

**NOTICE OF
COUNCIL ASSESSMENT PANEL MEETING**

Notice is hereby given that a Council Assessment Panel Meeting will be held:

Wednesday 1 May 2019

Commencing at 6.30 p.m.

Committee Room 1 & 2

Council Administration Centre

245 Sturt Road, Sturt

A copy of the Agenda for the meeting is attached. Meetings are open to the public and interested members of the community are welcome to attend. Access to the CAP Meeting is via the main entrance to the Administration building, 245 Sturt Road, Sturt.



Alex Wright
ASSESSMENT MANAGER

18 April 2019

Note: The plans contained in this Agenda are subject to copyright and should not be copied without authorisation.

**CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 1 MAY 2019
COMMENCING AT 6.30PM**



1.1 OPEN MEETING

1.2 PRESENT

1.3 APOLOGIES

1.4 IN ATTENDANCE

2. APPLICATIONS

2.1 KELLETT RESERVE OVAL- DENHAM AVENUE, MORPHETTVILLE

Demolition of the existing sporting clubrooms and subsequent construction of a single-storey building for the purposes of a recreation centre comprising function room facilities with associated meeting room, kitchen, storage, and amenities for public and sporting groups, as well as the construction of temporary structures, for the purposes of change rooms and toilet facilities, to be erected on site for a period of 4 months.

Report Reference: CAP010519 - 2.11

3. OTHER BUSINESS

3.1 APPEALS UPDATE

3.2 POLICY OBSERVATIONS

**4. CONFIRMATION OF THE COUNCIL DEVELOPMENT ASSESSMENT PANEL MEETING
HELD ON FIRST OF MAY 2019**

5. MEETING CLOSURE

CAP010519

**REPORT REFERENCE: CAP010519 – 2.1
CITY OF MARION
COUNCIL ASSESSMENT PANEL AGENDA
FOR MEETING TO BE HELD ON
WEDNESDAY 01 MAY 2019**



Originating Officer:	Kristen Sheffield Development Officer - Planning
Applicant:	Carolyn Oades (on behalf of the City of Marion)
Development Description:	Demolition of the existing sporting clubrooms and subsequent construction of a single-storey building for the purposes of a recreation centre comprising function room facilities with associated meeting room, kitchen, storage, and amenities for public and sporting groups, as well as the construction of temporary structures, for the purposes of change rooms and toilet facilities, to be erected on site for a period of 4 months.
Site Location:	Kellett Reserve Oval- Denham Avenue, Morphettville
Zone:	Community Zone
Policy Area:	Recreation Policy Area 22
Application Type:	Category 2 / Merit
Development Plan:	Consolidated – 29 November 2018
Referrals:	nil
Delegations Policy:	1.4.1.9 Any application where the Manager Development and Regulatory Services determines that the application warrants assessment by the Panel due to its significant, contentious or controversial nature.
Categorisation:	Category 2 Procedural Section of the Community Zone within the Marion Council Development Plan, which assigns 'all other development' (other than a store or an office ancillary to and in association with an existing or approved land use or activity, public conveniences or shelters) as Category 2 development.
Application No:	100/2019/0222
Recommendation:	That Development Plan Consent be GRANTED subject to conditions

BACKGROUND

The site has been historically used for open space and recreation activities, primarily used by the Morphettville Football Club, established in 1958, incorporated as a part of the Morphettville Park Sporting Club which includes Cricket, Netball and Eightball. The subject land and associated clubrooms being predominantly utilized for Football and Cricket activities.

Parallel to the subject application, the City of Marion has undertaken investigations into a realignment of the Kellett Reserve Oval in order to address its irregular shape and concerns regarding spectator and player safety through the provision of adequate boundary-lines.

Following Council's endorsement of two realignment options at the General Council meeting on 28 August 2018, and subsequent public consultation of the two options; at its meeting on 29 January 2019, Council resolved to proceed with Option One for the Morphettville Park (Kellett Reserve) Oval realignment being the closure of Quinn Street between Denham Avenue and Regan Avenue, as well as extending the road reserve along Cobham Avenue, thus removing the on-street car parking spaces adjacent the oval on the northern side of Cobham Avenue.

Accordingly, a road closure for a portion of Quinn Street was undertaken in accordance with the Roads (Opening & Closing) Act 1991, with the closure gazetted following Council review of a traffic impact assessment, and submission of the outcomes to the Surveyor General. The closed road has been merged with the land in Certificate of Title Volume 5888 Folio 45.

During the assessment process, Council staff requested modifications to the proposal plans to address the following concerns:

Information Requested	Information Provided
A full and current copy of the existing Certificate of Title.	Information provided.
A copy of the existing liquor licence of the premises.	Information provided.
Confirmation of the use and proposed hours of operation of the building, including details of the hours of use by various sporting clubs/community groups.	Information provided.
Clarification regarding the period that the temporary structures shall be erected on site.	Information provided.
Scale elevations/plans of the proposed temporary structures.	Information provided.
Confirmation of landscaping proposed for the landscape areas.	Information provided.
Traffic engineers report which details and analyses the proposed/available number of car parking spaces provided for the proposal.	Information provided.
Written approval from SAPN confirming that the existing stobie pole may be relocated.	Information provided.

SUBJECT LAND & LOCALITY

The subject land comprises allotments 701 and 702, DP 120809, and allotment 218, DP 4735, contained in Certificate of Title 5888/045, known as Kellett Reserve. The allotments maintain a combined total area of 23070 square metres. In addition, the site includes the closed section of Quinn Street between Denham Avenue and Regan Avenue.

The land currently accommodates the Morphetville Park Sporting clubrooms located in the north-western corner of the site. A scoreboard, light poles, cricket nets and other ancillary structures supporting the sports club are located in various locations around the site. A small off street car parking area is located to the east of the Oval on allotment 218, while a Telecommunications tower is located adjacent the western boundary of the oval adjacent the intersection of Quinn Street and Regan Avenue. A number of Regulated Trees are located throughout the subject land.

The locality is predominantly residential in nature, with exception of McKellar Terrace Reserve and the Neighbourhood Centre Zone, adjacent the intersection of Denham Avenue and Morphet Road, 75 metres west of the site of the proposed facility.



Refer Attachment II

PROPOSED DEVELOPMENT

The application proposes the following;

- Demolition of the existing sporting clubrooms.
- Retention of the existing telecommunications tower, light poles, cricket nets and on-site car parking area to allotment 218.
- Construction of a single-storey building for the purposes of a recreation centre comprising function room facilities with an associated meeting room, kitchen, bar and canteen, gym and first aid rooms, storage, and amenities for public and sporting groups (i.e. club and change rooms).
- Landscaping along the north and western facades of the proposed building.
- General earthworks associated with the proposed building including a bio-retention swale for capture and treatment of stormwater run-off.
- Construction of temporary structures, for the purposes of change rooms and toilet facilities, to be erected within the on-site car parking area for a period of 4 months.

