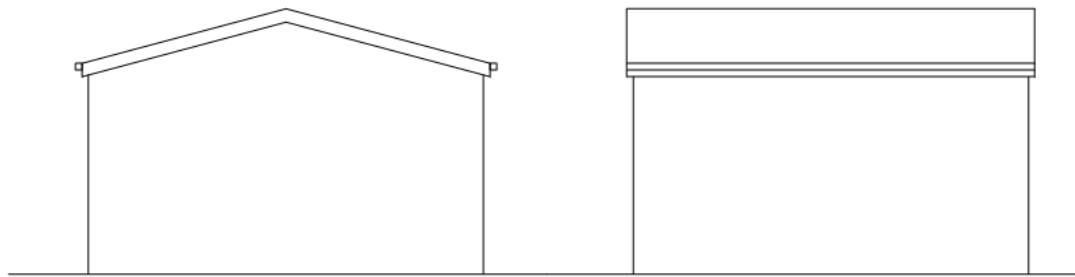


TOOL SHED
SCALE 1:100



SIDE ELEVATION

FRONT ELEVATION

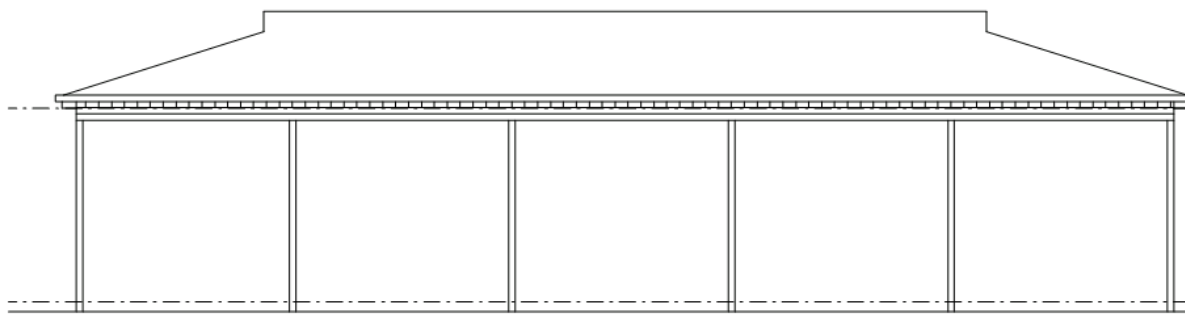
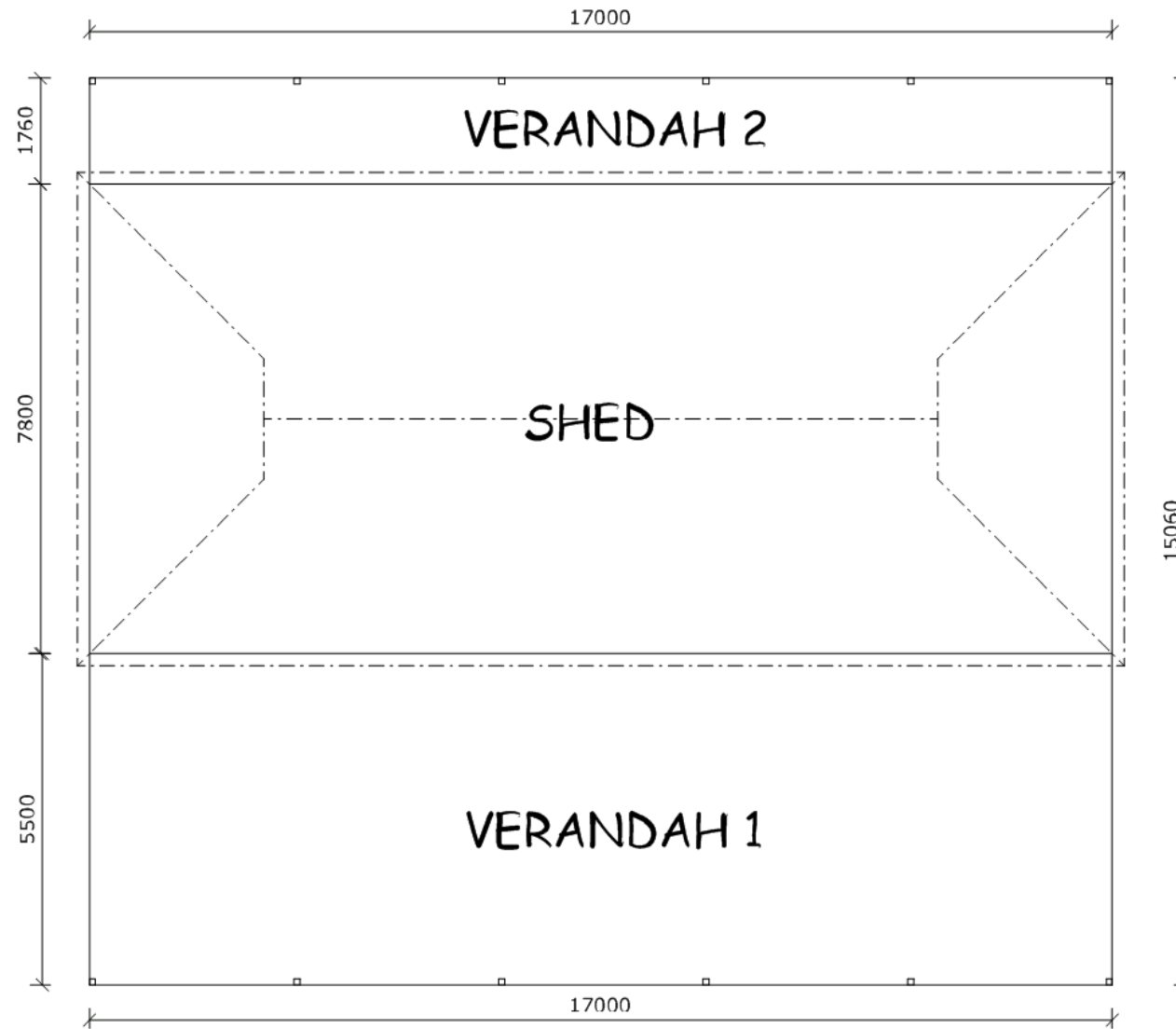


SIDE ELEVATION

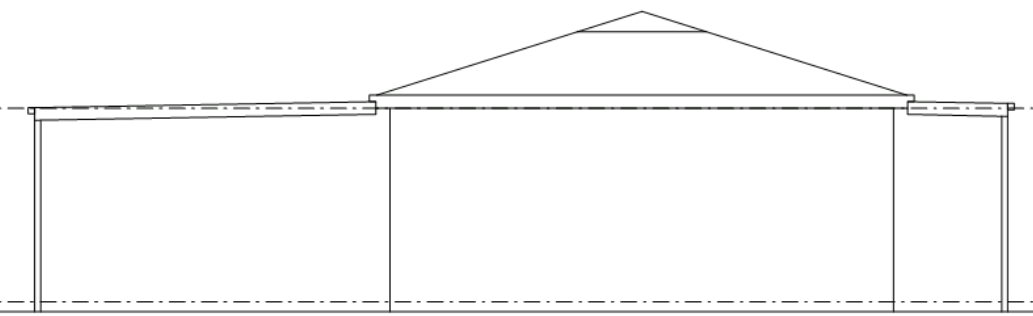
REAR ELEVATION

SCALE 1:100

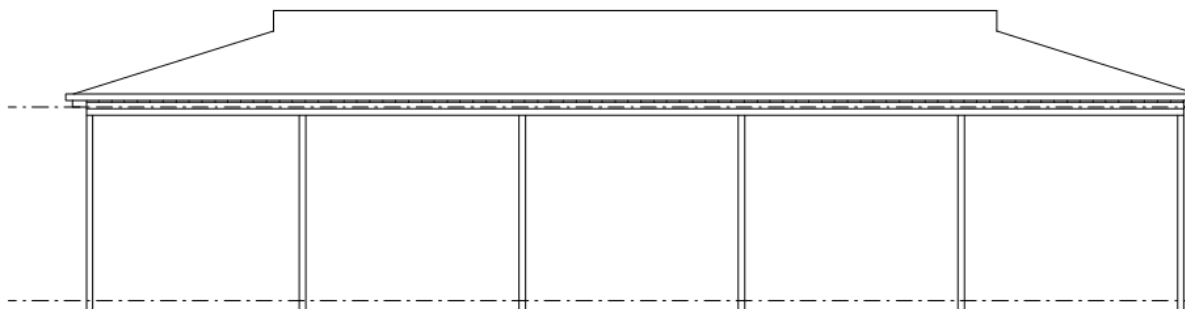
PROPOSED TEMPLE FOR MR SAVONN LY		BUILDERS & DESIGNERS		DATE : 28/4/2019	AMENDMENTS	DATE
172-174 BURTON RD PARALOWIE		97 KING WILLIAM ROAD UNLEY SA 5061 PHONE : (08) 8272 0400 FAX : (08) 8272 0522 tkbuilding.com.au		SCALE : AS SHOWN		
		TK BUILDING DESIGN		FILE No : 1669		
				DRAWN : MB		
				SHEET : OF		



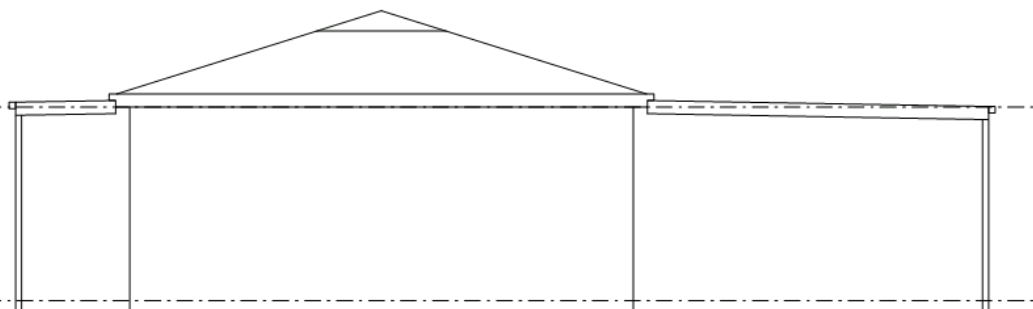
SHED AND VERANDAH FRONT ELEVATION



SHED AND VERANDAH SIDE ELEVATION

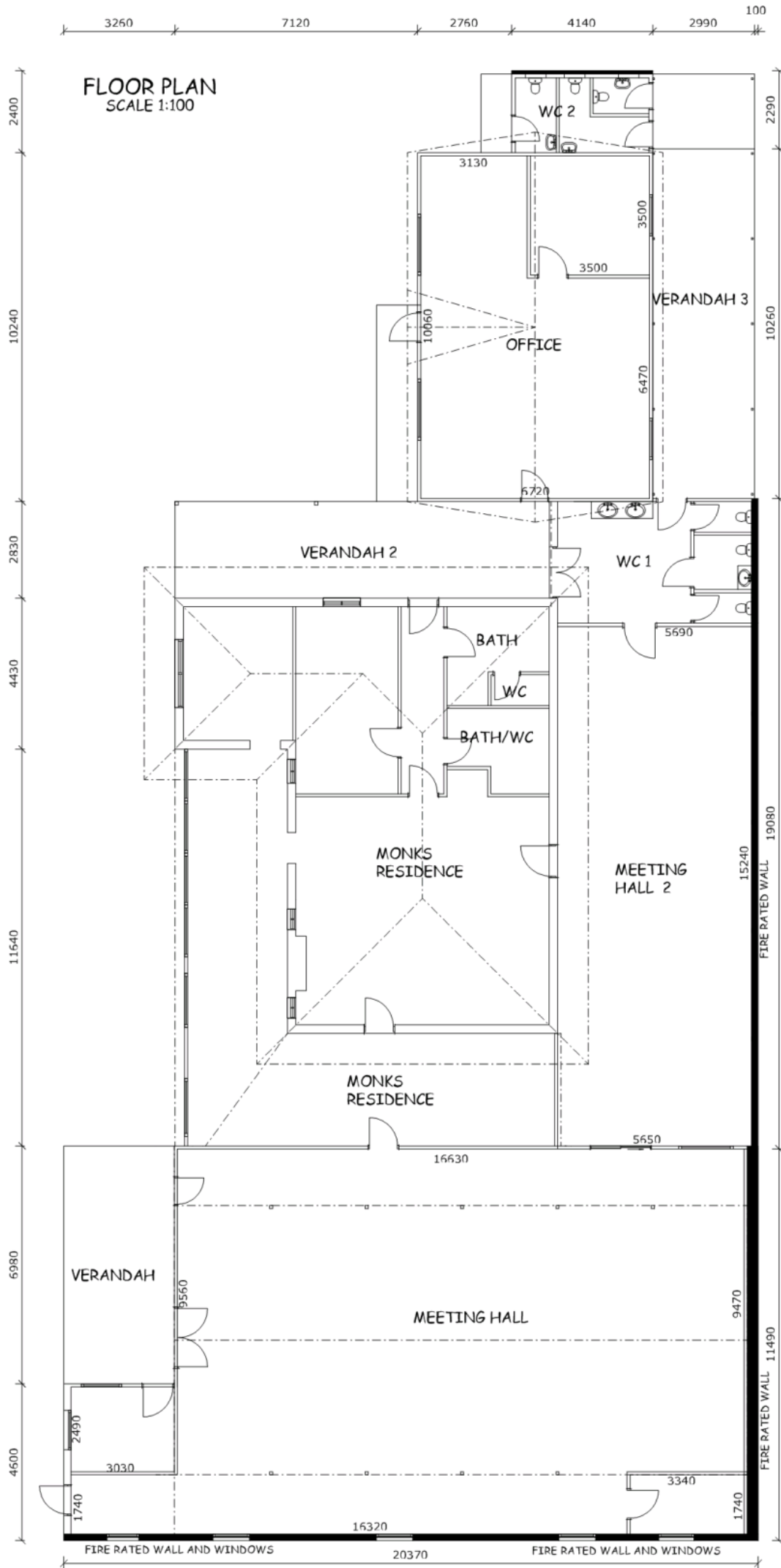


SHED AND VERANDAH REAR (BOUNDARY) ELEVATION



SHED AND VERANDAH SIDE ELEVATION

BUILDERS & DESIGNERS		DATE: 26/4/2019	AMENDMENTS	DATE
97 KING WILLIAM ROAD UNLEY SA 5061		SCALE: AS SHOWN		
PHONE: (08) 8272 0400		FILE No.: 1669		
FAX: (08) 8272 0622		DRAWN: MB		
tkbuilding.com.au		SHEET: OF		
				
PROPOSED TEMPLE FOR MR SAVONN LY 172-174 BURTON RD PARALOWIE				



BUILDERS & DESIGNERS 17 SAND WILLIAM ROAD PHOENIX (08) 8272 8400 FAX (08) 8272 8822 Abuilding.com.au	DATE: 28/08/2019 SCALE: AS SHOWN FILE No.: 1699	AMENDMENTS DATE
	DRAWN: MB SHEET: 01	
PROPOSED TEMPLE FOR MR SAVONN LY 172-174 BURTON RD PARALOWIE		

Item 5.1.1 - Attachment 2 - Plans and Documentation



BUILDERS & DESIGNERS BUILDERS & DESIGNERS 172-174 BURTON RD PARALOWIE hbuilding.com.au	DATE: 26/4/2019 SCALE: AS SHOWN FILE NO.: 1899 DRAWN: MB SHEET: 01	AMENDMENTS DATE
	PROPOSED TEMPLE FOR MR SAVONN LY 172-174 BURTON RD PARALOWIE	BUILDERS & DESIGNERS 172-174 BURTON RD PARALOWIE hbuilding.com.au

Attachment 3:
Public notification notice, copy 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:

APPLICATION NO:

361/821/2019/38

APPLICANT:

TK Building Design, PO Box 603,
GOODWOOD SA 5034

NATURE OF DEVELOPMENT:
ALTERATIONS AND
ADDITIONS TO EXISTING
COMMUNITY FACILITY AND
PLACE OF WORSHIP -
RETROSPECTIVE (INCLUDING
EXTENSION OF CAR PARK
ONTO 174 BURTON ROAD)

LOCATION:

172 Burton Road , Paralowie
SA 5108

174 Burton Road , Paralowie SA
5108

CERTIFICATE OF TITLE:

CT-5510/402, CT-5510/156

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 Tuesday 11th June 2019.

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 1993, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Aaron Curtis, Team

Leader – Planning

Date: 28 May 2019

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

CATEGORY 3



City of Salisbury
ABN 82 615 416 895

12 James Street
PO Box 8
Salisbury SA 5108
Australia

Telephone 08 8406 8222
Facsimile 08 8281 5466
city@salisbury.sa.gov.au
TTY 08 8406 8596
(for hearing impaired)
www.salisbury.sa.gov.au

23 May 2019

To: The Owner/Occupier

Dear Sir/Madam

Application No: 361/821/2019/3B
Location: 172 Burton Road , Paralowie SA 5108, 174 Burton Road , Paralowie SA 5108
Nature of Development: ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)

Enclosed is a Notice for the above proposed development, which is located near your property.

Council are interested in your views on the proposed development.

In addition to the plans enclosed, further documentation relating to the proposal is also available on the council website via the following link:

www.salisbury.sa.gov.au/Build/Development_Applications/Advertised_Applications

The decision whether to approve, refuse or approve with conditions, is based on an assessment of the proposal against the provisions within the City of Salisbury Development Plan. It is important to note that all comments raised, both in support of, and objecting to the proposed development, will be taken into account when assessing the application.

Please note that Australia Post has recently changed its delivery charges and timeframes meaning that correspondence may take longer to receive than anticipated. To ensure your representation is received within the statutory timeframe, you may want to consider delivering your submission electronically, direct by submission at the counter or otherwise via Express Post.

I would be happy to assist you with the consideration of the proposed development. If you have any queries or would like further information, please do not hesitate to contact me.

Yours faithfully

A handwritten signature in blue ink, appearing to read "Aaron Curtis".

Aaron Curtis
Team Leader – Planning
Development Services
Telephone: (08) 8406 8358
Email: representations@salisbury.sa.gov.au

**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:

APPLICATION NO:	361/821/2019/3B
APPLICANT:	TK Building Design PO Box 603 GOODWOOD SA 5034
NATURE OF DEVELOPMENT:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
LOCATION:	172 Burton Road , Paralowie SA 5108, 174 Burton Road , Paralowie SA 5108
CERTIFICATE OF TITLE:	CT-5510/402, CT-5510/156
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 (10 business days)**.

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 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Aaron Curtis, Team Leader – Planning

Date: 23 May 2019

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE



City of Salisbury
ABN 82 615 416 895

12 James Street
PO Box 8
Salisbury SA 5108
Australia

Telephone 08 8406 8222
Facsimile 08 8281 5466
city@salisbury.sa.gov.au

TTY 08 8406 8596
(for hearing impaired)
www.salisbury.sa.gov.au

12 June 2019

TK Building Design
PO Box 603
GOODWOOD SA 5034

Dear Sir/Madam

Applicant: TK Building Design
Application No: 361/821/2019/3B
Subject Site: 172 Burton Road , Paralowie SA 5108
Proposed Development: ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)

The Category 3 public notification period has concluded. In total, five representations have been received. Please find attached copies of the representations.

In accordance with Section 38(8) of the *Development Act 1993*, your response to the representations is requested within 10 business days from the date of this letter.

The following is a list of the names and addresses of the representors:

Name and Address of Representors

A W Bach	GPO Box 1669, ADELAIDE SA 5001
C Alexopoulos	729 Port Wakefield Rd, GLOBE DERBY PARK SA 5110
Mesbert Pty Ltd	C/- Commercial SA, GPO Box 2138, ADELAIDE SA 5001
E C Hallam	189 Burton Rd, PARALOWIE SA 5108
G R Gransden and V M Steenholdt	177 Burton Rd, PARALOWIE SA 5108

Should you require any assistance or further advice, please do not hesitate to contact me on the details below.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Aaron Curtis'.

Aaron Curtis
Team Leader - Planning
Phone: 08 8406 8367
Email: development@salisbury.sa.gov.au

- 5 JUN 2019



STATEMENT OF REPRESENTATION
 Pursuant to Section 38 of the *Development Act 1993*

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.

Application Number:	361/821/2019/3B
Applicant	TK Building Design
Nature of Development:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
Location:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108

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

NAME(S): MESBERT PTY LTD (LOUKAS & LOUKA KONZAPA - DIRECTORS)

ADDRESS: 102 PAYNEHAM RD STEPNEY SA 5069

PHONE NO: [REDACTED] ... EMAIL: [REDACTED]

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

- The owner/occupier of the property located at: 180-182 BURTON RD PARALOWIE SA.
- 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.

We have never experience any problems with this
grou during all the time that they have occupied
their existing premises. we believe that they
should be allowed to follow their faith and
 PTO religion in peace.

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 Tuesday 11th June 2019, 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.

LOUKAS LOUZAPA.

Signature: 

Date: 27/5/2019

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 **Tuesday 11th June 2019.**



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

31 MAY 2019

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.

Application Number:	361/821/2019/3B
Applicant	TK Building Design
Nature of Development:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
Location:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108

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

NAME(S): MISS ELAINE HALLAM
ADDRESS: 189 BURTON RD PARALOWIE 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: 189 BURTON RD PARALOWIE
- 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.

I SUPPORT THE PROPOSED DEVELOPMENT. THEY HAVE BEEN THERE A LONG TIME, YOU HARDLY NOTICE THEY ARE THERE UNTIL THEY HAVE A BIG EVENT WHEN THERE IS MORE CARS PARKED ON THE ROAD AND THEIR PROPOSAL IS ACCOMADATING PTO THIS ISSUE BY EXTENDING THE CAR PARK.

Item 5.1.1 - Attachment 3 - Public notification notice, copy 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 Tuesday 11th June 2019, 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: 29/5/2019

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 **Tuesday 11th June 2019.**

28 MAY 2019



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

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.

Application Number:	361/821/2019/3B
Applicant	TK Building Design
Nature of Development:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
Location:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108

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

NAME(S): *GARRY ROGER GRANLAW / VICKI MAY STEENHOLT*

ADDRESS: *177 BURTON ROAD PARALOWIE 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: *177 BURTON RD, PARALOWIE*

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.

I PURCHASED MY PREMISES ON 3 JULY 1992 AFTER LEAVING THE RAFF ON 2 JULY 1992. I HAVE BEEN A MEMBER OF THE LOCAL COMMUNITY, ALONG WITH MY PARTNER. WE BOTH HAVE SEEN MANY NEW SHOPS, HOUSING AND THE TWO PLACES OF WORSHIP ON EITHER SIDE OF OUR PREMISES, AND HAVE NO PROBLEMS WITH

Item 5.1.1 - Attachment 3 - Public notification notice, copy 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 Tuesday 11th June 2019, 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: 

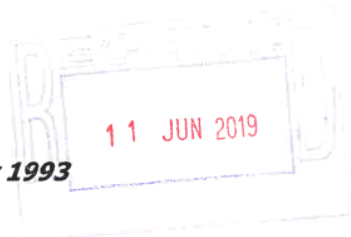
Date: 27 / 5 / 2019.

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 **Tuesday 11th June 2019.**



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*



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.

Application Number:	361/821/2019/3B
Applicant	TK Building Design
Nature of Development:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
Location:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108

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

NAME(S): Allan Bach and Sandra Bach

ADDRESS: 16 Clement Ave Paralowie, S Aust 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:
- Other (please state): Holding Trust

YOUR COMMENTS:

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

- Support the proposed development. Conditional reason - see below.
- 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.

In reply to your letter regarding the proposal of a car park on the Cambrian Community Property. As this is already used as a large car park containing many vehicles bringing with it unavoidable noise and light disturbances, especially after dark. We proposed
PTO

361/821/2019/3B

that the fence adjoining our properties be raised to the highest permissible height to minimise as before mentioned noise and headlight intrusion into our rear windows, especially after dark. While we initially had no issue with the setting up of the Cambodian Centre as it was proposed at the time put forward to us many years ago, the centre is now three times the size and has probably three times of people visiting. We think to minimise requirements we feel should be installation of a suitable fence along the boundary area between the community centre and residential areas adjoining.

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

Refer above:

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 Tuesday 11th June 2019, 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: MR Bach.....

Date: 10 / 6 / 2019.

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 **Tuesday 11th June 2019.**



1 1 JUN 2019

City of Salisbury
ABN 82 615 416 895
12 James Street
PO Box 8
Salisbury SA 5108
Australia

CATEGORY 3

Telephone 08 8406 8222
Facsimile 08 8281 5466
city@salisbury.sa.gov.au
TTY 08 8406 8596
(for hearing impaired)
www.salisbury.sa.gov.au

24 May 2019

To: The Owner/Occupier

Dear Sir/Madam

Application No: 361/821/2019/3B
Location: 172 Burton Road , Paralowie SA 5108
174 Burton Road , Paralowie SA 5108
Nature of Development: ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)

Enclosed is a Notice for the above proposed development, which is located near your property.

Council are interested in your views on the proposed development.

In addition to the plans enclosed, further documentation relating to the proposal is also available on the council website via the following link:

www.salisbury.sa.gov.au/Build/Development_Applications/Advertised_Applications

The decision whether to approve, refuse or approve with conditions, is based on an assessment of the proposal against the provisions within the City of Salisbury Development Plan. It is important to note that all comments raised, both in support of, and objecting to the proposed development, will be taken into account when assessing the application.

Please note that Australia Post has recently changed its delivery charges and timeframes meaning that correspondence may take longer to receive than anticipated. To ensure your representation is received within the statutory timeframe, you may want to consider delivering your submission electronically, direct by submission at the counter or otherwise via Express Post.

I would be happy to assist you with the consideration of the proposed development. If you have any queries or would like further information, please do not hesitate to contact me.

Yours faithfully

Aaron Curtis
Team Leader – Planning
Development Services
Telephone: (08) 8406 8358
Email: representations@salisbury.sa.gov.au

**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:

APPLICATION NO:	361/821/2019/3B
APPLICANT:	TK Building Design PO Box 603 GOODWOOD SA 5034
NATURE OF DEVELOPMENT:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
LOCATION:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108
CERTIFICATE OF TITLE:	CT-5510/402, CT-5510/156
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 Tuesday 11th June 2019**.

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).

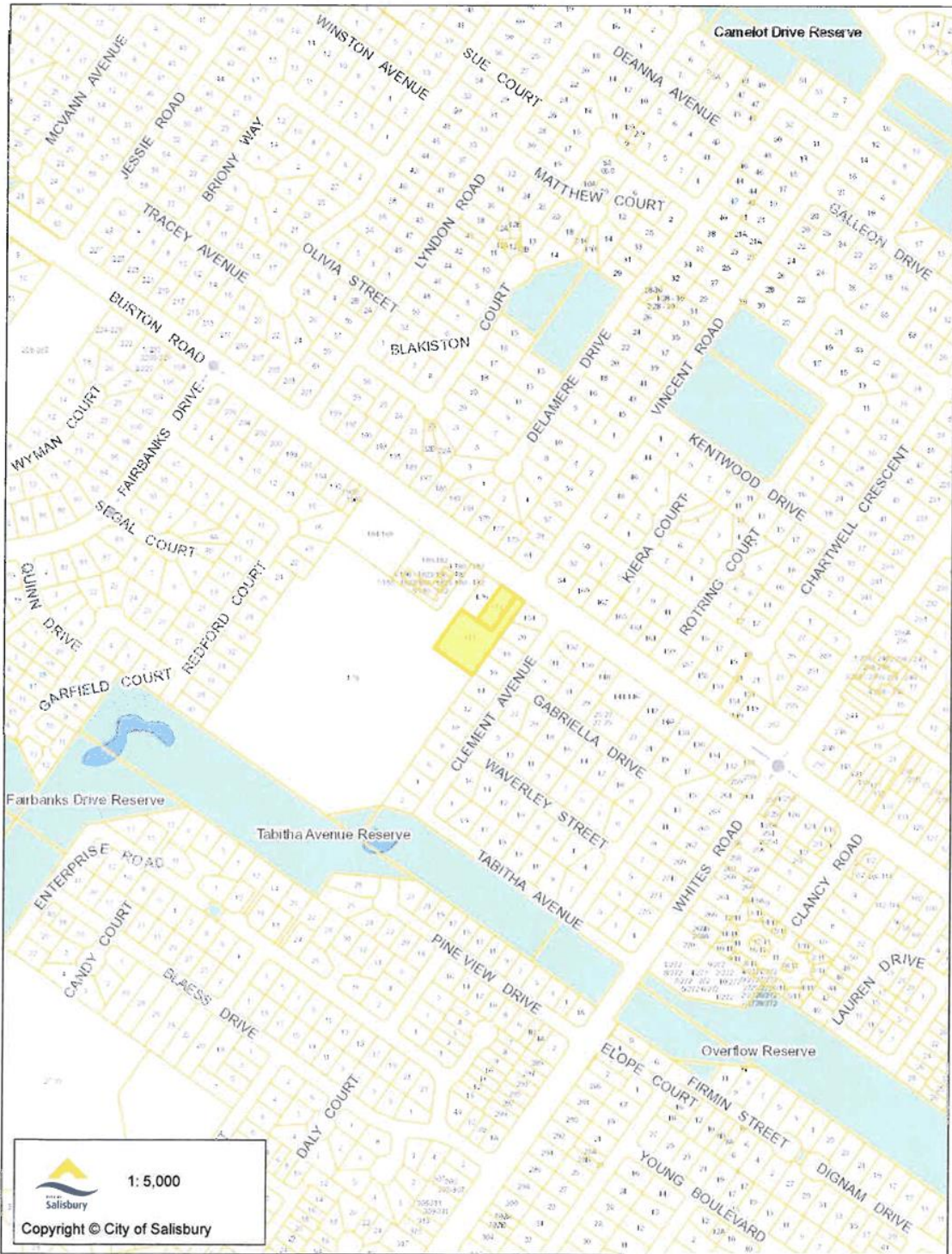
Please note that, pursuant to Section 38(8) of the *Development Act 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Aaron Curtis, Team Leader – Planning

Date: 28 May 2019

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE

361/821/2019/3B - Location of Proposal





STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

11 JUN 2019

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.

Application Number:	361/821/2019/3B
Applicant	TK Building Design
Nature of Development:	ALTERATIONS AND ADDITIONS TO EXISTING COMMUNITY FACILITY AND PLACE OF WORSHIP - RETROSPECTIVE (INCLUDING EXTENSION OF CAR PARK ONTO 174 BURTON ROAD)
Location:	172 Burton Road , Paralowie SA 5108 174 Burton Road , Paralowie SA 5108

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

NAME(S): C ALEXOPOULOS
ADDRESS: 729 PORT WAKEFIELD ROAD GLOBE DERBY PARK SA 5110
PHONE NO: [REDACTED] EMAIL: N/A

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

- The owner/occupier of the property located at: 54 VINCENT RD, PARALOWIE SA 5108
- 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.

They make too much noise
The road will become too busy
They have another mosque close by

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 Tuesday 11th June 2019, 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: Alexander.....

Date: 10 16 19

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 **Tuesday 11th June 2019**.



t (08) 8272 0400
 f (08) 8272 0522
 a 392 Goodwood Rd
 Cumberland Park SA 5041
 pa P.O. Box 603
 Goodwood SA 5034
 w tkbuildingdesign.com.au

Tuesday 25th June 2019

Aaron Curtis
 City of Salisbury
 PO BOX 8
 Salisbury SA 5108

Re: DA 361/821/2019/3B
172-174 Burton Rd
Paralowie SA 5108

Thank you to:

Misbert Pty LTD of 180-182 Burton Rd Paralowie

Ms Elaine Hallam of 189 Burton Rd Paralowie

Mr Garry Roger Gransean and Vicki May Steenholdt of 177 Burton Rd Paralowie

For your support for this application.

Response to representation made by:

C Alexopoulous
Owner of
54 Vincent Rd
Paralowie SA 5108

Mr Alexopoulous has stated

“They make too much noise the road will become too busy they have another mosque close by”

The application is for alterations for alterations and additions to a Buddhist Temple, not a Mosque, as stated by Mr Alexopoulous.

Mr Alexopoulous has said they “make too much noise” without elaborating when they make too much noise, the duration or frequency.

There has been great support from the surrounding neighbours for this application.

On balance, most of the surrounding residents have no problem with the noise coming from the Temple, and as Mr Alexopoulous has not elaborated about “too much noise” it is difficult to prepare a response to this.

Mr Alexopoulous has also stated “the road will become too busy” without providing any comments or reports from a qualified Traffic Engineer. If Mr Alexopoulous had serious concerns regarding this we would have expected him to provide some documentation related to the planning aspects of this application. As such he has just made a broad statement with no supporting evidence.

The application has provided substantial on site carparking and will not affect the traffic flow on Burton Rd as they have sufficient off street carparking for their requirements.



t (08) 8272 0400
f (08) 8272 0522
a 392 Goodwood Rd
Cumberland Park SA 5041
pa P.O. Box 603
Goodwood SA 5034
w tkbuildingdesign.com.au

Response to representation made by:

Allan Bach and Sandra Bach
16 Clement Ave
Paralowie SA 5108

Allan and Sandra have stated

“In reply to your letter regarding the proposal of a car park on the Cambodian Community Property. As this is already used as a large car park containing many vehicles bringing with it unavoidable noise and light disturbances, especially after dark. We proposed that the fence adjoining our properties be raised to the highest permissible height to minimise as before mentioned noise and headlight intrusion into our rear windows, especially after dark. While we initially had no issue with the setting up of the Cambodian Centre as it was proposed at the time put forward to us many years ago, the centre is now three times the size and has probably three times of people visiting. We think to minimise requirements we feel should be irrection of a suitable fence along the boundary area between the community centre and residential areas adjoining.”

The fence between the Cambodian Centre and 16 Clement Ave is already a minimum of 1800 above natural ground level.

It is a physical impossibility that the light from car headlights can make it over the fence and into ground level rear windows. The light is screened by the current fence. The existing fence meets council and Fencing Act requirements and does not need replacing.

If it was replaced by a 2100 high fence, the noise travelling to the adjoining property at 16 Clements Ave would not be any less than what is currently occurring.

If Allan and Sandra would like a new fence, it is advised they contact the management of the Cambodian Centre and discuss this in accordance with the Fencing Act 1975.

Thanks and Kind Regards

Michael Baack

Michael Baack
Draftsman and Building Designer
TK Building Design

Attachment 4:
Relevant Development Plan Provisions –
Consolidated 4th April 2019

Development Plan

Salisbury Council

Consolidated - 4 April 2019

Please refer to the Salisbury Council page at www.sa.gov.au/developmentplans to see any amendments not consolidated.



Government of South Australia
Department of Planning,
Transport and Infrastructure

Consolidated - 4 April 2019

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Consolidated - 4 April 2019

Community Facilities

OBJECTIVES

- 1 Location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve.
- 2 The proper provision of public and community facilities including the reservation of suitable land in advance of need.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Community facilities should be sited and developed to be accessible by pedestrians, cyclists and public and community transport.
- 2 Community facilities should be integrated in their design to promote efficient land use.
- 3 Design of community facilities should encourage flexible and adaptable use of open space and facilities for a range of uses over time.

Places of Worship

- 4 Places of worship should be developed according to the following hierarchy:

Scale	Development form	Congregation size
Small (local)	Associated with an area of worship ancillary to a residence. These activities are particularly common for religious organisations that do not have a large following and / or lack funds to purchase a standalone building.	Typically accommodate approximately 5 to 30 worshippers in any one session.
Medium(neighbourhood)	Purpose built or re-use of existing buildings with medium footprints that are found in most suburbs and country towns	Typically have congregations of up to 100-300 persons in any one session
Large (regional)	Purpose built or re-use of existing buildings with large footprints and catering for a variety of ancillary activities	In excess of 300 persons in any one session

- 5 Small (local) to medium (neighbourhood) scale places of worship within residential areas should be appropriately located on major collector roads to minimise congestion or traffic conflict within local streets.
- 6 Large places of worship should:
 - (a) be located within centre, commercial or the periphery of industrial zones
 - (b) demonstrate the following design features:
 - (i) reuse of existing buildings
 - (ii) the bulk, mass and height of development compatible with the character of the locality
 - (iii) sharing of car parking facilities

Salisbury Council
General Section
Community Facilities

- (iv) siting on arterial or collector roads rather than narrower local residential streets
- (v) promote crime prevention through environmental design principles
- (vi) reduced land use conflicts in relation to the scale of building form and hours of operation
- (vii) provide value added functions and facilities that can be used by neighbouring activities.

7 Large scale places of worship located in commercial or industry zones should not detrimentally impact on the operations of existing commercial or industrial land uses.

8 Places of worship should be established with one car parking space for every three seats or every three attendees to the place of worship.

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.

Salisbury Council
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:
- be integrated with the overall architectural form and detail of the building
 - be sited to face predominantly north, east or west to provide solar access
 - 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:
- windows of habitable rooms
 - upper-level private balconies that provide the primary open space area for a dwelling
 - 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:
- off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
 - 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
 - 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.

Salisbury Council
 General Section
 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:
 - (a) incorporating appropriate treatment technology before exhaust emissions are released to the atmosphere
 - (b) ensuring that the location and design of chimneys or exhaust flues maximises dispersion and takes into account the location of nearby sensitive uses.

Rural Interface

- 13 The potential for adverse impacts resulting from rural development should be minimised by:
 - (a) not locating horticulture or intensive animal keeping on land adjacent to townships
 - (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 14 Traffic movement, spray drift, dust, noise, odour and the use of frost fans and gas guns associated with primary production should not lead to unreasonable impact on adjacent land uses.
- 15 Existing primary production and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.
- 16 Development that is adjacent to land used for primary production (within either the zone or adjacent zones) should include appropriate setbacks and vegetative plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production.

- 17 New urban development should provide a buffer of at least 40 metres wide (inclusive of any fuel break, emergency vehicle access or road) separating urban and rural activities.
- 18 Development located within 300 metres of facilities for the handling, transportation and storage of bulk commodities should:
 - (a) not prejudice the continued operation of those facilities
 - (b) be located, designed and developed having regard to the potential environmental impact arising from the operation of such facilities and the potential extended hours of operation.

Landscaping, Fences and Walls

OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
 - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
 - (b) enhance the appearance of road frontages
 - (c) screen service yards, loading areas and outdoor storage areas
 - (d) minimise maintenance and watering requirements
 - (e) enhance and define outdoor spaces, including car parking areas
 - (f) maximise shade and shelter
 - (g) assist in climate control within and around buildings
 - (h) minimise heat absorption and reflection
 - (i) maintain privacy
 - (j) maximise stormwater re-use
 - (k) complement existing vegetation, including native vegetation
 - (l) contribute to the viability of ecosystems and species
 - (m) promote water and biodiversity conservation.
- 2 Landscaping should:
 - (a) include the planting of locally indigenous species where appropriate
 - (b) be oriented towards the street frontage
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.
- 3 Landscaping should not:
 - (a) unreasonably restrict solar access to adjoining development
 - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding

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Landscaping, Fences and Walls

- (c) introduce pest plants
- (d) increase the risk of bushfire
- (e) remove opportunities for passive surveillance
- (f) increase leaf fall in watercourses
- (g) increase the risk of weed invasion
- (h) obscure driver sight lines
- (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.

4 Fences and walls, including retaining walls, should:

- (a) not result in damage to neighbouring trees
- (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
- (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
- (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
- (e) assist in highlighting building entrances
- (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
- (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
- (h) be constructed of non-flammable materials.

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.

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Residential Zone

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

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

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Zone Section
Residential Zone

(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:

- (a) [Concept Plan Map Sal/21 - Parlowie Residential Area 3](#)
- (b) [Concept Plan Map Sal/22 - Burton Residential Area 1](#)
- (c) [Concept Plan Map Sal/23 - Direk Residential Area](#)
- (d) [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#)
- (e) [Concept Plan Map Sal/25 - Parlowie Residential Area 1](#)
- (f) [Concept Plan Map Sal/26 - Parlowie Residential Area 2](#)
- (g) [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:

- (a) 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
- (b) service areas are located between the noise source and the living areas of the dwelling
- (c) dwellings utilise suitable sound insulation methods such as double-glazing to windows, roof and wall insulation
- (d) 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

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.

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	

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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*.

Table Sal/1 - Building Setbacks from Road Boundaries

Table Sal/1 - Building Setbacks from Road Boundaries

Road Name	Portion of Road Affected	Setback Distance
Burton Road	The whole length on both sides	8 metres
Carey Street, Salisbury	The north-western side from Commercial Road to Ponton Road	11 metres
Clayson Road, Salisbury East	Both sides from Main North Road to Bridge Road	11 metres
Commercial Road, Salisbury	The whole length on both sides	11 metres
Cross Keys Road, Salisbury South, Salisbury	The whole length on both sides	14 metres
Deuter Road, Burton, Paralowie	The whole length on both sides	14 metres
Fendon Road, Salisbury	The whole length on both sides	14 metres
Frederick Street, Cavan	The whole length on both sides	9.5 metres
Frost Road, Salisbury South	The whole length on both sides	14 metres
Helps Road, Direk, Burton	The whole length on both sides	14 metres
James Street, Salisbury	The northern side between Gawler Street and Parabanks Shopping Centre boundary	12.9 metres
Kelly Terrace, Salisbury	The north-eastern side from Carey Street, for a distance of 100.58 metres in a south easterly direction	13 metres
Kesters Road, Para Hills West	Both sides from Main North Road to Bridge Road	14 metres
Martins Road	The whole length on both sides	8 metres
Maxwell Road	The whole length on both sides	8 metres
Milne Road	The whole length on both sides	8 metres
Nelson Road	The whole length on both sides	8 metres
Ponton Street, Salisbury	The north-eastern side from Commercial Road to Carey Street	11 metres
Pratt Avenue, Pooraka	The whole length of both sides	10.5 metres
Saints Road	The whole length of both sides	8 metres
Shepherdson Road, Parafield Gardens	The south-western side from the north-western boundary of Section 2249, Hundred of Yatala to Port Wakefield Road	12.5 metres
Shepherdson Road, Parafield Gardens	The whole length of the north-eastern side	12.5 metres

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Table Sal/1 - Building Setbacks from Road Boundaries

Road Name	Portion of Road Affected	Setback Distance
South Terrace, Salisbury	The north-eastern side commencing at a point 18.28 metres north-west of the north-western alignment of Hunt Street and continuing north-westward for a distance of 17.72 metres	14 metres
Spains Road, Salisbury, Salisbury Downs	The whole length on both sides between Salisbury Highway and the railway line	8 metres
Stanford Road, Salisbury Heights	The eastern side from Target Hill Road to a point 79.24 metres south-west of Taylor Avenue	10.5 metres
Stanford Road, Salisbury Heights	Both sides from Golden Grove Road to a point 79.24 metres south-west of Taylor Avenue	16.5 metres
Stanford Road, Salisbury Heights	The western side from Target Hill Road to a point 79.24 metres south-west of Taylor Avenue	18 metres
Thomas Street, Cavan	The whole length on both sides	9.5 metres
Whites Road, Salisbury North, between Waterloo Corner Road and Diment Road	The whole length on both sides	11 metres
Whites Road, Salisbury North, Paralowie, Parafield Gardens	Both sides from Kings Road to Waterloo Corner Road	14 metres
Whites Road, Parafield Gardens	Both sides from Cook Street to Shepherdson Road	8 metres
Winzor Street	The whole length on both sides	8 metres
Wright Street	The whole length on both sides	8 metres
Wynn Vale Drive	The whole length on both sides	8 metres

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](#).

