

Minutes of the 45<sup>th</sup> Meeting of the  
State Commission Assessment Panel  
held on Thursday 14 February 2019 commencing at 9.30am  
ODASA, 28 Leigh St, Adelaide

1. **OPENING**

1.1. **PRESENT**

|                  |   |
|------------------|---|
| Presiding Member | Simone Fogarty  |
| Members          | Dennis Mutton (Deputy Presiding Member)<br>Mark Adcock<br>Chris Branford<br>Peter Dungey<br>Sally Roberts |
| Secretary        | Alison Gill   |
| DPTI Staff       | Ben Scholes (Agenda Item 2.2.1)<br>Jeremy Wood (Agenda Item 2.2.1)  |

1.2. **APOLOGIES** Nil

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2. **SCAP APPLICATIONS**

2.1. **DEFERRED APPLICATIONS** – Nil

2.2. **NEW APPLICATIONS**

- 2.2.1 **ALDI Stores Pty Ltd C/- Ekistics Planning & Design**  
DA 361/E013/18  
**41-47 Park Terrace and 10-14 Mawson Street, Salisbury**  
City of Salisbury  
Proposal: Demolition of two (2) dwellings and construction of a supermarket (ALDI – shop) with associated signage, car parking, earthworks and landscaping and removal of a regulated tree.

The Presiding Member welcomed the following people to address the State Commission Assessment Panel:

#### Applicants

- Kieron Barnes, Ekistics - presented
- Nigel Uren, ALDI - presented
- Ashley Greiner, ALDI
- Trent Burns, Nielsen Architects
- Paul Morris, GTA - presented

#### Representors

- Mick O'Brien - presented

#### Members of the Public

- Alison Dunning
- Geoffery Davis

#### Council

- Chris Zafiroopoulos, Salisbury - presented

The State Commission Assessment Panel discussed the application.

#### **RESOLVED**

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Salisbury Council Development Plan.
3. To grant Development Plan Consent to the proposal by ALDI Stores Pty Ltd C/- Ekistics Planning and Design for demolition of two (2) dwellings and construction of a supermarket (ALDI – shop) with associated signage, car parking, earthworks and landscaping and removal of a regulated tree at 41-47 Park Terrace and 10-14 Mawson Street, Salisbury subject to the following conditions of consent.

#### **PLANNING CONDITIONS**

1. That development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

#### **Environment**

2. Prior to commencement of work the applicant shall submit a final site plan showing details of a tubular style fence replacing the proposed solid fence along the north north-west site boundary with no fencing forward of the existing Benson Radiology building to the satisfaction of the State Commission Assessment Panel.
3. The recommendations provided in the Environment Noise Assessment by Sonus Pty Ltd (Reference S4217.24C7) dated October 2018 forming part of this consent shall be fully incorporated into the development to the reasonable satisfaction of the State Commission Assessment Panel.
4. Prior to Development Approval for substructure works, the applicant shall submit a final stormwater management plan prepared in consultation with the City of Salisbury and to the reasonable satisfaction of the State Commission Assessment Panel.
5. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

6. All external lighting on the site shall be designed, constructed and installed to confirm to Australian Standard - AS 4282-1997 (Control of the obtrusive effects of outdoor lighting).
7. Prior to Development Approval for substructure works, the applicant shall submit a final landscaping plan confirming planting species and recurrent maintenance schedule in consultation with the City of Salisbury to the reasonable satisfaction of the State Commission Assessment Panel. The plan shall confirm all landscaping adjacent the Park Terrace/Haigh Street corner shall be limited to low growing species in order to maximise sightlines at this location.

### **Infrastructure**

8. All Council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development shall be reinstated to Council, utility or state agency specifications. All costs associated with these works shall be met by the proponent.

### **Vehicle Access and Parking**

9. The proposed Park Terrace access shall be located in general accordance with Proposed Site Plan, Project No. 2180A, Drawing No. DA02.3, Revision A, dated 9 October 2018.
10. A painted median scheme shall be installed on Park Terrace with right turn lanes for the proposed access and the access points to Allotment 501 in DP 64275 and Allotment 98 in FP 113902. All required road works associated with the Park Terrace access and median scheme shall be designed and constructed in accordance with Austroads Guides/Australian Standards and to the Department of Planning, Transport and Infrastructure's (DPTI) satisfaction. All associated costs (including project management and any necessary road lighting and drainage upgrades) shall be borne by the applicant. These road works shall be completed prior to occupation of the development.

The applicant shall contact DPTI's, Traffic Operations Section, Network Planning Engineer, Ms Teresa Xavier on (08) 8226 8389 or via email at [teresa.xavier@sa.gov.au](mailto:teresa.xavier@sa.gov.au), to discuss the proposed road works prior to undertaking any detailed design. Furthermore, the applicant shall enter into a "Developer Agreement" to undertake the above works.