Refer Attachment III

PUBLIC NOTIFICATION

Properties notified: 109 properties were notified during the Category 2 public notification process.

Representations: 1 representation supporting the application was received by Council.

Persons wishing to be heard: No persons wished to be heard.

Summary of representations: Refer to *Attachment IV*.

Applicant's response: Refer to *Attachment V*.

INTERNAL DEPARTMENT COMMENTS

Manager- Development & Regulatory Services:	<p>Pursuant to 4.1.9 of the Development Delegations Policy, the application warrants assessment by the Council Assessment Panel due to its significant nature. In particular;</p> <ul style="list-style-type: none"> • The application is a Category 2 Form of Development. • The subject land is owned by Council. • The proposed building provides potential revenue opportunities for the lessee of the building. • The proposed development potentially increases the use of the site, and will potentially allow other functions not associated with the primary use of the site to occur (e.g. Birthday, wedding functions etc.)
Engineering:	<p>Satisfied with the proposed drainage plan.</p>

Environmental Health:

Should the Panel be supportive of the application it is suggested the following notes be attached to the consent;

- It should be ensured that there is adequate handwashing facilities with access to warm running water within all areas of food preparation (refer to Food Safety Standard 3.2.3 [Division 4, Section 14 Hand Washing Facilities]). Including distance.
- It should be ensured that there is adequate ventilation for cooking equipment being used (refer to Food Safety Standard 3.2.3 [Division 2, Section 7 Ventilation]).
- It should be ensured that all wastewater and sewage is disposed of adequately (refer to Food Safety Standard 3.2.3 [Division 2, Section 5 Sewage and Waste Water Disposal]).
- It should be ensured that there is adequate space for the activities occurring within the premise including but not limited to; food preparation, food storage and the cleaning and sanitising of all equipment (refer to Food Safety Standard 3.2.3 [Division 2, Section 3 General Requirements]).
- There should be adequate equipment available for the cleaning and sanitising of equipment. This may include the use of a double bowl sink or commercial dishwasher (refer to Food Safety Standard 3.2.3 [Division 4, Section 12 General Requirements]).
- Floors, walls and ceilings should be constructed in such a way that can be effectively cleaned, does not allow harbourage of pests and minimises the potential risk of contamination to food (refer to Food Safety Standards 3.2.3 [Division 3, Section 10 Floors, Section 11 Walls and Ceilings]).
- The owner/applicant is advised that it is a requirement for all food businesses to comply with the Food Act 2001, The Food Safety Standards and The Food Standards Code and they will be required to complete a Food Business Notification Form, which can be found on the council website. Council's Environmental Health Team also offers a pre-opening inspection of the premise at no cost to the owner/applicant. Please contact the Council's Environmental Health Team if you wish to arrange for this service.

Open space:

The proposed building results in a 25% encroachment (linear) into the Tree Protection Zone of the Significant *Eucalyptus camaldulensis* (River Red Gum) sited within close proximity. Encroachment into the Critical Root Zone line is permitted due to the excavation and construction activity being limited to the existing hardscape or impermeable surface (Quinn Street). There is limited root development in this space and this is consistent with tree preservation despite the level of encroachment into the standard.

TPZ to be established with no construction activities permitted and no access unless approved by the City Arborist. 6 foot chain link construction fencing to be installed.

ZONE & POLICY AREA ASSESSMENT:

The relevant objectives, desired character and principles of development control of the Community Zone and Recreation Policy Area 22 are listed in the following table and discussed in further detail below:

Community Zone**Objectives**

- 1 A zone accommodating community, educational, recreational and health care facilities for the general public's benefit.
- 2 Development that is integrated in function and provides a coordinated base to promote efficient service delivery.
- 3 Development that contributes to the desired character of the zone.

Desired Character

The zone caters for a range of community land uses and public facilities including public recreation, community centres, sporting areas and passive landscaped spaces that fulfil a need within the community. Land uses and activities within the zone will be of a scale and function that is appropriate within the locality and will not negatively affect adjacent zones through, for example, excess noise or traffic generation.

Development will achieve and maintain a high level of presentation to public roads through incorporation of high quality structures, fencing, landscaping, and the screening of waste, service and storage areas.

Development will enhance the functionality, shared and adaptable use of the sites and utilise crime prevention design techniques, including lighting and building materials that deter and minimise the occurrence of vandalism and anti-social behaviour.

Open spaces within the zone will be well maintained to uphold a high level of amenity and to contribute to a safe and functional zone for community use.

*The zone comprises twelve existing and functioning sites, which are owned by the Council and located throughout the Council area. Facilities include two community centres (Glandore Community Centre and Trott Park Neighbourhood Centre) and ten recreation facilities. All of the recreation facilities are located within the **Recreation Policy Area 22**, and are comprised of the Cove Sports and Community Club, Edwardstown Soldiers Memorial Recreation Ground, Glandore Oval, Marion Outdoor Swimming Centre, Marion Sports and Community Club, Marion Sports and Leisure Centre, Mitchell Park Sports and Community Club, Morphetville Park Sporting Club Inc., Capella Drive Reserve, Glade Crescent Reserve.*

PDC 1	<p><i>The following forms of development are envisaged in the zone:</i></p> <ul style="list-style-type: none"> ▪ child care centre ▪ community centre ▪ consulting room ▪ educational establishment ▪ emergency services facility ▪ hall ▪ health facility ▪ library ▪ office associated with community service ▪ place of worship ▪ public administration office ▪ recreation area ▪ recreation centre ▪ reserve ▪ theatre ▪ welfare institution. 	Satisfies
PDC 4	<p><i>Development should not be undertaken if it would inhibit or prejudice the integrated development of land within the zone for further community and institutional uses.</i></p>	Satisfies
PDC 5	<p><i>Development should not be undertaken unless it is consistent with the desired character for the zone.</i></p>	Satisfies

Recreation Policy Area 22

Objectives

- 1 A policy area accommodating sporting, entertainment, cultural and recreational activities and associated spectator and administrative facilities.
- 2 Development of integrated recreational areas and facilities that accommodate a range of activities accessible to the community.
- 3 Buildings, facilities and car parks located and designed to blend in with existing or additional trees, vegetation and landscaping.
- 4 Development that contributes to the desired character of the policy area.

PDC 1	<p><i>The following forms of development are envisaged in the policy area:</i></p> <ul style="list-style-type: none"> ▪ car parking ▪ clubroom associated with a sports facility ▪ community centre ▪ community hall ▪ educational establishment ▪ entertainment, cultural and exhibition facility ▪ indoor and outdoor recreation facility ▪ lighting for night use of facilities ▪ meeting hall ▪ office associated with community or recreation facility ▪ playground ▪ shop or groups of shops ancillary to recreation development ▪ showground ▪ sports ground and associated facility ▪ special event ▪ spectator and administrative facilities ancillary to recreation development ▪ swimming pool. 	Satisfies
-------	---	------------------

PDC 3	<i>Development should not be undertaken unless it is consistent with the desired character for the policy area.</i>	Satisfies
--------------	---	------------------

Assessment

As discussed within the Background section of this report, the site has been historically used for open space and recreation activities, with the existing clubrooms being located in their current position for some time. The redevelopment of the site seeks to maintain the current uses (sporting and community uses) whilst replacing the ageing clubrooms with a modern multi-functional building, thus satisfying Objectives 1 and 2 of the Community Zone.