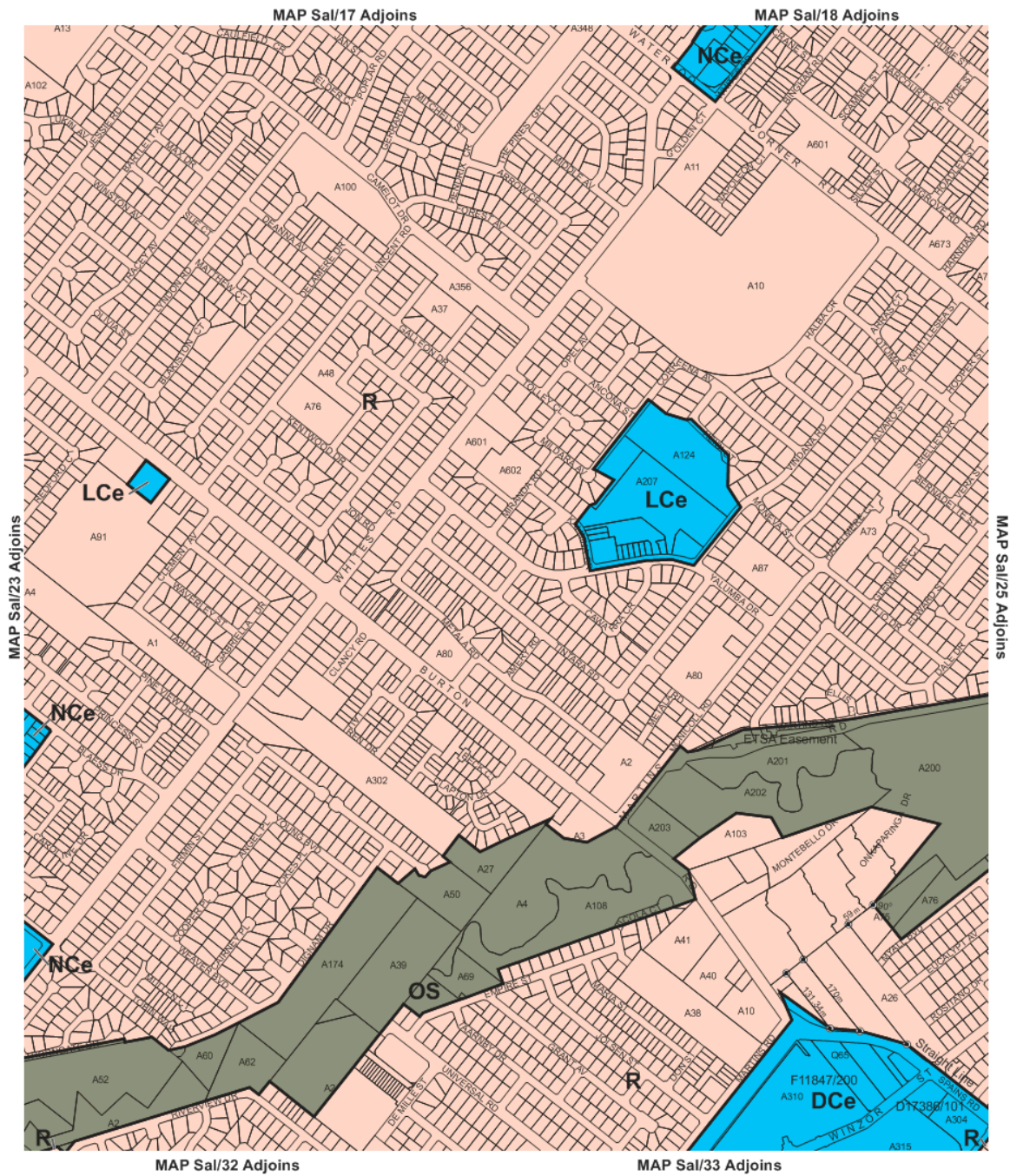
Form of Development	Number of Required Car Parking Spaces
Accommodation	
Aged Care / retirement home	1 space per unit
Serviced apartment	1 space per unit plus 1 space per employee
Motel	1 space per unit
Commercial	
Bulky goods outlet	3 spaces per 100 square metres of gross leasable floor area
Cinema	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	

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

Form of Development	Number of Required Car Parking Spaces
Detached dwelling Semi Detached Dwelling Row Dwelling	2 spaces per dwelling, one of which is to be covered
Residential flat building Multiple dwelling Group dwelling	1 space per dwelling, plus 0.5 on-site visitor car parking spaces per dwelling
Industry, warehouses, stores	
Office component	1 space per 30 square metres
Plus	Plus
Non-office component	
Up to 200 square metres	1 space per 50 square metres
Plus 200-2000 square metres	1 additional space for every 75 square metres
Plus greater than 2000 square metres	1 additional space for every 150 square metres
Or	Or
For labour intensive industries, inclusive of office component (whichever ever is greater)	0.75 car parking spaces per employee
Medical	
Consulting room	10 per 100 square metres of total floor area, with a minimum of 3 spaces per tenancy
Hospital	2.5 spaces per bed
Nursing home	1 space for every 4 beds

The following vehicle parking requirements apply to development specifically within the **Mixed Use (Bulky Goods, Entertainment and Leisure) Zone**:

Form of Development	Minimum number of required vehicle parking spaces
All forms of development (except Light Industry)	3 spaces per 100 square metres of gross leasable floor area



Lamberts Conformal Conic Projection, GDA94

- Zones**
- DCe District Centre
 - LCe Local Centre
 - NCe Neighbourhood Centre
 - OS Open Space
 - R Residential
 - Zone Boundary

Zone Map Sal/24

SALISBURY COUNCIL
Consolidated - 4 April 2019

Item 5.1.1 - Attachment 4 - Relevant Development Plan Provisions - Consolidated 4th April 2019

ITEM	5.1.2
	COUNCIL ASSESSMENT PANEL
DATE	27 August 2019
APPLICATION NO.	361/366/2019/3B
APPLICANT	Mr Shawn Van Groesen
PROPOSAL	Parking of a Truck In Excess of 3 Tonne Tare
LOCATION	193 Salisbury Highway, Salisbury Downs SA 5108
CERTIFICATE OF TITLE	Volume 5800 Folio115
AUTHOR	Katherine Thrussell, Development Officer - Planning, City Development

1. DEVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Residential Zone
Application Type	On-Merit
Public Notification Category	3
Public Notification	Representations received: Three Representations to be heard: One
Referrals - Statutory	Commissioner of Highways
Referrals – Internal	Development Engineering
Development Plan Version	Salisbury (City) Development Plan Consolidated 15 December 2016
Assessing Officer	Katherine Thrussell – Development Officer Planning
Recommendation	Grant Development Approval subject to Conditions
Meeting Date	27 August 2019

2. REPORT CONTENTS

Assessment Report

Attachment 1:	Proposal Plans and Supporting Information
Attachment 2:	Notice of Category 3 Application and Representations
Attachment 3:	Applicant Response to Representations
Attachment 4:	Statutory Referral Response
Attachment 5:	Relevant Development Plan Extracts, Consolidated 15 December 2016

3. EXECUTIVE SUMMARY

This is a retrospective application and the applicant has been using the site since approximately April 2018. In April 2018 Council received complaints regarding the parking of trucks, activities and associated noise occurring on the property (e.g. grinding and cutting of metal) and various items located on the property resulting in an unsightly appearance.

Since contacting the property owner with respect to these complaints the site has improved in appearance and the applicant is seeking approval for the parking of a single truck in excess of three tonne tare.

The site is largely vacant other than a shed located in the south west corner of the site, approximately 78m² in area. While there are no records of any previous approvals for this site, the applicant has advised that the Land was originally own by his grandfather, who built the shed in association with the adjoining dwelling. The shed was apparently used to store material and vehicles associated with a building/construction business. On this basis it is accepted that the shed has existing use rights for storage purposes and as such the shed does not form part of this application.

The applicant has advised that the truck has a weight of 8.7 tonnes and is 3.2m high. Access will be provided via a new driveway crossover with the existing crossover to be removed.

The Department of Planning Transport and Infrastructure (DPTI) is supportive of the proposed access provided that the subject vehicle can enter and exit the site in a forward manner with no reversing onto Spains Road.

It is proposed that the truck be parked on the site between the hours of 7pm and 7am weekdays and 7pm and 9am Saturday and Sunday generally with exit from the site not occurring before 7am weekdays or 9am weekends and entry not after 7pm. The truck is equipped with a manual isolating switch to disable the audible warning when reversing within the site. There is sufficient space on site for a truck to manoeuvre.

Landscaping will be provided adjacent the southern boundary fence and at the north east corner of the site.

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

- a) While the proposed use is not an envisaged use within the zone, the use will not detrimentally affect the amenity of the locality or cause unreasonable interference to surrounding properties;
- b) Appropriate mitigation measures are proposed with regards to noise to protect the amenity of the locality;
- c) The development will not have detrimental visual impact within the locality.
- d) Access to and from the site is appropriate;
- e) While landscaping proposed is minimal, this is not inappropriate having regard to the context of this locality.

4. SUBJECT SITE

The subject site is located on the south western corner of Salisbury Highway and Spains Road. The site has a width of approximately 15.8m, and a depth of 36m, other than accounting for the corner cutoff, and a total area of approximately 568m².

The site contains one existing building, the shed, located in the south western corner of the site. The balance of the site is vacant land and consists of recycled compacted rubble. There is an existing access point from Spains Road that is to be reinstated. The site is fenced with colorbond fencing.

ITEM 5.1.2

The site does not contain any Significant or Regulated trees.

There are no easements, Land Management Agreements (LMAs) or Encumbrances registered on the Certificate of Title.

Site photos are provided on the following page.

Photo 1:

Looking north along Salisbury Highway with the subject site on the left.



Photo 2:

Looking south east along Spains Road towards the subject site.



Photo 3:

Looking south along Salisbury Highway with the subject site on the right.



Photo 4:

Looking south west towards the subject site.



5. LOCALITY

The subject site is located within the Residential Zone of Council's Development Plan (consolidated 15 December 2016).

The area is characterised by predominantly single storey double fronted homes with single garaging and pitched roof forms. Fencing, where provided, is generally low in height and open in style. There are some examples of solid sheet metal such as colorbond or similar, particularly along Salisbury Highway. Homes are well maintained with landscaped front yards. Paved footpaths are located on both sides of Spains Road and Salisbury Highway.

ITEM 5.1.2





There is a Caltex petrol filling station located on the south western corner of Salisbury Highway and Londonderry Avenue with local shops adjacent, both within 100m south of the subject site. Additional examples of non-residential uses are located north of the subject site on Salisbury Highway. These include a Sand and Metal depot on the corner of Ada Street and a small group of shops located on the corner of Middleton Street. Other than the sand and metal depot which is located in the Residential Zone, these uses are located within a Local Centre Zone.

Locality plan and contextual plans are provided below.

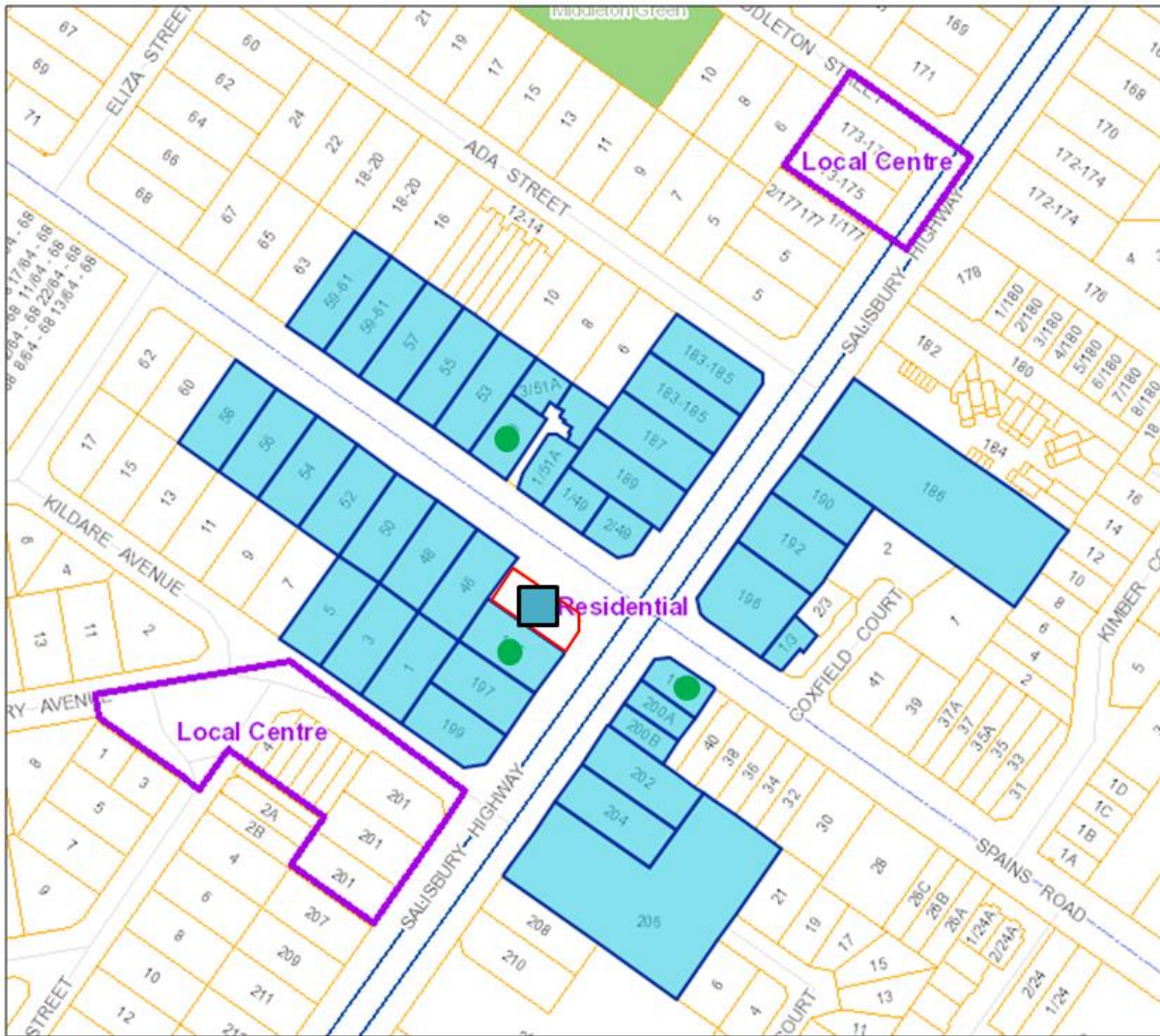
Locality Plan - Aerial







Legend (Source: Nearmap)

	Subject site
	Zone boundary
	Site boundary
	Locality boundary




Locality Plan – Cadastre



Legend (Source: Geocortex)	
	Subject site
	Site boundary
	Locality and properties notified during Category 3 public notification
	Representations Received during Category 3 public notification

Contextual Plan



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

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The development is retrospective with the use having commenced in approximately April 2018.

The applicant seeks approval for the parking of one truck in excess of 3 tonnes tare in weight. The truck is identified as Registration WKH 076, 8.7 tonnes weight (gross vehicle mass 24,000 kilograms) and 3.2m cab height. The truck will generally be parked on the site overnight and leave the site not before 7am weekdays and 9am Saturdays and Sundays. The truck will re-enter the site no later than 7pm on any day.

Landscaping will be provided adjacent the southern boundary fence and at the north east corner of the site.

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). Development of the kind proposed is neither listed as being a Complying or Non-Complying form of development in the Residential Zone and consequently should be assessed "on-merit" against the relevant provisions of the Development Plan.

8. PUBLIC NOTIFICATION

The proposed development is neither listed as being a Category 1 or Category 2 form of development under the Residential Zone or under Schedule 9 of the *Development Regulations 2008*. Accordingly, the application must be a Category 3 form of development under Section 38 of the *Development Act 1993*.

The Category 3 public notification period took place between 10 May and 23 May 2019. Council received three (3) representations during the public notification period as follows.

Representations received			
Representations received		Support / Oppose	Wish to be Heard
1	Mr Sergio Riccio 197 Salisbury Hwy, SALISBURY DOWNS SA 5108	Support	Yes
2	Ms Jelena Uzur 51b Spains Rd, SALISBURY SA 5108	Support	No
3	Ms Emily N Jaworek 198 Salisbury Hwy, SALISBURY DOWNS SA 5108	Oppose	No

A copy of the Category 3 public notice, submissions received and the applicant's response are contained in Attachments 2 & 3. The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
Land Use	
The property should be used for residential purposes.	The land has a history of being used for storage purposes.
Noise	
Disturbance as a result of undertaking maintenance work on the truck on the site such as grinding, welding and forklift use.	The proposal is for the parking of one truck only and the tenant has been advised that no other activities such as grinding, cutting or drilling are to occur.

Fencing	
The proposed 2.1m high southern boundary fence is excessive, the existing fence should remain or a 1.8m high fence in its place.	The proposal has been amended to remove any alteration to existing boundary fencing.

9. REFERRALS – STATUTORY

Pursuant to Schedule 8 (3) of the Regulations the proposal was referred to the Commissioner of Highways. The following response was received from the Department of Planning Transport and Infrastructure (DPTI):

The application seeks to construct a new access located approximately 6 metres from the western boundary which will cater for the entry and exit movements of a truck. It is noted that the proposed access point would not adhere to *AS/NZS2890.1:2004, Figure 3.1 – Prohibited Location of Access Driveways*, however given the kerb alignment there is no alternative location for access that would be compliant. As such, DPTI is supportive of the access provided that the largest vehicle/s parked on the site can conveniently enter and exit the site in a forward direction. Sufficient area must be provided internally for all manoeuvring so that vehicles do not reverse onto Spains Road. The existing crossover should be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.

DPTI supports the proposed development and advises the planning authority to attach the following conditions to any approval:

1. All vehicles shall enter and exit the site in a forward direction.
2. The access point to Spains Road shall be designed and flared to cater for the swept path of the largest vehicles expected on site. No access to Salisbury Highway will be permitted.
3. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.
4. Any obsolete crossover/s (or any portion thereof) on Spains Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
5. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

A copy of the DPTI referral response is contained in Attachment 4.

10. REFERRALS – INTERNAL

DIVISION	COMMENT
<i>Development Engineering</i>	<ul style="list-style-type: none"> • The existing kerb crossover is a single width crossover suitable for passenger vehicles. Typically a vehicle crossover intended for commercial traffic would need to be of sufficient width to cater for the full turn movement in and out of the property without crossing the upright kerb. In this instance aerial photos suggest that vehicles are currently riding over the upright kerb to the west of the crossover. • If the proposed use is supported, the kerb crossover should be increased to at least 6.0m and be aligned with the access gate. • Aerial photos show that there is drag out from the driveway to the road as a result of the unsealed surface. If the proposal is supported, the driveway apron (ie between the kerb and the property boundary) will need to be constructed to a standard appropriate for the intended traffic, inclusive of a sealed surface. Council has a standard detail SD15 for asphalt, concrete or paved light duty commercial verge crossovers. • The verge surface has been modified between April and July 2018 at the same time that the site was resurfaced. It's assumed that this was carried out by the owner. If so a verge development request should be lodged for consideration by Council's Landscape Team. • All vehicles are to enter and exit the site in a forward direction. The largest nominated vehicle to access the site needs to be able to turn around within the site. A typical MR truck (8.8m) has an outside turn radius of 10.0m and would not be able to turn around on the site in a single movement. The proposed truck appears to be slightly larger than this and multiple movements would be required to turn onsite.
<i>Parks and Open Space</i>	<ul style="list-style-type: none"> • The use of rubble as a verge treatment is in accordance with the Verge Development Guidelines. • We would wish for the applicant to lodge an application for this treatment on the verge for consideration by Council staff and approve accordingly. This will ensure that the resident has followed due process, there is formal record in the system of the treatment and that the resident remains responsible for the maintenance of the treatment as per the guidelines.

11. 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:

- a) While the proposed use is not an envisaged use within the Residential Zone non-residential uses exist within the immediate locality including a petrol filling station, sand and metal depot and shops, and has existed on the subject land for some years.
- b) The proposed development does not limit the ability to develop the site for residential purposes in the future;
- c) The scale of development is small.

Assessment

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

An extract of the relevant Development Plan, consolidated 15 December 2016, is contained in Attachment 5. The relevant provisions are also highlighted in the Attachment.

Land Use

Principle of Development Control 1 of the Residential Zone states:

PDC 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.*

Principle of Development Control 4 of the Residential Zone further states:

PDC 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.*

One representor has raised concern with respect to the proposed use suggesting that the site should be used for residential purposes.

While the proposed development is not an envisaged use within the Residential Zone, it is considered that the scale of use will not detrimentally impact on the amenity of nearby residents taking into account that the proposal is for the parking of one truck only.

Although there are currently additional vehicles located on the site including two forklifts, a trailer and passenger vehicle, the storage of these vehicles does not form part of this application. A condition restricting the use of the site for the parking of one truck only is recommended, if the Panel decides to grant planning consent. Council staff will have the ability to enforce such a condition.

Maintenance work will not occur; as such possible impacts of mechanical work such as noise will be avoided.

Land Use Conflict

Objectives 1 and 2 and Principles of Development Control 1 and 2 of the *General Section: Interface Between Land Uses* module state:

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

Objective 2 *Protect community health and amenity from adverse impacts of development.*

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.*

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

Noise

Salisbury Highway is a secondary arterial road under the care and control of the Commissioner of Highways while Spains Road is a local road managed by Council. Salisbury Highway carries approximately 36,700 vehicles per day 5% of which are commercial vehicles as advised by the Manager Transport Assessment and Policy Reform. Given the high volume of traffic along Salisbury Highway the site is already exposed to a moderate level of background noise.

One representor has raised concerns with respect to noise associated with the proposed activity in addition to other activities such as welding, grinding and forklift use.

The applicant has suggested that noise such as the type raised by the representor may have occurred during construction of the boundary fence and levelling and compaction of the site and that this work is now complete.

The subject truck has the ability to disable the audible alarm when reversing onsite, as such potential noise associated with the development is considered to include movement of the truck itself onsite and upon entry and exit.

Noise impacts are considered to be mitigated by:

- disabling of the audible alarm;
- limiting movements to and from the site to between the hours of 7am and 7pm weekdays and 9am and 7pm Saturdays and restricting activity Sundays and Public Holidays; and
- the level of background noise from the type and frequency of vehicle traffic along Salisbury Highway.

In addition, it should be noted that Council has not received any complaints as a result of any current activities since early May 2019.

On this basis, it is considered that noise associated with the proposal will not detrimentally affect the amenity of the locality or cause unreasonable interference to surrounding properties.

Hours of Operation

As mentioned above, the activities are proposed to occur between the hours of 7am and 7pm weekdays and 9am and 7pm Saturdays and Sundays. This is considered to be reasonable with the exception of Sundays and as such a condition restricting any activity on Sundays and Public Holidays is recommended.

Traffic Impacts

The proposed development will not cause any unreasonable increase in traffic volumes and will not increase demand for on-street car parking within the locality.

Having considered all of the above impacts, the proposed development is not expected to unreasonably affect the amenity of the locality, which is consistent with the above listed Objectives and Principles.

Access

Under the General Section, “*Transportation and Access*” module, Principle of Development Control 13 states:

- 13 Development should make sufficient provision on-site for the loading, unloading and turning of all traffic likely to be generated.*

Further, Principle of Development Control 2 of the Strategic Transport Routes Overlay states:

- 2 Vehicular site access should not be provided along the main street frontage where an alternative access is available.*

Access to the site is from Spains Road. The access is supported by the Department of Planning, Transport and Infrastructure subject to conditions including the reinstatement of the disused portion of driveway crossover. Vehicles are able to enter and exit the site in a forward direction, via Spains Road. The applicant has stated that all vehicle manoeuvring can be accommodated on site.

The site consists of recycled compacted rubble. The new driveway crossover will need to be constructed to a standard appropriate for the intended traffic, inclusive of a sealed surface in accordance with Council's standard detail SD15 for asphalt, concrete or paved light duty commercial verge crossovers. The applicant has acknowledged this requirement.

The proposal is considered to generally satisfy transport and access related provisions of the Development Plan.

Design and Appearance

The proposed development incorporates landscaping adjacent the southern property boundary and at the north eastern corner of the site. This will assist with the visual appearance of the site and screening of the truck. The site is also fully enclosed with colorbond fencing, thus assisting with screening of the truck. While the proposed development would benefit from additional landscaping along the Salisbury Highway and western side boundaries the overall presentation of the site is considered to be acceptable.

12. CONCLUSION

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

- a) While the proposed use is not an envisaged use within the zone, the use will not detrimentally affect the amenity of the locality or cause unreasonable interference to surrounding properties;
- b) Appropriate mitigation measures are proposed with regards to noise to protect the amenity of the locality;
- c) The development will not have detrimental visual impact within the locality.
- d) Access to and from the site is appropriate;
- e) While landscaping proposed is minimal, this is not inappropriate having regard to the context of this locality.

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

13. STAFF RECOMMENDATION

That the Council 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 361/366/2019/3B for Parking of a Truck In Excess of 3 Tonne Tare in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
SP_01 Revision 4	Site Plan	03/07/2019	Shawn Van Groesen
Supporting Statement		03/07/2019	Shawn Van Groesen

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

2. Except where otherwise approved no other vehicles are to be parked or stored on the subject site.

Reason: To ensure the proposal is established in accordance with the submitted plans and maintain the amenity of the locality

3. Except where otherwise approved, no materials, goods or containers shall be stored on the subject site at any time, other than within the existing building.

Reason: To maintain the amenity of the locality.

4. The approved use operating times shall be limited as follows:

- a. Entry to the site shall not occur after 7pm Monday to Saturday;
- b. Exit from the site shall not be before 7am Monday to Friday and 9am Saturday;
- c. No activity Sundays and Public Holidays

Reason: To limit the effect of nuisance to residents living in the locality.

5. All landscaping identified on the Approved Site Plan, shall be completed, within three months 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 site is landscaped so as to enhance the visual and environmental amenity of the locality.

6. All driveways and manoeuvring areas shall be constructed in accordance with the Approved Site Plan. The driveway crossover (i.e. between the kerb and the property boundary) shall be constructed to a standard appropriate for the intended traffic, inclusive of a sealed surface in accordance with Council standard detail SD15 for asphalt, concrete or paved light duty commercial verge crossovers. The driveway crossover shall be established within three months (as hereby approved) and shall be maintained at all times to the satisfaction of Council. Further, the existing driveway crossover is to be removed and the kerb and verge reinstated to Council's requirements.

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

Department of Planning Transport and Infrastructure Conditions

7. All vehicles shall enter and exit the site in a forward direction.
8. The access point to Spains Road shall be designed and flared to cater for the swept path of the largest vehicles expected on site. No access to Salisbury Highway will be permitted.
9. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with AS2890.2:2018.
10. Any obsolete crossover/s (or any portion thereof) on Spains Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
11. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Advice Notes

The verge surface has been modified between April and July 2018 at the same time that the site was resurfaced. A verge development request should be lodged to Council for consideration by Council's Landscape Team.

CO-ORDINATION

Officer:	GMCiD	MDS
Date:	15.08.19	12.08.19

ATTACHMENTS

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

1. Proposal Plans and Supporting Information
2. Notice of Category 3 Application and Representations
3. Applicant Response to Representations
4. Statutory Referral Response
5. Relevant Development Plan Extracts, Consolidated 15 December 2016

**Attachment 1:
Proposal Plans
and
Supporting Information**



DEVELOPMENT APPLICATION FORM

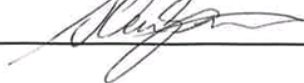
361/ /2018/

Please use BLOCK LETTERS and Black or Blue Ink

Item 5.1.2 - Attachment 1 - Proposal Plans and Supporting Information

I wish to apply for (tick only one): <input checked="" type="checkbox"/> Development Plan Consent <input type="checkbox"/> Building Rules Consent	
<input type="checkbox"/> Full Development Approval (consists of both consents, which is required prior to any work commencing)	
APPLICANT: COMPANY / FIRST NAME SHAWN	SURNAME VAN GROESEN
POSTAL ADDRESS: 16 THE CRESCENT CRAFTERS SA 5152	
EMAIL: shawnvangroesen@gmail.com	
OWNER NAME: (This must be completed) SHAWN	VAN GROESEN <input checked="" type="checkbox"/> as above
OWNER POSTAL ADDRESS: 16 THE CRESCENT CRAFTERS SA 5152	<input checked="" type="checkbox"/> as above
OWNER PHONE NO: 0405 830 321	OWNER EMAIL: shawnvangroesen@gmail.com
CONTACT PERSON FOR FURTHER INFORMATION <input checked="" type="checkbox"/> as above	
NAME:	TELEPHONE (W): (M):
EMAIL:	Information from Council will be given by electronic communication to the nominated email address.
BUILDER NAME: N/A	BUILDERS EMAIL: N/A
BUILDER POSTAL ADDRESS: N/A	CONTACT NO.: LICENCE NO.: N/A
CURRENT USE OF PROPERTY: VACANT BLOCK WITH SHED FOR STORAGE	
DESCRIPTION OF PROPOSAL: TRUCK PARKING	DEVELOPMENT COST \$ NIL
LOCATION OF PROPOSAL	
Street No: 193	Street: SALISBURY HIGHWAY Suburb: SALISBURY DOWNS
Lot No: 96	Section: 2253 Plan: 215182 Volume: 5800 Folio: 115
OFFICE USE ONLY	
Registration Date: / /2018	Zone: Ward:
BUILDING RULES CLASSIFICATION	
Classification sought:	
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees	Male: Female:
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:	
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:	

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

SIGNATURE: 

DATE: 4/3/19



Product Register Search
 Date/Time 28/11/2016 10:25AM
 Customer Reference Emma
 Order ID 20161128002721
 Cost \$27.75

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



Registrar-General

Certificate of Title - Volume 5800 Folio 115

Parent Title(s) CT 3405/126
 Dealing(s) CONVERTED TITLE
 Creating Title
 Title Issued 21/08/2000
 Edition 2
 Edition Issued 22/11/2010



Estate Type

FEE SIMPLE

Registered Proprietor



Description of Land

ALLOTMENT 96 FILED PLAN 215182
 IN THE AREA NAMED SALISBURY DOWNS
 HUNDRED OF YATALA

Easements

NIL

Schedule of Dealings

NIL

Notations

Dealings Affecting Title

NIL

Priority Notices

NIL

Notations on Plan



Government of South Australia
Department of Planning,
Transport and Infrastructure

Product	Register Search
Date/Time	28/11/2016 10:25AM
Customer Reference	Emma
Order ID	20161128002721
Cost	\$27.75

NIL

Registrar-General's Notes

NIL

Administrative Interests

NIL

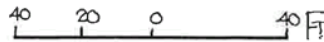
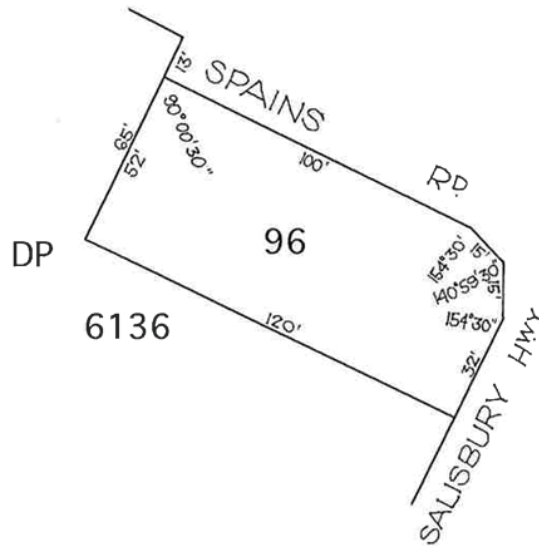


Government of South Australia
 Department of Planning,
 Transport and Infrastructure

Product Register Search
 Date/Time 28/11/2016 10:25AM
 Customer Reference Emma
 Order ID 20161128002721
 Cost \$27.75

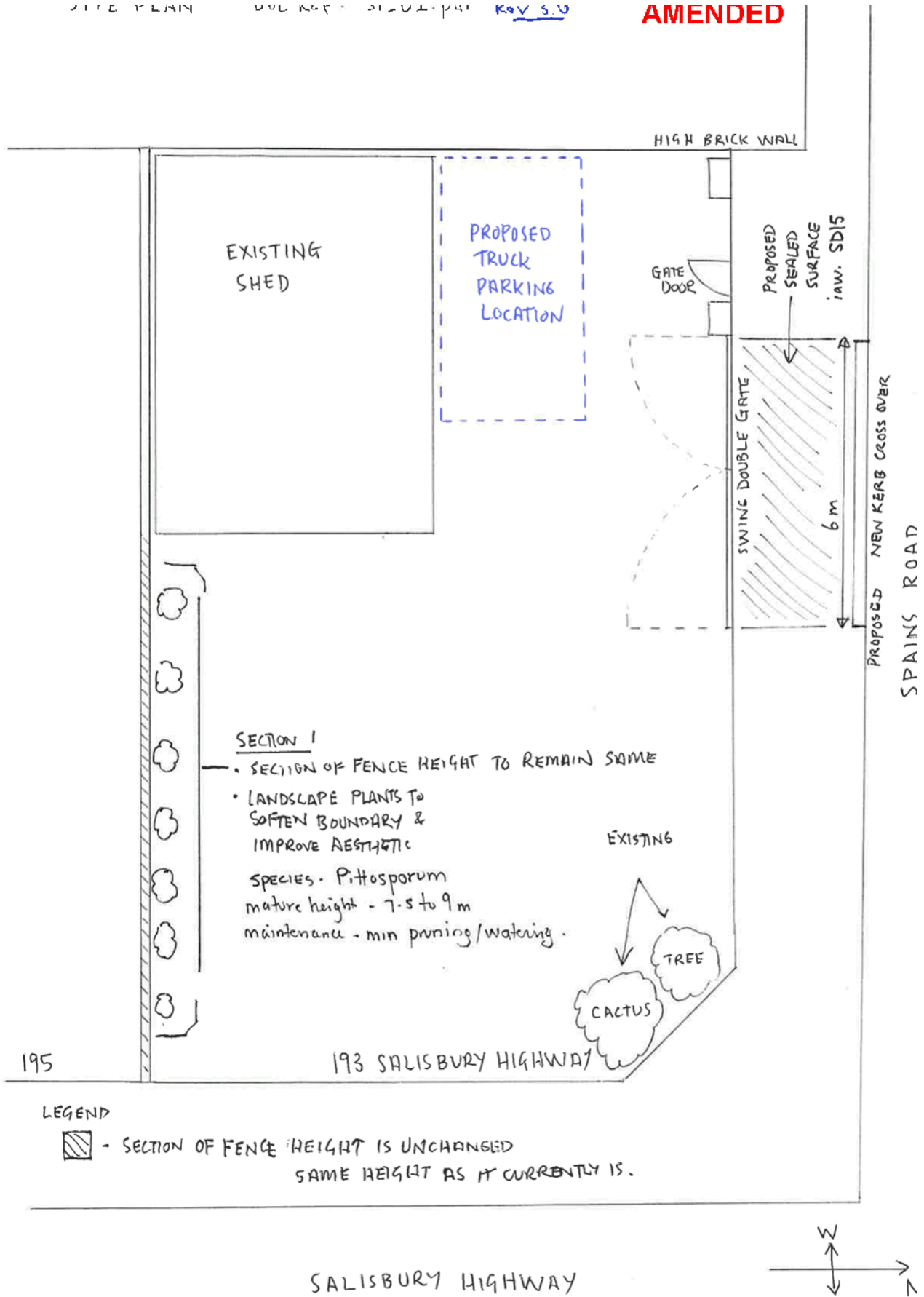
THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 3405/126

LAST PLAN REF: DP 6136



DISTANCES ARE IN FEET AND INCHES
 FOR METRIC CONVERSION
 1 FOOT = 0.3048 METRES
 1 INCH = 0.0254 METRES

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



SUPPORTING REPORT FOR DEVELOPMENT APPLICATION

CHANGE OF EXISTING USE - FOR PARKING OF A TRUCK

ADDRESS: 193 Salisbury Highway, Salisbury Downs SA 5018

APPLICANTS NAMES: Shawn & Karmin VAN GROESEN

DATE: 3rd July 2019

**Updated for Fence Height on Southern Boundary and Representation
Feedback**

Introduction

My name is Shawn Van Groesen and my wife and I purchased the land and the shed at 193 Salisbury Highway, Salisbury Downs in January 2016. We made the decision to purchase this land with the future goal of building a house or units on the land.

History

My connection to the land and the house situated next door at 195 Salisbury Highway go back to my childhood. I am the grandson of the late Paul Kersten who previously owned both parcels of land including his own home at 195 Salisbury Highway.

193 & 195 Salisbury Highway were purchased by my grandfather in approximately 1959. He built his family home at 195 shortly thereafter. My grandfather was self-employed as a builder. He used the land I now own at 193 Salisbury Highway to park his work vehicles and to store his building materials (scaffolding), cement mixers and timber. He constructed the shed that currently exists on the land in 1973 to store his more valuable work assets. The land has had this type of use for as long as I can remember. The larger building materials and his work vehicles were stored on the land, including his caravan for periods of time. His neighbour at 197 Salisbury Highway also parks a large truck out the front of his own home to this day.

Current Situation

I have a tenancy agreement with a Mr Jason Gatt for the storage of goods in the shed and parking of his truck on the site. I came to this agreement, without any reservations based on my knowledge of the pre-existing use of the land. I did not think there would be any issues, but as I understand as it and it has been conveyed to me by Katherine Thrussell (Development Officer - Planner City of Salisbury) over time and during construction of a boundary fence that complaints were received in relation to noise, visual amenity (related to storage of vehicles and materials on the land), the parking of a truck and dust.

Over time, I have worked with the tenant to address these issues and as acknowledged by Council this has been achieved in majority of the matters. There were however, a number of pre-existing issues when I purchased the land requiring upgrade. It was this need that necessitated the early works on the land. We have also been working to address a number of complaints received by council, which are presented and set out below. It is also worth mentioning that the City of Salisbury Council have been patient and have worked with me to the point of submitting this application for Change of Use. Existing use rights have been granted for the storage of goods in the shed.

Proposed Use

The proposed use is defined as the parking of a single truck on the land overnight. This means that the truck will be started at the beginning of a work day, exit the site and then return at the end of the day to be parked. The constraints related to the earliest time of day that the truck can be started and leave the site and latest time it will return for overnight parking is defined below in the section on 'supporting evidence addressing the issues identified' below.

The most likely scenario is that the truck will not be at the site during working hours as it is the tenant's primary vehicle for conducting his business. To address the development guidelines a number of criteria relating to the parking of the truck have also been discussed in 'supporting evidence addressing the issues identified'.

The truck is identified by the following information:

Manufacturer: ISUZU
Registration: WKH 076
Weight: 8.7 Tonne
Cab height: 3.2m

SUPPORTING EVIDENCE ADDRESSING ISSUES IDENTIFIED**Item 1: Visual Amenity**

The following is presented to address the issue of visual amenity related to the land and nature of complaints received by Council.

1. Construction of a boundary fence

A 2.1m fence has been constructed on the northern boundary of the land which significantly improves the visual amenity. The fence improves security, conceals the vacant land and shed and is high enough to conceal a parked truck when viewed from surrounding properties on the northern boundary. The fence has also been painted paperbark, which is a natural colour that blends in with surrounding homes and colour schemes.

Note: ~~This proposal includes increasing the height of the fence on the southern boundary to 2.1m which will further improve visual amenity to the adjacent neighbour on this side.~~ After representations received I have amended the site plan (SP_01 V3.0) to keep the fence on the southern boundary at its current height (no change to the existing fence height) at Sergio Riccio's request, so as to not affect natural light entering his property.

Annex A: Photo 1 (visual amenity from the northern side) is provided as evidence to support the above statement.

2. ~~Increase of Fence Height and~~ Screening plants to Soften Southern Border

~~The proposal is to increase the height of the fence on the southern boundary to the neighbour to the same height as the northern boundary (2.1m) to improve visual amenity.~~

This ~~also~~ application includes adding pittosporum plants to provide screening to the same boundary with the goal of softening this boundary and improving visual amenity. Details are as follows:

- a) Plant species – Pittosporum
- b) Mature height – 7.5 to 9m
- c) Maintenance – for this species this is minimum and includes watering and occasional pruning.

3. Removal of other items from the land

The land has been cleared of the following items as evidenced by Council:

- a) fencing materials;
- b) metal and materials; and
- c) vehicles/ trailers.

Examples related to visual amenity and more industrial uses located nearby and a specific example of truck parking in a residential zone are also presented below. These serve as evidence to support this application and that truck parking on my land is not unique to the area and Salisbury Highway in general.