11. The largest vehicle permitted on-site shall be restricted to a 20-metre articulated vehicle (AS 2890.2-2002). All commercial vehicle movements to and from the site by vehicles larger than a 6.4-metre Small Rigid Vehicle shall be undertaken outside of the peak traffic and trade periods.
12. Any obsolete crossovers/accesses shall be closed and reinstated to Council's kerb and gutter standards at the applicant's cost. This work shall be completed prior to operation of the development.
13. All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. In particular, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
14. All illuminated signs visible from Park Terrace shall be limited to a low level of illumination (i.e.  $\leq 150\text{Cd/m}^2$ ).
15. 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 cost.
16. Prior to Building Rules Consent being granted for superstructure works, a detailed site plan shall be provided to the State Commission Assessment Panel identifying the final location of a minimum of nine (9) bicycle parking spaces to be provided on the subject land.

17. All bicycle parks shall be designed and constructed in accordance with Australian Standard 2890.3-2015.
18. The hours for service vehicle movements (operated by private contractor/s) to enter and exit the subject land and waste collection including use of the proposed compactor shall be scheduled to occur only between 9:00AM-7:00PM on a Sunday (or public holiday) and 7:00AM-7:00PM on any other day.

#### ADVISORY NOTES

- a. This Development Plan Consent will expire after 12 months from the date of this Notification, unless final Development Approval from Council has been received within that period or this Consent has been extended by the State Commission Assessment Panel.
- b. The applicant is also advised that any act or work authorised or required by this Notification must be substantially commenced within 1 year of the final Development Approval issued by Council and substantially completed within 3 years of the date of final Development Approval issued by Council, unless that Development Approval is extended by the Council.
- c. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).
- d. The Metropolitan Adelaide Road Widening Plan shows a possible requirement for a strip of land up to 2.13 metres in width from the Park Terrace frontage of this site, together with a 4.5 x 4.5-metre cut-off from the Park Terrace/Haigh Street corner, for possible future road purposes. The consent of the Commissioner of Highways is therefore required for all new building works located on or within 6 metres of the possible requirements.

As portions of the development encroach within the above areas, consent under the *Metropolitan Adelaide Road Widening Plan Act 1972* is required. The applicant should fill out the attached consent form and return it to DPTI along with three copies of the approved site plans.

- e. In the event that the right turn out movements of the new Park Terrace access results in safety and operational concerns, DPTI reserves the right to modify the median arrangements.
- f. As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- g. A Construction Environment Management Plan shall be prepared in collaboration with the City of Salisbury and implemented throughout construction in accordance with current industry standards including the *Local Nuisance and Litter Control Act 2016*, the EPA publications "Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition" and, where applicable, "Environmental Management of On-site Remediation" – to minimise environmental harm and disturbance during construction.

The management plan should incorporate, without being limited to, the following matters:

- timing, staging and methodology of the construction process and working hours;
- traffic management strategies including a site-specific traffic management plan;
- control and management of construction noise, vibration, dust and mud;
- management of infrastructure services during construction and re-establishment of local amenity and landscaping;

- stormwater and groundwater management during construction;
  - site security, fencing and safety and management of impacts on local amenity for residents, traffic and pedestrians;
  - disposal of construction waste, any hazardous waste and refuse in an appropriate manner according to the nature of the waste;
  - protection and cleaning of roads and pathways; and
  - overall site clean-up.
- h. The applicant should ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.
- i. 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 practical 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.
- j. You are advised of the following requirements of the *Heritage Places Act 1993*:
- (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified; and
- (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.
- k. If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

2.3. **RESERVED MATTERS - Nil**

3. **CROWN DEVELOPMENTS (ADVISORY ITEMS) - Nil**

3.1. **DEFERRED APPLICATIONS - Nil**

3.2. **NEW APPLICATIONS - Nil**

4. **MAJOR DEVELOPMENTS - Nil**

5. **OTHER BUSINESS**

6. **NEXT MEETING**

6.1. Thursday 28 February 2019 at ODASA, 28 Leigh Street, Adelaide SA 5000

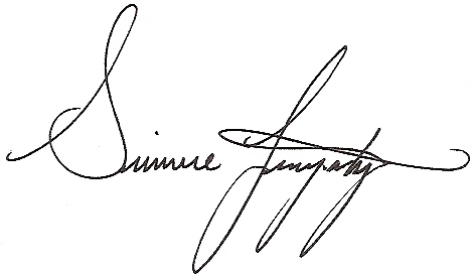
7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

7.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

8. **MEETING CLOSE**

The Presiding Member thanked all in attendance and closed the meeting at 3.20pm.

Confirmed 14/02/2019

A handwritten signature in black ink, appearing to read 'Simone Fogarty', written in a cursive style.

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Simone Fogarty  
PRESIDING MEMBER