The continued use of the site caters for a range of community needs, including public recreation and sporting areas. Whilst the proposal does not specifically seek to increase the capacity of the building (current licences allow for a capacity of up to 400 persons), community utilization of the site may naturally increase as a result of the proposed upgrade in facilities. This may result in additional noise and traffic impacts upon the immediate locality.

Nonetheless, the function of the site remains largely unchanged. As demonstrated within the table below, with the scale of the proposed development is considered comparable to that of the existing facilities and permitted capacity of the site, noting that the majority of the additional floor area of the proposed building being for ancillary uses associated with existing activities (kitchen, storage, changes rooms etc.)

Use	Existing (m ²)	Proposed (m ²)	Change (m ²)
Function room	228	238	+10
Meeting room	0	24	+24
Bar	32	18	-14
Canteen	15	11	-4
Other (kitchen, storage, change rooms, gym, toilets and other associated amenities)	159	686	+527
Total	434	977	+543

Replacement of the existing clubrooms with an upgraded multi-functional facility is considered to meet the changing diversity and needs of the community as sought by the Desired Character of the Policy Area.

Further, the proposed building is considered to maintain a high level of presentation to Denham Avenue, and represents a significant improvement from that currently observed of the existing facility. The floor area of the proposed built form is considerable, however its moderate height and appropriate design reduces potential visual impacts and, in my opinion, result in improvements to the landscape and recreation value of the site.

Accordingly, I am of the view that the proposed development generally aligns with the applicable Objectives, Desired Character and Principles of the Community Zone and Recreation Policy Area 22.

GENERAL SECTION

The following sections of the report assess the proposal's compliance with qualitative principles from the General Section of the Marion Council Development Plan.

Principles of Development Control

Assessment

Open Space and Recreation	
<p><i>Buildings in open space, including structures and associated car parking areas, should be designed, located and of a scale that is unobtrusive and does not detract from the desired open space character.</i></p> <p><i>Open space and Recreation PDC: 10</i></p> <p><i>Development in open space should:</i></p> <ul style="list-style-type: none"> <i>(a) be clustered where practical to ensure that the majority of the site remains open</i> <i>(b) where practical, be developed for multi-purpose use</i> <i>(c) be constructed to minimise the extent of hard paved areas.</i> <p><i>Open space and Recreation PDC: 11</i></p>	<p>Satisfies</p> <p>Although discussed further in the Design and Appearance Chapter of this report, the proposed building has, in my opinion, been designed and located to minimise visual impacts on the open space character of the site. The proposed building is to be located in a similar location as the existing club rooms. Whilst additional floor area is proposed, the building nonetheless maintains a modest profile within the landscape.</p> <p>Satisfies</p> <ul style="list-style-type: none"> (a) The majority of the subject land remains open. (b) The proposed building shall accommodate multiple sport codes, associated presentations and functions as well as some non-sport related activities. (c) A majority of the site will remain open and free of hard paved areas.
<p><i>Recreation facilities development should be sited and designed to minimise negative impacts on the amenity of the locality.</i></p> <p><i>Open space and Recreation PDC: 15</i></p>	<p>Satisfies</p>
Community Facilities	
<p><i>Location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve.</i></p> <p><i>Community Facilities Objective 1</i></p>	<p>Satisfies</p>
<p><i>Community facilities should be sited and developed to be accessible by pedestrians, cyclists and public and community transport.</i></p> <p><i>Community Facilities PDC: 1</i></p> <p><i>Community facilities should be integrated in their design to promote efficient land use.</i></p> <p><i>Community Facilities PDC: 2</i></p> <p><i>Design of community facilities should encourage flexible and adaptable use of open space and facilities to meet the needs of a range of users over time.</i></p> <p><i>Community Facilities PDC: 3</i></p>	<p>Satisfies</p> <p>The proposed multi-function building is easily accessible for pedestrians, cyclists and public transport (bus) users.</p> <p>The proposed facility is integrated in design, combined multiple likely uses within the same building, promoting efficient land use.</p> <p>The building incorporates a large function room which can be adapted to meet current and future user needs. In addition, the building contains a commercial kitchen which could be adapted for an alternative use if necessary.</p>

Design & Appearance

Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:

- (a) building height, mass and proportion*
- (b) external materials, patterns, colours and decorative elements*
- (c) roof form and pitch*
- (d) façade articulation and detailing*
- (e) verandas, eaves, parapets and window screens.*

Design & Appearance: PDC 1

Satisfies

The inclusion of a range of materials and colours is considered to promote a high design standard and appearance that responds to and reinforces positive aspects of the local environment. The built form is considered to reflect the Desired Character of the locality and be of a contemporary and unique design.

Buildings should be sited with respect to side and rear property boundaries to:

- (a) maintain or enhance the amenity of adjoining properties in terms of noise, privacy and sunlight*
- (b) minimise the impact of bulk and scale of development on adjoining properties*
- (c) maintain the character of the locality in regards to the patterns of space between buildings (to the side and rear) and the opportunity for landscaping.*

Design and Appearance: PDC 2

Partially satisfies

The proposed building is sited in the same location as the existing clubrooms, albeit with a larger floor area which extends into the currently trafficable area of Quinn Street. Nonetheless the building comprises a similar height to the existing building as well as similar setbacks to Denham Avenue.

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

Design & Appearance: PDC 3

Satisfies

The building incorporates a mixture of off-white and charcoal face brickwork as well as off-white light-weight cladding and powder coated perforated metal screening which, in my opinion, will not result in glare to adjacent properties, drivers or cyclists.

Structures located on the roofs of buildings to house plant and equipment should be screened from view and should form an integral part of the building design in relation to external finishes, shaping and colours.

Design & Appearance: PDC 4

Satisfies

Roof plant equipment is to incorporate screening which shall match the roof colour. Plant equipment does not extend past the highest point of the roofline of the proposed building.

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, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.

Design & Appearance: PDC 5

Does not comply

The (temporary) transportable buildings to be erected on site are not enclosed around the base of the buildings, however given the temporary nature of these structures, the structures as proposed are considered adequate.

Buildings, landscaping, paving and signage should have a coordinated appearance that maintains and enhances the visual attractiveness of the locality.

Design & Appearance: PDC 14

Satisfies

Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view.