1. Truck parking at 197 Salisbury Highway

As mentioned, a truck is also parked at 197 Salisbury Highway and represents significantly reduced visual amenity compared to what is proposed for this application.

Annex A: Photo 2 Truck parking is provided as evidence.

As evidenced in the photo of the truck this may also be considered a safety hazard. The only method for exiting the driveway is to reverse out onto Salisbury Highway into on-coming traffic.

2. Examples of similar land use in the residential zone located less than 100m away

181 Salisbury Highway, corner block at Ada Streets and Salisbury Highway is a site that is used as a Sand and Metal depot. This particular site has earthmoving equipment operating on the site with trucks entering and exiting the site on a regular basis.

Annex A: Photos 3 (Sand & Metal Depot including truck and truck/earthmoving equipment) is provided as evidence.

Item 2: Noise & Truck Use Times

The following is presented to address noise at the site related to starting, entry and exit of the truck as well as other noise created at the site.

Site Context and Noise

The location of the land at 193 Salisbury Highway is important when assessing noise at the site. It is situated alongside Salisbury Highway which is a very busy and noisy major arterial road. It is also on the corner adjacent to the intersection of Spains road and Salisbury Highway. Salisbury Highway is a dual lane highway in both directions and as a major arterial road it is constantly transited by large semi-trailers travelling between industrial centres and interstate. The traffic light intersection is also a location where cars and trucks are constantly accelerating from a start which creates high levels of noise.

This context is provided to indicate that the truck and vehicle noise alongside Salisbury Highway and the intersection is already at high levels and would exceed that created by a single truck parking on

the land in the morning and at the end of the day (assuming the constraints related to times of entry and exit are adhered to). The parking of a single truck twice a day on the land will be minimal.

Truck Noise entering and exiting from the site

The following is proposed as part of this application to specifically constrain truck noise at the site.

1. Times of entry and exit

Starting/Stopping of the truck engine, entry and exit to the site will be limited to the following:

- Weekdays – not before 7am, no later than 7pm.
- Weekends – not before 9am, no later than 7pm.

2. Disabling audible warning signal on truck when reversing

A manual isolating switch is fitted within the cabin of the truck that the driver can use to isolate the audible warning signal when reversing on the land. This will be isolated when entering and exiting the site.

Other noise created at the site

1. Construction of boundary fence

The construction of the fence and levelling of the land is now complete. This means that the noise issues such as grinding, cutting, drilling has ceased. Continuation of this type of noise will no longer occur at the site.

2. Other activities at the site

The tenant has been advised that the land can only be used for storage and not for working or any activity that creates noise, such as grinding, cutting and drilling.

Item 3: Dust

The following is presented to address the complaints received related to dust created at the site.

Site Context

As described in the introduction the land at the site had been unimproved until I purchased it. Apart from the portion of land where the shed is situated the remainder of the site was covered with loose top soil and weeds, which was a source of dust to nearby residents on high wind days or when a vehicle drove on it. At the beginning of the tenancy, when the fence was being upgraded vehicles

were driving on the site and causing a source of dust, resulting in complaints received from residents.

Dust created on the site from the truck

The following has been completed to stop dust being created by truck movement on the site.

1. Levelling of the site and application of recycled rubble

The site has been levelled and recycled rubble laid and compacted over the loose top soil to stop dust. This has been applied in the following locations:

- Entire site bordered by the land defined in the Certificate of Title (excluding where the shed is located on the land.
- Cross-over been the curb and point of access to the land where the truck will enter/exit the site.

Annex A: Photos 4 Recycled rubble is provided as evidence.

2. Construction of the boundary fence

Dust created as part of constructing the northern boundary fence has ceased now that the fence is complete.

Item 4: Separate Development Requirements (feedback from engineer)

The following is presented to address the feedback received from the development engineer. These items are also added to the Site Plan (SP-01.pdf) also provided with the development application.

Added Development Requirements

The following has been added and will be addressed.

1. New kerb cross over (6m) opposite the gates on Spains Road (in accordance with sd_15.pdf)
2. Sealed surface (driveway apron) added between the kerb and property boundary
3. Formal application (verge development request) to the Council's Landscape Team for the existing modification on the verge (rubble)

Annex A – Photographs

Photo 1 (visual amenity from the northern side)



Annex A – Photographs

Photo 2 (Truck parking at 197 Salisbury Hwy)



Annex A – Photographs

Photos 3 (Sand & Metal Depot – truck in background on site)



Annex A – Photographs

Photos 4 Recycled rubble



**Attachment 2:
Notice of Category 3 Application and
Representations**

**DEVELOPMENT ACT 1993
CITY OF SALISBURY**

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

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

APPLICATION NO:	361/366/2019/3B
APPLICANT:	S D Van Groesen 16 The Crescent CRAFERS SA 5152
NATURE OF DEVELOPMENT:	PARKING OF A TRUCK IN EXCESS OF 3 TONNE TARE
LOCATION:	193 Salisbury Highway, Salisbury Downs SA 5108
CERTIFICATE OF TITLE:	CT-5800/115
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 23rd May 2019**.

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 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Katherine Thrussell, Development Officer

Date: 10 May 2019

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE



STATEMENT OF REPRESENTATION
 Pursuant to Section 38 of the *Development Act 1993*

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.

Application Number:	361/366/2019/3B
Applicant	S D Van Groesen
Nature of Development:	PARKING OF A TRUCK IN EXCESS OF 3 TONNE TARE
Location:	193 Salisbury Highway , Salisbury Downs SA 5108

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

NAME(S): Emily Jaworek.....

ADDRESS: PO Box 126 Para Hills SA 5096.....

PHONE NO: [REDACTED]..... EMAIL:

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

- The owner/occupier of the property located at: 198 Salisbury Highway, Salisbury Downs
- 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.

This is a residential area. The property should be left as land or have a house built on it.

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361/366/2019/3B

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

Not having the truck park there and a residential property being built on the land when the owner is ready.

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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:

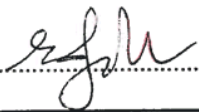
- Do not wish to be heard in support of my representation.
- Wish to be heard in support of my representation, and I will be:
 - Appearing personally,
 - OR**
 - Represented by the following person:
 - Contact details:

(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 23rd May 2019, 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: 13 / 5 / 19

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 23rd May 2019.**



STATEMENT OF REPRESENTATION
 Pursuant to Section 38 of the *Development Act 1993*

15 MAY 2019

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.

Application Number:	361/366/2019/3B
Applicant	S D Van Groesen
Nature of Development:	PARKING OF A TRUCK IN EXCESS OF 3 TONNE TARE
Location:	193 Salisbury Highway , Salisbury Downs SA 5108

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

NAME(S): Jelena Uzur

ADDRESS: 51B Spains Road Salisbury

PHONE NO: [REDACTED] EMAIL: [REDACTED]

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

- The owner/occupier of the property located at: 51B Spains Road
- 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.

I support the proposal for the reason that I believe that this will not affect anyone around the property in any way, we live on a road and we I am use to trucks driving pass all the

PTO

361/366/2019/3B

time. I believe that the owner of the property has every right to have his trucks on his property especially if they are used for his working purposes. In conclusion I fully support this this will not affect me or my house in any way. Thank you

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

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:

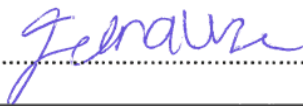
Contact details:

(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 23rd May 2019, to ensure that it is a valid representation and taken into account.

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Signature: 

Date: 14 / 5 / 19

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 23rd May 2019.**



STATEMENT OF REPRESENTATION
 Pursuant to Section 38 of the *Development Act 1993*

23 MAY 2019

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.

Application Number:	361/366/2019/3B
Applicant	S D Van Groesen
Nature of Development:	PARKING OF A TRUCK IN EXCESS OF 3 TONNE TARE
Location:	193 Salisbury Highway , Salisbury Downs SA 5108

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

NAME(S): Sergio Riccio
Residential
 ADDRESS: 197 Salisbury Highway, Salisbury Downs
 PHONE NO: [REDACTED] ... EMAIL: [REDACTED]

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

- The owner/occupier of the property located at: 195 Salisbury Highway
Salisbury Downs
- Other (please state):

YOUR COMMENTS:

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

- Support the proposed development. with conditions.
- 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 previously discussed with Katherine Thruswell on
16 May 2019, I have no objection to the tenant
parking one truck (Registration: WKH 076) overnight
at these premises.

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

The concern I have is that the tenant has not demonstrated the behaviour that is suggested in the applicants proposal. At this time there are two trucks & a forklift that are parked & are in use at this location. I see this as a contradiction to the proposed use of these premises (as outlined by Mr van Groesen).

My primary concern is the noise disturbances that continue to this day. These noise disturbances have taken place at all hours of the day, including weekends. It is my opinion that the tenant is using this location as a workshop.

PTO

There have been regular instances of grinding, welding & forklift use during the day & evenings on both weekdays & weekends.

In some instances this work has been undertaken late in to the evening (eg: 9pm). Additionally, I object to increasing the fence height that is on boundary with my property to 2.1 metres as this would effect natural light entering my property.

As this is a rental property, I wish to ensure that my tenant is not adversely impacted by any change brought about from this proposal.

I have no objection to the fence remaining as is but if required I am satisfied with a fence height of 1.8 metres.

Should this be acceptable to the applicant then I would request a licensed insured fencing contractor erect the fence a their expense.

Should the tenant not meet the conditions of the proposal, I will contact Salisbury Council to discuss further.

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 23rd May 2019, 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: Sergio Puccio Date: 23 / 5 / 2019

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 23rd May 2019**.

Attachment 3:
Applicant Response to Representations

Katherine Thrussell

From: Shawn Van Groesen <shawnvangroesen@gmail.com>
Sent: Wednesday, 3 July 2019 11:45 AM
To: Katherine Thrussell
Subject: Dev Appn 193 Salisbury Hway Salisbury Downs 361/366/2019/3B
[SEC=UNOFFICIAL]
Attachments: Change of Use App - Updated 3July19 for Representations.docx; ATT00001.htm; SP_01 V3.0.pdf; ATT00002.htm

Hi Katherine,

As requested on Tuesday 2 July 2019, I have provided an updated Site Plan (Revision 03) and

Change of Use Application document.

The amendments are in response to the representation received from Sergio Riccio.

The amendment is to keep the fence on the Southern boundary at the same height (no alteration

to the fence that is currently there). This will ensure there is no change to natural light entering his property.

I have noted the response from Department of Planning Transport and Infrastructure and the date and time

of the Council Assessment Panel meeting you provided in your email also.

Thank you.

Regards

Shawn Van Groesen

SUPPORTING REPORT FOR DEVELOPMENT APPLICATION

CHANGE OF EXISTING USE - FOR PARKING OF A TRUCK

ADDRESS: 193 Salisbury Highway, Salisbury Downs SA 5018

APPLICANTS NAMES: Shawn & Karmin VAN GROESEN

DATE: 3rd July 2019

**Updated for Fence Height on Southern Boundary and Representation
Feedback**

Introduction

My name is Shawn Van Groesen and my wife and I purchased the land and the shed at 193 Salisbury Highway, Salisbury Downs in January 2016. We made the decision to purchase this land with the future goal of building a house or units on the land.

History

My connection to the land and the house situated next door at 195 Salisbury Highway go back to my childhood. I am the grandson of the late Paul Kersten who previously owned both parcels of land including his own home at 195 Salisbury Highway.

193 & 195 Salisbury Highway were purchased by my grandfather in approximately 1959. He built his family home at 195 shortly thereafter. My grandfather was self-employed as a builder. He used the land I now own at 193 Salisbury Highway to park his work vehicles and to store his building materials (scaffolding), cement mixers and timber. He constructed the shed that currently exists on the land in 1973 to store his more valuable work assets. The land has had this type of use for as long as I can remember. The larger building materials and his work vehicles were stored on the land, including his caravan for periods of time. His neighbour at 197 Salisbury Highway also parks a large truck out the front of his own home to this day.

Current Situation

I have a tenancy agreement with a Mr Jason Gatt for the storage of goods in the shed and parking of his truck on the site. I came to this agreement, without any reservations based on my knowledge of the pre-existing use of the land. I did not think there would be any issues, but as I understand as it and it has been conveyed to me by Katherine Thrussell (Development Officer - Planner City of Salisbury) over time and during construction of a boundary fence that complaints were received in relation to noise, visual amenity (related to storage of vehicles and materials on the land), the parking of a truck and dust.

Over time, I have worked with the tenant to address these issues and as acknowledged by Council this has been achieved in majority of the matters. There were however, a number of pre-existing issues when I purchased the land requiring upgrade. It was this need that necessitated the early works on the land. We have also been working to address a number of complaints received by council, which are presented and set out below. It is also worth mentioning that the City of Salisbury Council have been patient and have worked with me to the point of submitting this application for Change of Use. Existing use rights have been granted for the storage of goods in the shed.

Proposed Use

The proposed use is defined as the parking of a single truck on the land overnight. This means that the truck will be started at the beginning of a work day, exit the site and then return at the end of the day to be parked. The constraints related to the earliest time of day that the truck can be started and leave the site and latest time it will return for overnight parking is defined below in the section on 'supporting evidence addressing the issues identified' below.

The most likely scenario is that the truck will not be at the site during working hours as it is the tenant's primary vehicle for conducting his business. To address the development guidelines a number of criteria relating to the parking of the truck have also been discussed in 'supporting evidence addressing the issues identified'.

The truck is identified by the following information:

Manufacturer: ISUZU
Registration: WKH 076
Weight: 8.7 Tonne
Cab height: 3.2m

SUPPORTING EVIDENCE ADDRESSING ISSUES IDENTIFIED**Item 1: Visual Amenity**

The following is presented to address the issue of visual amenity related to the land and nature of complaints received by Council.

1. Construction of a boundary fence

A 2.1m fence has been constructed on the northern boundary of the land which significantly improves the visual amenity. The fence improves security, conceals the vacant land and shed and is high enough to conceal a parked truck when viewed from surrounding properties on the northern boundary. The fence has also been painted paperbark, which is a natural colour that blends in with surrounding homes and colour schemes.

Note: ~~This proposal includes increasing the height of the fence on the southern boundary to 2.1m which will further improve visual amenity to the adjacent neighbour on this side.~~ After representations received I have amended the site plan (SP_01 V3.0) to keep the fence on the southern boundary at its current height (no change to the existing fence height) at Sergio Riccio's request, so as to not affect natural light entering his property.

Annex A: Photo 1 (visual amenity from the northern side) is provided as evidence to support the above statement.

2. ~~Increase of Fence Height and~~ Screening plants to Soften Southern Border

~~The proposal is to increase the height of the fence on the southern boundary to the neighbour to the same height as the northern boundary (2.1m) to improve visual amenity.~~

This ~~also~~ application includes adding pittosporum plants to provide screening to the same boundary with the goal of softening this boundary and improving visual amenity. Details are as follows:

- a) Plant species – Pittosporum
- b) Mature height – 7.5 to 9m
- c) Maintenance – for this species this is minimum and includes watering and occasional pruning.

3. Removal of other items from the land

The land has been cleared of the following items as evidenced by Council:

- a) fencing materials;
- b) metal and materials; and
- c) vehicles/ trailers.

Examples related to visual amenity and more industrial uses located nearby and a specific example of truck parking in a residential zone are also presented below. These serve as evidence to support this application and that truck parking on my land is not unique to the area and Salisbury Highway in general.

1. Truck parking at 197 Salisbury Highway

As mentioned, a truck is also parked at 197 Salisbury Highway and represents significantly reduced visual amenity compared to what is proposed for this application.

Annex A: Photo 2 Truck parking is provided as evidence.

As evidenced in the photo of the truck this may also be considered a safety hazard. The only method for exiting the driveway is to reverse out onto Salisbury Highway into on-coming traffic.

2. Examples of similar land use in the residential zone located less than 100m away

181 Salisbury Highway, corner block at Ada Streets and Salisbury Highway is a site that is used as a Sand and Metal depot. This particular site has earthmoving equipment operating on the site with trucks entering and exiting the site on a regular basis.

Annex A: Photos 3 (Sand & Metal Depot including truck and truck/earthmoving equipment) is provided as evidence.

Item 2: Noise & Truck Use Times

The following is presented to address noise at the site related to starting, entry and exit of the truck as well as other noise created at the site.

Site Context and Noise

The location of the land at 193 Salisbury Highway is important when assessing noise at the site. It is situated alongside Salisbury Highway which is a very busy and noisy major arterial road. It is also on the corner adjacent to the intersection of Spains road and Salisbury Highway. Salisbury Highway is a dual lane highway in both directions and as a major arterial road it is constantly transited by large semi-trailers travelling between industrial centres and interstate. The traffic light intersection is also a location where cars and trucks are constantly accelerating from a start which creates high levels of noise.

This context is provided to indicate that the truck and vehicle noise alongside Salisbury Highway and the intersection is already at high levels and would exceed that created by a single truck parking on

the land in the morning and at the end of the day (assuming the constraints related to times of entry and exit are adhered to). The parking of a single truck twice a day on the land will be minimal.

Truck Noise entering and exiting from the site

The following is proposed as part of this application to specifically constrain truck noise at the site.

1. Times of entry and exit

Starting/Stopping of the truck engine, entry and exit to the site will be limited to the following:

- Weekdays – not before 7am, no later than 7pm.
- Weekends – not before 9am, no later than 7pm.

2. Disabling audible warning signal on truck when reversing

A manual isolating switch is fitted within the cabin of the truck that the driver can use to isolate the audible warning signal when reversing on the land. This will be isolated when entering and exiting the site.

Other noise created at the site

1. Construction of boundary fence

The construction of the fence and levelling of the land is now complete. This means that the noise issues such as grinding, cutting, drilling has ceased. Continuation of this type of noise will no longer occur at the site.

2. Other activities at the site

The tenant has been advised that the land can only be used for storage and not for working or any activity that creates noise, such as grinding, cutting and drilling.

Item 3: Dust

The following is presented to address the complaints received related to dust created at the site.

Site Context

As described in the introduction the land at the site had been unimproved until I purchased it. Apart from the portion of land where the shed is situated the remainder of the site was covered with loose top soil and weeds, which was a source of dust to nearby residents on high wind days or when a vehicle drove on it. At the beginning of the tenancy, when the fence was being upgraded vehicles

were driving on the site and causing a source of dust, resulting in complaints received from residents.

Dust created on the site from the truck

The following has been completed to stop dust being created by truck movement on the site.

1. Levelling of the site and application of recycled rubble

The site has been levelled and recycled rubble laid and compacted over the loose top soil to stop dust. This has been applied in the following locations:

- Entire site bordered by the land defined in the Certificate of Title (excluding where the shed is located on the land.
- Cross-over been the curb and point of access to the land where the truck will enter/exit the site.

Annex A: Photos 4 Recycled rubble is provided as evidence.

2. Construction of the boundary fence

Dust created as part of constructing the northern boundary fence has ceased now that the fence is complete.

Item 4: Separate Development Requirements (feedback from engineer)

The following is presented to address the feedback received from the development engineer. These items are also added to the Site Plan (SP-01.pdf) also provided with the development application.

Added Development Requirements

The following has been added and will be addressed.

1. New kerb cross over (6m) opposite the gates on Spains Road (in accordance with sd_15.pdf)
2. Sealed surface (driveway apron) added between the kerb and property boundary
3. Formal application (verge development request) to the Council's Landscape Team for the existing modification on the verge (rubble)

**Attachment 4:
Statutory Referrals**

In reply please quote 2019/00351, Process ID: 574985
 Enquiries to Reece Loughron
 Telephone 08 7109 7876
 E-mail dpti.luc@sa.gov.au



Government of South Australia

Department of Planning,
 Transport and Infrastructure

**POLICY, STRATEGY AND
 PROGRAM DEVELOPMENT**

**Transport Assessment and
 Policy Reform**

GPO Box 1533
 ADELAIDE SA 5001

ABN 92 366 288 135

27 June 2019

Ms Katherine Thrussell
 City of Salisbury
 PO Box 8
 SALISBURY SA 5108

Dear Ms Thrussell

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	361/366/19
Applicant	S D Van Groesen
Location	193 Salisbury Highway (Cnr Spains Road), Salisbury Downs (CT 5800/115)
Proposal	Truck parking and new access

I refer to the above development application forwarded to the Commissioner of Highways (CoH) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

CONSIDERATION

The subject site abuts Salisbury Highway and Spains Road. Salisbury Highway is an arterial road under the care, control and management of CoH. Spains Road is a local road under the care, control and management of the City of Salisbury. Salisbury Highway is identified as a Peak Hour Route under the Department of Planning, Transport and Infrastructure's (DPTI) *'A Functional Hierarchy for South Australia's Land Transport Network'*. The abutting section of Salisbury Highway is gazetted for PBS Level 2A vehicles (B-Doubles up to 26 metres in length). At this location Salisbury Highway carries approximately 36,700 vehicles (5% commercial) and has a posted speed limit of 60km/h. Spains Road has a default urban speed limit of 50km/h.

Access and Road Safety

The existing allotment currently has an access point located adjacent the western property boundary. The site caters for the parking of vehicles and has an existing storage shed associated with a building/construction business. The application seeks to construct a new access located approximately 6 metres from the western boundary which will cater for the entry and exit movements of a truck. It is noted that the proposed access point would not adhere to *AS/NZS2890.1:2004, Figure 3.1 – Prohibited Location of Access Driveways*, however given the kerb alignment there is no alternative location for access that would be

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compliant. As such, DPTI is supportive of the access provided that the largest vehicle/s parked on the site can conveniently enter and exit the site in a forward direction. Sufficient area must be provided internally for all manoeuvring so that vehicles do not reverse onto Spains Road. The existing crossover should be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.

ADVICE

DPTI supports the proposed development and advises the planning authority to attach the following conditions to any approval:

1. All vehicles shall enter and exit the site in a forward direction.
2. The access point to Spains Road shall be designed and flared to cater for the swept path of the largest vehicles expected on site. No access to Salisbury Highway will be permitted.
3. The internal manoeuvring areas for commercial vehicles shall be designed in accordance with *AS2890.2:2018*.
4. Any obsolete crossover/s (or any portion thereof) on Spains Road shall be closed and reinstated to Council's kerb and gutter standards at the applicant's expense.
5. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Yours sincerely



A/MANAGER, TRANSPORT ASSESSMENT AND POLICY REFORM
for **COMMISSIONER OF HIGHWAYS**

A copy of the decision notification form should be forwarded to dpti.developmentapplications@sa.gov.au

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**Attachment 5:
Relevant Development Plan Extracts, Consolidated
15 December 2016**

Development Plan

Salisbury Council

Consolidated - 15 December 2016

Please refer to the Salisbury Council page at www.sa.gov.au/developmentplans to see any amendments not consolidated.



Government of South Australia
Department of Planning,
Transport and Infrastructure

Consolidated - 15 December 2016

General Section

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.

Salisbury Council
General Section
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

Salisbury Council
General Section
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.

Siting and Visibility

OBJECTIVES

- 1 Protection of scenically attractive areas, particularly natural, rural and coastal landscapes.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be sited and designed to minimise its visual impact on:
 - (a) the natural, rural or heritage character of the area
 - (b) areas of high visual or scenic value, particularly rural and coastal areas
 - (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails
 - (d) the amenity of public beaches
- 2 Buildings should be sited in unobtrusive locations and, in particular, should:
 - (a) be grouped together
 - (b) where possible be located in such a way as to be screened by existing vegetation when viewed from public roads.
- 3 Buildings and structures on land outside of urban areas should be designed to minimise their visual impact in the landscape, in particular:
 - (a) the profile of buildings should be low and the rooflines should complement the natural form of the land
 - (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
 - (c) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduce the bulky appearance of buildings.
- 4 The nature of external surface materials of buildings should not detract from the visual character and amenity of the landscape.
- 5 The number of buildings and structures on land outside of urban areas should be limited to that necessary for the efficient management of the land.
- 6 Driveways and access tracks should be designed and surfaced to blend sympathetically with the landscape and to minimise interference with natural vegetation and landforms.
- 7 Development should be screened through the establishment of landscaping using locally indigenous plant species:
 - (a) around buildings and earthworks to provide a visual screen as well as shade in summer, and protection from prevailing winds
 - (b) along allotment boundaries to provide permanent screening of buildings and structures when viewed from adjoining properties and public roads
 - (c) along the verges of new roads and access tracks to provide screening and minimise erosion.

Transportation and Access

OBJECTIVES

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

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

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

Movement Systems

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

Salisbury Council
General Section
Transportation and Access

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

Cycling and Walking

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

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

Access

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

Access for People with Disabilities

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

Salisbury Council
General Section
Transportation and Access

Vehicle Parking

- 32 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with [Table Sal/2 - Off Street Vehicle Parking Requirements](#) 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.

- 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

Salisbury Council
General Section
Transportation and Access

- (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.

Overlay Section

Salisbury Council
Overlay Section
Strategic Transport Routes Overlay

Strategic Transport Routes Overlay

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

INTERPRETATION

Where the Objectives and / or Principles of Development Control that apply in relation to this overlay are in conflict with the relevant General Objectives and/or Principles of Development Control in the Development Plan, the overlay will prevail.

OBJECTIVES

- 1 Development that recognises the importance of strategic transport routes and does not impede traffic flow or create hazardous conditions for pedestrians, cyclists or drivers of vehicles, including emergency services vehicles.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development adjacent to a strategic transport route should:
 - (a) avoid the provision of parking on the main carriageway
 - (b) be accessible via service roads, where possible, that provide:
 - (i) parking off the main carriageway
 - (ii) a buffer from the main carriageway for pedestrian and cycle activity
 - (c) not impede the potential for overhead cabling and associated infrastructure to be established in an existing or proposed tram corridor.
- 2 Vehicular site access should not be provided along the main street frontage where an alternative access is available.
- 3 Development adjacent kerbside bus stops should be set back to provide sufficient space for indented bus bays with associated hard stand area, shelter and a 1.2 metre wide continuous accessible path behind the bus shelter.

Zone Section

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

Salisbury Council
Zone Section
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:
- (a) [Concept Plan Map Sal/21 - Paralowie Residential Area 3](#)
 - (b) [Concept Plan Map Sal/22 - Burton Residential Area 1](#)
 - (c) [Concept Plan Map Sal/23 - Direk Residential Area](#)
 - (d) [Concept Plan Map Sal/24 - Frost Road/Brown Terrace Salisbury](#)
 - (e) [Concept Plan Map Sal/25 - Paralowie Residential Area 1](#)
 - (f) [Concept Plan Map Sal/26 - Paralowie Residential Area 2](#)
 - (g) [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:
- (a) 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
 - (b) service areas are located between the noise source and the living areas of the dwelling
 - (c) dwellings utilise suitable sound insulation methods such as double-glazing to windows, roof and wall insulation
 - (d) 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

Salisbury Council
Zone Section
Residential Zone

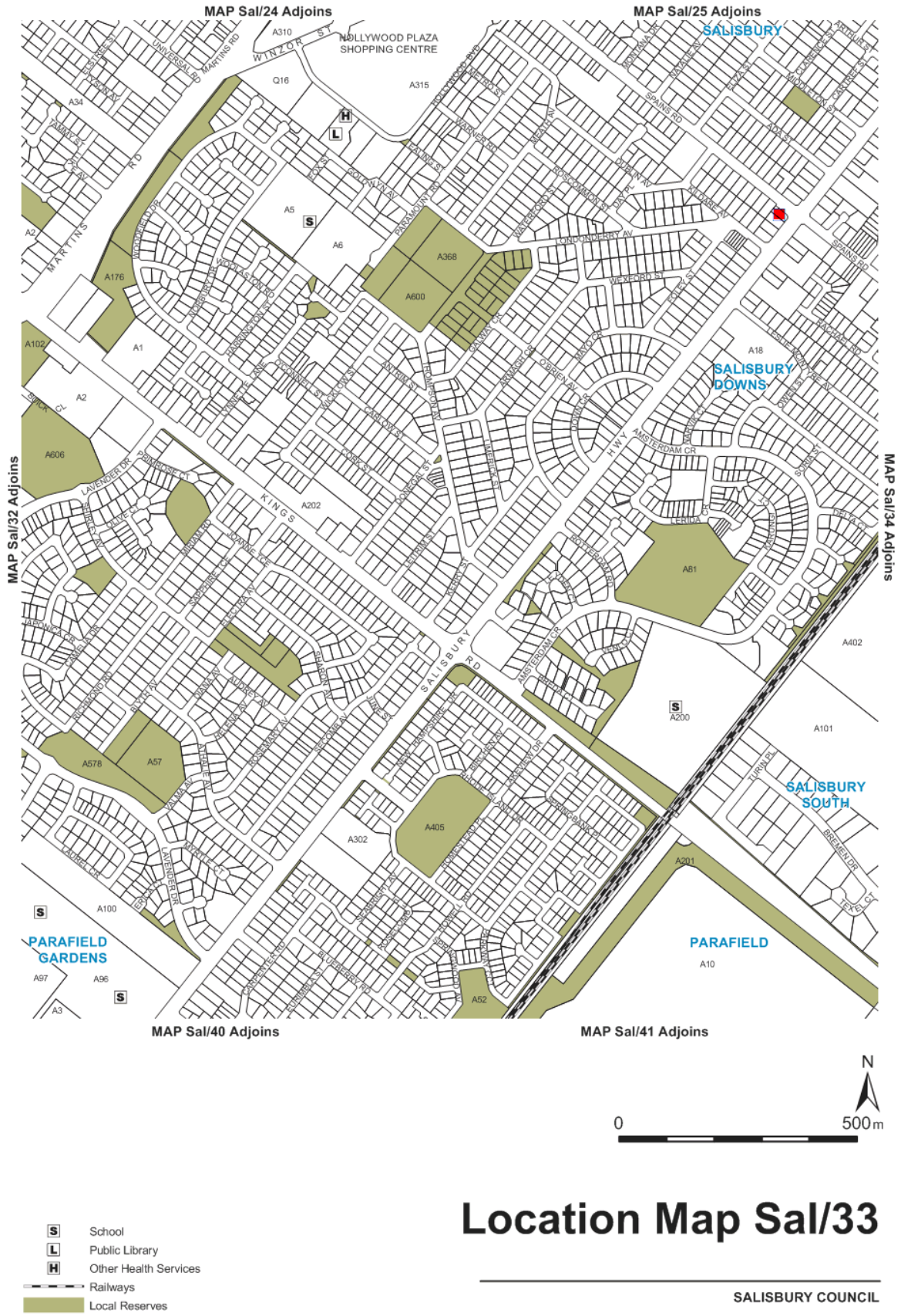
Affordable Housing

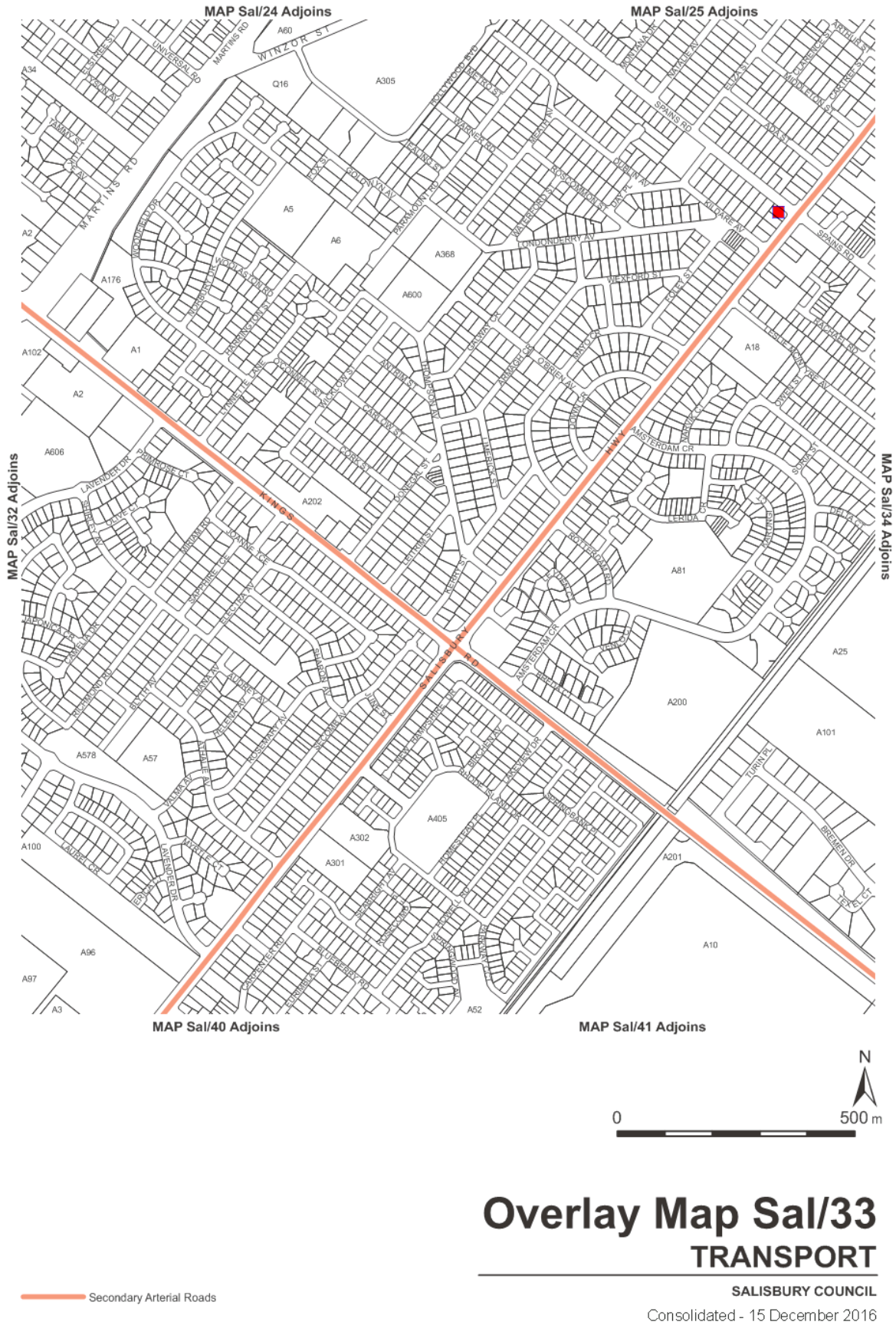
- 12 Development should include a minimum 15 per cent of residential dwellings for affordable housing.
- 13 Affordable housing should be distributed throughout the zone to avoid over-concentration of similar types of housing in a particular area.

Land Division

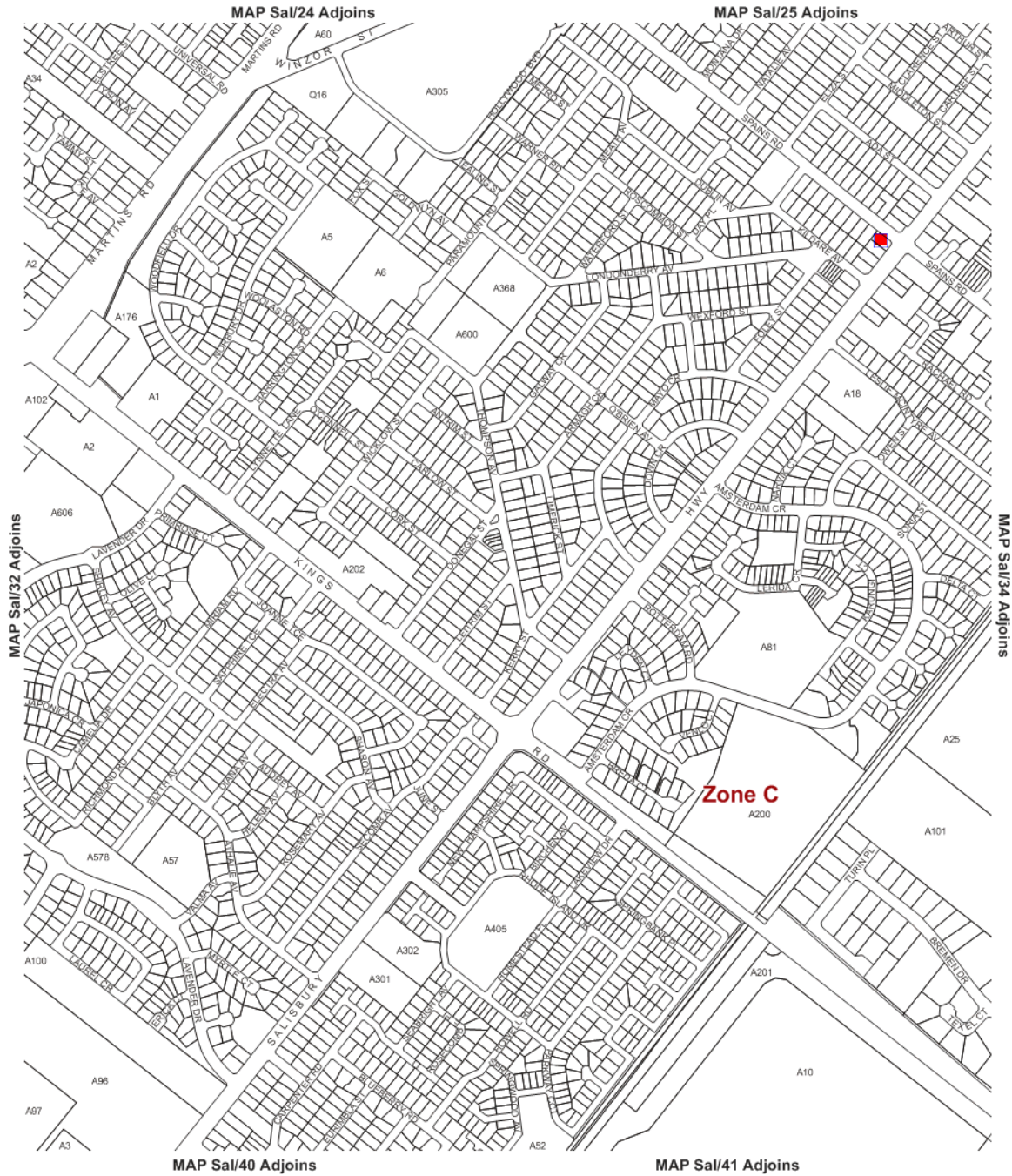
- 14 Land division should create a 5 metre landscaped reserve to limit direct vehicle access where allotments are created fronting the following roads:
 - (a) Martins Road, Parafield Gardens and Paralowie
 - (b) Burton Road, Burton and Paralowie
 - (c) Bolivar Road, Burton and Paralowie
 - (d) Willochra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

Spatial Extent Maps





Item 5.1.2 - Attachment 5 - Relevant Development Plan Extracts, Consolidated 15 December 2016



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

Airport Building Heights
 Referral to Commonwealth Secretary for Dept. of Transport and Regional Services
Zone C All Structures Exceeding 15 metres above existing ground level