Design & Appearance: PDC 15

Satisfies

CAP010519

<p><i>Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.</i></p> <p><i>Design & Appearance: PDC 16</i></p>	<p>Satisfies</p> <p>The entry to the building presents directly to Denham Avenue and is readily visible within the streetscape.</p>
<p><i>Outdoor storage, loading and service areas should be:</i></p> <p><i>(a) screened from public view by a combination of built form, solid fencing and/or landscaping</i></p> <p><i>(b) conveniently located and designed to enable the manoeuvring of service and delivery vehicles</i></p> <p><i>(c) sited away from sensitive land uses.</i></p> <p><i>Design & Appearance: PDC 20</i></p>	<p>Satisfies</p>
<p><i>Except in areas where a new character is desired, the setback of buildings from public roads should:</i></p> <p><i>(a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality</i></p> <p><i>(b) contribute positively to the function, appearance and/or desired character of the locality.</i></p> <p><i>Design and Appearance: PDC 21</i></p>	<p>Partially satisfies</p> <p>The proposed building is sited in the same location as the existing clubrooms and is nonetheless considered to contribute positively to the appearance and desired character of the locality.</p>

The proposed community and recreation centre is sited in a similar location to the existing clubrooms, albeit including a larger floor area which extends into the currently trafficable area of Quinn Street.

The building proposed is single-storey in nature and is proposed to achieve an approximate 1.1 metre setback from the northern façade to Denham Avenue and an approximate 1.6 metre setback from the corner of Quinn Street and Regan Avenue. The building achieves an approximate ground level footprint of 1025 square metres and achieves a maximum height of 4.9 metres.

The overall design, appearance and streetscape outcome is a significant improvement to what is presently provided, with the existing building presenting a large unattractive expanse of blank walling to the public domain, on both Denham Avenue and Quinn Street.

The proposed foyer/main entry point is located on the northern façade and is designed and orientated to face the streetscape of Denham Avenue. Additional streetscape presentation and visual interest has been afforded through the inclusion of glazing, perforated screening which shall incorporate public art within its design as well as an angled roof line which wraps around the eastern portion of the building.

The proposed built form is considerable in its overall size, however its moderate height and appropriate design reduces potential bulk and scale impacts and, in my opinion, complements the open nature of the site as well as the desired character of the locality.

Interface Between Land Uses

<p><i>Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:</i></p> <p><i>(a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants</i></p> <p><i>(b) noise</i></p> <p><i>(c) vibration</i></p> <p><i>(d) electrical interference</i></p> <p><i>(e) light spill</i></p> <p><i>(f) glare</i></p> <p><i>(g) hours of operation</i></p> <p><i>(h) traffic impacts.</i></p> <p><i>Interface Between Land Uses: PDC 1</i></p>	<p>Satisfies (see comments below)</p>
<p><i>Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.</i></p> <p><i>Interface Between Land Uses: PDC 2</i></p>	<p>Satisfies</p>
<p><i>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.</i></p> <p><i>Interface Between Land Uses: PDC 4</i></p>	<p>Satisfies</p>
<p><i>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.</i></p> <p><i>Interface Between Land Uses: PDC 9</i></p>	<p>Satisfies (see comments below)</p>

The proposed development is located in the Community Zone, within close proximity to existing residential allotments on the northern side of Denham Avenue and the western side of Quinn Street and has therefore been assessed against the relevant Interface Between Land Uses Principles of Development Control.

Noise, operating hours and capacity

The applicant has not provided specific acoustic information regarding potential noise emissions generated from the proposed use and associated operating hours, however, it is nonetheless acknowledged that the proposed use of the site remains unchanged. Nonetheless, it must be considered that whilst the existing facilities already facilitate non-sporting activities such as presentations and functions, on occasion, it is anticipated the expanded facilities will result in larger and/or more frequent occurrences of these types of activities.

Events of this nature are unlikely to be held simultaneously with large sporting and community events (i.e. football games or cricket matches) due to the associated logistical issues arising in the shared use of the building/grounds. These potential uses/activities are nonetheless considered to be of a complementary nature to the primary use of the building, and consistent with the anticipated nature of the Zone and Policy Area.

CAP010519

Further, the current Morphetville Park Sporting Club has a licence (Licence: 51305128) which permits Extended Trading Authorisation, Friday and Saturday from midnight to 1am the following day, and Sunday 8pm to 10pm and 8pm as well as Entertainment Consent Monday to Thursday until midnight, Saturday and Sunday until 1am, and Sunday until 10pm. This licence also specifies the maximum capacity of the site, being 400 persons.

The applicant has confirmed through the proposed operating hours that there will be no extension to the current hours permitted by the Club licences. It is the Administration's view that the amended liquor license will be reflective of the new building and layout and provide suitable controls for noise, maximum patron capacity and additional controls such as external access and hours of use.

The likely hours are not considered to be unreasonable as the various sporting and community uses (and subsequent capacities) are largely continuing their existing operations and will therefore not result in adverse noise impacts significantly over and above that which is already experienced.

Traffic

As discussed in the Parking and Access chapter of this report, the associated traffic impacts are not considered to detrimentally affect the amenity of the locality or cause unreasonable interference to the occupants of adjacent residential properties, to the extent where refusal of the application is warranted.

The uses proposed to operate from the community and recreation building, in of themselves, will not unreasonably increase the overall capacity of the site required to accommodate additional persons; rather, the likely uptake and use of the site by members of the community may somewhat increase due to the improved facilities provided.

Whilst a significant lack of on-site car parking is noted, with only 18 spaces available within the car parking area to the east of the oval- following removal of the proposed temporary structures- it is again noted that the continued use of the land is to occur. As such, impacts arising from on-street car parking within close proximity of the oval, are likely already experienced to a similar degree by adjacent residential development.

Lighting

The proposal incorporates the retention of three existing light poles. Accordingly, impacts upon adjacent dwellings/development remain unchanged in this regard.

Summary

In my view, the activities likely to occur and traffic subsequently generated by on-site activities will be similar to what is currently experienced. To further assist in minimising noise impacts and control the overall use of the site, particularly when operating during non-waking hours, it is recommended a number of conditions be attached to the applications consent. The inclusion of these conditions will further protect the adjacent residential properties from unreasonable and undesirable noise and traffic impacts.