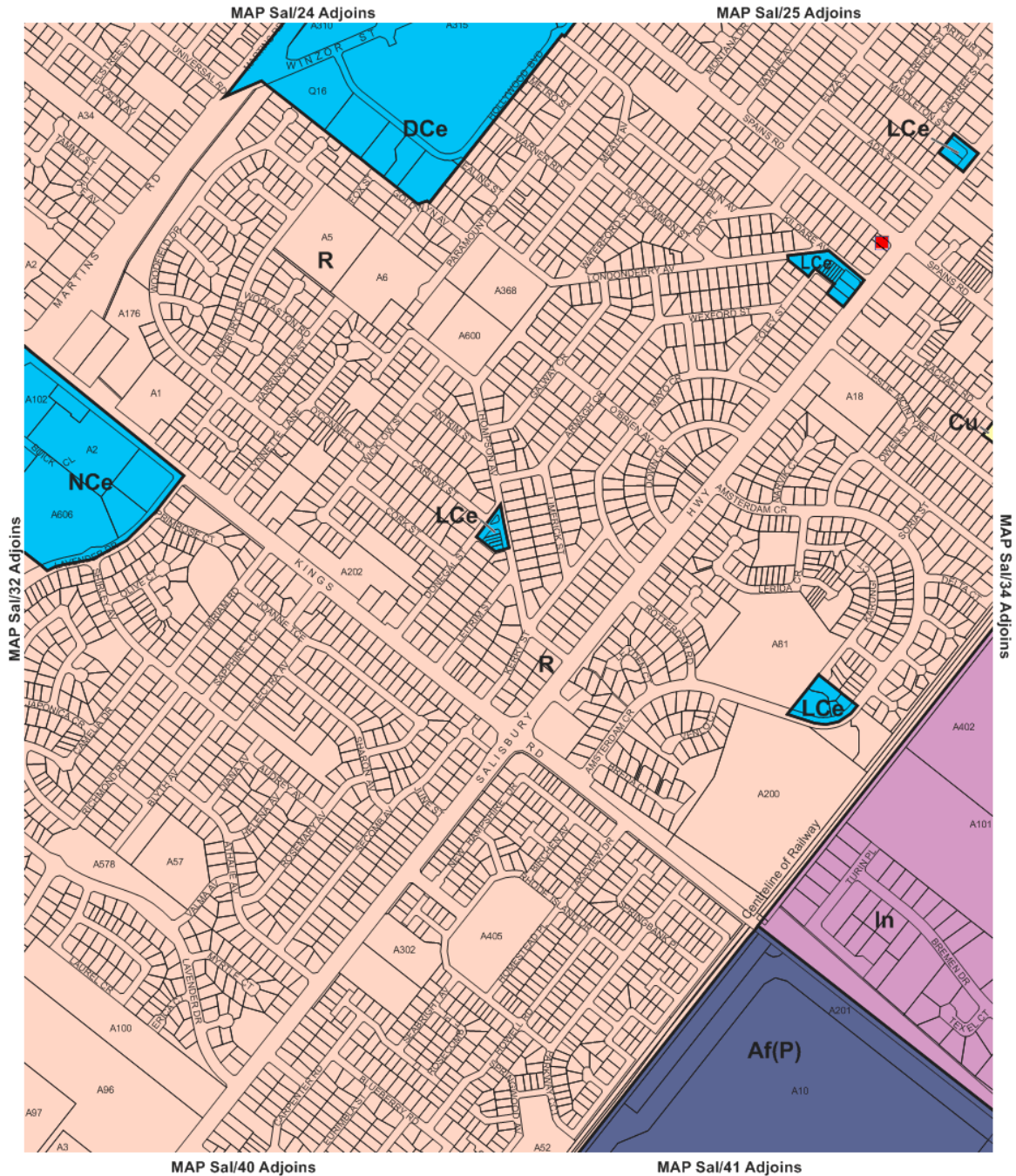


Overlay Map Sal/33

DEVELOPMENT CONSTRAINTS

 Airport Building Heights

SALISBURY COUNCIL
 Consolidated - 15 December 2016



Lamberts Conformal Conic Projection, GDA94



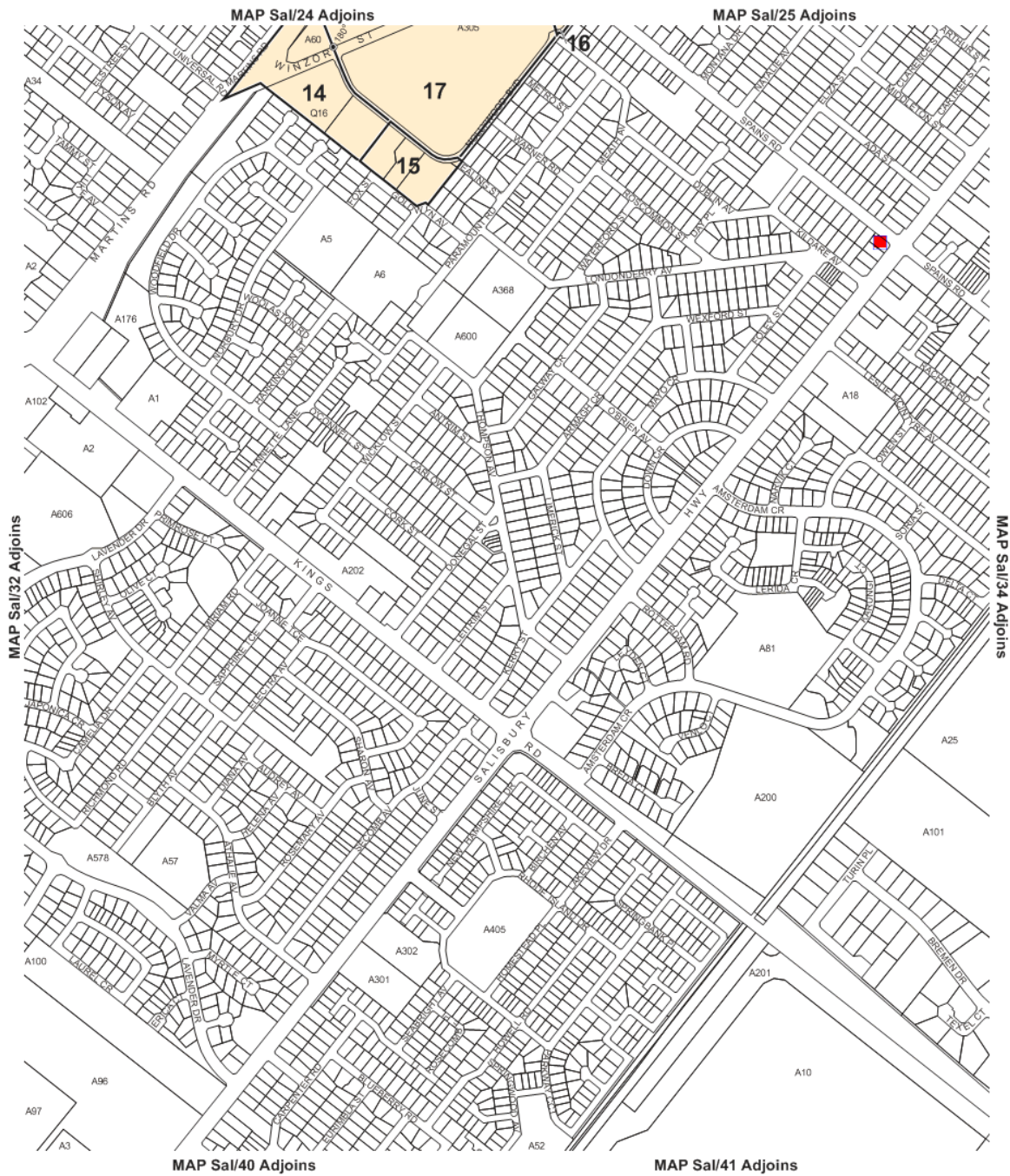
Zones

Af(P)	Airfield (Parafield)
Cu	Community
DCe	District Centre
In	Industry
LCe	Local Centre
NCe	Neighbourhood Centre
R	Residential
	Zone Boundary

Zone Map Sal/33

SALISBURY COUNCIL
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Item 5.1.2 - Attachment 5 - Relevant Development Plan Extracts, Consolidated 15 December 2016



Lamberts Conformal Conic Projection, GDA94

- Precinct**
- 14 Bulky Goods
 - 15 Community
 - 16 Mixed Use
 - 17 Retail Core



Precinct Boundary

Precinct Map Sal/33

SALISBURY COUNCIL
Consolidated - 15 December 2016

ITEM	5.1.3
	COUNCIL ASSESSMENT PANEL
DATE	27 August 2019
APPLICATION NO.	361/849/2019/3B
APPLICANT	Vaishnav Sangh of Adelaide
PROPOSAL	Construction of a Place of Worship with associated carparking, acoustic fencing and landscaping (to be constructed in two (2) stages)
LOCATION	21 Playford Crescent, Salisbury North SA 5108
CERTIFICATE OF TITLE	CT 5857/24
AUTHOR	Matt Atkinson, Planning Consultant

1. DEVELOPMENT APPLICATION DETAILS

Zone/Policy Area	Industry Zone
Application Type	Merit
Public Notification Category	3
Public Notification	Representations received: 3 Representations to be heard: 1
Referrals - Statutory	Nil
Referrals – Internal	Development Engineering Open Space and Parks – Landscape Services
Development Plan Version	Salisbury (City) Development Plan Consolidated 4 April 2019
Assessing Officer	Matt Atkinson, Consultant Planner
Recommendation	Grant Development Plan Consent subject to conditions
Meeting Date	27 August 2019

2. REPORT CONTENTS

Attachment 1:	Proposal plans and documentation including traffic report and environmental acoustic assessment
Attachment 2:	Category 3 Notice and Representations recieved
Attachment 3:	Response to Representations Recieved
Attachment 4:	Relevant Development Plan extracts and Location Maps

3. EXECUTIVE SUMMARY

This report provides 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 appropriate within the Industry Zone, having regard to the size of the community facility and the location at the periphery of the Industry Zone.
- b) The proposed land use will not have an unreasonable impact on adjacent or nearby businesses and will not impact on anticipated industrial land uses in the Zone.
- c) The use will not result in any unreasonable impacts on nearby residential properties in terms of noise, traffic or lighting.
- d) Adequate on-site car parking is proposed, such that there is no theoretical requirement for vehicles to park on-street.
- e) The proposed built form and landscaping will ensure that the development will have a high standard of appearance.

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

4. SUBJECT SITE

The subject site is located at 21 Playford Crescent, Salisbury North, which is comprised of one (1) allotment; Lot 31, Deposited Plan 57684, Certificate of Title - Volume 5857 Folio 24.

The site has a primary frontage to Playford Crescent of 33.45 metres, with a depth of 60.64 metres and an overall site area of 2024 square metres.

The site is currently vacant.

The subject land is currently secured with fencing on all boundaries, including a powder coated tubular front fence, with a mix of corrugated Colorbond and wire fencing to the side and rear boundaries.

No significant or regulated trees are located on the site. Two (2) semi-mature street trees are located on the Playford Crescent verge adjacent to the subject land.

Access to the site is available from Playford Crescent. Whilst there is provision for a vehicular gate in the front fence, there is currently no driveway crossover providing access to the land.

There are no easements, encumbrances or land management agreements registered on the Certificate of Title. The subject land is relatively flat

Site photos are provided on the following page.

Photo 1:

Looking south-west from Playford Crs toward the subject site. Note the tubular fencing to the boundary which is proposed to remain



Photo 2:

Looking north-east from Langford Terrace toward the subject site and rail corridor.



Photo 3:

Looking North/west from rear boundary of the site, toward 19 Playford Crs and rail corridor



Photo 4:

Looking north-east from inside the subject site towards 19 Playford Crs



Photo 4:

Looking north from adjacent 1 Playford Crs, Salisbury North



5. LOCALITY

The subject land is located in the Industry Zone, as identified within the Council's Development Plan.

The locality is generally characterised by industrial land uses, with a range of industry, storage, training and road transport businesses. Built form within the locality is characterised by large industrial buildings, predominantly of steel construction.

The subject land is bounded by an industrial training centre and an electrical services distributor to the north-west; a copper supplier to the north-east; an auto repair business and light industrial tenancies to the south-east; and a rail corridor to the south-west.



The subject land is located adjacent to the Residential Zone boundary, which is located within the adjacent rail corridor. The subject land is separated from nearby residential properties by the rail corridor and Langford Terrace, such that the nearest dwelling is approximately 50 metres from the land.

Residential development within the broader locality is predominantly in the form of single storey detached dwellings at relatively low densities.

Locality and contextual plans are provided below.
A locality plan and contextual plan are provided below.







Locality Plan - Aerial

Legend (Source: Dekho)	
	Subject site
	Locality boundary (and properties notified)





Locality Plan – Cadastre

Legend (Source: Dekho)	
	Subject site
	Locality boundary (and properties notified)
	Representors
	Representor wishing to be heard



Contextual Plan:

Legend (Source: Nearmap)	
	Subject site
	Zone boundary

6. DESCRIPTION OF THE PROPOSED DEVELOPMENT

The Applicant seeks Development Plan Consent for the construction of a Place of Worship with associated car parking and landscaping at 21 Playford Crescent, Salisbury North.

The development is proposed in two (2) stages, with Stage 1 comprising:

- The construction of the front portion of the Place of Worship, including an open plan main hall, a kitchen, an activities room and bathroom facilities;

- The construction of all on-site car parking include 40 spaces (inclusive of one (1) accessible space), with the bitumen sealing and line-marking of 23 spaces in Stage 1, with the remaining spaces constructed with compacted gravel;
- The planting of all landscaping; and
- The establishment of a gravel area behind the Stage 1 building, to accommodate Stage 2 of the development.

Stage 2 includes the construction of the remaining built form, which comprises an extension of the main hall, a sculpture, an office, a second activity room and storerooms; and the sealing and line-marking of the remaining car parking spaces.

Stage 1 has a total floor area of 285.7 square metres, Stage 2 has a total floor area of 337.1 square metres, with an overall proposed floor area of 622.8 square metres.

The building is proposed to be constructed with brick-veneer external walls and powder-coated aluminum window frames. The front facade is proposed to be constructed with rendered blueboard, with a curved front parapet wall. A front porch is proposed over the main entry to the building.

The building includes a low-pitched (9 degrees) hipped roof design, which is proposed to be clad with Colorbond roof sheeting.

Landscaping is proposed at the front of the building and within the proposed car parking areas along the south-western side boundary and the rear boundary. Landscaping includes a range of small trees, shrubs and groundcovers.

The proposed Place of Worship will be available for members of the Vaishnav Sangh of Adelaide (VSA), which is a Hindu community run not-for-profit religious organisation which has been operating in Adelaide since 2008.

A range of opening hours are proposed, with the earliest opening time at 9:00am and the latest closing time at 9:00pm. Hours of operation are expected to be predominantly on weekends, with the exception of festivals.

A maximum of 120 persons will occupy the premises at any given time. A copy of the proposal plans and supporting documentation are contained in Attachment 1.

7. CLASSIFICATION

The subject land is located in the Industry Zone, as identified within the Council's Development Plan (consolidated 4 April 2019). In this Zone, a Place of Worship is listed as a non-complying form of development, except where it has a floor area greater than 500 square metres and is less than 60 metres from the boundary of the Industry Zone.

In this instance, the proposed Place of Worship has a total floor area of 622.8 square metres and the subject land abuts the Industry Zone boundary (the zone boundary with the Residential Zone is located within the abutting rail corridor).

As such, the proposed development constitutes an 'on-merit' form of development.

8. PUBLIC NOTIFICATION

The proposed development is not listed as a Category 1 or 2 form of development within the Industry Zone or under Schedule 9 of the *Development Regulations 2008*. Accordingly, the application was advertised as a Category 3 form of development pursuant to Section 38 of the *Development Act 1993*.

Public notification took place between 20 June and 4 July 2019. The Council received three (3) representations during the notification period. One (1) representation supported the proposal, one (1) representation opposed the proposal and one (1) representation did not indicate support or opposition. The representors are listed in the table below.

Representations received		
Representations received		Wish to be Heard
1	D Sabel 3 Playford Crescent SALISBURY NORTH 5108	✓
2.	H Cheatle 5 Playford Crescent SALISBURY NORTH 5108	No
3.	D & L Rogers 15A Playford Crescent SALISBURY NORTH 5108	No

A copy of the Category 3 public notice and representations received are contained in Attachment 2. A The content of the representation and the applicant's response are summarised in the table below:

Summary of Representations	
Representation	Applicant's Response
Additional demand for on-street car parking; impacts on vehicle manoeuvring for semi-trailers accessing adjacent businesses within Playford Crescent	The proposal has been reviewed by Transport Engineering firm, Cirqa. Cirqa have confirmed that the provision of on-site car parking spaces meets the expected demand generated by a Place of Worship with up to 120 persons. As such, there will be no requirement for on-street car parking. VSA will instruct its members to only park on-site.
The issue can be overcome by providing adequate on-site car parking and extending existing parking controls (yellow lines) to prevent on-street car parking adjacent to the subject land	VSA would not object to an extension to the existing parking controls directly adjacent to the subject land (it is noted that parking controls are already in place adjacent to a portion of the subject land). Ultimately, such controls would be at the discretion of Council.

NOTE: The assessing officer's consideration of the above representations is addressed within the assessment section of this report

9. REFERRALS – STATUTORY

The application was not subject to any referrals under Schedule 8 of the *Development Regulations 2008*.

10. REFERRALS – INTERNAL

Development Engineering

- Car parking dimensions are generally compliant with the requirements of AS2890.1:2004 and AS2890.6:2009. The proposed driveway entrance is acceptable as shown.
- Above ground stormwater detention within the carpark is 54.4kL in conjunction with the below ground detention is adequate for detention of runoff resulting from the 1 in 100yr ARI event.
- Water quality will need to meet Council's standard requirements will be required.
 - 80% retention of the typical urban annual load for Total Suspended Solids (TSS)
 - a. 60% retention of the typical urban annual load for Total Phosphorus (TP)
 - b. 45% retention of the typical urban annual load for Total Nitrogen (TN)
 - c. 100% retention of the typical urban annual load for Gross Pollutants (litter)
 - d. No visible oil flows up to the 3month ARI peak flow

Parks and Open Space Department – Landscape Services

- Landscaping plan is considered appropriate subject to the replacement of the Camelia Sasanqua, as it is unlikely to establish in this area due to the soil type.

11. ASSESSMENT

Pursuant to Section 35(2) of the *Development Act 1993*, it is recommended that the Panel determine that the proposed development is not seriously at variance with the Salisbury (City) Development Plan, consolidated 4th April 2019, as a Place of Worship with a floor area of greater than 500 square metres is anticipated at the periphery of the Industry Zone

Assessment

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

An extract of the relevant Development Plan, 4 April 2019, is contained in Attachment 3. The relevant provisions are also highlighted in the Attachment.

Zoning and Land Use

Principle of Development Control (PDC) 1 of the Industry Zone states:

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

- *industry*

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

Whilst a Place of Worship is not directly envisaged by PDC 1 of the Industry Zone, there is an indirect inference that large scale Places of Worship may be anticipated at the periphery of the Industry Zone.

Within the Non-complying Development list for the Industry Zone, a Place of Worship is non-complying, other than where it has a floor area of greater than 500 square metres and is located within 60 metres of the Industry Zone boundary.

This exclusion to the non-complying list was created to provide opportunities for large scale Places of Worship to be established where impacts can be minimised. (i.e. large-scale Places of Worship are considered less desirable in residential areas due to their scale and potential impacts; and development sites of this scale are very expensive and seldom available in Centre Zones).

This view is consistent with PDC 4 of the General Section: Community Facilities module, which provides further guidance with respect to appropriate locations for a Place of Worship, as described below.

4 Places of worship should be developed according to the following hierarchy.

Scale	Development Form	Congregation Size
<i>Small (local)</i>	<i>Associated with an area of worship ancillary to a residence. These activities are particularly common for religious organisations that do not have a large following and/or lack funds to purchase a standalone building</i>	<i>Typically accommodate approximately 5 to 30 worshippers in any one session</i>
<i>Medium (neighbourhood)</i>	<i>Purpose built or re-use of existing buildings with medium footprints that are found in most suburbs and country towns</i>	<i>Typically have congregations of up to 100-300 persons in any one session</i>
<i>Large (regional)</i>	<i>Purpose built or re-use of existing buildings with large footprints and catering for a variety of ancillary activities</i>	<i>In excess of 300 persons in any one session</i>

The scale of the proposed Place of Worship is consistent with the Medium (Neighbourhood) size as detailed in PDC 4. A building of the scale proposed and the establishment of forty (40) on-site car parking spaces would not be suitable within the Residential Zone. As such, the establishment of a Place of Worship with a floor area of greater than 500 square metres on the land is considered appropriate, subject to the proposed land use not having an unreasonable impact on adjacent industrial businesses, or the adjacent residential zone.

Potential impacts associated with the proposal are considered below under headings, however, in general terms it is considered that there will not be an unreasonable impact on adjacent and nearby businesses; or residents within the broader locality.

Interface between Land Uses

In instances where a land use is not specifically envisaged within a Zone, it is important to assess the impact of the proposed use on adjacent and nearby envisaged land uses.

General Section, “*Interface between land uses*” module, Principle of Development Control (PDC) 1

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) Electrical interference;*
- (d) Light spill;*
- (e) Glare;*
- (f) Hours of operation;*
- (g) Traffic impacts.*

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

Most of the activities associated with the proposed Place of Worship will occur within the building, with minimal impact on adjacent and nearby businesses and residents. The proposed hours of operation are limited to between 9:00am and 9:00pm on weekends, with limited mid-week activities.

The proposed development will not result in any odour, smoke, fumes, dust or other airborne pollutants; nor will it create vibration, electrical interference, light spill or glare.

There is, however, potential for noise to have an impact on nearby residents and for traffic impacts as a result of the proposal. These issues are discussed in greater detail below.

Noise

The proposed Place of Worship has potential to generate noise in the form of music, singing and talking during services, and from vehicles travelling to and from the site. All worshipping activities will occur inside the building.

The Applicant has provided an Acoustic Report from Sonus Acoustics, which provides a detailed assessment of likely noise associated with the proposed Place of Worship and the potential impact on the nearest noise sensitive receivers (the nearby dwellings).

A summary of the Sonus Acoustic report is set out below:

- The assessment considers the noise at nearby residences from the proposed activities at the site including general car parking activity, operation of mechanical plant, music and people inside the building, and rubbish collection.

- Assessment criteria have been established for the proposal based on the specific nature of the place of worship as adapted to the relevant provisions of the Salisbury Council Development Plan.
- The predicted noise levels from the development will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007* subject to the treatments in this report, comprising;
 - Specific fence height and construction at the car park interface;
 - Specific building construction details; and,
 - Ensuring rear and side doors remain normally closed.
- With the measures implemented, it is considered that the facility has been designed to minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise, thereby achieving the relevant provisions of the Development Plan.

A full copy of the Sonus report is contained in **Attachment 1**.

A condition of consent is recommended to ensure that any noise emanating from the building be within the relevant EPA guidelines for development adjacent a residential area.

All noise generating activities associated with the proposed Place of Worship are of a low-level nature and will be contained within the existing building. Noise associated with adjacent and nearby industrial land uses are likely to create more noise than the activities that are proposed within the Place of Worship.

General Section: Industrial Development module PDC 7 provides specific guidance for acoustic performance of development that is located within 50 metres of a Residential Zone boundary and some additional guidance for development located adjacent a railway. PDC 7 states:

- 7 *Development within 50 metres of the Residential Zone boundary should:*
- (a) *demonstrate appropriate acoustic performance*
 - (b) *ensure that all noise sources including machinery, outside loading, unloading and other service areas are located away from the Residential Zone boundary*
 - (c) *comprise buildings of masonry or equivalent construction to minimise the transmission of noise with openings located away from residential properties*
 - (d) *limit operating hours to between 7am and 6 pm*
 - (e) *where there is a railway on the boundary development should:*
 - (i) *ensure the rear walls of the industrial premises are sited on the rear boundary of the allotments*
 - (ii) *incorporate building materials that will minimise the reflection of railway traffic noise towards the residential area opposite*
 - (iii) *where a wall is not located on the boundary, landscaping, including mounding, land sculpting and/or thick planting, is to be established between the rear walls of the industrial premises and the railway in order to minimise the reflection of railway traffic noise.*

The proposed development is not expected to generate noise that would have an unreasonable impact on nearby residential properties

Traffic, Access and Car Parking

The representors have raised concerns that the proposed development will increase demand for on-street car parking, which in turn may restrict vehicle movements for semi-trailers that regularly access adjacent businesses within the Industry Zone.

General Section: Community Facilities module PDC 8 states:

- 8 *Places of worship should be established with one car parking space for every three seats or every three attendees to the place of worship.*

The proposed Place of Worship will have a maximum of 120 attendees, resulting in a demand for forty (40) on-site car parking spaces. The proposed development includes the construction of a sealed and line-marked car parking area with forty (40) spaces, including one (1) accessible space, consistent with PDC 8.

The Applicant has provided a Traffic Report, prepared by Cirqa, which provides a detailed assessment of car parking demand, traffic and vehicle manoeuvring associated with the proposed Place of Worship.

A summary of the Cirqa Traffic and Car Parking report is set out below:

- The proposal comprises the construction of a 120-person place of worship. The proposed development will be serviced by a 40-space parking area, inclusive of one (1) space reserved exclusively for use by persons with disabilities;
- Access to the site will be provided via a two-way all-movement crossover on Playford Crescent;
- Based upon Council's Development Plan, the proposal would have a theoretical requirement for 40 parking spaces. As such, the parking requirements of Council's Development Plan will be satisfied;
- By undertaking a first principles assessment, it is forecast that the site will generate in the order of 40 peak hour movements. Such a forecast is considered to be conservative as information provided by the VSA indicates an above average car occupancy in the order of four to five persons per vehicle;
- Vehicle movements would be distributed to/from the subject site via Playford Crescent and Commercial Road/Purling Avenue. Such movements would be readily accommodated on the adjacent road network (particularly given that the site's peak traffic generation will typically occur on weekends when traffic volumes on the adjacent road network would be low).

A full copy of the Cirqa report is contained in **Attachment 1**.

The provision of on-site car parking is considered to be appropriate to the demands generated by the proposed Place of Worship are not expected to cause an appreciable increase in demand for on-street car parking within the locality.

It is noted that the Applicant would not object to additional on-street car parking controls, should Council deem it necessary to ensure that semi-trailer access can be maintained to adjacent businesses.

Ultimately, additional on-street car parking controls are at the discretion of Council and could be applied in the event that traffic conflicts occur as a result of the proposed development (albeit that they are not anticipated). This reflects that whilst adequate parking is proposed to be provided, users of the facility will choose where to park which, in the absence of parking controls, may be on-street.

Given the context described above, it is considered that adequate on-site car parking is proposed such that any demands for on-street car parking within the locality that may be generated by the use will be manageable, which will minimise the potential for traffic conflicts within Playford Crescent.

Crime prevention

General Section: Crime Prevention module Objective 1 states:

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

The construction and occupation of the building will ensure that the site remains active and will increase passive surveillance opportunities within the locality, thereby creating a safer environment in accordance with Objective 1 above.

Waste Management

General Section: Waste module Objective 1 states:

- 1 Development that, in order of priority, avoids the production of waste, minimizes the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.*

The proposed Place of Worship is unlikely to generate any significant amounts of waste. Waste that is generate on-site will be stored at the rear of the building and will be collected by a private contractor.

Design and Appearance

The building is proposed to be constructed with brick-veneer external walls and powder-coated aluminum window frames. The front facade is proposed to be constructed with rendered blueboard, with a curved front parapet wall. A front porch is proposed over the main entry to the building.

The building includes a low-pitched (9 degrees) hipped roof design, which is proposed to be clad with Colorbond roof sheeting.

General Section – Design and Appearance module Objective 1 states:

- 1 Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.*

The proposed built form is considered to be of an architectural standard that is typical of an industrial area. The proposed front porch, rendered facade, window openings and curved parapet will assist in providing some articulation to the building when viewed from the street.

General Section – Design and Appearance Module PDC 7 states:

- 7 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties or drivers.*

The external surfaces of the proposed building are not proposed to be finished in reflective materials.

Building Setbacks from Road Boundaries

General Section – Design and Appearance PDC 17 relates to building setbacks from public roads. PDC 17 states:

- 17 The setback of buildings from public roads should:*
- (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality*
 - (b) contribute positively to the streetscape character of the locality*
 - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.*

The setback of the building from Playford Crescent will complement the setback of buildings on adjoining land and other buildings in the locality.

Overall, the proposed built form will complement other development within the locality.

Landscaping

Landscaping is proposed at the front of the building and within the proposed car parking areas along the south-western side boundary and the rear boundary. Landscaping includes a range of small trees, shrubs and groundcovers.

General Section – Landscaping, Fences and Walls module Objective 1 states:

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

The provision of landscaping has been reviewed by Council’s Parks and Open Spaces department. The extent of landscaping is considered acceptable and the proposed species are approved, with the exception of the *Camelia Sasanqua*, which is unlikely to establish in this area due to the soil type. A condition has been recommended to ensure that the *Camelia Sasanqua* is replaced with a suitable native species, to the satisfaction of Council or its delegate.

A further condition is recommended to ensure that all landscaping areas are maintained to the satisfaction of the Council.

Industry Zone PDC 19 relates to landscaping buffers adjacent the rail corridor. PDC 19 states:

- 19** *Within the portion of Salisbury North bounded by Commercial Road to the north and railway lines to the east and west:*
- (a) *development should incorporate a landscaped reserve:*
 - (i) *with a 5-metre width along the boundaries of the site abutting the railways*
 - (ii) *that consists of thick planting, designed for effective visual screening and noise attenuation, consistent along the length of the reserve*
 - (b) *land division should ensure that new allotments do not have direct access to Bagster Road or Commercial Road.*

A 5.0-metre wide landscaping reserve was provided adjacent to the rail corridor when the land division was approved, consistent with the above provision. The landscaping reserve can be viewed on the locality plan provided in the locality section above.

Natural Resources

The Applicant has provided a Civil Plan, which illustrates all stormwater collection, water quality treatment and disposal associated with the proposed development.

The Civil Plan has been amended in accordance with the advice of Council's Development Engineer, as detailed in the internal referral section above.

General Section - Natural Resources module Objective 6 states:

- 6** *Development sited and designed to:*
- (a) *protect natural ecological systems*
 - (b) *achieve the sustainable use of water*
 - (c) *protect water quality, including receiving waters*
 - (d) *reduce runoff and peak flows and prevent the risk of downstream flooding*
 - (e) *minimise demand on reticulated water supplies*
 - (f) *maximise the harvest and use of stormwater*
 - (g) *protect stormwater from pollution sources.*

Stormwater from the proposed development is limited to roof runoff and surface water collected from the sealed car parking area. Above ground stormwater detention with a capacity of 54.4kL is proposed within the carparking area in conjunction with below ground detention, which is adequate for detention of runoff resulting from the 1 in 100yr ARI event.

The proposed water quality treatment device is considered to achieve Council's requirements.

Infrastructure

General Section: Infrastructure module PDC 1 states:

- 1 Development should not occur without the provision of adequate utilities and services, including:*
- (a) electricity supply*
 - (b) water supply*
 - (c) drainage and stormwater systems*
 - (d) waste disposal*
 - (e) effluent disposal systems*
 - (f) formed all-weather public roads*
 - (g) telecommunications services*
 - (h) social infrastructure, community services and facilities*
 - (i) gas services.*

The subject land is connected to all relevant infrastructure, including electricity, water, sewer, gas, stormwater, an all-weather public road, telecommunications services and nearby social infrastructure, community services and facilities.

12. CONCLUSION

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 appropriate within the Industry Zone, having regard to the size of the community facility and the location at the periphery of the Industry Zone.
- b) The proposed land use will not have an unreasonable impact on adjacent or nearby businesses and will not impact on anticipated industrial land uses in the Zone.
- c) The use will not result in any unreasonable impacts on nearby residential properties in terms of noise, traffic or lighting.
- d) Adequate on-site car parking is proposed, such that there is no theoretical requirement for vehicles to park on-street.
- e) The proposed built form and landscaping will ensure that the development will have a high standard of appearance.

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

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 Development Plan – Consolidated 4th April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/849/2019/3B for Construction of a Place of Worship with associated carparking, acoustic fencing and landscaping (to be constructed in two (2) stages) in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
181102 A102	Site Plan	Dated 13 June 2019	Vastu Design
181102 A103	Site Plan – Stage 1	Dated 13 June 2019	Vastu Design
181102 A101	Landscape Plan	Dated 13 June 2019	Vastu Design
181102 A103	Floor Plan	Dated 13 June 2019	Vastu Design
181102 A104	Stage 1 & 2 Floor Plans	Dated 13 June 2019	Vastu Design
181102 A204	Stage 1 Elevations	Dated 13 June 2019	Vastu Design
181102 A203	Stage 1 Side Elevations	Dated 13 June 2019	Vastu Design
181102 A202	Elevations	Dated 17 May 2019	Vastu Design
181102 A201	Side Elevations	Dated 17 May 2019	Vastu Design
AJX 18020.00	Civil Plan	Dated 11 August 2019	Ajax Engineering

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

2. Except where otherwise approved, the operating hours for the place of worship shall not extend beyond the times specified in the approved documents, namely:
Monday to Sunday – 9.00am to 9.00pm.

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

3. The maximum number of persons within the building at any particular time shall not exceed 120 persons.

Reason: To ensure that sufficient car parking is provided commensurate with the existing demand for the site.

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

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

5. The place of worship shall be constructed in accordance with the Environmental Noise Assessment S6112C1 prepared by Sonus, dated June 2019.

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

6. A fence shall be constructed along the rear boundary in accordance with Environmental Noise Assessment S6112C1, prepared by Sonus, dated June 2019. The fence shall be maintained in accordance with the report and in good repair at all times.

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

7. All side and rear doors shall remain closed while music is being played and/or worship is occurring within the building.

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

8. 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 or manoeuvring areas.

Reason: To maintain the amenity of the locality.

9. All waste and other rubbish shall be collected between the hours of:

- Monday to Saturday, 7am to 7pm
- Sunday and public holidays, 9am to 7pm.

Reason: To maintain the amenity of the locality.

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

Reason: To ensure the car parking 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.

11. An amended landscaping plan shall be provided to the satisfaction of Council or its delegate, which substitutes the Camelia Sasanqua with a suitable native species, prior to the granting of Development Approval.

Reason: To ensure that all proposed species are suitable for the subject land.

12. All landscaping shall be maintained at all times (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. Outside lighting shall be restricted to that necessary for security purposes only and shall be directed and shaded to prevent light overspill and/or nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

Advice Notes

1. This is not a building consent, and a satisfactory application for Building Rules Consent must be submitted and approved before the 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.

CO-ORDINATION

Officer:	GMCiD	MDS
Date:	15.08.19	12.08.19

ATTACHMENTS

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

1. Proposal plans and documentation including traffic report and environmental acoustic assessment
2. Category 3 Notice and Representations recieved
3. Response to Representations Recieved
4. Relevant Development Plan extracts and Location Maps

Attachment 1

Proposal plans and supporting documentation including traffic report and environmental acoustic assessment




DEVELOPMENT APPLICATION FORM

361/ 849 /2018/

Please use BLOCK LETTERS and Black or Blue Ink

I wish to apply for (tick only one):		<input checked="" type="checkbox"/> Development Plan Consent	<input type="checkbox"/> Building Rules Consent
<input type="checkbox"/> Full Development Approval (consists of both consents, which is required prior to any work commencing)			
APPLICANT: COMPANY / FIRST NAME		SURNAME	
VAISHNAV SANGH OF ADELAIDE		C/ STIMSON CONSULTING	
POSTAL ADDRESS:			
1 VICTORIA TCE GAWLER 5118			
OWNER NAME: (This must be completed)		EMAIL: john@stimsonconsulting.net.au	
SIMON WONG		<input type="checkbox"/> as above	
OWNER POSTAL ADDRESS:			
027, 10 LIGHT COMMON MAWSON LAKES 5095			
OWNER PHONE NO:		OWNER EMAIL:	
CONTACT PERSON FOR FURTHER INFORMATION <input type="checkbox"/> as above			
NAME:		TELEPHONE (W):	
JOHN STIMSON		(M): 0402134568	
EMAIL:		Information from Council will be given by electronic communication to the nominated email address.	
john@stimsonconsulting.net.au			
BUILDER NAME:		BUILDERS EMAIL:	
BUILDER POSTAL ADDRESS:		CONTACT NO.:	
		LICENCE NO.:	
CURRENT USE OF PROPERTY:			
Vacant land			
DESCRIPTION OF PROPOSAL:		DEVELOPMENT COST	
Place of worship constructed in two (2) stages		\$ 800,000	
LOCATION OF PROPOSAL			
Street No: 21	Street: PLAYFORD CRES	Suburb: SAUSBURY NORTH	
Lot No: 31	Section: ^{DP}	Plan: 57684	Volume: 5857 Folio: 24
OFFICE USE ONLY			
Registration Date: / / 2018	Zone:	Ward:	
BUILDING RULES CLASSIFICATION			
Classification sought:			
If Class 5, 6, 7, or 9 classification is sought, state the proposed number of employees			Male: Female:
If Class 9a classification is sought, state the number of persons for whom accommodation is provided:			
If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:			

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

SIGNATURE: 

DATE: 17.5.19

Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment



City of Salisbury
 ABN: 82 615 416 895

TAX INVOICE

PO Box 8, Salisbury SA 5108
 Ph: 8406 8222 Fax:8281 5466

DEVELOPMENT APPLICATION FEES (as of 1 st July 2018)				
	Fee Rate	Total Fee (inc. GST)	Excl. GST	GST
Volume Builder – Single Storey ** (Conditions Apply) (includes both Planning and Building Consents)	540.00		514.36	25.64
Volume Builder – Double Storey ** (Conditions Apply) (includes both Planning and Building Consents)	660.00		624.37	35.63
Lodgement (base fee) (430-100-1102) DSAL	64.00		N/A	N/A
Lodgement - if over \$5000 + BRC Required (excluding swimming pools)	136.00		N/A	N/A
Additional Lodgement (430-100-1113) Swimming Pool/Spa	190.00		N/A	N/A
Additional Lodgement (430-100-1110) (if separate building consent > \$5,000)	72.00		N/A	N/A
Staged Consent (inc. Private Certifier Fee)	64.00		N/A	N/A
Building Rules Consent Only (410-100-1112)	53.00		N/A	N/A
Certificate of Title * (if not supplied, inc. fee)	35.00*		N/A	N/A
Non-Complying Lodgement Fee (other than Land Div) (410-100-1102)	Lodgement + \$102.00		N/A	N/A
Non-Complying Admin. Fee (410-100-1106)	130.00		N/A	N/A
Non-Complying Assessment Fee (410-100-1106)	54.50 / 130.00 / 0.125%		N/A	N/A
Extension of Time (consent or approval) (410-100-1106) (433-100-1100)	102.00		N/A	N/A
Development Plan Assessment (410-100-1106) DSAP				
Complying (excluding Sch 4, 2A or 2B)	Nil		N/A	N/A
Consent – up to \$10,000 (Development Cost)	39.75		N/A	N/A
\$10,000 up to \$100,000 (Development Cost)	109.00		N/A	N/A
Over \$100,000 (Development Cost)	0.125% of dev cost		N/A	N/A
Referral / Concurrence (Check Schedule 6(5))	227.00 / 379.00 / body		N/A	N/A
Public Notification				
Category 2 or 3 Notification	109.00		N/A	N/A
Category 3 (Advertisement in Newspaper)	600.00		545.46	54.54
Officer	Date	Receipt No	PP/D/	PLANNING FEE
				Excl. GST
				GST
Building Rules Assessment (433-100-1100) DSAB				
CLASSIFICATION	AREA	Min Fee 69.50	0.9091 of m² rate	0.09091 of m² rate
Example	(z)	Eg \$3.08	\$3.08 x (z)	(\$3.08z x 0.9091)
Class 1, 2 & 4 (dwellings/additions)		3.08 per m ²		
Class 3, 5 & 6 (boarding house/adds, offices/adds, hotels & shops)		4.10 per m ²		
Class 7 & 8 (warehouse/additions, factories/additions)		2.71 per m ²		
Class 9a & 9c (institutional buildings)		4.65 per m ²		
Class 9b (assembly buildings/additions)		4.08 per m ²		
Class 10 (garages, verandahs, pools, signs, freestanding walls)		0.92 per m ²		
Demolition		69.50		
Certificate of Occupancy		45.75	40.72	5.03
Officer	Date	Receipt No	PP/D/	BUILDING or TOTAL FEE
				Excl. GST
				GST

PAYMENTS BY CREDIT CARD

NAME ON CARD (Drawer Details): _____ Signature: _____

BANK: _____ EXPIRY DATE: _____

CARD TYPE: (Please Circle) Visa Mastercard Bankcard CCV # _____

CARD NUMBER:

TOTAL AMOUNT INCLUDING GST: \$ _____ (refer above for schedule) RECEIPT REQUIRED: YES NO

Receiving Officer: _____

Date: / /

Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment

**FORM OF DECLARATION
BUILDING SAFELY NEAR POWERLINES**
(Pursuant to Schedule 5 Clauses 2A of the Development Act 2008)

TO City Of Salisbury
Development Services – Lodgement Officer
PO Box 8
SALISBURY SA 5108

FROM Name Vaishnav Singh of Adelaide c/ Stimson Consulting
Address 1 Victoria Ave
Cawler SA 5118

Phone No _____ Mobile 0402134568

DATE OF APPLICATION 20.5.2019

LOCATION OF PROPOSED DEVELOPMENT

House No 21 Lot No 31 Street PLAYFORD CRES
Town/Suburb SALISBURY NORTH
Section No (full/part) _____ Hundred Yatala + Munno Para
Volume 5857 Folio 24

NATURE OF PROPOSED DEVELOPMENT

Place of worship

I (insert full name) JOHN ALAN STIMSON

being the applicant / a person acting on behalf of the applicant (delete the inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. I make this declaration under Clause 2A (1) of Schedule 5 of the Development Regulations 2008.

SIGNED  **DATE** 20.5.2019

PLEASE NOTE THAT THE FORM CONTINUES OVER

**FORM OF DECLARATION
BUILDING SAFELY NEAR POWERLINES**
(Pursuant to Schedule 5 Clauses 2A of the Development Act 2008)

Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in Section 4 (1) of *the Development Act 1993*), other than where the development is limited to -

- a) an internal alteration of a building; or
- b) an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of section 86 of the *Electricity Act 1996* do not apply in relation to:

- a) an aerial line and a fence, sign or notice that is less than 2.0m in height and is not designed for a person to stand on; or
- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

Section 86 of the *Electricity Act 1996* refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually also comply.

Particular care needs to be taken where high voltage powerlines exist or where the development:

- is on a major road;
- commercial / industrial in nature; or
- built to the property boundary.

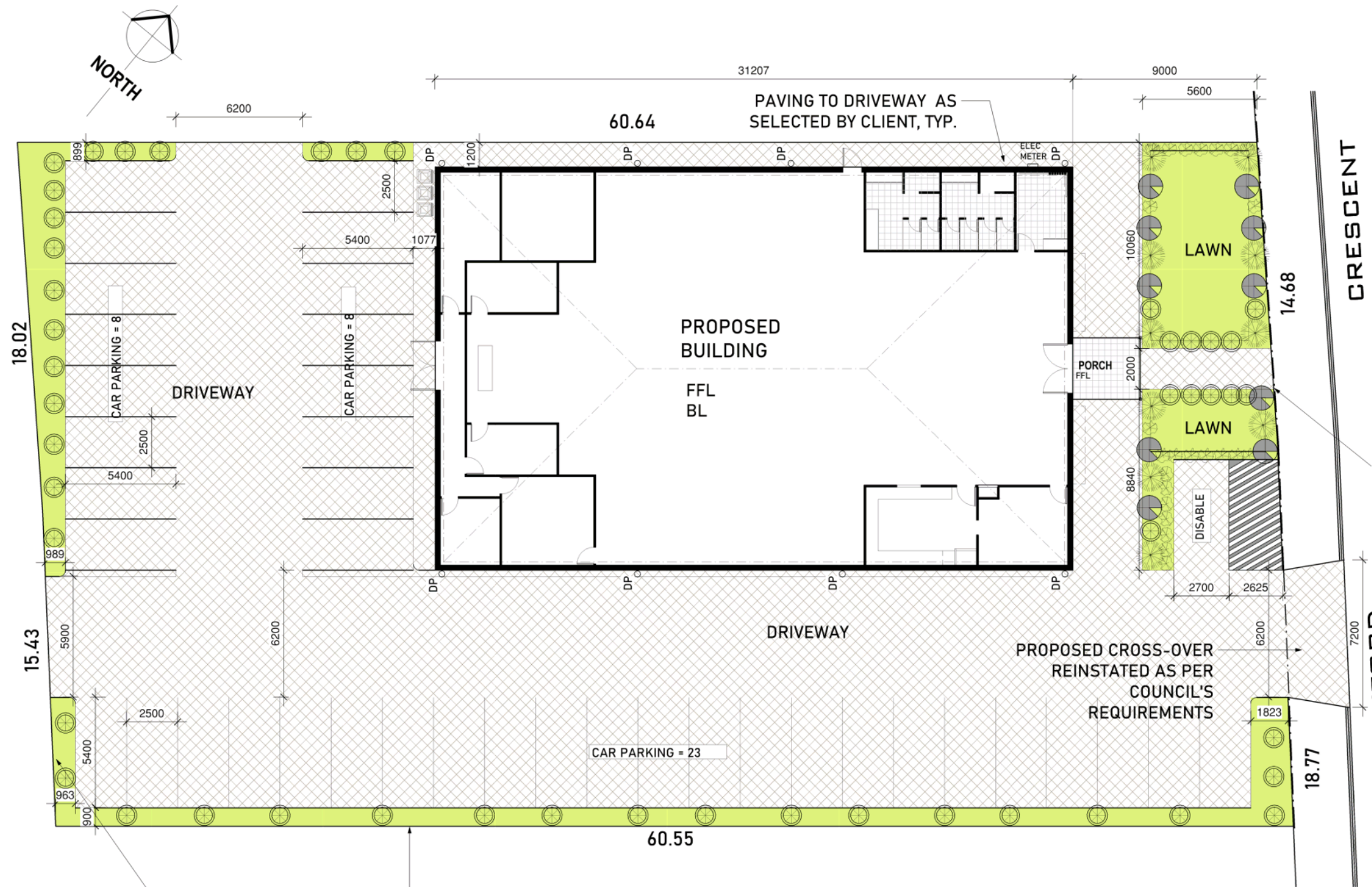
Note 5

An information brochure 'Building Safely Near Powerlines' has been prepared by the Technical Regulator to assist applicants and other interested persons.