Transportation and Access	
<p><i>Development should provide safe and convenient access for all anticipated modes of transport.</i></p> <p><i>Transportation and Access: PDC 8</i></p>	<p>Partially satisfies</p> <p>As with the existing facilities, on-site car parking is not proposed within the subject application, with access and vehicle parking reliant upon the existing road networks and on-street car parking availability.</p>
<p><i>Industrial/commercial vehicle movements should be separated from passenger vehicle car parking areas.</i></p> <p><i>Transportation and Access: PDC 13</i></p>	<p>Satisfies</p> <p>Refuse collection and loading will occur alongside the western side of the proposed building with access provided from Quinn Street. There is no opportunity for passenger vehicles to utilize this area for on-site car parking.</p> <p>It is recommended that if the Panel are supportive of the proposal, a condition be attached to the consent restricting access by service delivery vehicles to the site to the hours of 7am to 6pm (Monday to Saturday) and 9am to 6pm Sunday, and excluding peak activity periods (i.e. during football events).</p>
<p><i>Development should provide for the on-site loading, unloading and turning of all traffic likely to be generated.</i></p> <p><i>Transportation and Access: PDC 14</i></p>	<p>Partially satisfies</p> <p>Whilst on-site loading and unloading of vehicles, including refuse collection trucks, is available to the west of the proposed building, these vehicles will be required to reverse onto Quinn Street/Regan Avenue in order to exit the site.</p>
<p><i>Development should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:</i></p> <p><i>(a) showers, changing facilities and secure lockers</i></p> <p><i>(b) signage indicating the location of bicycle facilities.</i></p> <p><i>Transportation and Access: PDC 19</i></p>	<p>Partially satisfies</p> <p>Whilst bicycle racks have been provided, and showers and change rooms are available for members of the various sporting teams, no end of journey facilities (such as showers and lockers) will be made available for public use.</p> <p>The applicant has not confirmed if the proposed amenities will be available for staff use.</p>
<p><i>Development should have direct access from an all-weather public road.</i></p> <p><i>Transportation and Access: PDC 22</i></p>	<p>Satisfies</p>
<p><i>Development should be provided with safe and convenient access which:</i></p> <p><i>(a) avoids unreasonable interference with the flow of traffic on adjoining roads</i></p> <p><i>(b) provides appropriate separation distances from existing roads or level crossings</i></p> <p><i>(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</i></p> <p><i>(d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.</i></p> <p><i>Transportation and Access: PDC 23</i></p>	<p>Partially satisfies</p> <p>(see comments below)</p>
<p><i>A maximum of 2 vehicle access points should be provided onto a public road and each access point should be a minimum of 6 metres apart.</i></p> <p><i>Transportation and Access: PDC 28</i></p>	<p>Satisfies</p>

CAP010519

<p><i>Driveways, access tracks and parking areas should be designed and constructed to:</i></p> <ul style="list-style-type: none"> <i>(a) follow the natural contours of the land</i> <i>(b) minimise excavation and/or fill</i> <i>(c) minimise the potential for erosion from surface runoff</i> <i>(d) avoid the removal of existing vegetation</i> <i>(e) be consistent with Australian Standard AS: 2890 - Parking facilities.</i> <p><i>Transportation and Access: PDC 30</i></p>	<p>Satisfies</p> <p>The proposed parking spaces will be desired to achieve compliance with <i>Australian Standard AS: 2890 - Parking facilities</i>.</p>
<p><i>Development should be sited and designed to provide convenient access for people with a disability.</i></p> <p><i>Transportation and Access: PDC 32</i></p>	<p>Does not satisfy</p>
<p><i>Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with Table Mar/2 - Off-street Vehicle Parking Requirements.</i></p> <p><i>Transportation and Access: PDC 34</i></p>	<p>Does not satisfy</p>

Car parking supply

The existing use of the oval and associated facilities relies largely upon the surrounding street network for the provision of car parking. On-site car parking is available within the car parking area to the east of the oval (access from Denham Avenue), with a total of 18 spaces provided. The subject application does not incorporate additional on-site car parking, with the existing on-site car parking not available during the initial 4 month construction period which requires the location of temporary structures (temporary amenity/change facilities) within the only on-site car parking area. Further, the oval realignment endorsed by Council (separate from this development application) shall result in a further loss of on-street car parking spaces adjacent the oval on the northern side of Cobham Avenue.

The applicant has provided an independent Traffic Impact Assessment by GHD, which considers the existing car parking availability within the locality along with the proposed development plan car parking requirements for the proposed development. This report identifies an existing total of 328 on-street car parking spaces, in addition to the 18 on-site spaces (which shall nonetheless be available post construction and removal of the temporary structures). This notwithstanding however, following the realignment of the oval into the road reserve along the northern side of Cobham Avenue, an additional loss of some 37 on-street car parking spaces adjacent the oval is anticipated. Accordingly, a total of 309 car parking spaces (both on-site and on-street) shall be available within the immediate locality following realignment of the oval.

Development Plan car parking requirements

The proposed building seeks to incorporate a function room, a meeting room, commercial kitchen, bar and canteen, gym and first aid rooms, storage, and amenities for public and sporting groups (i.e. club and change rooms). Given the multi-functional nature of the building and site, the associated uses are considered to be function, community and sporting uses. Car parking requirements for these uses are listed in the Off Street Vehicle Parking Requirements table contained within the Marion Development Plan; and are listed below;

CAP010519

Use	Numerical requirement	Floor area/total	Total Parking Required
Function room	1 per 3 seats or 1 per 15 square metres (whichever provides the greater number of spaces).	238m ²	79 spaces
Community centre	10 per 100 square metres	1025m ²	102.5 (103) spaces
Other (kitchen, storage, change rooms, gym, toilets and other associated amenities)	Assess on needs basis	686m ²	Assessed on needs basis.

Function use

It must be acknowledged that the existing facilities incorporate a function room which comprises a floor area of 228 square metres, requiring the provision of 76 car parking spaces. Accordingly, the 76 of the 79 spaces required by the proposed function room represent an existing shortfall, which should not prejudice the proposed development.

Certainly, an increase in frequency of functions may occur due to the improved quality and functionality of the facilities, but this does not equate to an increase in car parking demand at any one time. There is sufficient on-street car parking to cater for the existing shortfall in on-site car parking, and it is my view that the additional shortfall of 3 spaces does not resulting in a meaningful impact or exacerbation upon on-street car parking within the locality, over and above that already existing.

Community use

The proposal outlines that the building will operate more as a community facility from 9am-5pm on weekdays, due to the improved facilities available following construction. The development plan specifies a requirement of 103 spaces for the use of the building as a community centre. However, this is not considered an accurate representation given the building would not be used in its entirety as a community centre, the whole of the building would be utilized by the sports club, with some community activities likely to occur within the function space, with perhaps minor ancillary use of the meeting room and/or utilizing kitchen/bar facilities. Accordingly, applying the community centre car parking rate to the function room area is likely more representative of the anticipate weekday use.

As such, based on the function room area of the proposed development, a car parking requirement of 24 spaces is observed for the use of the building as a community facility during weekdays. Given that other uses associated with the site occur during weeknights (football and cricket training) and weekend (sporting matches/games, and most likely, functions and/or presentations), the requirement of 24 on-street car parking spaces during weekdays is not considered to result in unreasonable impacts upon the locality.

Sporting use

The proposed development is considered a refurbishment of the existing use, providing improved ancillary facilities to the use of the site, including new change rooms, showers, and umpires facilities whilst maintaining the clubs use for training, games and functions/presentations. Accordingly, the intended use of the proposed building is considered to remain largely unchanged.

CAP010519

Nonetheless, the Traffic Impact Assessment undertaken by GHD included a survey of the site and associated car parking demands on the surround street network during July and August 2018. It is noted the highest capacity sporting use for the site, AFL, is generally conducted during March to September, with cricket generally operating October to March. Accordingly, the survey represents the likely peak usage of the site.