This brochure is available from council and the Office of the Technical Regulator. The brochure and other relevant information can also be found at sa.gov.au/energy/powerlinesafety

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.



VASTU DESIGN

Architecture
Land Division
Real Estate

11/242 Cross Road, Kings Park, SA-5034
P: 0433 927 314 P: 0421 182 636
Disha SHAH Atish SHAH
E: info@vastuhomes.com.au

EXISTING MOTORIZED GATE WILL BE RELOCATED TO THE NEW DRIVEWAY LOCATION. SIMILAR FENCE MATERIAL WILL BE USED TO COVER NE BOUNDARY

No.	Revision Description	Date
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PLANNING APPLICATION

181102 A102

PROJECT
SHREE VALLABHDHAM, ADELAIDE
21 PLAYFORD CRESCENT, SALISBURY NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Site Plan

DETAILS
Scale **1 : 100**
Sheet size **A1**
Date **13/06/2019**

All dimensions are in millimeters U.N.O.
All dimensions and levels to be confirmed prior to the commencement of any work.
Drawings to be read in conjunction with engineers and other consultants specifications and details.
Any discrepancy to be reported to this office immediately.
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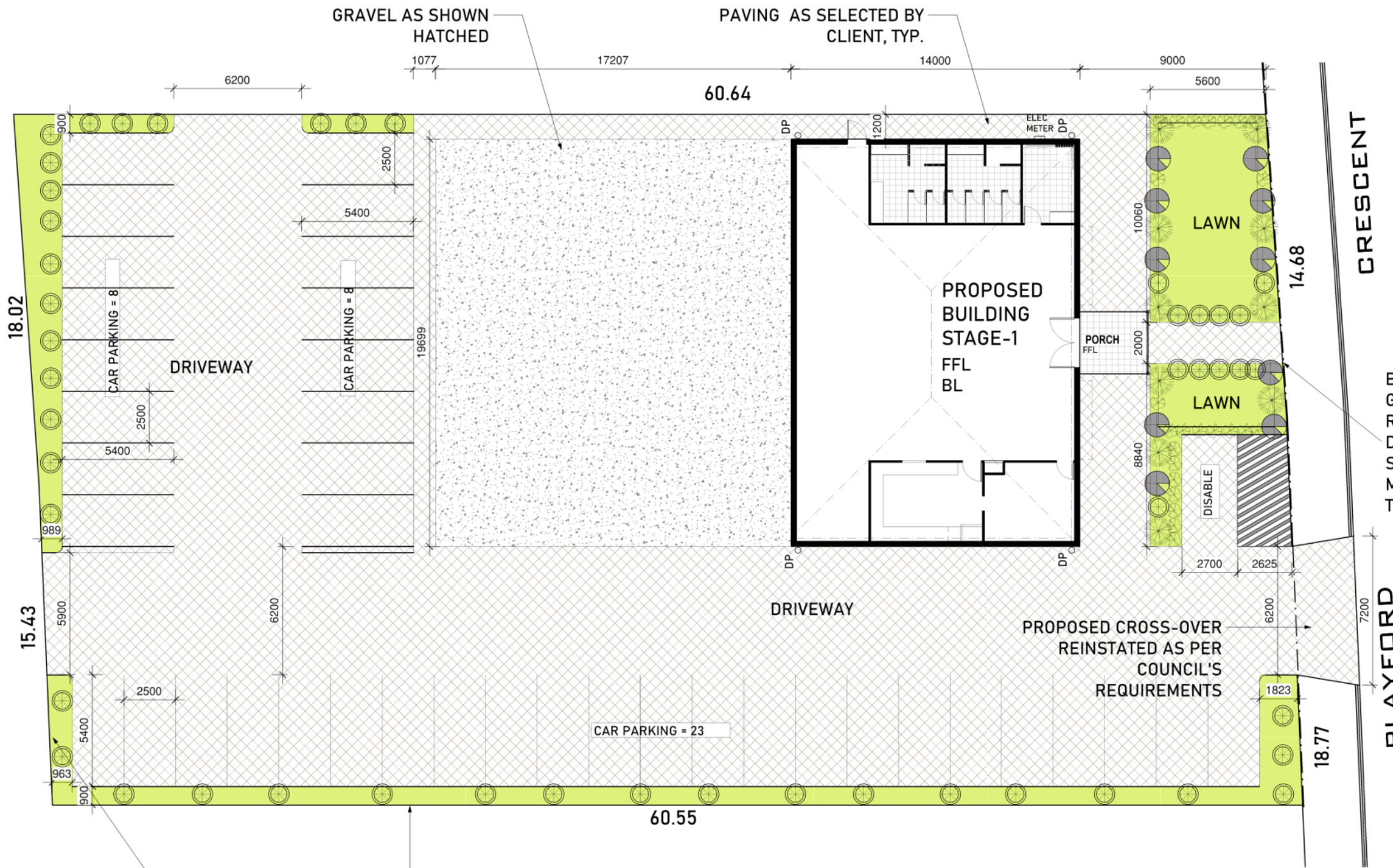
EXISTING FENCE AT SW, TO BE UPGRADED TO COLORBOND NON-TRANSPARENT METAL AND EXTENDED UPTO 2m HEIGHT

EXISTING FENCE

NOTE:
Please refer Civil Plan for all stormwater drainage details.



SITE PLAN
SCALE 1:100



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Land Division
Real Estate

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EXISTING MOTORIZED GATE WILL BE RELOCATED TO THE NEW DRIVEWAY LOCATION. SIMILAR FENCE MATERIAL WILL BE USED TO COVER NE BOUNDARY

No.	Revision Description	Date

181102 A103

PROJECT
SHREE VALLABHDHAM, ADELAIDE
21 PLAYFORD CRESCENT, SALISBURY NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Site Plan for Stage-1

DETAILS
Scale **1 : 100**
Sheet size **A1**
Date **13/06/2019**

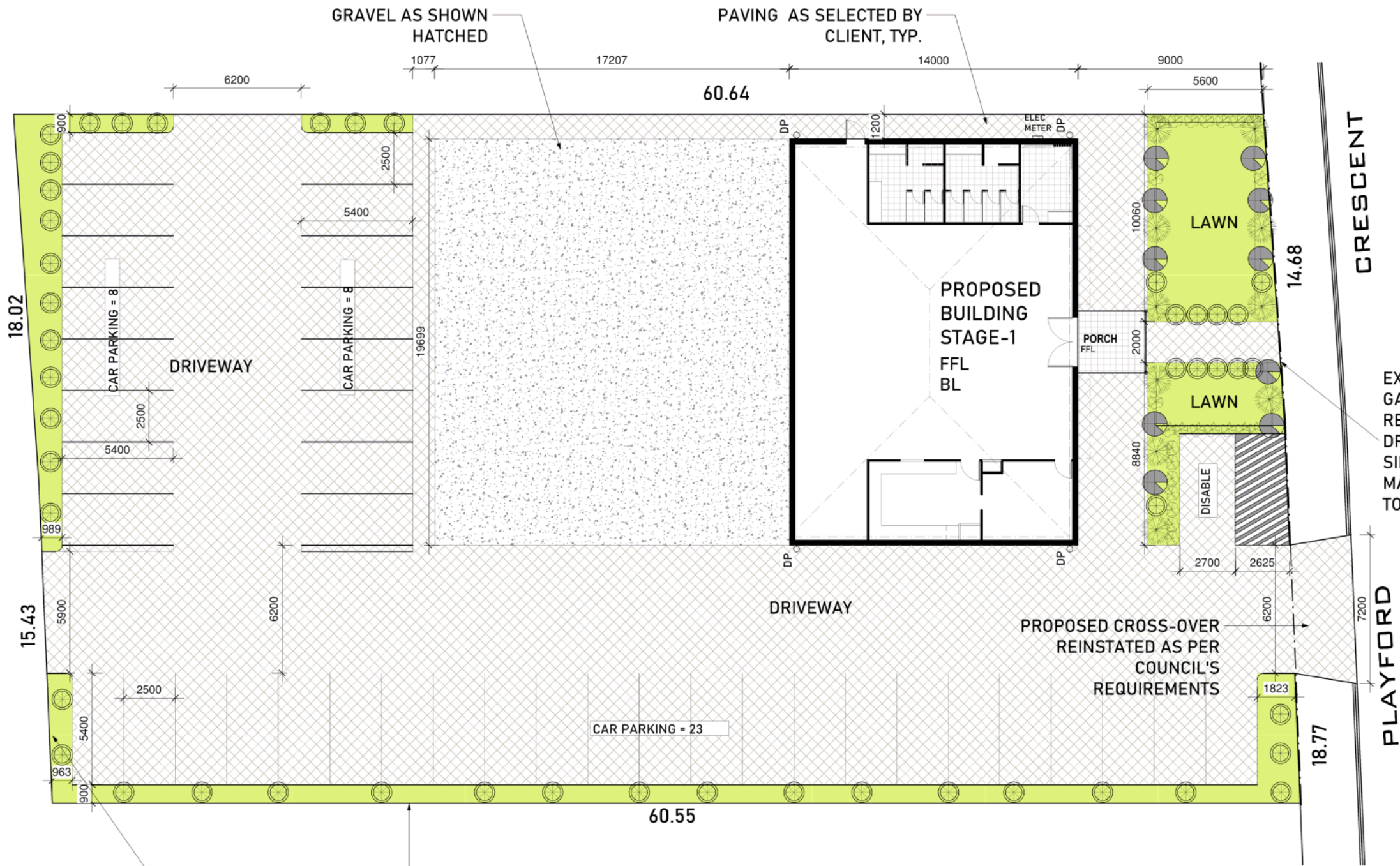
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EXISTING FENCE AT SW, TO BE UPGRADED TO COLORBOND NON-TRANSPARENT METAL AND EXTENDED UPTO 2.10m HEIGHT

EXISTING FENCE

NOTE:
Please refer Civil Plan for all stormwater drainage details.



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EXISTING MOTORIZED GATE WILL BE RELOCATED TO THE NEW DRIVEWAY LOCATION. SIMILAR FENCE MATERIAL WILL BE USED TO COVER NE BOUNDARY

No.	Revision Description	Date

181102 A103

PROJECT
SHREE VALLABHDHAM, ADELAIDE
21 PLAYFORD CRESCENT, SALISBURY NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Site Plan for Stage-1

DETAILS
Scale **1 : 100**
Sheet size **A1**
Date **13/06/2019**

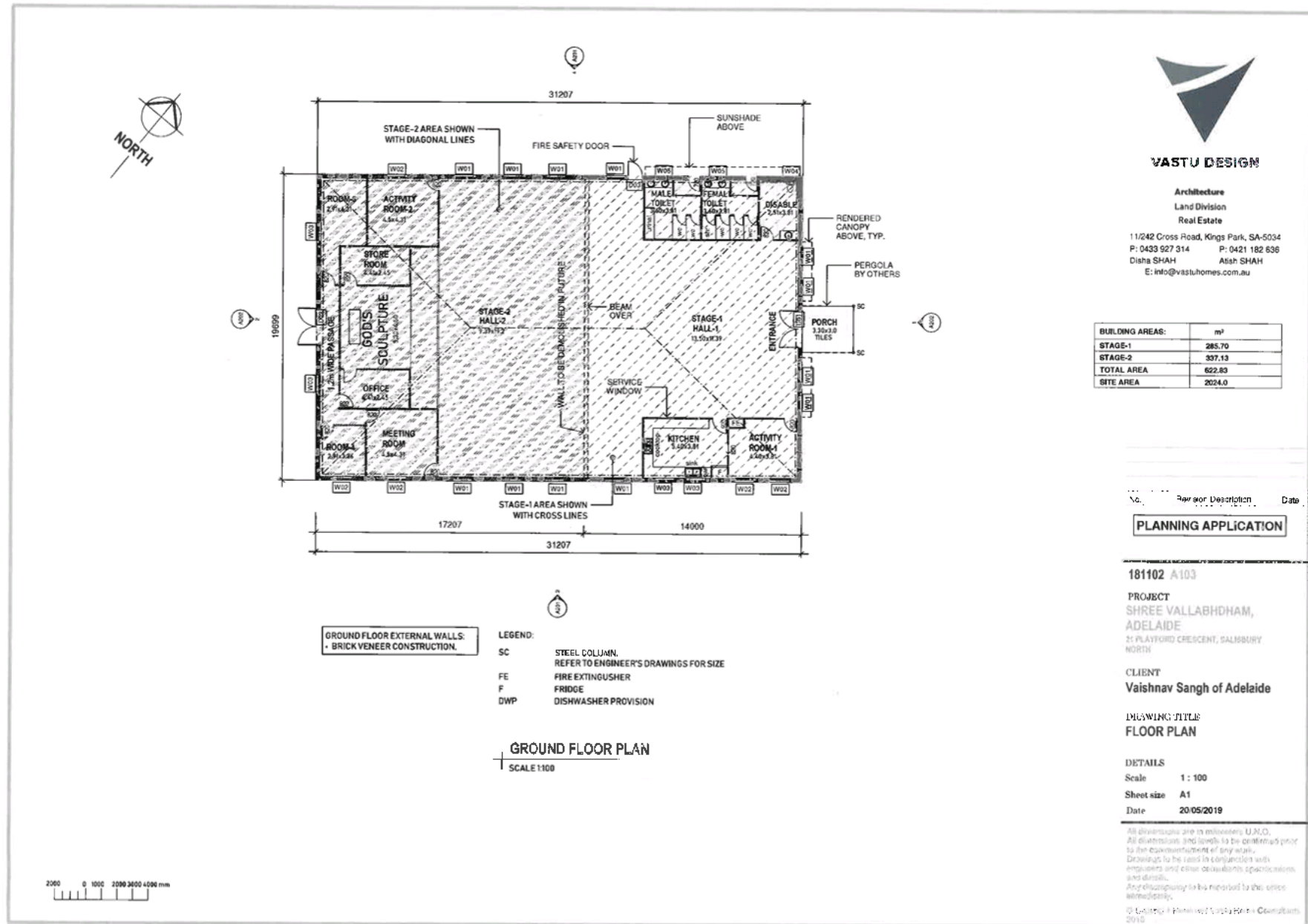
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EXISTING FENCE AT SW, TO BE UPGRADED TO COLORBOND NON-TRANSPARENT METAL AND EXTENDED UPTO 2.10m HEIGHT

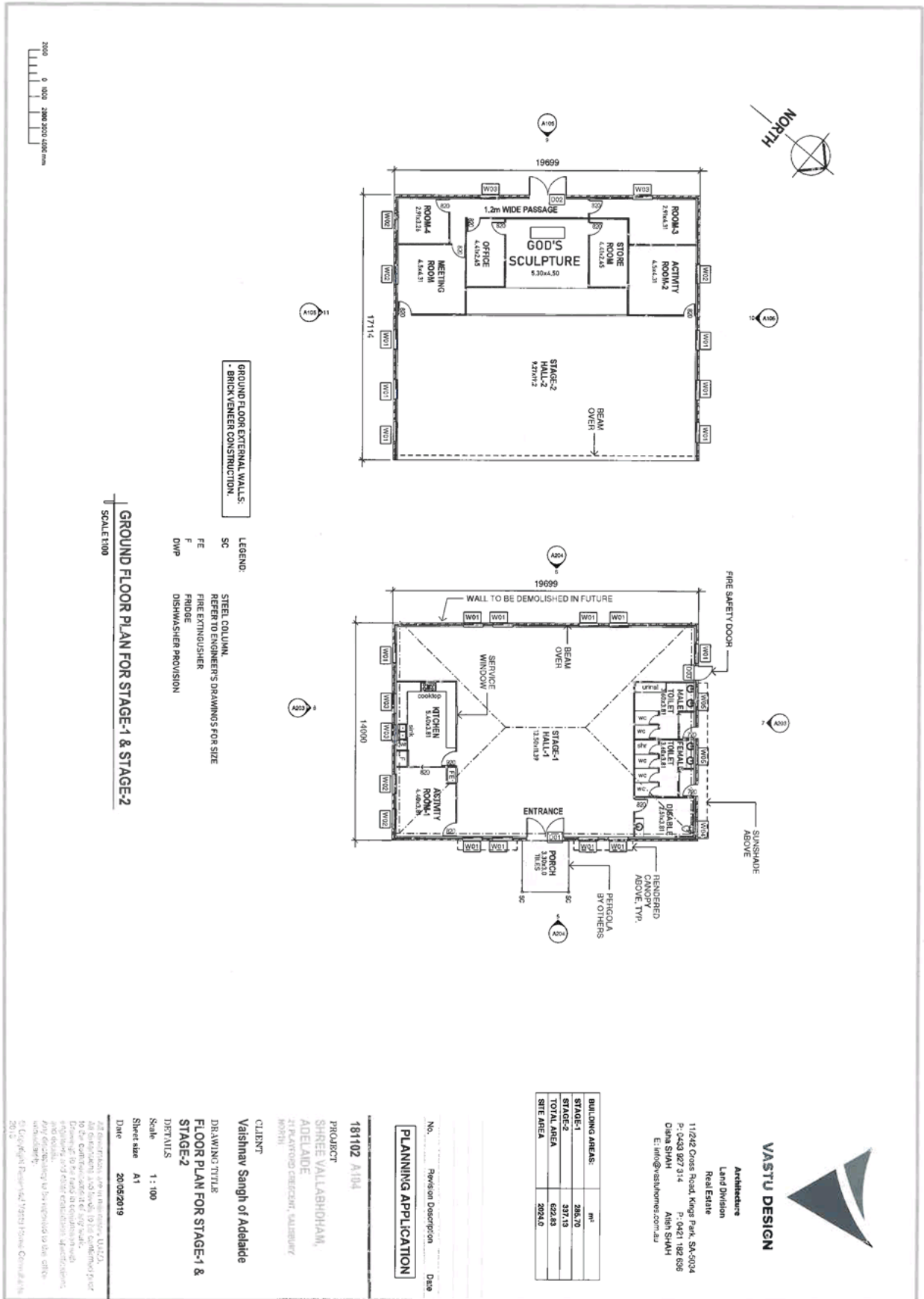
EXISTING FENCE

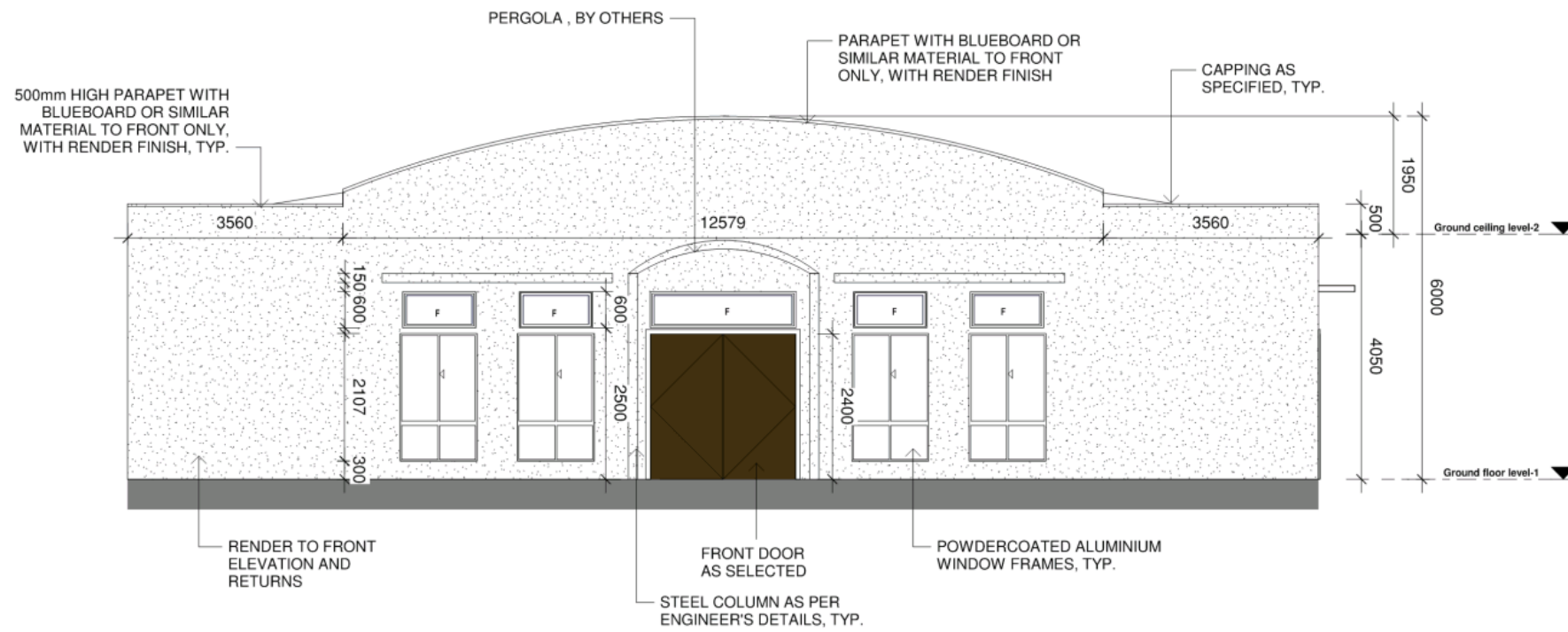
NOTE:
Please refer Civil Plan for all stormwater drainage details.



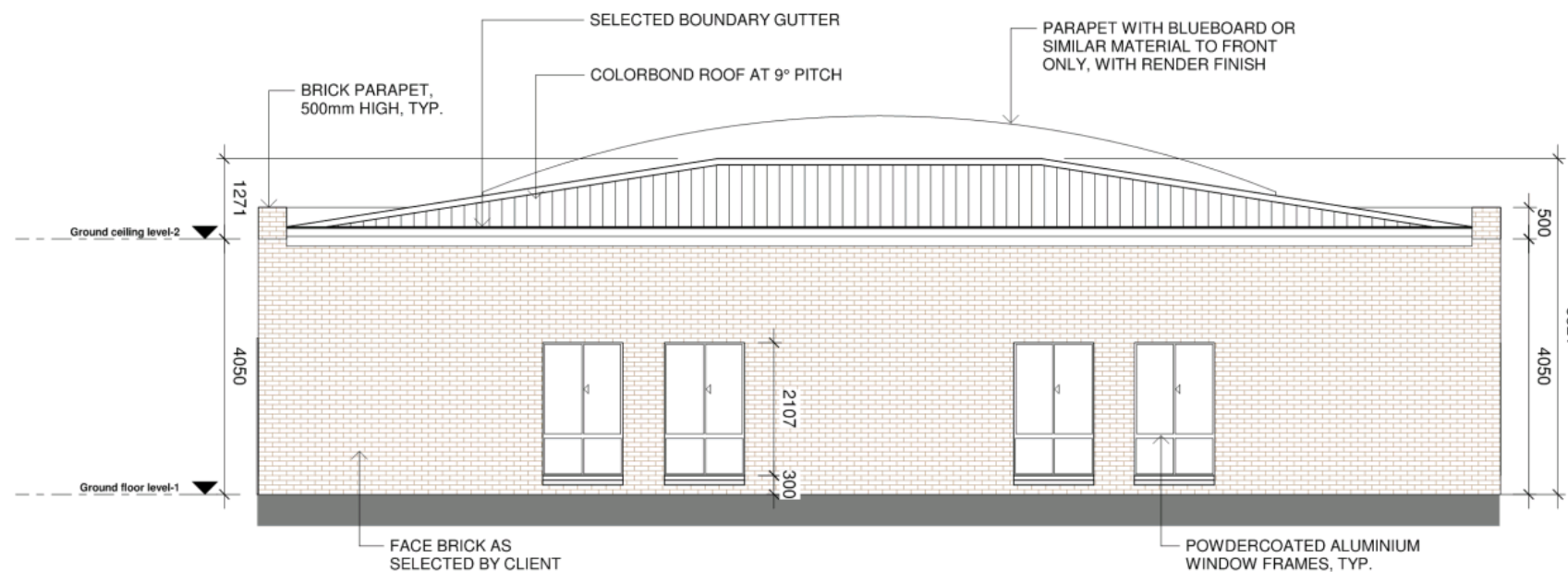
Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment

Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment





ELEVATION-5



ELEVATION-6



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Architecture
Land Division
Real Estate

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E: info@vastuhomes.com.au

No.	Revision Description	Date
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PLANNING APPLICATION

181102 A204

PROJECT
SHREE VALLABHDHAM,
ADELAIDE
21 PLAYFORD CRESCENT, SALISBURY
NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Stage-1 Elevations

DETAILS

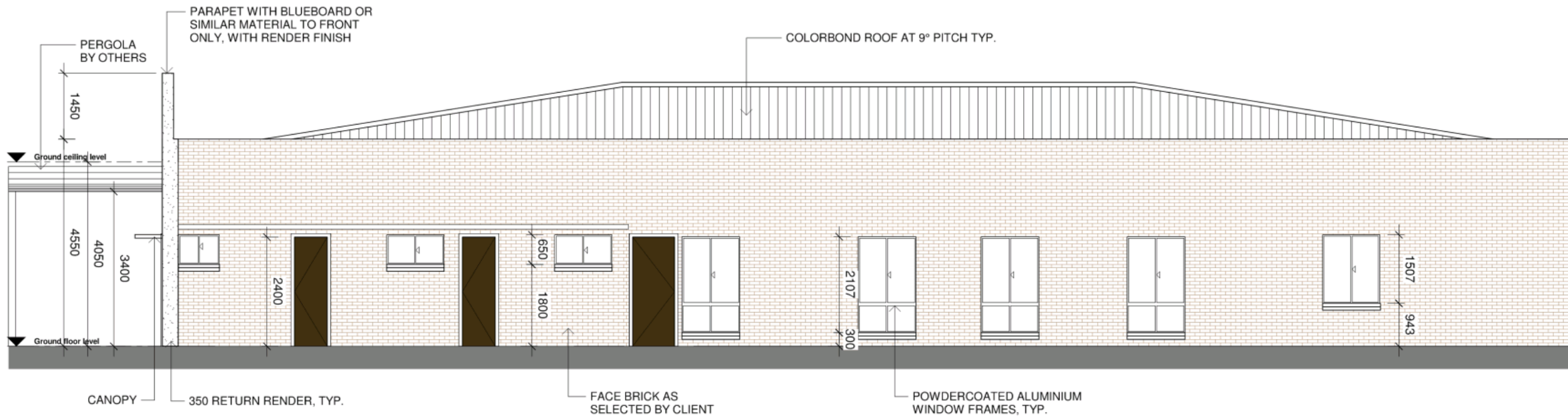
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Sheet size A1

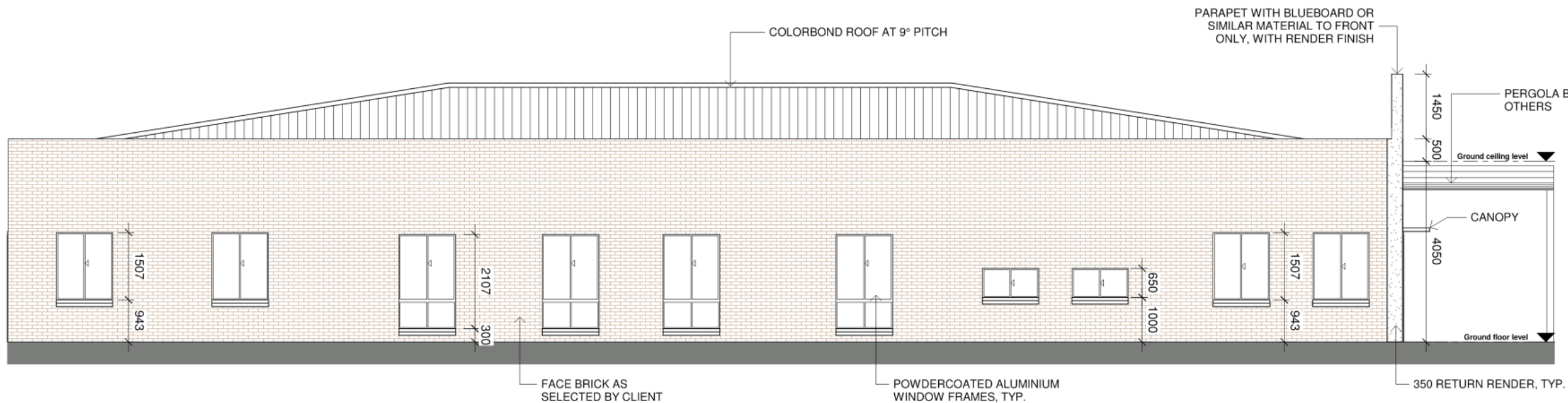
Date 13/06/2019

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ELEVATION-3



ELEVATION-4



VASTU DESIGN

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Real Estate

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Disha SHAH Atish SHAH
E: info@vastuhomes.com.au

No.	Revision Description	Date

PLANNING APPLICATION

181102 A201

PROJECT
**SHREE VALLABHDHAM,
ADELAIDE**
21 PLAYFORD CRESCENT, SALISBURY
NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Side Elevations

DETAILS

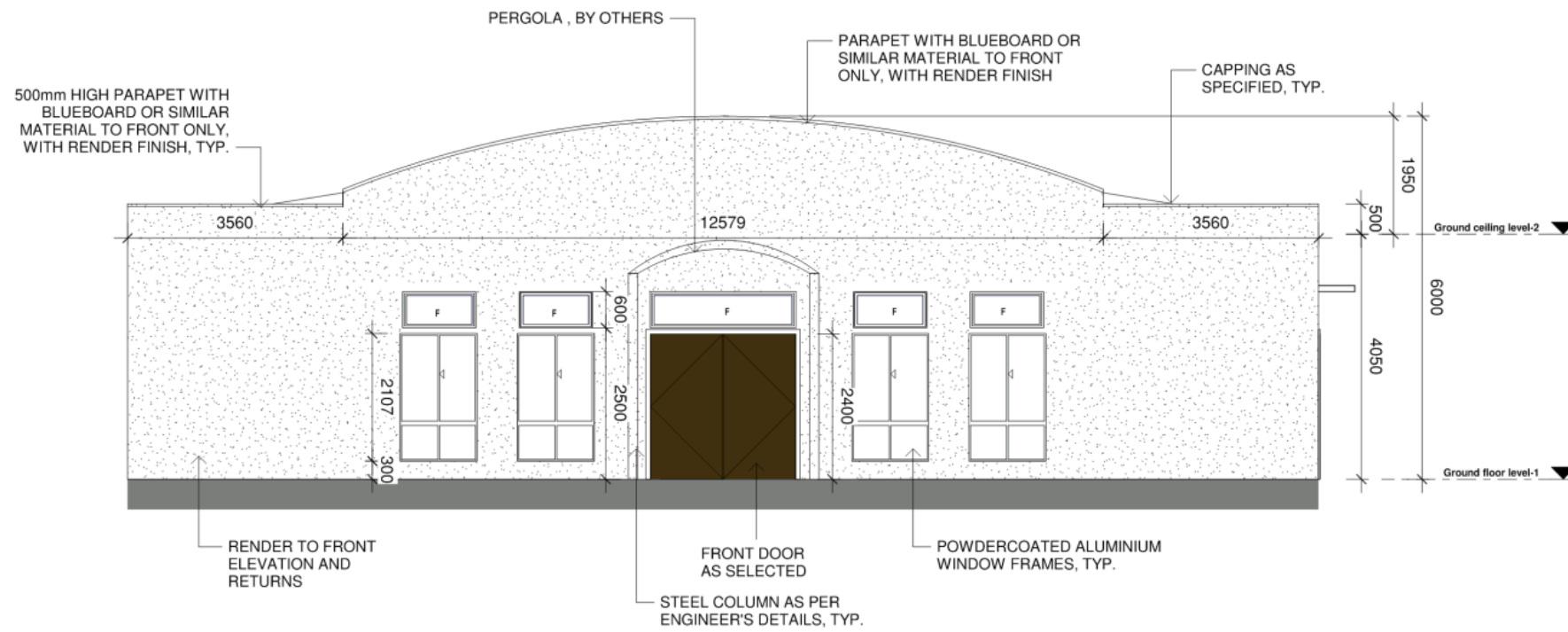
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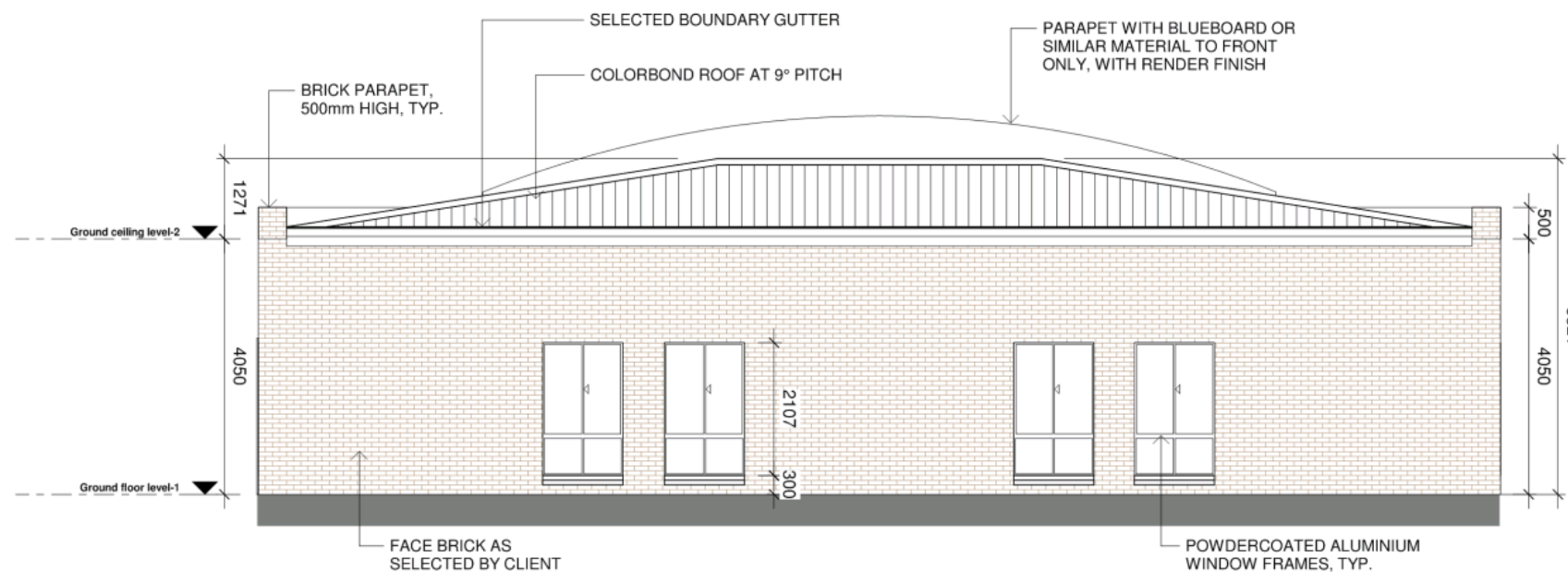
Date **20/05/2019**

All dimensions are in millimeters U.N.O.
All dimensions and levels to be confirmed prior to the commencement of any work.
Drawings to be read in conjunction with engineers and other consultants specifications and details.
Any discrepancy to be reported to this office immediately.

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2018



ELEVATION-5



ELEVATION-6



VASTU DESIGN

Architecture
Land Division
Real Estate

11/242 Cross Road, Kings Park, SA-5034
P: 0433 927 314 P: 0421 182 636
Disha SHAH Atish SHAH
E: info@vastuhomes.com.au

No.	Revision Description	Date
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PLANNING APPLICATION

181102 A204

PROJECT
**SHREE VALLABHDHAM,
ADELAIDE**
21 PLAYFORD CRESCENT, SALISBURY
NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Stage-1 Elevations

DETAILS

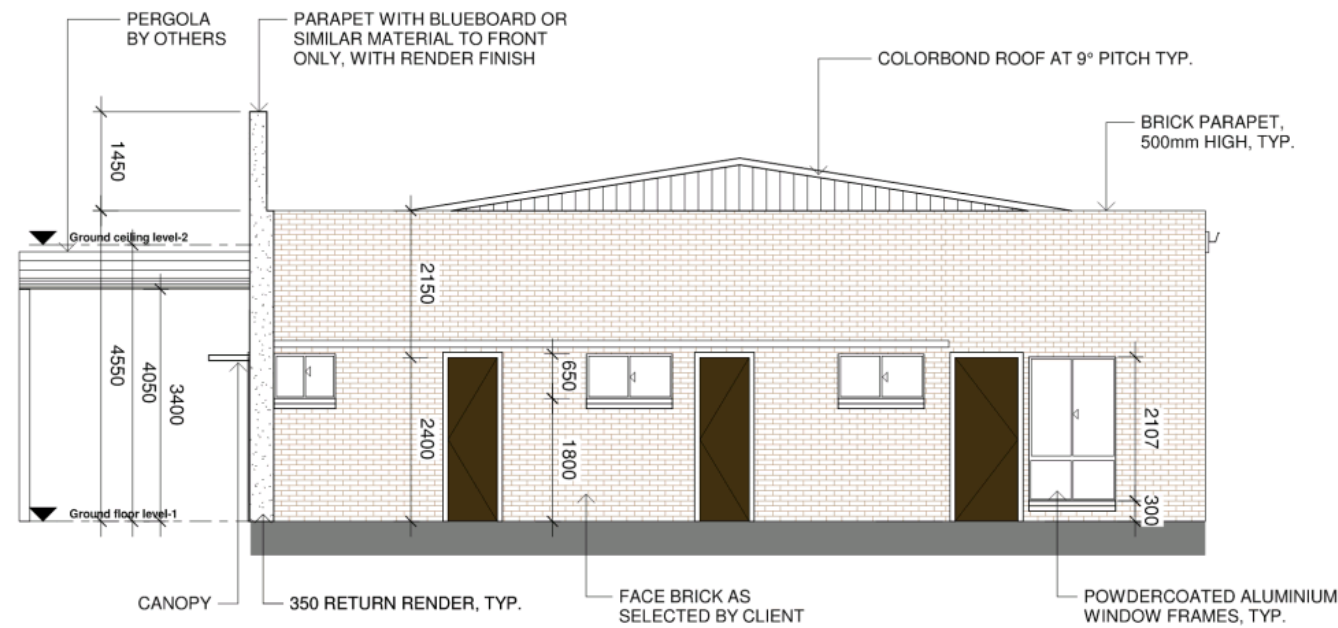
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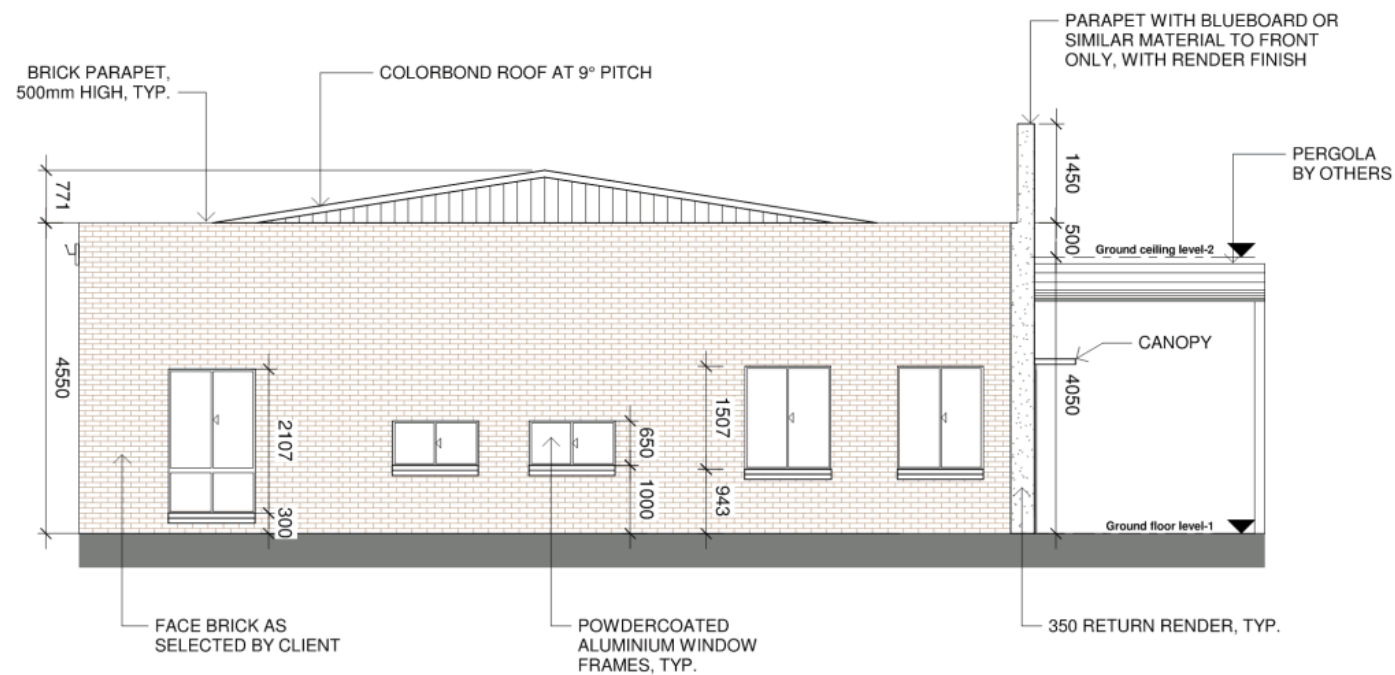
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ELEVATION-7



ELEVATION-8



VASTU DESIGN

Architecture
Land Division
Real Estate

11/242 Cross Road, Kings Park, SA-5034
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No.	Revision Description	Date
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PLANNING APPLICATION

181102 A203

PROJECT
SHREE VALLABHDHAM,
ADELAIDE
21 PLAYFORD CRESCENT, SALISBURY
NORTH

CLIENT
Vaishnav Sangh of Adelaide

DRAWING TITLE
Stage-1 Side Elevations

DETAILS

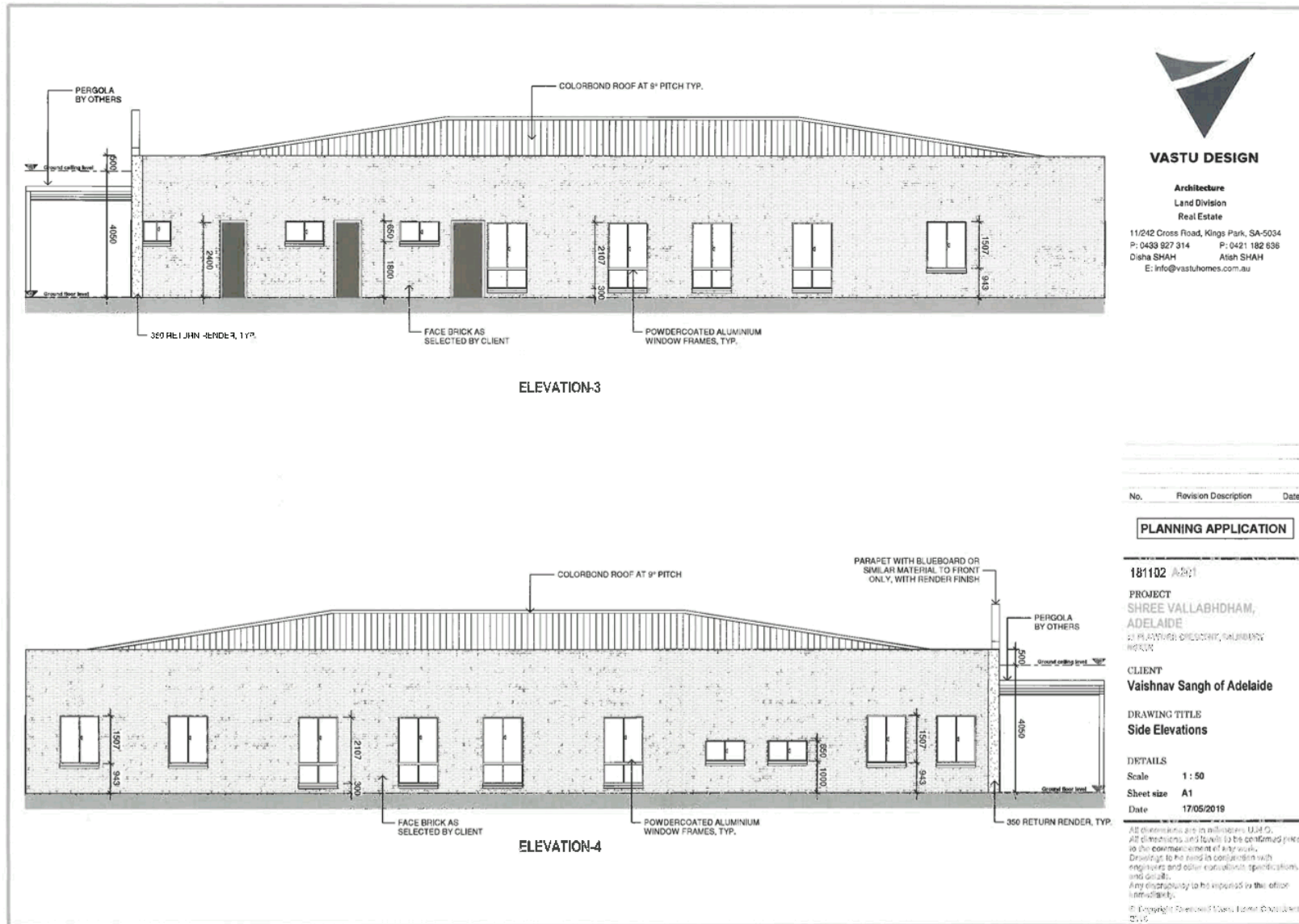
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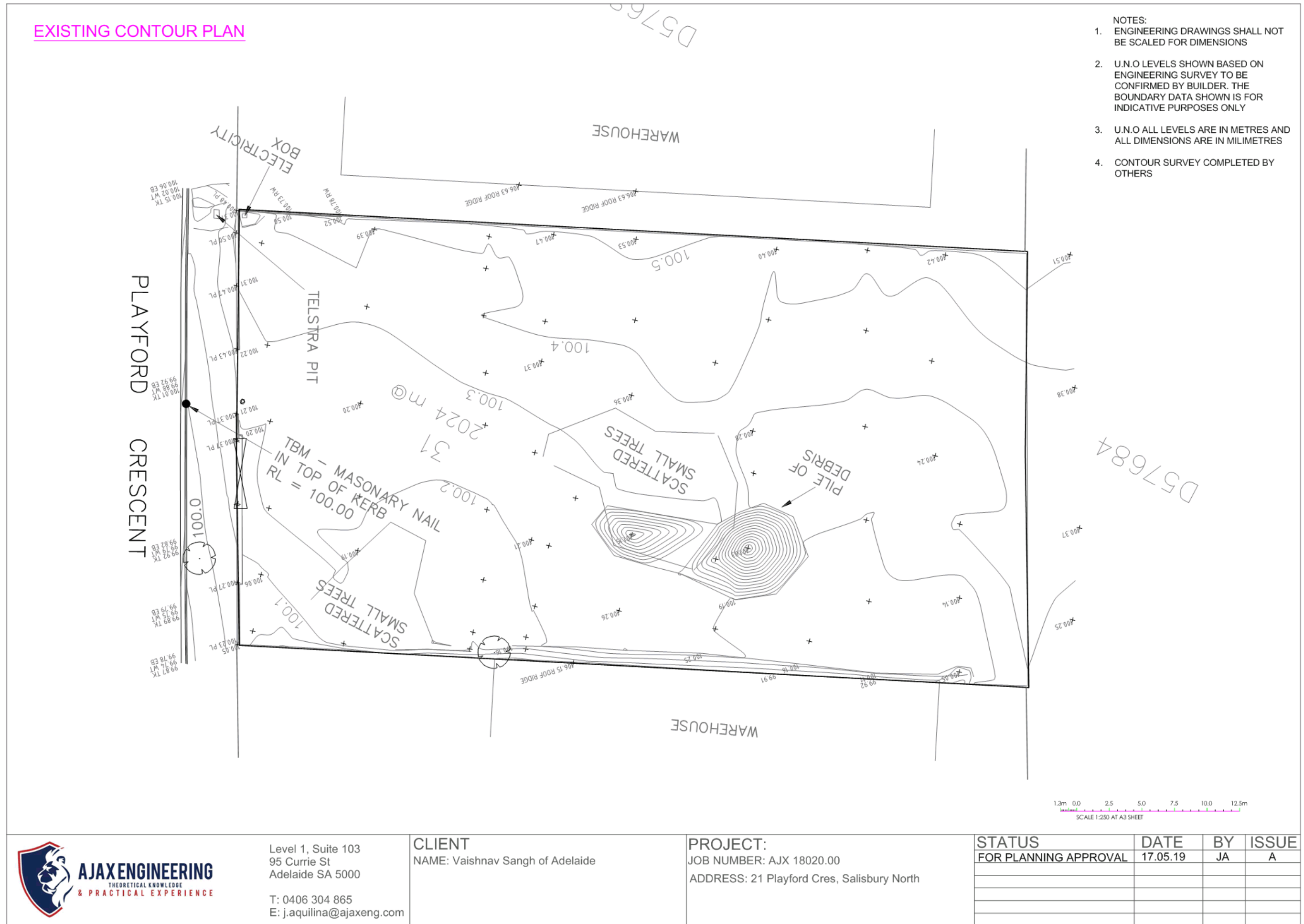
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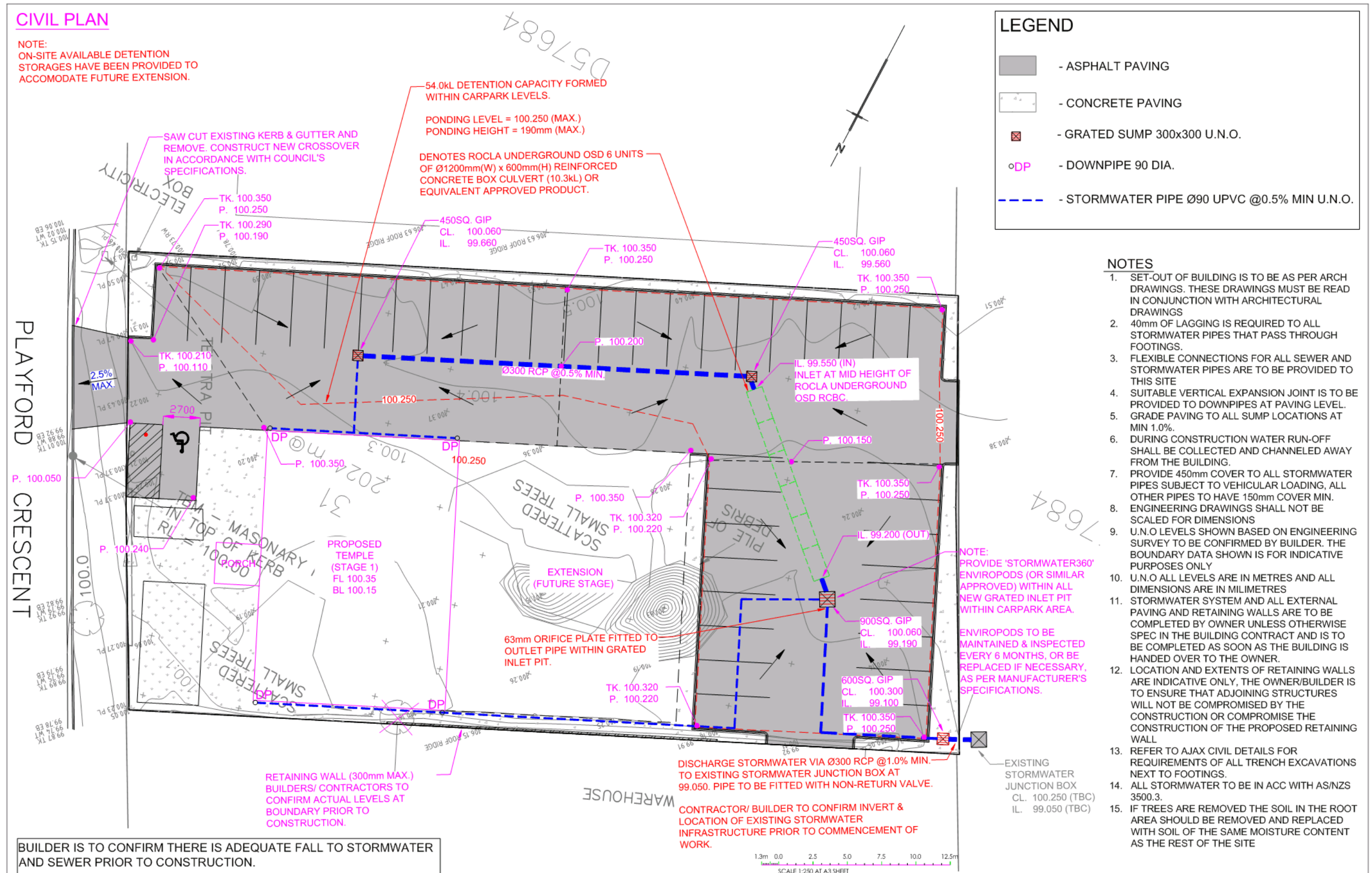


Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment



 <p>AJAX ENGINEERING THEORETICAL KNOWLEDGE & PRACTICAL EXPERIENCE</p> <p>Level 1, Suite 103 95 Currie St Adelaide SA 5000</p> <p>T: 0406 304 865 E: j.aquilina@ajaxeng.com</p>	<p>CLIENT NAME: Vaishnav Sangh of Adelaide</p>	<p>PROJECT: JOB NUMBER: AJX 18020.00 ADDRESS: 21 Playford Cres, Salisbury North</p>	<table border="1"> <thead> <tr> <th>STATUS</th> <th>DATE</th> <th>BY</th> <th>ISSUE</th> </tr> </thead> <tbody> <tr> <td>FOR PLANNING APPROVAL</td> <td>17.05.19</td> <td>JA</td> <td>A</td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> <td> </td> </tr> </tbody> </table>	STATUS	DATE	BY	ISSUE	FOR PLANNING APPROVAL	17.05.19	JA	A												
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FOR PLANNING APPROVAL	24.07.19	JA	C																

Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment

PLANNING REPORT

Construction of a Place of Worship

21 Playford Crescent

Salisbury North

Prepared for

Vaishnav Sangh of Adelaide

18 May 2019



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Appendix 3	Traffic Report - Cirqa	



1. INTRODUCTION

This planning report has been prepared in support of the proposed place of worship for Vaishnav Sangh of Adelaide (VSA). The VSA is a Hindu community run not-for-profit religious organisation which has been operating in Adelaide since 2008. The VSA was inspired by PPG Shree 108 Dwarkeshlalhi Mahodayashri (Kadi- Ahmandabad). The Swaroop (idol) of Shree Goverdhan Nathji was enacted on 21 May 2011.

The primary purpose of the VSA is to keep the Pushtimarg and Indian Hindu culture alive within the migrant community and among their future generations who now live in Adelaide away from their native India.

The definition of Vaishnav is "a person who believes in truth, non-violence, understands the needs and sufferings of the poor and the needy and in the equality of all human kind irrespective of caste, colour and creed."

Member of VSA are mainly Australian born and migrants from India, with some from other parts of the world with Indian heritage. Anyone can join VSA. At present there are around 30 families (60 adults and 40 children) in the VSA. The VSA operations have been held in various hired venues in the northern and northeastern suburbs of Adelaide where typically 100 people attend and a maximum of 120 attend. More recently the Blair Athol Primary School has been used. These events have only been held once per month. VSA now wish to have their own facility.

The proposal is a consent of merit form of development. A place of worship is listed as non-complying in the Procedures section of the Industry Zone except where it has a floor area greater than 500square metres and is less than 60m from the boundary of the Industry Zone. The proposal has a floor area of 622.8sqm and the Industry Zone / Residential Zone boundary is located some 15m from the subject land. As such the criteria for the exemption are met.

3



2 PROPOSAL

The proposal comprises the construction of a building in two stages to be used as a place of worship.

The front wall of Stage 1 will have a minimum setback of 9m from Playford Crescent and will be 14m deep and 19.7m wide (285.7sqm). The porch will have front setback of 5.6m. Internally the building will have:

- . a hall (with a 4.05m floor to ceiling height)
- . a kitchen with an activity room
- . a room with drinking fountains
- . male, female and disabled toilets
- . porch over the entry (3m x 3.3m)

The main entry will be from the Playford Crescent façade. A secondary access will be from the southeastern wall near the room with the drinking fountains.

Vehicular access to the subject land is from Playford Crescent – approximately 6.4m from the southeastern property boundary. There will be 23 spaces adjacent the southeastern property boundary, 16 spaces located behind the building and one disabled space in front of the building. A total of 23 spaces along the southeastern property boundary and the disabled space will be sealed with bitumen and line marked in Stage 1 and the area for the remaining 16 spaces will have a compacted gravel surface.

Landscaping is to be provided in front of the building and along the southeastern and southwestern property boundaries in amongst the carparking spaces. Note the garden at the front of the building is for aesthetic purposes only. There will be no growing of vegetables or fruit. New soil (minimum 200mm deep) will be imported for the garden bed. There will be no children's playground.

Stage 2 (337.13sqm of floorspace) will comprise:

- . an expanded hall
- . a god's sculpture area
- . a store room and an office to the side of the god's sculpture area
- . an activity room and a meeting room
- . two other rooms
- . sealing and line marking of the 16 carparking spaces

The materials of the building are:

- . front wall is to be rendered
- . side and rear walls to be face brick
- . Colorbond roof
- . powder coated aluminium window frames

Copies of plans are attached in Appendix 2.

With regard to hours of operation the following is proposed:

Saturdays

- . 9am – 2pm crew (max 10 persons) involved in decoration of God and Goddess statues
- . 2pm – 4pm cleaning and food preparation crew (max 10 persons)
- . 4pm – 8pm open to VSA members and general public
- . 8pm – 9pm cleaning crew (max 15 persons)

4



Sundays

- 10am – 1pm crew (max 20 persons) involved in decoration of God and Goddess statues
- 2pm – 4pm cleaning and food preparation crew (max 20 persons)
- 4pm – 8pm open to VSA members and general public
- 8pm – 9pm cleaning crew (max 20 persons)

Weekdays

- Diwali festival (festival of lights) once per year and following day. This occurs either in October or November. A maximum of 8 hours between 9am – 9pm
- Birthday of Lord Krishna in either August or September. A maximum of 8 hours between 9am – 9pm

With the ability to open twice on each weekend it is expected that the maximum number of persons attending on a typical weekend will be more in the range of 60 – 80 persons for the foreseeable future. When Stage 2 is complete it will be able to hold a maximum of 120 people.

Please note that no weddings or larger events such as the VSA Annual event and the Diwali Dinner will be held at this site. They will continue to be conducted in larger hired venues. The Woodville Town Hall has been used recently for such events.

During the special occasion events lights are expected to be used to decorate the building. This will be done a similar manner to xmas lights. Such lights will be turned off when people leave the premises.

The facility will not be hired out to other groups.

In terms of infrastructure all services are available, including stormwater. It is proposed to drain stormwater to Playford Crescent.

Bins are to be located at the rear of the building and collection will be made by private contractor.

4 SUBJECT LAND AND LOCALITY

4.1 Subject Land

The subject land is Allotment 31 in Deposited Plan 57684 Playford Crescent Salisbury North. The Certificate of Title is Volume 5857 Folio 24 (copy in Appendix 1). The land is 2024sqm in size, has a 33.45m frontage to Playford Crescent and is 60.64m deep. An aerial photo of the site is shown below.



The land has been vacant since the industrial estate was created in 2001.

There are a couple of trees on site – neither of which is regulated or significant.



Photo of subject land looking southwest

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4.2 Locality

From a land use perspective the locality is mixed with industrial, commercial, residential, golf course, vacant land and a rail corridor. The landscape and streetscape in the locality is considered to be of medium to good quality. An aerial photo of the broader locality is below.



On three sides (east south and north) of the subject land there are industrial and commercial land uses. These include the following businesses:

- SA Pinball and Arcade
- Statewide Poly Services
- Middys
- Salisbury Country Fire Service
- Startrack
- Staroll Cable Winding
- Uska Imports
- Sonique
- Driven Motorsport
- Rapiti Earthworks
- Ametalin
- Shean Steel
- Gotcha Glass
- Metal Magic
- Whiting Flooring
- Trymoss Engineering
- RTC Group
- Tyreight

Photos of some of these businesses are below and on the following page.



7





8



To the southwest of the subject land is a thin reserve which separates the site from the rail corridor and the residential uses.



Photo looking southeast along Langford Tce



Photo looking south along Langford Tce



Photo looking south along Stratford Rd

The golf course is on the northern side of Commercial Rd.



Photo looking north from Commercial Rd towards Penfield Golf Course

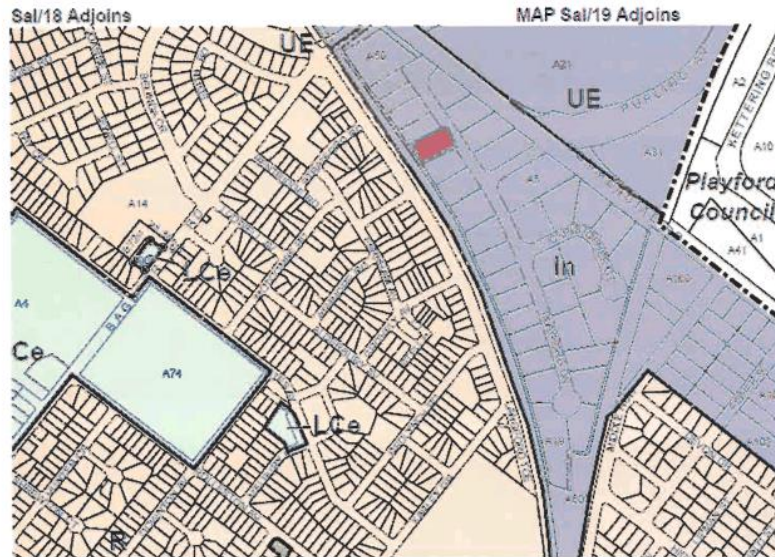
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5 DEVELOPMENT PLAN CONSIDERATIONS

The subject land is located in the Industry Zone as shown on the plan below with the red rectangle.

Zone Map Sa/25 (part)



In the following subsections (5.1 – 5.4) the relevant provisions of the Development Plan are grouped into three themes (Land Use, Infrastructure, Amenity / Environment, and Traffic) and an assessment of those policies is provided.

5.1 Land Use

The relevant provisions are:

- Industry Zone
 - Objective 1
 - Principles of Development Control 1, 2,
- General Section
 - Centres and Retail Development
 - Objective 1
- Community Facilities
 - Objective 1
 - Principles of Development Control 1, 4, 6
- Orderly and Sustainable Development
 - Objectives 1, 3, 4, 6
 - Principles of Development Control 1, 6, 8



Places of worship are listed in Objective 1 of Centres and Retail Development as being appropriately located within integrated centres.

This place of worship is a medium scale facility according to PDC 4 in Community Facilities. PDC 5 suggests that such uses are suitable within certain parts of residential areas. PDC 6 indicates that large facilities are suitable on the periphery of industrial zones.

As such it is considered the Development Plan policy enables places of worship to be located in a variety of zone types subject to various factors.

Objective 1 Community Facilities seeks community facilities to be conveniently located to the population they serve. Whilst the vast majority of VSA members will travel to the subject land via motor vehicle, the Nurlutta rail station is only 400m (a 5 minute walk) away. The VSA members come mainly from the northern suburbs of Adelaide, but some come from the western and southern suburbs.

The industrial estate at Playford Crescent is almost 20 years old and there are still five vacant lots remaining. Having a place of worship in the Zone will not jeopardise the achievement of the provisions of the Development Plan not jeopardise the adjoining land uses. The VSA understand the adjoining industrial uses have existing use rights and due to their operating hours there should be no potential conflict. The nature of the industrial uses the abut and are immediately nearby are not heavy industrial so even if they were to operate on weekends there would be no impact on VSA activities.

5.2 Infrastructure

The relevant provisions are:

General Section
Crime Prevention
Principles of Development Control 3

Waste
Principles of Development Control 5

Orderly and Sustainable Development
Principles of Development Control 6

The proposal will utilise existing infrastructure (power, water, sewer, telecommunications, stormwater) that are in the Playford Crescent with no demand for augmentation arising.

With existing fencing in place providing a secure site there should be little if any opportunity for vandalism or graffiti.

Bins are to be stored at the rear of building and will be collected by a private operator.

5.3 Amenity / Environment

The relevant provisions are:

Industry Zone
Objectives 2, 3
Principles of Development Control 4, 5, 6, 8, 9, 13, 14, 15, 19

General Section
Community Facilities
Principle of Development Control 7

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Crime Prevention
Objective 1
Principles of Development Control 1, 2, 5

Waste
Objective 1
Principles of Development Control 1, 2

Design and Appearance
Objective 1
Principles of Development Control 1, 2, 3, 4, 7, 11, 12, 22, 24, 25

Landscaping, Fences and Walls
Objectives 1, 2
Principles of Development Control 1, 2, 4

Interface Between Land Uses
Objectives 1, 3
Principles of Development Control 1, 2, 3, 6

With music only being played indoors and amplification being at low level the volume of noise will be such that it would not exceed the level detailed in PDC 10. The nearest dwelling is located some 70m away from the rear wall of the proposed building.

External lighting will be placed such that it is directed downwards and not in a southwesterly direction towards the residential area. There will be no overlooking or overshadowing of land in the Residential Zone.

Landscaping is proposed at the front, along the southeastern and rear boundaries of the site and amounts to 10% of the subject land area. Zone PDC 19 seeks a 5m landscape strip. This was provided when the land division was undertaken in 2001.

The proposed building is to be setback 8m from the front property boundary. This is midway between the buildings on the two adjoining sites.

The building will have less than 50% site coverage.

The front façade of the building will have a large front door under a porch with two sets of windows on either side. Above the windows will be rendered canopies. A curved parapet sits above windows.

The rear wall of the proposed building which faces the residential area to the southwest has an entry door from the carpark which then goes into a passageway and beyond that wall is where the god and goddess statues are located. Noise from the hall will have two walls to get through before it is in the open. This design clearly seeks to minimise any noise emanating from the hall.

The building will be 6.0 m high at the peak of the parapet.

The building is considered to be of an architectural standard that is appropriate and will fit in with the surrounding industrial buildings.

The northwestern wall of the building which is to be located some 1m off the boundary will be some 30m long which is shorter than most buildings that are either on the boundary or close to the boundary on other industrial sites in the locality.

The proposed building will not incorporate highly reflective materials.



It is considered the proposal will enhance the appearance of the site and the locality.

Whilst the proposal is a medium scale facility rather than a large scale facility Community Facilities PDC 7 is complied with as the proposal will not negatively impact on the various uses in the locality.

The layout of the proposed development of the site is simple with the building facing Playford Crescent with separate vehicular and pedestrian entries from the road, both of which help maximise surveillance of the road.

The carparking area will not need signage as it is a simple design. It will have lighting as the hours of operation extend into the night.

With a kitchen on site there will some food waste produced. Bins will be located at the rear of the building. These will include green waste and recycled material bins.

5.4 Traffic

The relevant provisions are:

General Section
Community facilities
Principle of Development Control 5, 8

Design and Appearance
Principle of Development Control 9

Transportation and Access
Objective 2
Principles of Development Control 1, 22, 30, 32, 33, 34, 35, 37, 38,

Community Facilities PDC 8 and Table Sa/2 seeks one carparking space for every three patrons / seats. The proposal with its 40 carparking spaces (including one space for the disabled) and a limit of 120 patrons meets this policy. Cirqa's traffic report (see Appendix 3) states the parking provision is appropriate. The parking spaces meet AS 2890. The access point is appropriately located. The parking area will have appropriate lighting.

6 CONCLUSION

In summary, the proposal is considered to be appropriate as:

- . it is compliant with the vast majority of relevant provisions of the Development Plan
- . the industrial character of the immediate locality will not be compromised
- . the nearby residential uses will not be negatively impacted
- . it is an orderly, economic and sustainable development
- . there will be adequate levels of on site carparking provided
- . it will not pose a burden on public infrastructure or services
- . it provide a needed community facility that could not realistically be located in a zone that contemplates places of worship due to the lack of available land / buildings within a centre zone

The proposal is not seriously at variance with the Development Plan. It is considered to warrant the consent of the Development Assessment Panel.



John A Stimson, MPIA
18 May 2019

Appendix 1
Certificate of Title

15





Product Register Search (CT 5857/24)
 Date/Time 14/05/2019 10:14AM
 Customer Reference VSA
 Order ID 20190514002515



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.



Certificate of Title - Volume 5857 Folio 24

Parent Title(s) CT 5838/243
 Creating Dealing(s) RTC 9166336
 Title issued 15/10/2001 Edition 5 Edition Issued 18/03/2014

Estate Type

FEE SIMPLE

Registered Proprietor

SIMON WONG
 OF UNIT 27 10 LIGHT COMMON MAWSON LAKES SA 5095

Description of Land

ALLOTMENT 31 DEPOSITED PLAN 57684
 IN THE AREA NAMED SALISBURY NORTH
 HUNDREDS OF MUNNO PARA AND YATALA

Easements

NIL

Schedule of Dealings

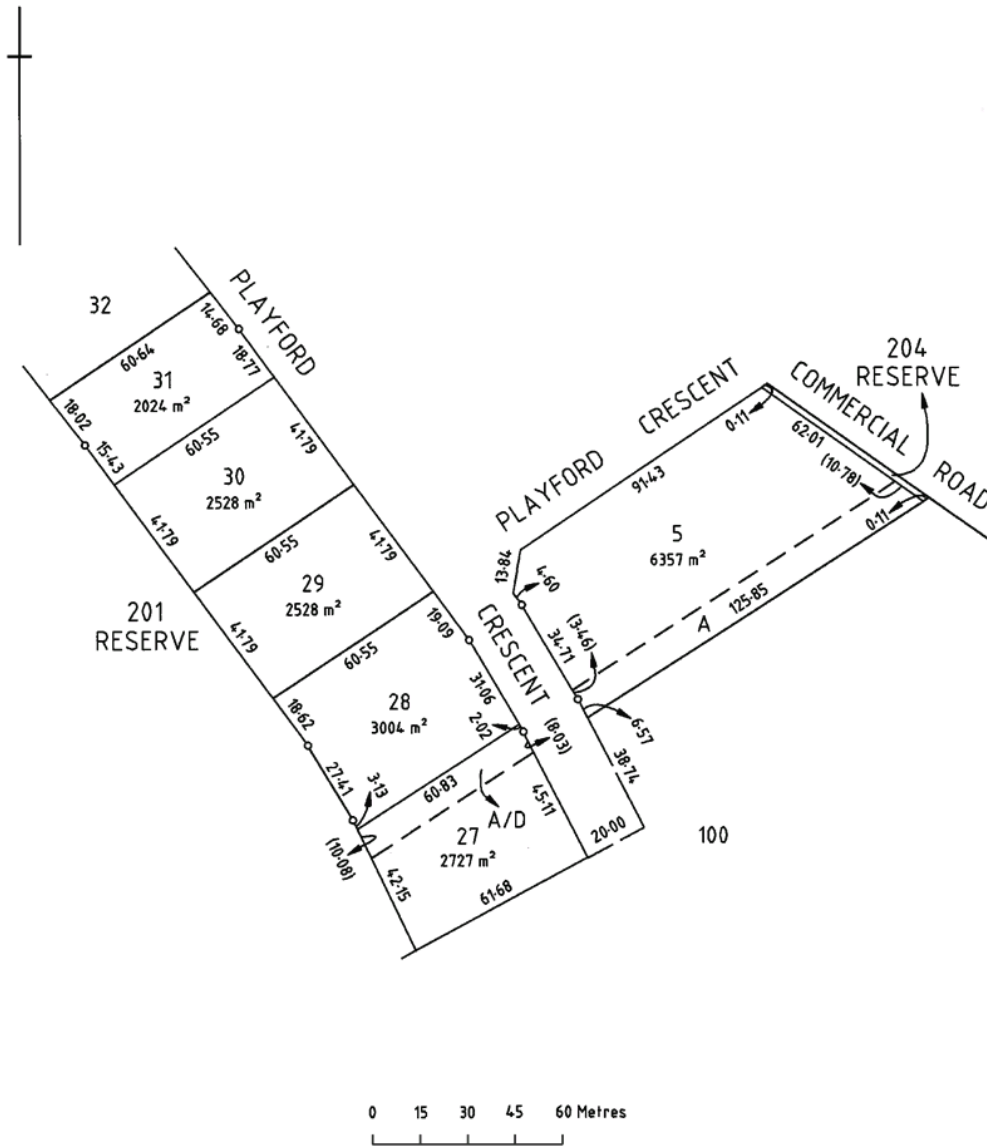
Dealing Number	Description
12086008	MORTGAGE TO NATIONAL AUSTRALIA BANK LTD.

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



Product Register Search (CT 5857/24)
 Date/Time 14/05/2019 10:14AM
 Customer Reference VSA
 Order ID 20190514002515



Appendix 2
Proposal Plans



Appendix 3
Cirqa Traffic Report

17





Ref: 19128|TAW

10 May 2019

Mr Jwalit Parikh
Shree Vallabhdham Pty Ltd
4 Olive Court
PARAFIELD GARDENS SA 5107

Dear Jwalit,

**PROPOSED PLACE-OF-WORSHIP
21 PLAYFORD CRESCENT, SALISBURY NORTH**

I refer to the proposed place-of-worship at 21 Playford Crescent, Salisbury North. As requested, I have undertaken a review of the traffic and parking aspects associated with the proposal. The assessment has been based upon plans prepared by Vastu Design (drawing no. 181102.L101, dated 10 May 2019). This letter outlines the assessment undertaken.

BACKGROUND

The subject site is located on the south-western side of Playford Crescent, Salisbury North. The site is bound to the north-east by Playford Crescent, commercial/light industrial uses to the south-east and north-west, and a rail corridor to the south-west. The City of Salisbury's Development Plan identifies that the site is located within an Industry Zone.

Playford Crescent is a cul-de-sac under the care and control of the City of Salisbury, providing access to in the order of 35 properties within vicinity of the site. Adjacent the site, Playford Crescent comprises a 12.0 m wide carriageway (approximate) facilitating two-way traffic movements and on-street parking on both sites. No formal pedestrian or cyclist facilities are provided along Playford Crescent. While traffic volumes on Playford Crescent are not known, it is anticipated that volumes would be less than 1,000 vehicles per day (based upon surrounding land uses and properties accessed via Playford Crescent). A default urban speed limit of 50 km/h applies on Playford Crescent.

The subject site is a 2,024 m² vacant block of land which has not been developed. Vehicle access to the site has not yet been formalised, albeit will be required to be provided via Playford Crescent (the site's only road frontage).

CIRQA Pty Ltd | ABN: 12 681 029 983 | PO Box 144, Glenside SA 5065 | P: (08) 7078 1801 | E: info@cirqa.com.au
CIRQA\Projects\19128 Jwalit Parikh 10May19



Figure 1 illustrates the location of the subject site with regard to the adjacent road network.



Figure 1 – Location of the subject site with regard to the adjacent road network

PROPOSAL

The proposal comprises the construction of a 'place of worship' for the Vaishnav Sangh of Adelaide (VSA) Hindu community on the subject site. The VSA is a not-for-profit organisation which has operated in Adelaide since 2008. Information provided by the VSA indicates that the subject proposal will operate as follows:

- **Weekdays**
 - 9:00 am to 9:00 pm – as required for infrequent special events;
- **Saturdays**
 - 9:00 am to 2:00 pm – crew involved in Decoration of God and Goddess statues;
 - 2:00 pm to 5:00 pm – crew involved in cleaning and food preparation;
 - 5:00 pm to 9:00 pm – open to VSA members and general public;
 - 9:00 pm to 10:00 pm – crew involved in clean up and closing;
- **Sundays**
 - 10:00 am to 1:00 pm – crew involved in Decoration of God and Goddess statues;
 - 2:00 pm to 4:00 pm – crew involved in cleaning and food;
 - 4:00 pm to 8:00 pm – open to VSA members and general public; and
 - 8:00 pm to 9:00 pm – crew involved in clean up and closing.



In addition to the above, it is understood that the proposed development will accommodate a maximum of 120 people. Such maximums would only be anticipated to occur, on occasion, when the place of worship is open to 'VSA members and general public' as well as during 'infrequent special events'.

The proposal will be serviced by a 40-space parking area, including one space reserved exclusively for use by people with disabilities. The parking area will comply with the requirements of the Australian/New Zealand Standards for "Parking Facilities - Part 1: Off-street car parking" (AS/NZS 2890.1:2004) and the Australian/New Zealand Standards for "Parking Facilities - Part 6: Off-street parking for people with disabilities" (AS/NZS 2890.6:2009) in that:

- regular parking spaces will be 2.5 m wide and 5.4 m long;
- disabled parking spaces will be 2.4 m wide and 5.4 m long (with an adjacent shared space of the same dimension);
- parking aisles will be at least 5.8 m wide;
- 0.3 m clearance will be provided to solid objects greater than 0.15 m in height; and
- pedestrian sightlines will be provided at the site's access.

It should be noted that no dedicated turn-around bay will be provided on-site (nor is required by AS/NZS 2890.1:2004). This is due to drivers being readily able to undertake a three-point turn within the site's parking aisle. Such provisions will ensure that all vehicles will be able to enter and exit the site in a forward direction. In order to demonstrate this, a turn path assessment has been undertaken using AutoCAD Vehicle Tracking software and a B99 design vehicle. Figure 2 illustrates the turn path of a B99 vehicle undertaking a three-point turn within the parking aisle.

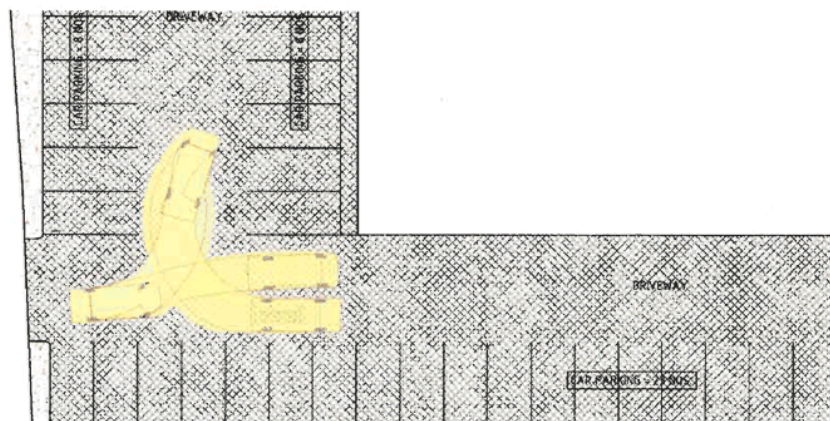


Figure 2 – A B99 vehicle turning around within the subject site



Refuse collection is proposed to occur on-site via the use of a private waste contractor. Bins will be collected outside of peak periods associated with the site's operation via the use of an 8.8 m Medium Rigid Vehicle (MRV). Such vehicles will be able to enter and exit the site in a forward direction as illustrated in Figure 3.



Figure 3 – An 8.8 m refuse collection vehicle entering and exiting the site in a forward direction

PARKING ASSESSMENT

The City of Salisbury's Development Plan identifies the following parking rate relevant to the proposed development:

- Place of worship – greater of 1 space for every 3 seats or every 3 attendees.

On the basis of the above parking rate, the proposed development would have a theoretical requirement for 40 parking spaces to be provided on-site. Given that 40 parking spaces will be provided, the parking requirements of Council's Development Plan will be satisfied.

TRAFFIC IMPACT ASSESSMENT

The NSW Roads and Maritime Services' "Guide to Traffic Generating Developments" (the RMS Guide) does not identify a traffic generation rate applicable to development uses classified as 'place of worship'.

In order to determine an appropriate traffic generation applicable to the proposed development, a 'first principles' assessment has been undertaken. The assessment has been undertaken based upon the following assumptions:



- up to 120 patrons will be on-site at any one time;
- on average, three people will be associated with a single vehicle;
- all formal parking spaces will be occupied during a typical service; and
- a single vehicle movement will be associated with each parking space during the peak hour.

On the basis of the above assumptions, it is forecast that the site will generate up to 40 peak hour movements during weekend services and special events. It should be noted that the peak hour usually associated with a place of worship typically occurs at the beginning of a service (when patrons are arriving at the subject site). Egress movements associated with such uses are typically more staggered, resulting in a lower peak hour traffic generation at the conclusion of the service.

Furthermore, it is noted that the VSA community typically experiences above average car occupancy rates of four to five passengers per vehicle. As such, the site's peak hour traffic generation is likely to be lower than that identified above. Nonetheless, despite being conservative, a peak hour traffic generation of 40 trips has been adopted.

The site's forecast peak hour traffic generation of 40 movements will be distributed to/from the site via Playford Crescent, Commercial Road and Purling Avenue. Such movements would be readily accommodated on the adjacent road network, particularly given that the site's peak traffic generation will typically occur on weekends when traffic volumes on the adjacent road network would be low. In addition, the assessment is based on full occupancy of the site which may not occur for all services and events (and lower volumes would be generated).

SUMMARY

The proposal comprises the construction of a 120-person place of worship at 21 Playford Crescent, Salisbury North. The proposed development will be serviced by a 40-space parking area, inclusive of one space reserved exclusively for use by persons with disabilities. Access to the site will be provided via a two-way all-movement crossover on Playford Crescent.

Based upon Council's Development Plan, the proposal would have a theoretical requirement for 40 parking spaces. As such, the parking requirements of Council's Development Plan will be satisfied.

By undertaking a first principles assessment, it is forecast that the site will generate in the order of 40 peak hour movements. Such a forecast is considered to be conservative as information provided by the VSA indicates an above average car occupancy in the order of four to five persons per vehicle.



Vehicle movements would be distributed to/from the subject site via Playford Crescent and Commercial Road/Purling Avenue. Such movements would be readily accommodated on the adjacent road network (particularly given that the site's peak traffic generation will typically occur on weekends when traffic volumes on the adjacent road network would be low).

Please feel free to contact me on (08) 7078 1801 should you require any additional information.