Based on the survey conducted, on a training evening, the oval has a peak parking demand of 85 places on a weekday evening, and 156 spaces on a Saturday game day, with an estimated peak of 250 spaces on a Sunday game day. As previously identified, 309 on-street car parking spaces remain available within the immediate locality, thus able to accommodate the peak demand.

Whilst the demand on the local street network may certainly impact upon residents within close proximity of the oval, these impacts are consistent with that currently occurring 'as of right' and do not arise from the proposed building or its additional floor area, which is largely dedicated to ancillary functions which support the existing use of the site (kitchen, storage, change rooms, gym, toilets and other associated amenities).

A common sense approach in this regard has been taken, and it should be noted the site enjoys existing use rights as a recreation area, and importantly, the primary aspect of the proposal (the building) will not increase the peak capacity of the site to any significant degree.

Summary

Assessment has identified the uses anticipated to operate from the proposed building, in of themselves, will not unreasonably increase the overall capacity of the site; rather, the upgrade in facilities may see the more frequent occurrence of functions and uptake of the facility for community uses.

Whilst the proposed function and community uses may increase the total number of persons attending the site during a 24-hour period, it is considered that the proposal will not increase the peak demand for on-site/on-street car parking, to any significant degree, over and above what can occur at present, or 'as of right'.

As such, whilst it can be concluded that use of the multi-functional building will generate increased traffic to the site over a 24-hour period, the peak traffic generated should be no greater to any significant degree than the number of vehicles currently attending the site during peak events.

For the reasons above, I am of the opinion the proposal will not result in unreasonable or adverse impacts upon adjacent land as a result of traffic movements and/or the need for on-street parking.

Crime Prevention

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.

Crime Prevention: PDC 1

Satisfies

The proposed building has been designed to maximise surveillance of the site itself through the incorporation of extensive glazing to the south-eastern facade. 'Perceived' surveillance to the west of the building due to the incorporation of windows on this facades (albeit behind a perforated screen), despite this area likely being less active.

Buildings should be designed to overlook public and communal streets and public open space to allow casual surveillance.

Crime Prevention: PDC 2

Satisfies

CAP010519

<p><i>Development should provide a robust environment that is resistant to vandalism and graffiti.</i></p> <p><i>Crime Prevention: PDC 3</i></p>	<p>Satisfies</p> <p>It is recommended that if the Panel are supportive of the proposal, a condition be attached to the consent requesting the exterior of buildings to be constructed incorporate anti-graffiti treatment to assist in the removal of graffiti.</p>
<p><i>Development, including car park facilities should incorporate signage and lighting that indicate the entrances and pathways to, from and within sites.</i></p> <p><i>Crime Prevention: PDC 5</i></p>	<p>Satisfies</p> <p>A sign is included to the entrance of the building. Existing lighting of the site utilized during non-daylight hours is considered sufficient, particularly given the open nature of the site.</p>
<p><i>Landscaping should be used to assist in discouraging crime by:</i></p> <p><i>(a) screen planting areas susceptible to vandalism</i></p> <p><i>(b) planting trees or ground covers, rather than shrubs, alongside footpaths</i></p> <p><i>(c) planting vegetation other than ground covers a minimum distance of two metres from footpaths to reduce concealment opportunities.</i></p> <p><i>Crime Prevention: PDC 6</i></p>	<p>Partially satisfies</p>
<p><i>Public toilets should be located, sited and designed:</i></p> <p><i>(a) to promote the visibility of people entering and exiting the facility (eg by avoiding recessed entrances and dense shrubbery that obstructs passive surveillance)</i></p> <p><i>(b) near public and community transport links and pedestrian and cyclist networks to maximise visibility.</i></p> <p><i>Crime Prevention: PDC 9</i></p>	<p>Satisfies</p> <p>A public toilets located within the multi-function building will be readily accessible to the general public.</p>
<p><i>Development should avoid pedestrian entrapment spots and movement predictors (eg routes or paths that are predictable or unchangeable and offer no choice to pedestrians).</i></p> <p><i>Crime Prevention: PDC 10</i></p>	<p>Satisfies</p> <p>The site is relatively open in nature and does not provide opportunities for pedestrian entrapment spots.</p>
<h2>Regulated Trees</h2>	
<p><i>The conservation of regulated trees that provide important aesthetic and/or environmental benefit.</i></p> <p><i>Regulated Trees: Objective 1</i></p> <p><i>Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:</i></p> <p><i>(a) significantly contributes to the character or visual amenity of the locality</i></p> <p><i>(b) indigenous to the locality</i></p> <p><i>(c) a rare or endangered species</i></p> <p><i>(d) an important habitat for native fauna.</i></p> <p><i>Regulated Trees: Objective 2</i></p>	<p>Satisfies</p> <p>All Regulated and Significant Trees on site to be retained.</p>
<p><i>Development should have minimum adverse effects on regulated trees.</i></p> <p><i>Regulated Trees: PDC 1</i></p>	<p>Satisfies</p> <p>Council's Arborist has sought that a Tree Protection Zone be established around the Significant tree (<i>Eucalyptus camaldulensis</i>) to the west of the proposed building, with no construction activities permitted and no access unless</p>

CAP010519

<p><i>A regulated tree should not be removed or damaged other than where it can be demonstrated that one or more of the following apply:</i></p> <ul style="list-style-type: none"> <i>(a) the tree is diseased and its life expectancy is short</i> <i>(b) the tree represents a material risk to public or private safety</i> <i>(c) the tree is causing damage to a building</i> <i>(d) development that is reasonable and expected would not otherwise be possible</i> <i>(e) the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree.</i> <p><i>Regulated Trees: PDC 2</i></p> <p><i>Tree damaging activity other than removal should seek to maintain the health, aesthetic appearance and structural integrity of the tree.</i></p> <p><i>Regulated Trees: PDC 3</i></p>	<p>approved by the City Arborist. 6 foot chain link construction fencing to be installed. It is recommended that if the Panel are supportive of the proposal, these requirements be included via condition.</p>
<h2 style="text-align: center;">Landscaping, Fences and Walls</h2>	
<p><i>Development should incorporate open space and landscaping in order to:</i></p> <ul style="list-style-type: none"> <i>(a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)</i> <i>(b) enhance the appearance of road frontages</i> <i>(c) screen service yards, loading areas and outdoor storage areas</i> <i>(d) minimise maintenance and watering requirements</i> <i>(e) enhance and define outdoor spaces, including car parking areas</i> <i>(f) provide shade and shelter</i> <i>(g) assist in climate control within buildings</i> <i>(h) maintain privacy</i> <i>(i) maximise stormwater re-use</i> <i>(j) complement existing native vegetation</i> <i>(k) contribute to the viability of ecosystems and species</i> <i>(l) promote water and biodiversity conservation.</i> <p><i>Landscaping, Fences & Walls: PDC 1</i></p>	<p>Partially satisfies</p>
<p><i>Landscaping should:</i></p> <ul style="list-style-type: none"> <i>(a) include the planting of locally indigenous species where appropriate</i> <i>(b) be oriented towards the street frontage</i> <i>(c) result in the appropriate clearance from powerlines and other infrastructure being maintained.</i> <p><i>Landscaping, Fences & Walls: PDC 2</i></p>	<p>Satisfies</p>
<p><i>Landscaped areas along road frontages should have a width of not less than 2 metres and be protected from damage by vehicles and pedestrians.</i></p> <p><i>Landscaping, Fences & Walls: PDC 3</i></p>	<p>Does not satisfy</p>

Landscaping is provided to the north and west of the proposed building. Whilst the landscaping proposed is somewhat limited in in dimension and a greater provision of landscaping throughout the site is preferable and would achieve greater compliance with Council's Landscaping Principles, it is acknowledged the overall redevelopment of the site results in significant visual improvements whilst maintaining the open landscape nature of the site.

Energy Efficiency

Development should provide for efficient solar access to buildings and open space all year around.

Energy Efficiency: PDC 1

Buildings should be sited and designed:

- (a) to ensure adequate natural light and winter sunlight is available to the main activity areas of adjacent buildings*
- (b) so that open spaces associated with the main activity areas face north for exposure to winter sun.*

Energy Efficiency: PDC 2

Satisfies

Development should facilitate the efficient use of photovoltaic cells and solar hot water systems by:

- (a) taking into account overshadowing from neighbouring buildings*
- (b) designing roof orientation and pitches to maximise exposure to direct sunlight.*

Energy Efficiency: PDC 3

Satisfies

The multi-function building incorporates sufficient roof area in which photovoltaic cells could be sited.

Waste

Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:

- (a) avoiding the production of waste*
- (b) minimising waste production*
- (c) reusing waste*
- (d) recycling waste*
- (e) recovering part of the waste for re-use*
- (f) treating waste to reduce the potentially degrading impacts*
- (g) disposing of waste in an environmentally sound manner.*

Waste: PDC 1

Satisfies

Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.

Waste: PDC 6

Satisfies The nominated waste refuse area is of an appropriate size to accommodate a range of general waste and recycle receptacles

Natural Resources

On land north of Seacombe Road, all new buildings and building extensions of 40 square metres or more in floor area, should incorporate sufficient on-site stormwater detention/retention to limit the rate of stormwater runoff from the subject land so that flows determined using the following runoff coefficients are not exceeded:

- (a) within residential zones*
 - (i) 5 year average return interval flood event (runoff coefficient 0.25)*
 - (ii) 100 year average return interval flood event (runoff coefficient 0.45)*
- (b) within non-residential urban zones*
 - (i) 5 year average return interval flood event (runoff coefficient 0.65)*
 - (ii) 100 year average return interval flood event (runoff coefficient 0.85).*

Natural Resource: PDC 17

Council's Development Engineer has reviewed the subject application and is satisfied with the proposed engineered site works and drainage plan.

REPRESENTOR'S CONCERNS

The concerns raised by the sole representor (in favour of the application) related only to on-street car parking during the construction phase as well as dust control. While these concerns are noted, a planning assessment under the Development Act 1993 does not allow consideration of these matters and hence are outside the scope of this assessment.

ANALYSIS/CONCLUSION

The application proposes the demolition of the existing sporting clubrooms and construction of a single-storey building for the purposes of a recreation centre comprising function room facilities with an associated meeting room, kitchen, bar and canteen, gym and first aid rooms, storage, and amenities for public and sporting groups (i.e. club and change rooms), as well as associated landscaping and earthworks. Additionally, the proposal incorporates the construction of temporary structures, for the purposes of change rooms and toilet facilities, to be erected within the on-site car parking area for a period of 4 months.

The proposed development generally aligns with the applicable Objectives, Desired Character and Principles of the Community Zone and Recreation Policy Area 22, with the replacement of the existing clubrooms with an upgraded multi-functional facility considered to respond to and meet the changing diversity and needs of the community.

The overall design, appearance and streetscape outcome of the proposed building is a significant improvement to what is presently provided, and whilst considerable in its overall size, its moderate height and appropriate design reduces potential bulk and scale impacts and, in my opinion, complements the open nature of the site as well as the desired character of the locality.

The likely hours are not considered to be unreasonable as the various sporting and community uses (and subsequent capacities) are largely continuing their existing operations and will therefore not result in adverse noise impacts significantly over and above that which is already experienced.

Whilst the site maintains a significant shortfall in on-site car parking, it is nonetheless considered that the proposal will not increase the peak demand for on-street car parking, to any significant degree, over and above what can occur at present, or 'as of right'.

Further, the uses anticipated to operate from the proposed building, in of themselves, will not unreasonably increase the overall capacity of the site; rather, the upgrade in facilities may see the more frequent occurrence of functions and uptake of the facility for community uses. As such, whilst it can be concluded that use of the multi-functional building will generate increased traffic to the site over a 24-hour period, the peak traffic generated should be no greater to any significant degree than the number of vehicles currently attending the site during peak events.

The matters of noise, hours of operation and traffic are considered to be adequately addressed throughout the proposal and, subject to several conditions, are considered to reasonable accord with the applicable Principles of Development Control, and will not adversely compromise the amenity of adjacent allotments within the immediate locality.

As a result of the above considerations, it is my view that the proposed development is not seriously at variance to the Marion Council Development Plan, in accordance with Section 35 (2) of the Development Act 1993. Further, the proposed development sufficiently accords with the relevant provisions of the Marion Council Development Plan, and warrants Development Plan Consent subject to conditions.

RECOMMENDATION

Having considered all relevant planning matters in relation to the subject development application:

- (a) The Panel note this report and concur with the findings and reasons for the recommendation;
- (b) The Panel concur that the proposed development is not seriously at variance to the Marion Council Development Plan; and
- (c) That Development Plan Consent for Development Application No: 100/2019/0222 for demolition of the existing sporting clubrooms and subsequent construction of a single-storey building for the purposes of a recreation centre comprising function room facilities with associated meeting room, kitchen, storage, and amenities for public and sporting groups, as well as the construction of temporary structures, for the purposes of change rooms and toilet facilities, to be erected on site for a period of 4 months at Kellett Reserve Oval- Denham Avenue, Morphettville be GRANTED subject to the following conditions:

CONDITIONS

- 1. The development shall proceed in accordance with the plans and details submitted with and forming part of Development Application No. 100/2019/0222, except when varied by the following conditions of consent.
- 2. All uses operating from within the multi-function building shall be undertaken in accordance with the noise mitigation measures outlined within the Environmental Noise Impact Assessment prepared by Resonate Acoustics, dated 22 May 2017.
- 3. Noise generated from the site shall not exceed the maximum noise levels stipulated within the Environment Protection (Noise) Policy 2007, or subsequent legislation.
- 4. Noise emissions generated from the plant equipment shall comply with the applicable criteria outlined within the *Environment Protection (Noise) Policy* 2007, or subsequent legislation.
- 5. Access by service delivery vehicles to the site shall be limited to the hours of 7am to 6pm Monday to Saturday and 9am to 6pm Sunday, and excluding peak activity periods.
- 6. The exterior of the buildings to be constructed shall incorporate anti-graffiti treatment to assist in the removal of graffiti.
- 7. All stormwater from buildings and paved areas shall be disposed of in accordance with the approved plans and details prior to the occupation of the premises to the reasonable satisfaction of the Council.
- 8. The stormwater collection and disposal system shall be connected to the street watertable (inclusive of any system that connects to the street watertable via detention or rainwater tanks) immediately following roof completion and gutter and downpipe installation.