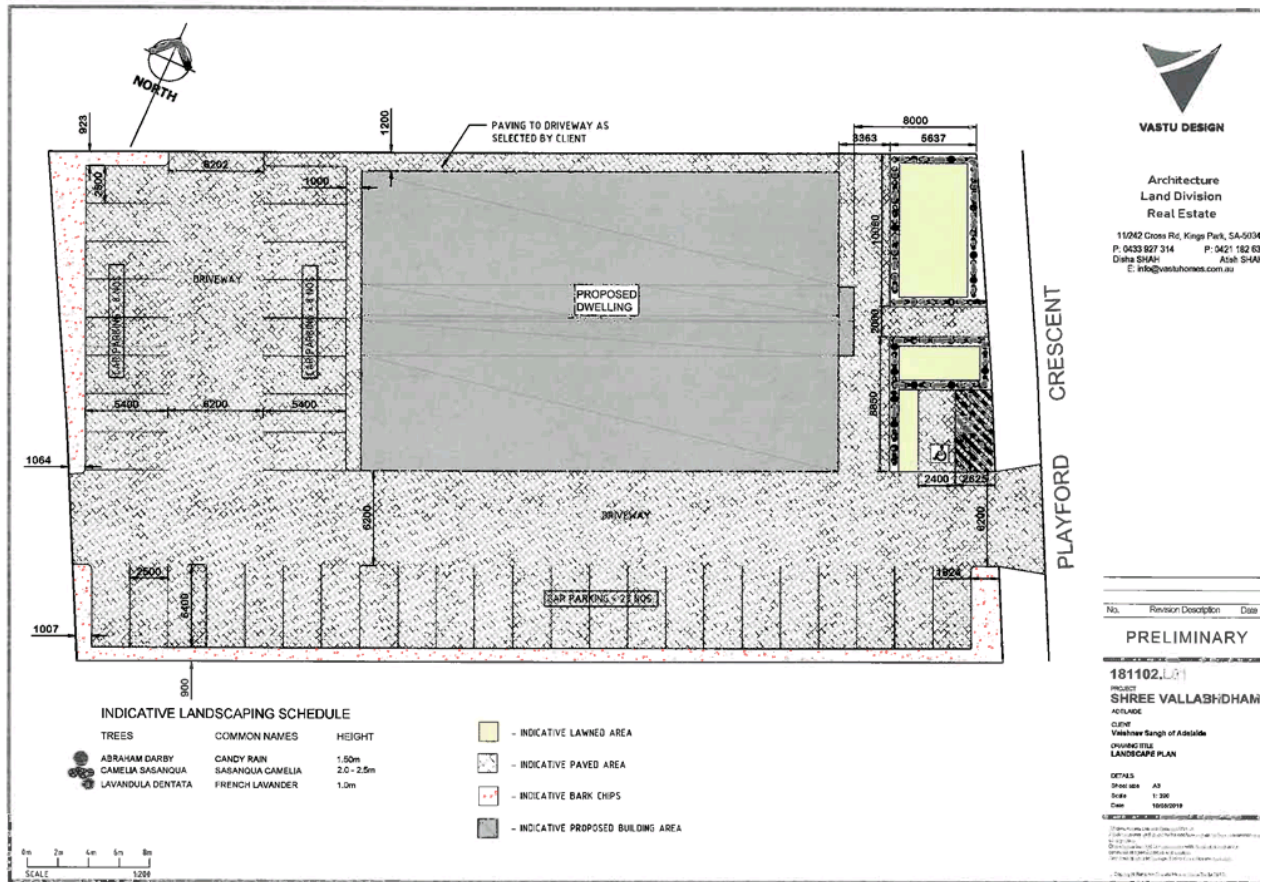
Yours sincerely,

A handwritten signature in blue ink, appearing to read "Thomas Wilson".

THOMAS WILSON
Senior Traffic & Transport Engineer | CIRQA Pty Ltd

Encl. – Site plan prepared by Vastu Design (drawing 181102.L01, dated 10 May 2019)

Item 5.1.3 - Attachment 1 - Proposal plans and documentation including traffic report and environmental acoustic assessment



Place of Worship

Environmental Noise Assessment

S6112C1

June 2019

sonus.

Jason Turner

Associate

Phone: +61 (0) 410 920 122

Email: jturner@sonus.com.au

www.sonus.com.au

Place of Worship
Environmental Noise Assessment
S6112C1
July 2019

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Document Title : Place of Worship
Environmental Noise Assessment

Document Reference : S6112C1

Date : June 2019

Author : Jason Turner, MAAS

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Place of Worship
Environmental Noise Assessment
S6112C1
July 2019

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INTRODUCTION

A noise assessment has been made of the proposed place of worship to be located at 21 Playford Crescent, Salisbury North.

The proposal comprises the construction of a building in two stages to be used as a place of worship incorporating kitchen facilities and associated car parking.

The building and associated facilities is proposed within an industrial zone and located amongst existing industrial land uses and warehouses. The closest noise sensitive locations are existing residences to the southwest of the subject site on the opposite side of Langford Terrace and a rail corridor. The subject site locality and nearby residences are shown in Appendix A.

The assessment considers the noise at the existing residences from the proposed activities at the site including general car parking activity, operation of mechanical plant, the use music in the worship hall, people worshipping and rubbish collection, and recommends treatment measures to ensure the proposal does not adversely impact on the amenity of the locality.

The assessment has been based on:

- *Stimpson Consulting* Planning Report titled "Construction of a Place of Worship 21 Playford Crescent Salisbury North", dated 17 May 2019, and associated amendments received via email 9 June 2019;
- *Vastu Design* drawings for the project "SHREE VALLABHDHAM, ADELAIDE", reference "181102", including:
 - "Site Plan", drawing no. "A102", dated 20 May 2019;
 - "Floor Plan", drawing no. "A103", dated 20 May 2019;
 - "Elevations", drawing no. "A202", dated 17 May 2019;
 - "Side Elevations", drawing no. "A201", dated 20 May 2019;
- The understanding that:
 - Music inside the hall will be at a level which is clearly audible but people *do not need to raise their voices to be heard and understood while in close proximity*;
 - The facility will operate at various times between 9am and 10pm; and
 - The facility will not be hired out for other uses.

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CRITERIA

Development Plan

The subject site is located within an *Industrial Zone* of the Salisbury Council Development Plan¹. All nearby residences on the opposite side of Langford Terrace are located within a *Residential Zone*. The Development Plan has been reviewed and the following provisions are considered relevant to the noise assessment.

General Section – 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:
....
(b) Noise
...
2 Development should be sited and designed to minimise negative impact on existing and potential future land uses desired in the locality.
5 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 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.

¹ Consolidated 4 April 2019.

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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 noise sensitive development 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 ($L_{A90,15min}$) for the overall (sum of all octave bands) A-weighted level
Adjacent land 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

Music Noise Guidelines

Interface between Land Uses PDC 10 from the Development Plan provides desired noise levels for development proposing music. The noise criteria are based on the Environment Protection Authority's document "Music noise from indoor venues and the South Australian Planning System" (the EPA Guidelines).

The EPA Guidelines apply to venues *at which music is the prime source of entertainment, such as a night club*. Entertainment venues, public halls, hotels and the like are provided as examples of developments where the assessment of music noise is likely to be required under the regime. Importantly, the EPA Guidelines apply to venues which can operate into the early morning hours *on any (or all) nights of the week*.

In such a circumstance, the application of the criteria to a place of worship where music is played infrequently and only during the day period (prior to 10pm) is extremely conservative.

In such a circumstance, reference is made to the *Environment Protection (Noise) Policy 2007* (the Policy) as per PDC 7 of the Development Plan. The Policy is based on the World Health Organisation Guidelines to prevent annoyance and unreasonable interference on the amenity of an area. The Policy establishes allowable noise levels based on continual activity and so its application to occasional music is still a conservative assessment approach; however, compliance with the Policy would satisfy the provisions of the Development Plan relating to occasional music during the day.

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Environment Protection (Noise) Policy 2007

Interface between Land Uses PDC 7 from the Development Plan makes reference to the Environment Protection (Noise) Policy, which provides goal noise levels to be achieved at residences from general activity at a site and specific provisions for other activity such as rubbish collection. The most recent version is the *Environment Protection (Noise) Policy 2007* (the Policy).

The Policy is based on the World Health Organisation Guidelines to prevent annoyance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to be sufficient to satisfy all provisions of the Development Plan relating to environmental noise.

General Activity

Noise from a place of worship is excluded from assessment under the Policy for the same reason that the EPA (music) Guidelines are considered extremely conservative; in that places of worship are often located in or near residential areas and their occasional community activities are rarely of concern. The Policy is established to address activity which can occur continually through the day and night as distinct to the infrequent use of a place of worship.

Notwithstanding the above, in order to assist in establishing a quantitative approach, the Policy goal noise levels which are applicable to a noise source operating continually have been conservatively adopted for the assessment of the proposed development. This assessment compares the cumulative noise levels associated with car parking, vehicle movements, people talking as they vacate or approach vehicles, the operation of mechanical plant, patrons worshipping and music inside the hall against the Policy.

The Policy goal noise levels to be achieved at residences are based on the principally promoted land use of the Development Plan Zones in which the noise source (the place of worship) and the noise receivers (the residences) are located. Based on the land uses and the “development” nature of the project, an effective average (L_{Aeq}) noise level of 52 dB(A) is to be achieved at all nearby residences during the proposed operating hours (9am to 10pm).

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When measuring or predicting noise levels for comparison with the Policy, adjustments may be made to the average goal noise levels for each “annoying” characteristic of tone, impulse, low frequency, and modulation of the noise source. The characteristic must be considered dominant in the existing acoustic environment and therefore the application of a penalty varies depending on the assessment location, time of day, the noise source being assessed, and the predicted noise level. In this circumstance, the nearest residences are already exposed to modulating noise sources from vehicles and trains on a road and rail corridor respectively. Notwithstanding, a 5 dB(A) penalty for modulating noise character associated with onsite vehicle activity has been conservatively applied at all nearby residences. This penalty has been included in all subsequent noise predictions in this report where relevant.

Rubbish Collection

The Policy deals with rubbish collection by effectively limiting the hours to the least sensitive period of the day. Division 3 of the Policy requires rubbish collection to only occur between the hours of 9am and 7pm on Sundays or public holidays, and between 7am and 7pm on any other day, except where it can be shown that the maximum (L_{max}) noise level from such activity is less than 60 dB(A).

Place of Worship
 Environmental Noise Assessment
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ASSESSMENT

Noise Sources

The noise levels at sensitive locations from activity at the site have been predicted based on a range of previous noise measurements and observations at similar facilities. These include the following noise sources:

- *Car parking activity*
 This includes, car park activity such as people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park position, and general vehicle movements on site.
- *Worshipping*
 Worshippers within the Main Hall of the building based on people measured in a social community setting.
- *Internal Music*
 Music being played within the building at level *which is clearly audible but such that people do not need to raise their voices to be heard or understood*. This (conservatively) corresponds to an internal noise level in the order of 75 dB(A).
- *Mechanical Plant*
 This includes plant providing ventilation and air conditioning for the building. Predictions have been based on manufacturer's noise data for various units and indicative plant selections.

Sound power levels for the above activities are provided in Appendix B

Operational Assumptions

The prediction of the noise level at residences has been based on the following level of activity occurring in any 15 minute period² between 9am and 10pm:

- 40 vehicle movements into or out of the on-site car parking areas and associated general car parking activity;
- The building being used at full envisioned capacity (120 people) for the full assessment period;
- Music being played continuously within the building.
- Continuous operation of all mechanical plant on the building roof.

² The default assessment period of the Policy.

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Recommended Acoustic Treatments

General Activity

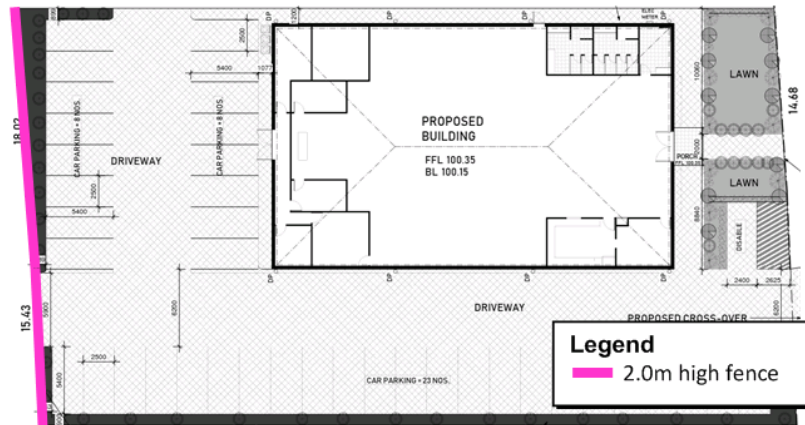
Based on the above, in order to comply with the goal noise levels of the Policy, the following acoustic treatment measures are recommended for general activity:

- Construct the proposed building from the following (or acoustically equivalent):
 - Masonry external walls comprising single leaf 90mm thick brickwork, a layer of 10mm plasterboard internally (or similar) as proposed (this construction is not essential from an acoustic perspective, but is currently proposed). Render may be applied externally as required;
 - Roof and ceiling system comprising 0.42 BMT sheet metal roof, thermal insulation and sarking under, a ceiling cavity greater than 300mm, 75mm thick insulation with a minimum density of 11kg/m³ above the ceiling, and a layer of 10mm plasterboard lining as the ceiling (or acoustic equivalent);
 - All glazed areas should be constructed such that an airtight seal is achieved when closed, and from a minimum of 6.38mm thick laminated glass (or similar); and,
 - Solid core doors which are a minimum of 50 mm thick.
- Ensure all rear and side doors remain normally closed while music is being played and/or worship is occurring within the building;
- Construct a fence (as proposed) along the rear boundary for the extent shown as PINK in Figure 1 to address vehicle activity. Ensure the fence achieves a total height of no less than 2.0m high above the car park ground level and is constructed from a minimum of 0.42 BMT sheet steel ("Colorbond" or similar) or a material with the same or greater surface density (kg/m²). Ensure the fence achieves an airtight seal at all junctions, including at the ground.

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Figure 1: Recommended extent of fencing.



Rubbish Collection

Restrict the hours of rubbish collection and deliveries (which may also use the service bay) to the hours of Division 3 of the *Environment Protection (Noise) Policy 2007*. That is, only between the hours of 9am and 7pm on a Sunday or public holiday, and 7am and 7pm on any other day.

Mechanical Plant

As is typical at the development application stage, the proposed mechanical plant units have not yet been designed or selected. The assessment of the mechanical plant has therefore been based on previous noise measurements and procurement data at similar facilities. The subsequent overall sound power level data for the following mechanical plant components are summarised in Appendix B:

- 1x kitchen exhaust fan
- 2x amenities exhaust fan
- 2x air conditioning units

Based on the predictions of the above plant operating, no additional specific acoustic treatments are likely to be required for mechanical plant.

The noise level and any acoustic treatment associated with mechanical plant should be reviewed during the detailed design phase, should the final equipment selections have different sound power levels or should a different number of units be proposed to those specified within this report.

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Predicted Noise Levels

Subject to the implementation of the above treatment measures, the predicted noise levels at nearby sensitive receivers will be no more than 50 dB(A) at any existing, nearby residence, Therefore, the Policy goal noise levels are achieved at all times of operation.

Further to this, the noise from music being played within the building is predicted to be below typical background noise levels in the locality (below 30 dB(A)) and as a result is unlikely to be audible in most circumstances.

In the circumstance where the hall is constructed and used as part of a staged development, any temporary wall should be such that it achieves an R_w of at least 25 (as would be achieved if temporary hoarding like 12mm thick marine plywood is used).

Place of Worship
Environmental Noise Assessment
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CONCLUSION

A noise assessment has been made of the proposed place of worship to be located at 21 Playford Crescent, Salisbury North.

The assessment considers the noise at nearby residences from the proposed activities at the site including general car parking activity, operation of mechanical plant, music and people inside the building, and rubbish collection.

Assessment criteria have been established for the proposal based on the specific nature of the place of worship as adapted to the relevant provisions of the Salisbury Council Development Plan.

The predicted noise levels from the development will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007* subject to the treatments in this report, comprising;

- Specific fence height and construction at the car park interface;
- Specific building construction details; and,
- Ensuring rear and side doors remain normally closed.

With the measures implemented, it is considered that the facility has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan.

Place of Worship
Environmental Noise Assessment
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APPENDIX A: Site locality and surrounding residences



Place of Worship
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APPENDIX B: Noise level data.

Equipment/Activity		Noise Level
Carpark activity	General activity	83 dB(A) SWL
	Moving car	82 dB(A) SWL
Internal activity	Music	75 dB(A) internal noise level
	Worship	90 dB(A) internal noise level
Mechanical Plant	Kitchen exhaust fan	84 dB(A) SWL
	Amenities exhaust fan	67 dB(A) SWL
	Air conditioning unit	76 dB(A) SWL

Attachment 2

Category 3 Notice 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:

APPLICATION NO:	361/849/2019/1B
APPLICANT:	Vaishnav Sangh of Adelaide C/- Stimson Consulting 1 Victoria Tce GAWLER SA 5118
NATURE OF DEVELOPMENT:	PLACE OF WORSHIP AND ASSOCIATED LANDSCAPING AND CARPARKING
LOCATION:	21 Playford Crescent , Salisbury North SA 5108
CERTIFICATE OF TITLE:	CT-5857/24
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 Thursday 4th July 2019**.

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 1993*, a copy of each representation received will be forwarded to the applicant to allow them to respond to all representations received.

Signed: Gabriella Cutri, Development Officer

Date: 21 June 2019

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

1 JUL 2019

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.

Application Number:	361/849/2019/1B
Applicant	Vaishnav Sangh of Adelaide
Nature of Development:	PLACE OF WORSHIP AND ASSOCIATED LANDSCAPING AND CARPARKING
Location:	21 Playford Crescent , Salisbury North SA 5108

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

NAME(S):..... David & Lisa ROGERS

ADDRESS:..... 12 Christine Cct CRAIGMORE 5114

PHONE NO: [REDACTED] EMAIL: [REDACTED]

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

- The owner/occupier of the property located at: 15A Playford Cres - Salisbury North 5108
- 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.

We support this as long as there is adequate car park spaces in the worship complex. Parking on the street or in the cul-de-sac would not be a suitable

PTO outcome

Item 5.1.3 - Attachment 2 - Category 3 Notice and Representations received

361/849/2019/1B

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

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..... - Big enough car park
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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 4th July 2019, 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: / /

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 4th July 2019.**



STATEMENT OF REPRESENTATION
Pursuant to Section 38 of the *Development Act 1993*

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.

Application Number:	361/849/2019/1B
Applicant	Vaishnav Sangh of Adelaide
Nature of Development:	PLACE OF WORSHIP AND ASSOCIATED LANDSCAPING AND CARPARKING
Location:	21 Playford Crescent , Salisbury North SA 5108

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

NAME(S): DOUG SABEL - Statewide Poly Service

ADDRESS: 3 Playford Crescent Salisbury Nth 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: 3 Playford Cres, Salis Nth
- 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.

Concerns regarding sufficient parking spaces for a place of worship.
Concerns re parking in the street and hindering access for semi trailers into

PTO

361/849/2019/1B

our premises.
Past experience with the same issues
even though there are yellow lines
for no parking.

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

Adequate parking on the premises
being provided for, or alternative
parking provisions elsewhere.

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:

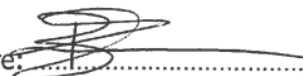
Contact details:

(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 4th July 2019, 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: 21/06/19.

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 4th July 2019.**

V. Valid

Heidi Crossley

From: Harvey & Beryl Cheatle [REDACTED]
Sent: Tuesday, 2 July 2019 11:15 AM
To: Development
Subject: parking in Playford Cresc

Teusday 2.7.19

Dear Sir /Madam,

I have a property at 5 Playford cresc Sals, and I have been sent a letter from council regarding the vacant block of land facing me, 21 Playford cresc, of which the new owners of this site are applying for development for a place of worship to be built on this site.

I have been asked by council about my thoughts on the project, and my concern is as a place of worship it would therefore attract a large number of people some who would park in the street, some of the vehicles would be parking in the street kerbside facing the entry to my property which would make the st narrower and this would create problems as I have at times semitrailers coming in and out onto the property making a delivery or collecting goods.

Is it possible should approval be granted for this application that they leave a gap in the street kerbside facing the entry to my block.?

I hope my thoughts would be given consideration.

Your truly

Harvey Cheatle

Attachment 3

Response to Representations received



1 Victoria Terrace
GAWLER SA 5118
Phone: +61 402134568

john@stimsonconsulting.net.au
www.stimsonconsulting.net.au

ABN 87 096 337 576

9th July 2019

SC0226.002

Ms G Cutri
Development Officer - Planning
City of Salisbury
PO Box 8
SALISBURY SA 5108

Dear Gabriella

VSA Place of Worship 21 Playford Cres Salisbury North – 361/849/2019/3B

With regard to the above development application I have received a copy of the three representations made during the public notification period. This letter responds to those representations.

Representations

The first representation was made by D and L Rogers who are the owners of 15a Playford Cres Salisbury North which is located two allotments to the northwest of the subject land. They support the proposal on the basis there is adequate carparking off the street.

The second representation was made by D Sabel from Statewide Poly Service who own 3 Playford Cres Salisbury North which is opposite the subject land. He is opposed to the proposal due to concerns about carparking on street which hinders access for semi-trailers into and out of 3 Playford Cres. His concerns would be addressed by there being adequate parking provided on site or alternative parking provisions made elsewhere. I subsequently emailed the traffic report prepared by Cirqa to Mr Sabel and spoke with him on 8th July 2019.

The third representation was made by H and B Cheadle who own 5 Playford Cres Salisbury North. Their concern is also with parking on street which causes problems with semi-trailers accessing their site.

See aerial photo on the following page – where the subject land is marked with a blue star, 3 Playford Cres has an orange square and 5 Playford Cres has a red triangle and 15a Playford Cres has a green teardrop.





It is understood that despite there being a yellow line on Playford Cres prohibiting parking on the street, illegal parking continues to occur. Note the yellow line is only in front of part of the subject land. VSA are happy to have this line extended.

The only concern from the three representors is with regard to carparking and in particular parking on street as it negatively impacts on truck movements into and out of nearby properties.

In response VSA are comfortable with there being no parking on Playford Crescent which is already partly marked (yellow line), and if Council considers it appropriate for signs to be used, and enforcement undertaken by parking inspectors.

As detailed in the Cirqa traffic report with a maximum of 120 people attending an event on the subject land and the provision of 40 carparking spaces on site the proposal meets the Development Plan policy requirement of 1 space for every 3 persons for a place of worship. As such there will be no need for any attendee to park on the street.

As detailed in my planning report (dated 18 May 2019) the hours of operation are largely just on weekends. The only weekday events with more than a few people will be Diwali which occurs in October or November, and the Birthday of Lord Krishna which is in either August or September.

At present it is expected that only 60 -80 people will attend a weekend event, however growth is expected in future years which is why a maximum of 120 people has been planned for with the carparking area on site.

The applicant (VSA) will instruct its attendees to only park on site.

Please note that the VSA Annual Dinner and any wedding will not be held on site as a larger venue is required.

The concerns of the representors are acknowledged, however the number of attendees, the timing of events and the number of carparking spaces to be created on site will mean there will be no on street parking issue arising from the use of the subject land.

It is considered the application warrants the consent of Council's Assessment Panel.

Should you have any queries regarding the above please do not hesitate to contact me on 0402134568 or via email john@stimsonconsulting.net.au

Yours sincerely

STIMSON CONSULTING PTY LTD

JOHN STIMSON
Managing Director

Attachment 4:

Relevant Development Plan extracts and Location Maps

Community Facilities

OBJECTIVES

- 1 Location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve.
- 2 The proper provision of public and community facilities including the reservation of suitable land in advance of need.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Community facilities should be sited and developed to be accessible by pedestrians, cyclists and public and community transport.
- 2 Community facilities should be integrated in their design to promote efficient land use.
- 3 Design of community facilities should encourage flexible and adaptable use of open space and facilities for a range of uses over time.

Places of Worship

- 4 Places of worship should be developed according to the following hierarchy:

Scale	Development form	Congregation size
Small (local)	Associated with an area of worship ancillary to a residence. These activities are particularly common for religious organisations that do not have a large following and / or lack funds to purchase a standalone building.	Typically accommodate approximately 5 to 30 worshippers in any one session.
Medium(neighbourhood)	Purpose built or re-use of existing buildings with medium footprints that are found in most suburbs and country towns	Typically have congregations of up to 100-300 persons in any one session
Large (regional)	Purpose built or re-use of existing buildings with large footprints and catering for a variety of ancillary activities	In excess of 300 persons in any one session

- 5 Small (local) to medium (neighbourhood) scale places of worship within residential areas should be appropriately located on major collector roads to minimise congestion or traffic conflict within local streets.
- 6 Large places of worship should:
 - (a) be located within centre, commercial or the periphery of industrial zones
 - (b) demonstrate the following design features:
 - (i) reuse of existing buildings
 - (ii) the bulk, mass and height of development compatible with the character of the locality
 - (iii) sharing of car parking facilities

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Community Facilities

- (iv) siting on arterial or collector roads rather than narrower local residential streets
 - (v) promote crime prevention through environmental design principles
 - (vi) reduced land use conflicts in relation to the scale of building form and hours of operation
 - (vii) provide value added functions and facilities that can be used by neighbouring activities.
- 7 Large scale places of worship located in commercial or industry zones should not detrimentally impact on the operations of existing commercial or industrial land uses.
- 8 Places of worship should be established with one car parking space for every three seats or every three attendees to the place of worship.

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).

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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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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.

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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.

Salisbury Council
 General Section
 Natural Resources

Natural Resources

OBJECTIVES

- 1 Retention, protection and restoration of the natural resources and environment.
- 2 Protection of the quality and quantity of South Australia's surface waters, including inland, *marine and estuarine* and underground waters.
- 3 The ecologically sustainable use of natural resources including water resources, including *marine waters*, ground water, surface water and watercourses.
- 4 Natural hydrological systems and environmental flows reinstated, and maintained and enhanced.
- 5 Development consistent with the principles of water sensitive design.
- 6 Development sited and designed to:
 - (a) protect natural ecological systems
 - (b) achieve the sustainable use of water
 - (c) protect water quality, including receiving waters
 - (d) reduce runoff and peak flows and prevent the risk of downstream flooding
 - (e) minimise demand on reticulated water supplies
 - (f) maximise the harvest and use of stormwater
 - (g) protect stormwater from pollution sources.
- 7 Storage and use of stormwater which avoids adverse impact on public health and safety.
- 8 Native flora, fauna and ecosystems protected, retained, conserved and restored.
- 9 Restoration, expansion and linking of existing native vegetation to facilitate habitat corridors for ease of movement of fauna.
- 10 Minimal disturbance and modification of the natural landform.
- 11 Protection of the physical, chemical and biological quality of soil resources.
- 12 Protection of areas prone to erosion or other land degradation processes from inappropriate development.
- 13 Protection of the scenic qualities of natural and rural landscapes.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be undertaken with minimum impact on the natural environment, including air and water quality, land, soil, biodiversity, and scenically attractive areas.
- 2 Development should ensure that South Australia's natural assets, such as biodiversity, water and soil, are protected and enhanced.

- 3 Development should not significantly obstruct or adversely affect sensitive ecological areas such as creeks, wetlands, estuaries and significant seagrass and mangrove communities.
- 4 Development should be appropriate to land capability and the protection and conservation of water resources and biodiversity.

Water Sensitive Design

- 5 Development should be designed to maximise conservation, minimise consumption and encourage re-use of water resources.
- 6 Development should not take place if it results in unsustainable use of surface or underground water resources.
- 7 Development should be sited and designed to:
 - (a) capture and re-use stormwater, where practical
 - (b) minimise surface water runoff
 - (c) prevent soil erosion and water pollution
 - (d) protect and enhance natural water flows
 - (e) protect water quality by providing adequate separation distances from watercourses and other water bodies
 - (f) not contribute to an increase in salinity levels
 - (g) avoid the water logging of soil or the release of toxic elements
 - (h) maintain natural hydrological systems and not adversely affect:
 - (i) the quantity and quality of groundwater
 - (ii) the depth and directional flow of groundwater
 - (iii) the quality and function of natural springs.
- 8 Water discharged from a development site should:
 - (a) be of a physical, chemical and biological condition equivalent to or better than its pre-developed state
 - (b) not exceed the rate of discharge from the site as it existed in pre-development conditions.
- 9 Development should include stormwater management systems to protect it from damage during a minimum of a 1-in-100 year average return interval flood.
- 10 Development should have adequate provision to control any stormwater over-flow runoff from the site and should be sited and designed to improve the quality of stormwater and minimise pollutant transfer to receiving waters.
- 11 Development should include stormwater management systems to mitigate peak flows and manage the rate and duration of stormwater discharges from the site to ensure the carrying capacities of downstream systems are not overloaded.
- 12 Development should include stormwater management systems to minimise the discharge of sediment, suspended solids, organic matter, nutrients, bacteria, litter and other contaminants to the stormwater system.

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General Section
Natural Resources

- 13 Stormwater management systems should preserve natural drainage systems, including the associated environmental flows.
- 14 Stormwater management systems should:
- (a) maximise the potential for stormwater harvesting and re-use, either on-site or as close as practicable to the source
 - (b) utilise, but not be limited to, one or more of the following harvesting methods:
 - (i) the collection of roof water in tanks
 - (ii) the discharge to open space, landscaping or garden areas, including strips adjacent to car parks
 - (iii) the incorporation of detention and retention facilities
 - (iv) aquifer recharge.
- 15 Where it is not practicable to detain or dispose of stormwater on site, only clean stormwater runoff should enter the public stormwater drainage system.
- 16 Artificial wetland systems, including detention and retention basins, should be sited and designed to:
- (a) ensure public health and safety is protected
 - (b) minimise potential public health risks arising from the breeding of mosquitoes.

Water Catchment Areas

- 17 Development should ensure watercourses and their beds, banks, wetlands and floodplains are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.
- 18 No development should occur where its proximity to a swamp or wetland will damage or interfere with the hydrology or water regime of the swamp or wetland.
- 19 A wetland or low-lying area providing habitat for native flora and fauna should not be drained, except temporarily for essential management purposes to enhance environmental values.
- 20 Along watercourses, areas of remnant native vegetation, or areas prone to erosion, that are capable of natural regeneration should be fenced off to limit stock access.
- 21 Development such as cropping, intensive animal keeping, residential, tourism, industry and horticulture, that increases the amount of surface run-off should include a strip of land at least 20 metres wide measured from the top of existing banks on each side of a watercourse that is:
- (a) fenced to exclude livestock
 - (b) kept free of development, including structures, formal roadways or access ways for machinery or any other activity causing soil compaction or significant modification of the natural surface of the land
 - (c) revegetated with locally indigenous vegetation comprising trees, shrubs and other groundcover plants to filter run-off so as to reduce the impacts on native aquatic ecosystems and to minimise soil loss eroding into the watercourse.

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.

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.

Salisbury Council
Zone Section
Industry Zone

- 7 Development involving the outdoor storage of goods or materials should:
 - (a) not be located adjacent to arterial roads and major roads, or facing residential properties unless it can be demonstrated that the amenity of the locality will be enhanced
 - (b) ensure that storage and service areas are effectively screened from public view.
- 8 Industrial buildings should present an attractive façade by incorporating offices of masonry or similar construction at the front of the building, and through the use of architectural elements that will enhance the appearance of the locality, such as surface treatments, form or decoration
- 9 Building facades facing land zoned for residential purposes should not contain openings or entrance ways that would result in the transmission of noise that would adversely affect the residential amenity.
- 10 Access points which are required to cross an open swale stormwater drain should:
 - (a) be minimised by limiting the number of allotments with frontage to swales
 - (b) serve 2 or more allotments where possible
 - (c) be designed to facilitate efficient stormwater management and drainage.
- 11 Open swale stormwater drainage should:
 - (a) be used in conjunction with roadways to cater for major stormwater flows and where practicable, for minor (2 to 10 year) stormwater flows
 - (b) be designed in an attractive form with grass-lined sides of no more than 1-in-5 gradient and a concrete base
 - (c) allow for the planting of trees and shrubs at either side of the channel.
- 12 Any plant or equipment with potential to cause an environmental nuisance (including a chimney stack or air-conditioning plant) should be sited as far as possible from adjoining non-industrially zoned allotments, and should be designed to minimise its effect on the amenity of the locality.
- 13 Development should ensure that the following is achieved:
 - (a) at least 10 per cent of the site is landscaped
 - (b) landscaping along allotment boundaries that adjoin roads or public reserve and at least one side boundary, for a width of at least 3 metres
 - (c) landscaping within parking areas to break-up extensive areas of paving.
- 14 Freestanding structures should not exceed 6 metres in height and should be restricted to one such structure per 6 tenancies.
- 15 Advertisements and advertising hoardings should not include any of the following:
 - (a) flashing or animated signs
 - (b) bunting, streamers, flags, or wind vanes
 - (c) roof-mounted advertisements projected above the roofline
 - (d) parapet-mounted advertisements projecting above the top of the parapet.
- 16 Advertisements and advertising hoardings that are internally illuminated should be unobtrusive and not conspicuous when viewed from adjacent residential properties.

- 17 Advertisements should not cover more than 10 per cent of a total surface area of a wall which can be seen from a public road or reserve.
- 18 For sites accommodating a number of tenancies, advertisements should be graphically and colour co-ordinated and allow for display by each tenant.
- 19 Within the portion of Salisbury North bounded by Commercial Road to the north and railway lines to the east and west:
- (a) development should incorporate a landscaped reserve:
 - (i) with a 5-metre width along the boundaries of the site abutting the railways
 - (ii) that consists of thick planting, designed for effective visual screening and noise attenuation, consistent along the length of the reserve
 - (b) land division should ensure that new allotments do not have direct access to Bagster Road or Commercial Road.

Land Division

- 20 Land division should create allotments that:
- (a) are of a size and shape suitable for the intended use
 - (b) except where specified in a particular policy area, have an area of not less than 2500 square metres, unless intended for a specific purpose consistent with the zone provisions and for which a lesser site area requirement can be demonstrated
 - (c) reserve sufficient land for the satisfactory disposal or detention of stormwater
 - (d) ensure roadways are designed to accommodate major stormwater flows in excess of the capacity of the underground drainage system.

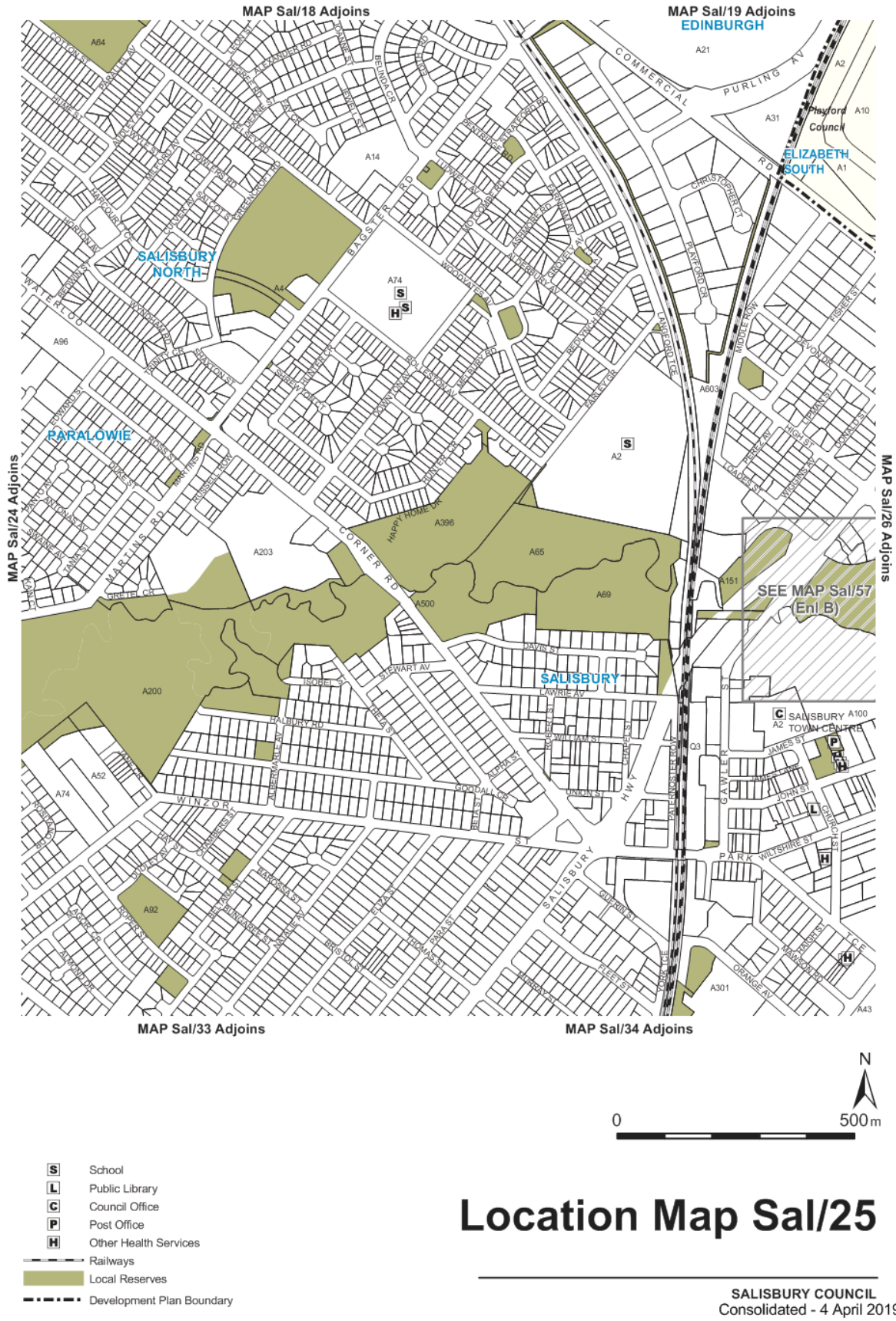
Table Sal/2 - Off Street Vehicle Parking Requirements

Table Sal/2 - Off Street Vehicle Parking Requirements

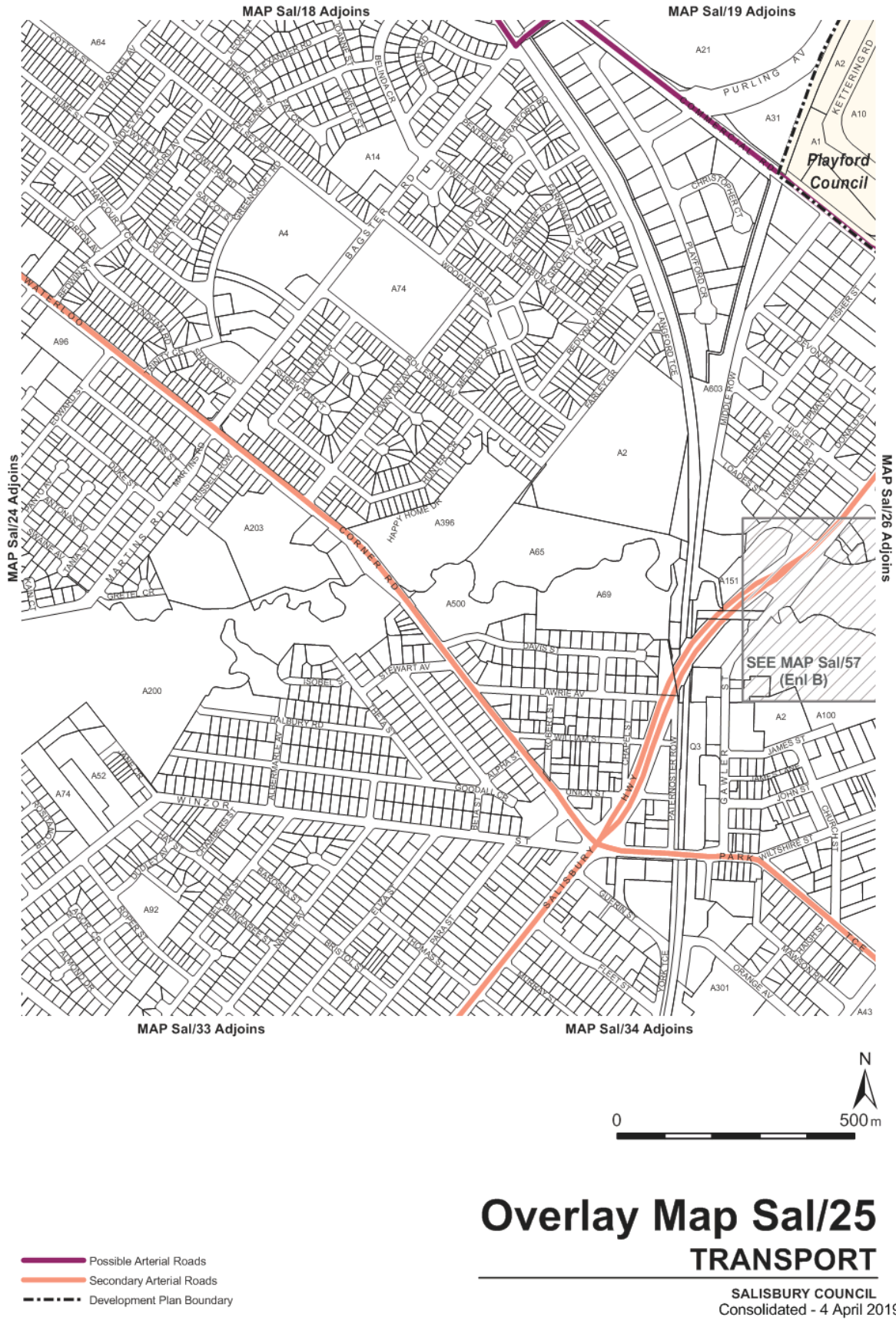
The following vehicle parking requirements do not apply:

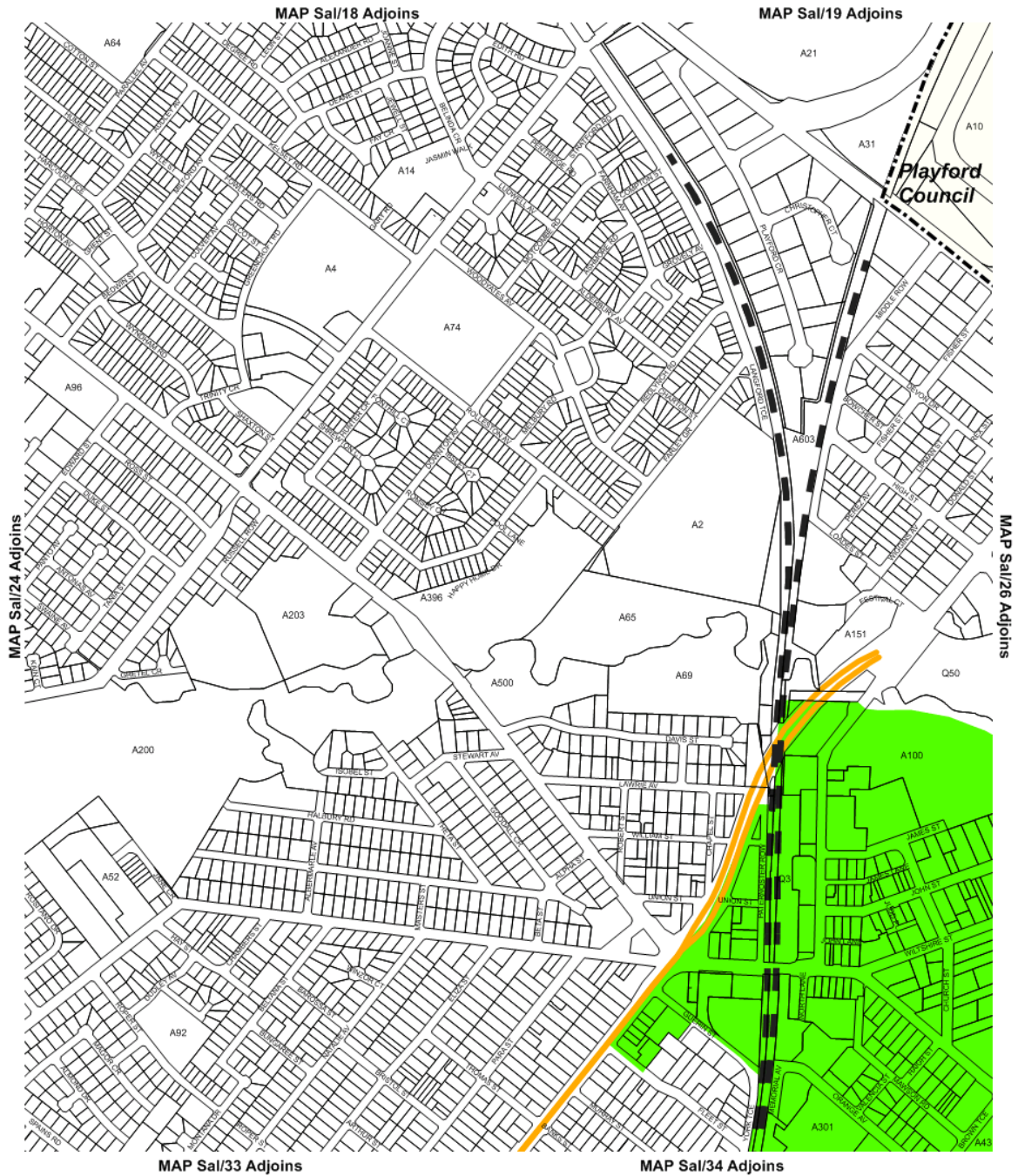
- (a) to the Mixed Use (Bulky Goods, Entertainment, Leisure) Zone except where the form of development is light industry whereby the rates for Industry, warehouse, stores are applicable
- (b) to development that is subject to the requirements in [Table Sal/2A - Off Street Vehicle Parking Requirements 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	
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	



Item 5.1.3 - Attachment 4 - Relevant Development Plan extracts and Location Maps





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

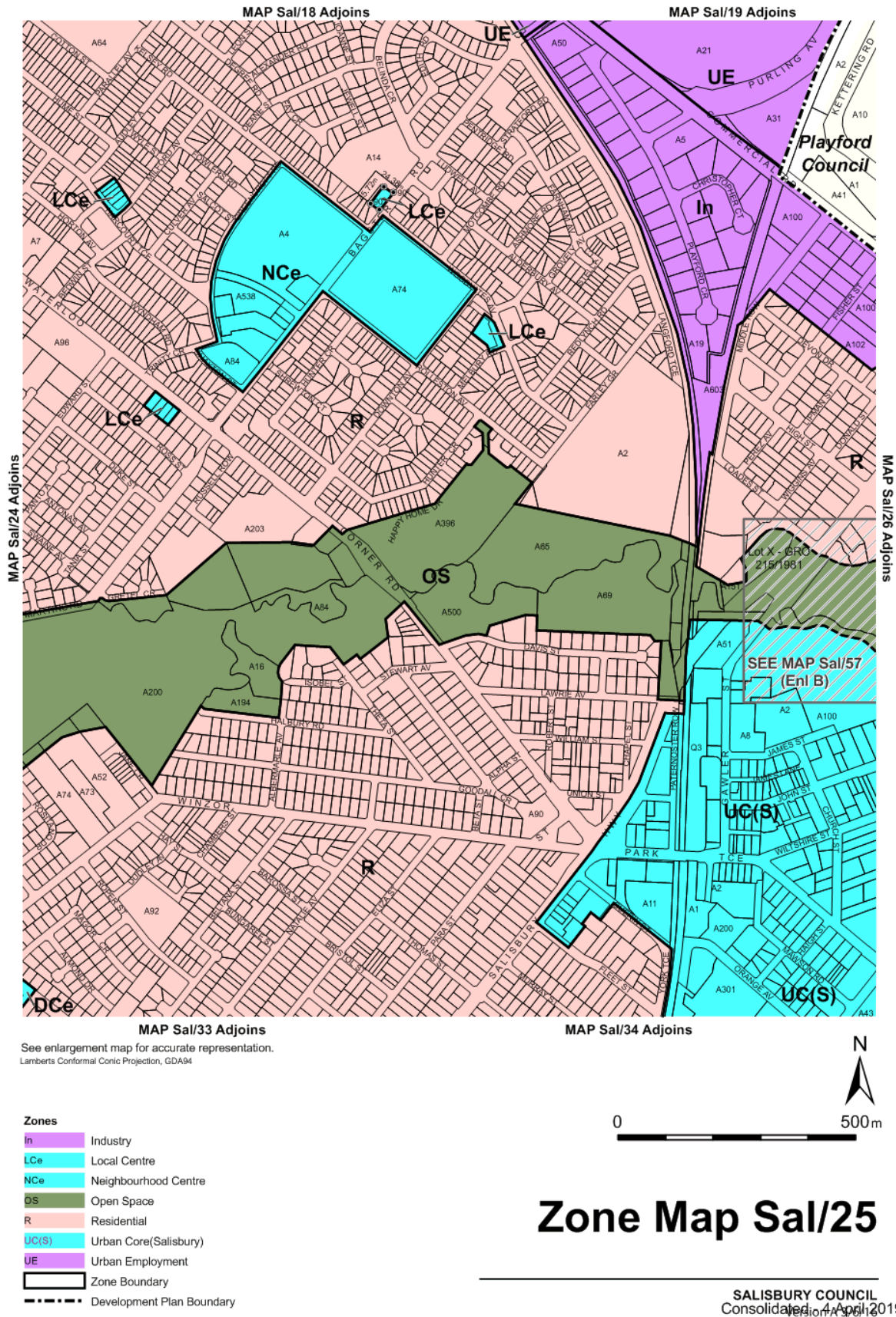


Overlay Map Sal/25 NOISE AND AIR EMISSIONS

SALISBURY COUNCIL
Consolidated - 4 April 2019

Item 5.1.3 - Attachment 4 - Relevant Development Plan extracts and Location Maps

Item 5.1.3 - Attachment 4 - Relevant Development Plan extracts and Location Maps



ITEM	5.2.1
	COUNCIL ASSESSMENT PANEL
DATE	27 August 2019
HEADING	Annual Report of the Council Assessment Panel for 2018/19
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 Council 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 Council Assessment Panel Annual Report for 2018/19 be noted and endorsed, subject to inclusion of the Presiding Member's commentary and a summary of learnings from development assessed by the Panel, and the Presiding Member be delegated to approve the final report for referral to Council.

ATTACHMENTS

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

1. Draft CAP Annual Report 2018/19
2. Attachment 3 for CAP Annual Report - Submission on the Accredited Professionals Scheme Draft Regulations

1. BACKGROUND

- 1.1 The General Operating Procedures require the Panel to provide its 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

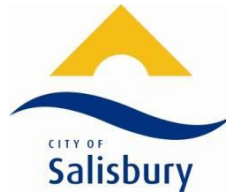
- 3.1 The draft report is provided in Attachment 1 for the Panel's consideration and endorsement.
- 3.2 The draft report provides for commentary from the Presiding Member, which is to be included. In addition, the report provides for the inclusion of comments from the review of a selection of development applications that have been approved by the Panel. Information in relation to the selected development applications approved by the Panel has been provided to members separately. It is proposed that the Panel workshop these applications at the August meeting for the learnings to be included in the final report.

4. CONCLUSION / PROPOSAL

- 4.1 That the Panel endorses its Annual Report for 2018/19 and that the Presiding Member signs the report on behalf of the Panel.

CO-ORDINATION

Officer: GMCID
Date: 15.08.19



**Annual Report
of the
Council Assessment Panel
for 2018/19**

City of Salisbury

Terry Mosel

Presiding Member

Insert date

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Item 5.2.1 - Attachment 1 - Draft CAP Annual Report 2018/19

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3. Conclusion / Proposal6

Attachment 1: Council Assessment Panel General Operating Procedures

Attachment 2: Overview of Development Applications

Attachment 3: Submission on Accredited Professionals Scheme Draft Regulations

1. BACKGROUND

- 1.1 Council is required to establish the Council Assessment Panel (CAP) to act as a delegate of Council for the purposes prescribed in the Planning, Development and Infrastructure Act 2016 (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 Council established the CAP in August 2017 following the introduction of the new requirements under the Act.
- 1.3 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 27 August 2019.

2. REPORT

Overview of the Panel

- 2.1 In accordance with the Act, Council has appointed five members to the Panel comprising four independent members including the Presiding Member:

Mr Terry Mosel	Presiding Member
Mr R Bateup	Independent
Ms C Gill	Independent
Mr M Canny	Independent
Mr B Brug	Elected Member

Council appointed the Elected Member to the Panel in November 2018 and three new Independent Members in May 2019.

- 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 Council 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 in accordance with the requirement under the Act.

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 seven (7) meetings over the period and considered 19 development applications. This is an increase from the previous 12 month period where the Panel considered nine (9) development applications.
- 2.6 The Panel approved the majority of applications. One development application was refused during this period for the removal of a Regulated Tree on Council Road Reserve that did not meet the tree removal criteria of the Development Plan.
- 2.7 An appeal was lodged with the Environment, Resources and Development Court by an applicant (United Sikhs of SA) in relation to decision to refuse Development Plan Consent for the Community Facility at 701-709 Port Wakefield Road, Globe Derby Park. The appellant subsequently withdrew the Appeal.
- 2.9 A Third Party appeal was lodged with the Supreme Court in relation to the a decision to grant Development Plan Consent to a Mixed Use Retail and Entertainment Complex at 1460 Main North Road, Salisbury South. The appellant subsequently withdrew the appeal with an agreement to make a payment towards the legal costs incurred by Council.
- 2.10 A summary of key statistics is provided in the table below.

	2017/18	2018/19
Meeting		
Number	6	7
Items	9	19
Applications with representors	7	17
Development Applications		
Category 1	1	1
Category 2	3	7
Category 3	4	8
Non Complying	1	3
Decisions		
Approve	6	19
Refuse	2	1
Defer	1	0
ERD Court Appeals		
Applicant	1	1
Third party (representor)	1	1
ERD Court Decisions		
Compromise	0	0
Appeal withdrawn	0	2
Appeal upheld	0	0
Appeal dismissed	1	0
Still Pending	1	0

- 2.11 An overview of the development applications considered by the Panel is provided in Attachment 2.
- 2.12 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 13 applications considered by the Panel included verbal submissions from representors.
- 2.13 The Panel considered a relatively broad range of development applications including a major retail development, major supported care accommodation, expansion of schools, change of use developments, places of worship, residential infill/redevelopment, significant tree removals, and commercial / industrial developments.
- 2.14 The applications that are not considered by the Panel have been delegated to Council staff to administer and determine. Staff processed 2,238 applications for this period.

Key Policy and Operational Issues

- 2.15 The Panel considered the Accredited Professionals Scheme Draft Regulations released by the State Government for consultation during the period. A copy of the submission is provided in Attachment 3.
- 2.16 The Panel has also undertaken a review of three (3) completed developments that the Panel has determined over the last couple of years. The review is intended to understand the outcomes from the development and how issues considered by the Panel have resulted in the completed development. The developments span the variety of developments considered by the Panel. The key conclusions from this review include:
- The concerns raised by representors in relation to density of development, height and scale, overshadowing and overlooking for these developments appears to have been appropriately resolved.
 - The location of garbage bins, letter boxes and infrastructure services such as electrical meters and gas meters are important elements to achieve good design.
 - Variation in roof forms and architectural style can facilitate a complementary streetscape.
 - Communal visitor parking is desirable in medium density developments.

Presiding Member General Comments

- 2.17 The assessment of various categories of development applications by the CAP is the subject of complex operational procedures and terms of reference. The onerousness of the task is made all the more so by the way in which planning policy is necessarily expressed, the vastly different circumstances that apply to each and every proposal that must be taken into account and the directives that have evolved from a long history of litigation in the planning and development jurisdiction. In light of this the CAP places heavy reliance on the professionalism of the planning staff.

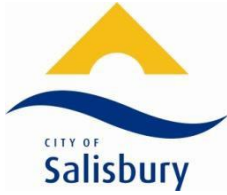
One of the many functions of the Presiding Member is to ensure that those in attendance understand the independence of the CAP, that those who are entitled to make representations are able to do so in a comfortable and non-threatening environment and in a manner able to be clearly heard and understood by the CAP, that the discussion fully utilises the professional experience and expertise of all Panel Members and the decisions made with common sense appropriately balancing the public interest as expressed in the Development Plan (and informed by experience) with the interests of the applicant.

The state government's program for the reforms of the planning system will have considerable implications on the operations of the CAP, particularly with the identification of the Panel as a relevant authority for development prescribed by the future development regulations. The Panel will need to give careful consideration to these reforms and the implications for development assessment processes within the City of Salisbury. Briefings from Council staff on these reforms and attendance at in-house workshops and training events will assist Panel members in being well informed on this reform program.

3. CONCLUSION / PROPOSAL

- 3.1 The Council Assessment Panel Annual Report for 2019/20 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: General Operating Procedures



COUNCIL ASSESSMENT PANEL

General Operating Procedures

Adopted on 28 November 2017.

Clause 3.6 updated on 23 July 2019

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These Meeting Procedures are to be read in conjunction with the meeting procedures contained within the Planning, Development and Infrastructure (General) (Assessment Panels) Variation Regulations 2017. (Refer Appendix A).

1 Purpose

- 1.1. The purpose of the Council Assessment Panel (CAP) is to determine development applications made under the Planning Development and Infrastructure Act 2016 (or, during the transition to the PDI Act, the Development Act 1993) that are delegated from Council. The Panel may also provide advice to Council on trends, issues and other matters relating to planning or development matters.
- 1.2. The Panel acknowledges that in performing its statutory function, it is bound by the:
 - 1.2.1 Code of conduct adopted by the Minister for Planning.
 - 1.2.2 Objects, Planning Principles and General Responsibilities under the Planning, Development and Infrastructure Act 2016.
 - 1.2.3 Operating Procedures established by the Panel.

2 Timing & Notice of Meetings

Meeting time and place

- 2.1. CAP meetings will be scheduled by the CAP on the fourth Tuesday of the month, or another date as determined by the Presiding Member, subject to there being business to consider.
- 2.2. The CAP will meet in the Council Civic Centre at 12 James Street Salisbury or at such other place as the Presiding Member may determine.

Notice of meeting

- 2.3. The Assessment Manager pursuant to the Planning Development and Infrastructure Act 2016 must provide written notice detailing the date, time and place of a meeting to all CAP members at least three working days before the meeting. The notice shall include the Agenda for the meeting.
- 2.4. Notice of CAP meetings may be given to CAP members by email, to an email address nominated by a CAP Member, or by personal delivery or post to the usual residence of a CAP Member, or via such other means as authorised by a CAP Member.

Viewing agenda

- 2.5. A copy of the Agenda for every ordinary meeting of the CAP 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 CAP. The three working days notice shall not apply to a special meeting of the CAP under clause 2.6, or to an item included by the Assessment Manager under clause 2.8, in which cases the agenda will be made available for viewing by the public as soon as practicable.

Special meeting

- 2.6. A special meeting of the CAP 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 CAP Members.
- 2.7. Notice of a special meeting of the CAP 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.

Late items

- 2.8. The Assessment Manager may, with leave or at the request of the Presiding Member, include in the agenda an item to be considered at the meeting to which the agenda relates after notice of the meeting has been given to CAP Members. In such instance, the Assessment Manager shall provide an updated agenda and any documents and/or reports relating to that item to be considered at the meeting to Members as soon as practicable. The Assessment Manager will also make an updated agenda available to the public in accordance with clause 2.5.

3 Commencement of Meetings & Quorum

- 3.1. CAP Meetings will be conducted in accordance with the requirements of the Planning, Development and Infrastructure Act 2016 ('the PDI Act'), Development Act 1993 ('the Act') and these Operating Procedures.
- 3.2. 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.
- 3.3. A quorum for a meeting of the CAP is three (3) CAP Members.
- 3.4. If the number of apologies received by the Assessment Manager in advance of a meeting indicate that a quorum will not be present at a meeting, the Presiding Member may, by notice from the Assessment Manager, provide to all CAP

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).

- 3.5. 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.

Deputy Presiding Member

- 3.6. A Deputy Presiding Member of the CAP must be appointed by resolution of the CAP, and will preside at any meeting, or part thereof, when the Presiding Member is not present. [Mr M Canny was appointed by the Panel on 23 July 2019 for the Term to 31 May 2021]
- 3.7. If both the Presiding Member and Deputy Presiding Member are absent from a CAP meeting (or part thereof), a CAP 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.

Meeting behavior

- 3.8. Subject to the PDI 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.
- 3.9. The Presiding Member may adjourn a meeting in the event of a disruption or disturbance by a CAP Member, an applicant, a representor, or any other person present at the CAP meeting, until such time as the disruption or disturbance ceases.
- 3.10. The Presiding Member may ask a member of the public who is present at a meeting of a CAP to leave the meeting if this person is:
 - 3.10.1 behaving in a disorderly manner; or
 - 3.10.2 causing an interruption.

4 Appointment of Deputy Elected Member

- 4.1. A Deputy Elected Member has been appointed to the CAP in the event the Elected Member on the CAP is not available for a meeting or part meeting.
- 4.2. The Deputy Elected Member will attend when:
 - 4.2.1 The Elected Member notifies the Presiding Member of their unavailability before the meeting; and
 - 4.2.2 The Deputy Elected Member receiving the Agenda for the meeting three days prior to the meeting.
- 4.3. Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes a Deputy Elected Member.

5 Appointment of Additional Members

- 5.1. The CAP may appoint up to two Additional Members in accordance with Section 85 of the PDI Act.
- 5.2. Where the CAP has appointed Additional Member(s), the Presiding Member, in consultation with the Assessment Manager, may invite one or both Additional Members to attend any meeting (or part thereof) where he or she considers the Additional Member(s) will, by virtue of their qualifications, expertise or experience, assist the CAP in dealing with a matter that it must assess under the PDI Act (or, during the transition to the PDI Act, the Development Act 1993).
- 5.3. A request that an Additional Member attend a meeting must be made in writing and be accompanied by the notice for the meeting in accordance with clause 2.6, highlighting the item(s) the Additional Member is required to consider.
- 5.4. Unless the context otherwise requires, a reference to a Member in these Meeting Procedures includes an Additional Member, save that an Additional Member is not able to vote on any matter arising for determination by the CAP.

6 Decision Making

- 6.1. The CAP will conduct its meetings, and undertake all considerations, in accordance with the PDI Act (or, during the transition to the PDI Act, the Development Act).

Public meetings

- 6.2. Subject to circumstances where it excludes the public from attendance at a meeting or part thereof pursuant to Part 13 of the Development, Infrastructure (General) (Assessment Panels) Variation Regulations 2017, the Panel will generally discuss and determine applications for Development Plan Consent in public.

Member participation

- 6.3. The Presiding Member will invite all Panel members to speak on any matter before the Panel prior to calling for a motion.
- 6.4. Subject to a CAP Member not having a direct or indirect personal or pecuniary interest in a matter before the CAP (other than an indirect interest that exists in common with a substantial class of persons), each CAP Member present at a meeting of the CAP must vote on a question arising for decision.

Decisions by consensus

- 6.5. 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 confirm the consensus by a show of hands.

Decisions by vote

- 6.6. 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 put the matter to a formal vote to determine.
- 6.7. Each CAP 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.
- 6.8. All decisions of the CAP 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).

CAP considerations

- 6.9. The CAP must use the Development Plan or Planning and Design Code (as may be relevant to the particular application under consideration), referred to hereafter as the Planning Rules, 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.

Seriously at variance

- 6.10. The CAP will, for each and every application, determine whether the proposal is seriously at variance with the Planning Rules, and expressly record its determination on this matter in the Minutes. If the CAP determines that the proposal is seriously at variance with the Planning Rules, the CAP must provide reasons for its determination, and must expressly record those reasons in the Minutes.

- 6.11. A development application that is assessed by the CAP as being seriously at variance with the Planning Rules will be refused.

Reasons for decision

- 6.12. The CAP must, for each and every application, provide reasons for granting or refusing Planning Rules Consent, and for the imposition of any conditions, and express or record those reasons in the Minutes.

Representations

- 6.13. 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 CAP and be heard in support of their representation, in person or by an agent.

- 6.14. The Presiding Member may in his or her discretion exclude:

6.14.1 a representation or response to representation(s) which is received out of time; or

6.14.2 a representation or response to representation(s) which is otherwise invalid.

Speaking time

- 6.15. Applicants and Representors will be allowed five minutes to address the CAP, 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.

Hearing applicants

- 6.16. 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 a refusal, the Applicant will be entitled to appear before the CAP and be heard in support of the application. Applicants will be allowed five minutes to address the CAP, unless a longer time is allowed by the Presiding Member.

- 6.17. 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.

Additional material

- 6.18. At the discretion of the Presiding Member, any new or additional material to be submitted to the CAP 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 CAP. A copy of any additional material accepted shall be provided to the applicant or representors by the party presenting the additional material.

Member's participation

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

7 Minutes and Reporting

- 7.1. The Assessment Manager 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.
- 7.2. The Minutes of the proceedings of a CAP meeting will record:
- 7.2.1 the names of the CAP Members present;
 - 7.2.2 the names of all CAP Members from whom apologies have been received;
 - 7.2.3 the name and time that a CAP Member enters or leaves the meeting;
 - 7.2.4 the name of a person who has made a representation to the CAP at the meeting;
 - 7.2.5 the decision of the CAP, including the express opinion of the CAP on whether the proposed development is seriously at variance with the Planning Rules (including reasons as appropriate);
 - 7.2.6 reasons for granting or refusing Planning Rules Consent, and for the imposition of any conditions on a Planning Rules Consent;
 - 7.2.7 in the absence of a decision, the deferral of the application including the reasons for the deferral;

- 7.2.8 any disclosure of a conflict of interest made by a Member pursuant to the Code of Conduct adopted by the Minister under Clause 1(1)(c) of Schedule 3 of the Act (Code of Conduct), and the nature of the Interest;
 - 7.2.9 a decision to exclude public attendance; and
 - 7.2.10 a notation, describing the confidential nature of the information and matter, in the event a matter has been excluded from the Minutes.
- 7.3. Minutes shall be read and adopted by the CAP at the end of the meeting.
 - 7.4. On the adoption of the Minutes, the Assessment Manager will forward the Minutes to the Presiding Member who will confirm the Minutes by electronic communication.
 - 7.5. The Minutes of a CAP meeting must be forwarded to the Council and must be publicly available within two business days after their confirmation by the CAP.

Annual report

- 7.6. 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 Planning Rules policy, legislative, or procedural change.
- 7.7. 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.

8 CAP Procedures & Support

Additional procedures

- 8.1. Insofar as the Act and these Operating Procedures do not prescribe the procedure to be followed at a CAP meeting, the CAP may determine the procedure at the time. Any such determination may be added to these Operating Procedures.

Staff Participation

- 8.2. The CAP will permit and encourage the active participation of Council staff in attendance at a meeting in providing advice to the CAP.

Assistance

- 8.3. The CAP may call for and consider such professional assistance from Council staff and other professional advisors as it deems necessary and appropriate.

Electronic communication

- 8.4. For the purpose of facilitating constructive debate on a development application under consideration by CAP, 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 CAP meeting.
- 8.5. Should electronic communication or other telecommunication devices be utilised for the conduct of a CAP 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 6: Decision Making* of the Operating Procedures.
- 8.6. Should electronic communication or other telecommunication devices be utilised for the conduct of a CAP meeting, the Presiding Member and the Assessment Manager shall be present at the meeting place as nominated in the CAP Agenda for that meeting.

Appendix A

No 209 of 2017 published in *Gazette 1.8.2017 p 3051*

South Australia

Planning, Development and Infrastructure (General) (Assessment Panels) Variation Regulations 2017

under the *Planning, Development and Infrastructure Act 2016*

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- 17 Validity of proceedings
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Planning, Development and Infrastructure (General) (Assessment Panels) Variation Regulations 2017*.

2—Commencement

These regulations will come into operation on 1 October 2017.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Planning, Development and Infrastructure (General) Regulations 2017*

4—Substitution of heading to Part 2

Heading to Part 2—delete the heading and substitute:

Part 2—Administration and structural matters

5—Variation of regulation 8—Disclosure of financial interests

Regulation 8—after subregulation (12) insert:

- (13) For the purposes of paragraph (b) of the definition of *relevant official* in clause 1(1) of Schedule 1 of the Act in relation to an assessment panel appointed by a council, the chief executive officer of the council is prescribed as the relevant official.

6—Insertion of regulation 11

After regulation 10 insert:

11—Compliance with code of conduct—assessment panels

- (1) In this regulation—
code of conduct means the code of conduct to be observed by members of an assessment panel adopted by the Minister under clause 1(1)(c) of Schedule 3 of the Act.
- (2) A person may make a complaint to the Commission if the person believes that a member of an assessment panel has acted in contravention of the code of conduct.
- (3) A complaint must—
 - (a) be in writing; and
 - (b) contain particulars of the allegation on which the complaint is based; and
 - (c) be verified by statutory declaration.
- (4) Except with the approval of the Commission, a complaint must not be lodged with the Commission more than 6 months after the day on which the complainant first had notice of the matters alleged in the complaint.
- (5) The Commission may require the complainant to give further particulars of the complaint (verified, if the Commission so requires, by statutory declaration).
- (6) The Commission may refuse to entertain a complaint or, having accepted a complaint for investigation, may refuse to continue to entertain a complaint, if it appears to the Commission—
 - (a) that the complainant does not have a sufficient interest in the

- matter to which the complaint relates; or
- (b) that the matter raised by the complaint is trivial; or
 - (c) that the complaint is frivolous or vexatious or is not made in good faith; or
 - (d) that there is some other good reason not to proceed (or further proceed) with the matter under this regulation.
- (7) The Commission may, as the Commission's first step in dealing with a complaint, refer the matter to the member of the assessment panel to whom the complaint relates for a response.
 - (8) The Commission may take such further action as the Commission thinks fit (including deciding not to proceed further with the matter).
 - (9) The Commission may, whether or not the Commission has acted under subregulation (7), appoint a person to investigate a complaint.
 - (10) If the Commission appoints an investigator—
 - (a) the Commission must inform the member of the assessment panel to whom the complaint relates of the appointment of an investigator and furnish formal notification of the nature of the complaint; and
 - (b) the investigator must conduct an investigation into the complaint as soon as practicable after the appointment has been made; and
 - (c) the investigator must give the member of the assessment panel to whom the complaint relates a reasonable opportunity to make representations to the investigator about the complaint; and
 - (d) the investigator may require—
 - (i) the complainant; and
 - (ii) the member of the assessment panel to whom the complaint relates,
 to provide to the investigator any document or other information relevant to the investigation of the complaint (verified, if the investigator so requires, by statutory declaration); and
 - (e) the investigator—
 - (i) must otherwise comply with the rules of natural justice; and
 - (ii) subject to subparagraph (i), may conduct the investigation in such a manner as the investigator thinks fit (including by undertaking such other consultations and undertaking such other inquiries as the investigator thinks fit).

- (11) If during an investigation the investigator is satisfied that there is a matter about which another complaint could have been made against the member of the assessment panel, the investigator may, after consultation with the Commission, deal with the matter as if a complaint had been made about the matter.
- (12) The investigator—
 - (a) may report to the Commission at any stage of the investigation; and
 - (b) must present a report to the Commission at the conclusion of the investigation.
- (13) The Commission must provide the person to whom the complaint relates with a copy of a report presented under subregulation (12)(b) (and the Commission may, if the Commission thinks fit, invite a response from the person).
- (14) The Commission may, on the receipt of a report under subregulation (12)(b), or at the conclusion of any process that the Commission has adopted in the alternative—
 - (a) decide to take no further action on the complaint; or
 - (b) undertake any consultation or further inquiry as the Commission thinks fit; or
 - (c) take action to have the member of the assessment panel to whom the complaint relates removed from office; or
 - (d) take such other action as the Commission thinks fit.
- (15) The Commission must inform the complainant of the outcome of a complaint under subregulation (14).
- (16) Without limiting a preceding subregulation, the Commission may, at any time, consult with or provide a report to—
 - (a) the Minister; and
 - (b) in the case of a complaint that relates to a member of an assessment panel appointed by a joint planning board or a council, the joint planning board or the council (as the case requires),about a complaint that has been made under this regulation.
- (17) Nothing in this regulation limits or restricts any action or proceedings that may be taken against or in relation to a member of an assessment panel on account of the member being an accredited professional under the Act.

7—Insertion of Part 3

After Part 2 insert:

Part 3—Assessment panels—procedures

12—Application

This Part applies to and in relation to the procedures of an assessment panel established under section 83 of the Act or clause 12 or 13 of Schedule 8 of the Act.

13—Public access to meetings

- (1) In connection with the conduct of the proceedings of an assessment panel, members of the public are entitled to attend a meeting of the panel other than as set out in subregulation (2).
- (2) An assessment panel may exclude the public from attendance at a meeting—
 - (a) during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:
 - (i) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
 - (ii) information the disclosure of which—
 - (A) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and
 - (B) would, on balance, be contrary to the public interest;
 - (iii) information the disclosure of which would reveal a trade secret;
 - (iv) commercial information of a confidential nature (not being a trade secret) the disclosure of which—
 - (A) could reasonably be expected to prejudice the commercial position of the person who supplied the information, or to confer a commercial advantage on a third party; and
 - (B) would, on balance, be contrary to the public interest;
 - (v) matters affecting the safety or security of any person or property;

- (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial;
- (vii) matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty;
- (viii) legal advice;
- (ix) information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place;
- (x) information the disclosure of which—
 - (A) would divulge information provided on a confidential basis by or to a Minister of the Crown, the Commission, or another public authority or official; and
 - (B) would, on balance, be contrary to the public interest; and
- (b) during so much of the meeting that consists of its discussion or determination of any application or other matter that falls to be determined by the assessment panel.

14—Minutes and other documents

- (1) An assessment panel must ensure that accurate minutes are kept of its proceedings.
- (2) A disclosure by a member of an assessment panel of a direct or indirect pecuniary interest in any aspect of a development or any body associated with any aspect of a development required under the Act must be recorded in the minutes of the assessment panel.
- (3) Members of the public are entitled to reasonable access to—
 - (a) the agendas for meetings of an assessment panel; and
 - (b) the minutes of meetings of an assessment panel.
- (4) However, an assessment panel may, before it releases a copy of any minutes under subregulation (3), exclude from the minutes information about any matter dealt with on a confidential basis by the assessment panel.
- (5) Minutes must be available under subregulation (3) within 5 business days after their adoption by the members of the assessment panel.

15—Quorum

A quorum at a meeting of an assessment panel is a number obtained by dividing the total number of members of the assessment panel for the time being in office by 2, ignoring any fraction resulting from the division, and adding 1.

16—Voting

- (1) Each member of an assessment panel present at a meeting of the assessment panel is entitled to 1 vote on a matter arising for decision and, if the votes are equal, the member presiding at the meeting is entitled to a second or casting vote.
- (2) Subregulation (1) does not apply to a person who is taken to be a member of an assessment panel under section 85 of the Act.

17—Validity of proceedings

A proceeding of an assessment panel (and any decision made by an assessment panel) is not invalid by reason only of a vacancy in its membership or a defect in the appointment of a member.

18—Other matters

Except insofar as a procedure is not prescribed by the Act or these regulations, the procedures of an assessment panel in relation to the conduct of its business will be as determined by the assessment panel (and an assessment panel is accordingly a specified body for the purposes of section 246(6)(d) of the Act).

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive
Council on 1 August 2017

No 209 of 2017

PLN0019/17CS

ATTACHMENT 2: Applications Considered by the Council Assessment Panel July 2017 - June 2018

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Representors / No. verbal
24-Jul-18	361/491/2018/2T	Adjacent to 9 Ascot Drive, Paralowie	Removal of a regulated tree on road reserve	2	Refuse	Received – 3 Heard - 0
	361/2223/2017/3B	321 Bridge Road, Para Hills	Alterations and additions to a petrol filling station and shop, comprising new storage area and drive-through facility (operate 24 hours), extend height of masonry wall, landscaping and reconfiguration of car parking	3	Approved with conditions	Received – 4 Heard - 1
	361/1589/2017/2B	1460 Main North Road, Salisbury Plain	Demolition of existing dwelling and associated structures and outbuildings, removal of 40 Regulated Trees (8 being Significant Trees), transplanting of 13 Regulated Trees, the construction of a mixed use retail and entertainment complex comprising major retail shops (2), specialty retail shops (13), cafe (1), bulky goods tenancies (4), entertainment venues (3), indoor recreation centre (gymnasium), fencing and screening structures, 3 fast food restaurants (with associated drive through facility) together with associated siteworks, access/egress to Kings Road, Main North Road and Mengel Court, at-grade car parking and manoeuvring areas, loading docks, pedestrian paths, waste storage areas, outdoor seating and	2	Approved with conditions	Received – 3 Heard - 2

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Representors / No. verbal
			landscaping			
28-Aug-18	361/2349/2017/NB	16-22 Summer Road, Bolivar	Change in use of the land to a store (storage of caravans, boats and storage containers) and the parking of commercial vehicles (trucks) with associated access, manoeuvring, fencing, lighting, landscaping and retention of two (2) existing dwellings with dwelling 1 to be used as a caretakers residence (Non Complying Development)	3	Approved with conditions	Received – 3 Heard - 0
	361/1227/2018/1A	151 & 152 Boardwalk Drive, Paralowie SA	Ten (10) two storey detached dwellings with two associated freestanding carports, fencing and landscaping	1	Approved with conditions	Received – 0 Heard - 0
25-Sep-18	361/631/2018/2A	3 Elaine Avenue, Pooraka	Residential Development Comprising the Construction of Two Two Storey Dwellings and Retention of Existing Single Storey Dwelling	2	Approved with conditions	Received – 2 Heard - 1
	361/1002/2018/3B	16-26 Parawae Road, Salisbury Plain	Supported care facility comprising 79 beds, 8 independent living units, offices, amenities, associated facilities and services, common areas, car parking, fencing and landscaping	3	Approved with conditions	Received – 14 Heard - 6
	361/1208/2017/NC	1333-1339 Port Wakefield Road, Waterloo Corner	Change of Use from a Garage to a Shop with Associated Cool Room, Canopy and Car Parking (Non-Complying)	3	Approved with conditions, subject to the concurrence of the State Commission Assessment Panel	Received – 3 Heard - 0

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Representors / No. verbal
Oct	No meeting					
Nov	No meeting					
4-Dec-18	361/1720/2018/3B	158-160 and 162 Salisbury Highway	Child care centre comprising new building, signage, boundary acoustic fencing and associated car parking	3	Approved with conditions	Received – 22 Heard – 8
	361/334/2018/3B	346-354 Wright Road, Para Vista SA 5093 and 130-144 Nelson Road, Para Vista	Amendment to Development Approval 361/2876/2005/1B (Increase Student Number Cap From 335 to 440 Students) and New Classroom	3	Approved with conditions	Received – 6 Heard – 2
	361/1223/2017/3B	108 Levels Road, Cavan	Change of use to truck parking depot and associated signage	3	Approved with conditions	Received – 5 Heard – 1
	361/1246/2018/3B	106 and 108 Levels Road, Cavan	Change of Use to Truck Parking Depot	3	Approved with conditions	Received – 6 Heard – 1
	361/1755/2018/2T	Adjacent 3 Weemala Road, Salisbury East	Removal of a regulated tree on road reserve adjacent 3 Weemala Road, Salisbury East	2	Approved with conditions	Received – 2 Heard – 1
Jan-19	No meeting					
26-Feb-19	361/1728/2018/2B	9-25 Countess Street, 5 Countess Street, 7 Countess Street and 18 Blaess Drive, Paralowie	Demolition of car park, transportable building, three (3) dwellings and associated outbuildings, construction of two storey school building, car park with associated access from Countess Street and egress to Blaess Drive and increase in school capacity to 580 students	2	Approved with conditions	Received – 6 Heard – 6
	361/1144/2016	701-709 Port Wakefield Road, Globe Derby Park	Amended Proposal - Mixed use development comprising Prayer Hall, Dining Hall and Library/Museum with associated facilities, including playground,	3	Decline the amended proposal and uphold the Refusal.	n/a

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Representors / No. verbal
			carpark, caretakers residence, community garden and horse enclosure, and the removal of a regulated tree Applicant Appeal to Environment, Resources and Development Court, Town Planning Advisors v City of Salisbury (ERD 17-263)			
26-Mar-19	361/67/2019/3B	829 Main North Road, Pooraka	Change of use from shop to funeral parlour	3	Approved with Conditions	Received – 2 Heard – 1
	361/2098/2018/2T	Parafield Gardens Oval, Bradman Road, Parafield Gardens	Removal of a significant tree on Council reserve	2	Approved with Conditions	Received – 5 Heard – 1
	361/747/2018/LD	354-358 Martins Road, Parafield Gardens	Land Division (Torrens Title) - Creation of twenty (20) allotments from one (1) existing allotment, construction of public roads and stormwater contributions payment	2	Approved with Conditions	Received – 11 Heard – 2
Apr-19	No meeting					
28-May-19	361/873/2018/NB	1415-1417 Main North Road, Para Hills West	Change of use to salvage yard (reception, storage, sorting and disposal of inert construction waste), service trade premises, truck parking and construction of shed (non-complying)	3	Approved with Conditions	Received – 2 Heard – 0
25-Jun-19	No meeting					

Policy Matters

Meeting Date	Description
4-Dec-18	Submission on the draft Accredited Professionals Scheme Draft Regulations

Applications subject to Appeal

Meeting Date	Application Number	Address	Proposal Description	Category	Decision	Appeal by	ERDC determination
24-Jul-18	361/1589/2017/2B	1460 Main North Road, Salisbury South	Mixed Use Retail and Entertainment Complex	2	Approve with Conditions	Third Party [Judicial Review]	Appellant withdrew appeal
24-Oct-17	361/1144/2016/3B	701-709 Port Wakefield Road, Globe Derby Park	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	3	Refuse	Applicant	Appellant withdrew appeal.



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22 October 2018

Department of Planning, Transport and Infrastructure

By email: DPTI.PlanningEngagement@sa.gov.au

Dear Sir / Madam

Re: Submission on the Accredited Professionals Scheme Draft Regulations

Thank you for the opportunity to make a submission on the *Accredited Professionals Scheme Draft Regulations*.

The Salisbury Council Assessment Panel Submission on the discussion paper and response in the draft regulations is summarised in the table below. The Panel is pleased that the draft regulations have addressed some of the comments that were raised but there appear to be some outstanding matters that are considered to require further consideration.

The Panel seeks the Department's further consideration of these matters and would appreciate understanding how the scheme will address these matters.

CAP comments	Response in draft regulations
Consideration should be given to simplifying this process, perhaps a single registration for both the relevant industry schemes and government scheme	Addressed, but with clarification. A person that is accredited with a recognised industry body can have their application submitted by that body for accreditation under this scheme. It appears however that fees will still be payable to DPTI, potentially requiring duplicate registration & renewal fees.
The accreditation scheme should consider that a person with less experience will inherently require more training as opposed to a person who has demonstrated core competencies through an extensive career	Not Addressed. The scheme does not appear to link the level of training required with a person's experience. The training for accredited professionals is based on the accumulation of prescribed CPD units for the relative level of accreditation.
The fees payable to the scheme should have regard to the moderate sitting fees for members on Assessment Panels.	Not Addressed. The Department has suggested the fee for all evaluations and registrations will be between \$600 - \$800, plus an annual (undisclosed) fee for administration costs. The evaluation fee is approximately 25% of this total annual payment for current Salisbury CAP members, excluding training requirements. (Ave 10 meeting per year

	@ \$320 per meeting). It is noted that Panel Members will not however be required to undergo the audit process.
Clarifying that Local Government Mutual Liability Scheme will cover the professional indemnity insurance for an Assessment Panel Member	Addressed. The Mutual Liability Scheme will cover all decisions made by accredited professionals employed by a council or appointed to an Assessment Panel within a council.
The accreditation scheme should recognise a person with an extensive level of experience and who may not necessarily have a prescribed planning qualification.	Not addressed. The scheme requires a person to hold a recognised qualification.
Furthermore, training should develop the capabilities of a person in making qualitative judgements and distinguishing the key planning issues from other considerations in their role as an Assessment Panel Member	Addressed. Training includes competencies in <i>decision making in development assessment</i> .

Yours sincerely



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