9. A trap shall be installed as part of the site's stormwater system to prevent grease, oil, sediment, litter and other substances capable of contaminating stormwater from entering the Council's stormwater drainage system. The trap shall be regularly cleaned and maintained in good working order to the reasonable satisfaction of the Council.
10. All areas nominated as landscaping or garden areas on the approved plans shall be planted with a suitable mix and density of trees, shrubs and groundcovers prior to the occupation of the premises to the reasonable satisfaction of the Council.
11. All existing vegetation nominated to be retained and all new vegetation to be planted shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council.
12. All landscaped areas shall be separated from adjacent driveways and parking areas by a suitable kerb or non-mountable device to prevent vehicle movement thereon (incorporating ramps or crossovers to facilitate the movement of persons with a disability).
13. Landscaping shall be maintained so as to not obstruct the views of drivers or pedestrians entering or exiting the site, to the reasonable satisfaction of Council.
14. All loading and unloading of vehicles associated with the subject premises shall be carried out entirely upon the subject land.
15. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for the storage or display of any goods, materials or waste at any time.
16. All car parking areas, driveways and vehicle manoeuvring areas must be constructed, sealed and drained in accordance with recognised engineering practices prior to the occupation of the premises or the use of the development herein approved.
17. The driveways, parking areas and vehicle manoeuvring areas must be maintained in a good condition at all times.
18. Where the driveway crosses the front boundary, the finished ground level shall be between 50mm and 150mm above the top of kerb.
19. All on-site car parking spaces shall be linemarked or delineated in a distinctive fashion prior to occupation of the premises, with the marking maintained in a clear and visible condition at all times.
20. Directional signs indicating the location of car parking spaces must be provided on the subject land and maintained in a clear and legible condition at all times.
21. Bicycle facilities shall be provided in accordance with Australian Standard AS 1742.9-2000 "Manual of uniform traffic control devices Part 9: Bicycle facilities".
22. All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.

23. **Pedestrian walkways on the subject site shall be adequately lit in accordance with Australian / New Zealand Standard AS/NZS 1158.3.1:1999 "Road Lighting Part 3.1: Pedestrian area (Category P) lighting - Performance and installation design guidelines". Such lighting shall be maintained at all times, to the reasonable satisfaction of the Council.**
24. **All external lighting of the site, including car parking areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.**
25. **All building and site works within close proximity to the Significant River Red Gum (to the west of the proposed building) shall be undertaken in accordance with the approval of the City of Marion Coordinator Arboriculture.**
26. **Temporary fencing is to be installed at the edge of the Significant River Red Gum tree crown during the demolition of the adjacent building to prevent machinery coming in contact with the tree. Temporary fencing shall consist of chain-mesh panels with concrete or similar feet and only be moved with the permission of Council's Coordinator Arboriculture.**

NOTES

1. **Dust emissions from the site during construction shall be controlled by a dust suppressant or by watering regularly to the reasonable satisfaction of the Council.**
2. **All runoff and stormwater from the subject site during the construction phase must be either contained on site or directed through a temporary sediment trap or silt fence, prior to discharge to the stormwater system, to the reasonable satisfaction of the Council. (Acceptable ways of controlling silt and runoff during construction can be found in the Stormwater Pollution Prevention Code of Practice issued by the Environment Protection Authority).**
3. **All hard waste must be stored on-site in such a manner so as to prevent any materials entering the stormwater system either by wind or water action.**
4. **The proposed crossover/access must be constructed a minimum of one (1) metre clear of all infrastructure, at its closest point, including but not limited to, street trees, stobie poles, SEP's, pram ramps etc.**
5. **Any portion of Council's infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council's satisfaction at the developer's expense.**
6. **Any existing driveway crossovers that become redundant as a result of a development must be reinstated to match the existing kerb profile along the road frontage of the property.**
7. **Noise from devices and/or activities on the subject site should not impair or impinge on the amenity of neighbours at any time. This includes noise generated from plant and equipment (including those servicing the building such as air-conditioning), as well as noise generated from activities such as loading and unloading of goods and/or waste. The Environment Protection Authority has restrictions relating to the control of noise in the urban environment. Further information is available by phoning the Environment Protection Authority on 8204 2000.**

8. It should be ensured that there is adequate handwashing facilities with access to warm running water within all areas of food preparation (refer to Food Safety Standard 3.2.3 [Division 4, Section 14 Hand Washing Facilities]). Including distance.
9. It should be ensured that there is adequate ventilation for cooking equipment being used (refer to Food Safety Standard 3.2.3 [Division 2, Section 7 Ventilation]).
10. It should be ensured that all wastewater and sewage is disposed of adequately (refer to Food Safety Standard 3.2.3 [Division 2, Section 5 Sewage and Waste Water Disposal]).
11. It should be ensured that there is adequate space for the activities occurring within the premise including but not limited to; food preparation, food storage and the cleaning and sanitising of all equipment (refer to Food Safety Standard 3.2.3 [Division 2, Section 3 General Requirements]).
12. There should be adequate equipment available for the cleaning and sanitising of equipment. This may include the use of a double bowl sink or commercial dishwasher (refer to Food Safety Standard 3.2.3 [Division 4, Section 12 General Requirements]).
13. Floors, walls and ceilings should be constructed in such a way that can be effectively cleaned, does not allow harbourage of pests and minimises the potential risk of contamination to food (refer to Food Safety Standards 3.2.3 [Division 3, Section 10 Floors, Section 11 Walls and Ceilings]).
14. The owner/applicant is advised that it is a requirement for all food businesses to comply with the Food Act 2001, The Food Safety Standards and The Food Standards Code and they will be required to complete a Food Business Notification Form, which can be found on the council website. Council's Environmental Health Team also offers a pre-opening inspection of the premise at no cost to the owner/applicant. Please contact the Council's Environmental Health Team if you wish to arrange for this service.

Attachments

- Attachment I: Certificate of Title*
Attachment II: Aerial Photograph/Site Locality Plan
Attachment III: Proposal Plan and supporting documentation
Attachment IV: Statement of Representations
Attachment V: Applicants Response to Representations