



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

**27 JANUARY 2016**

**MEMBERS PRESENT**

Mr D Wallace (Presiding Member)  
Mr R Bateup  
Mr C Buchanan  
Ms L Caruso  
Ms S Johnston (from 6.12 pm)  
Mr J Watson  
Mr S White

**STAFF**

General Manager City Development, Mr T Sutcliffe  
Team Leader – Planning, Mr A Curtis  
Principal Development Engineer – Ms S Chadwick

The meeting commenced at 6.00 pm

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

**APOLOGIES**

Ms S Johnston for late arrival.

**PRESENTATION OF MINUTES**

Mr C Buchanan moved, and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 15  
December 2015, be taken and read as confirmed.

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## REPORTS

### *Development Applications*

#### 5.1.1 **361/1970/2015/3B**

Part two storey building with attached porch to be used as place of worship at 30-32 Kesters Road, Para Hills West for Ebenezer Pentecostal Assembly

### **REPRESENTORS**

Mr David Bryant, resident, spoke to his representation.

Mr Daniel Lees (Sagle Constructions), spoke on behalf of the applicant.

Mr C Buchanan moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury (City) Development Plan – Consolidated 10<sup>th</sup> September 2015.
- B. Pursuant to Section 33 of the Development Act 1993, Development Plan Consent is **GRANTED** to application number 361/1970/2015/3B for part two storey building with attached porch to be used as place of worship in accordance with the plans and details submitted with the application and subject to the following conditions:
  1. The proposal shall be developed in accordance with the details and Council stamped approved plans lodged with the application, except where varied by the conditions herein.

Relevant plans and documents are listed as follows:

- *Site Plan, Revision D, Plan No. S3015 DA 1*
- *Floor Plan, Revision D, Plan No. S3015 DA2*
- *Elevation Plan, Revision D, Plan No. S3015 DA 3*
- *Summary of Ebenezer Pentecostal Assembly Place of Worship, received by Council dated 23<sup>rd</sup> October 2015*

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

2. The maximum number of attendees within the facility at any one time shall not exceed 90.

*Reason: To ensure that sufficient car parking is provided commensurate with the maximum number of attendees.*

3. Except where otherwise approved, the operating hours for the place of worship shall not extend beyond the times specified in the Approved Summary of Ebenezer Pentecostal Assembly Place of Worship, received by Council dated 23<sup>rd</sup> October 2015.

*Reason: To ensure that operating hours for the place of worship do not adversely impact upon residential amenity within the locality.*

4. Except where otherwise approved, the external finishes and colours of the new building shall:
  - (a) Be of new non-reflective materials; and
  - (b) Be of colours to the reasonable satisfaction of Council; and
  - (c) Be maintained in good and reasonable condition at all times.

A final materials and colours schedule shall be provided to Council for approval, prior to Development Approval.

*Reason: To ensure the building is of a high external standard and complements existing buildings and uses within the locality.*

5. Except where otherwise approved, no advertisements or advertising displays including flags, streamers or bunting, shall be displayed on or about the subject land at any time.

*Reason: To restrict the proliferation of advertisements on the site.*

6. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers as appropriate to complement the approved building and site layout and achieve a high level of amenity. All landscaping is to be completed prior to use of the building and shall be maintained at all times to the satisfaction of Council.

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

7. All lighting associated with the herein approved use shall be constructed and maintained in such a way as to limit any nuisance or inconvenience to traffic and adjoining properties. All lighting is to be kept in good repair and post construction, should light spillage be deemed unreasonable by Council, further adjustment and/or screening may be required.

*Reason: To preserve the amenity of adjacent properties.*

8. Stormwater systems shall be designated and constructed to cater for minor storm flows (Industrial / Commercial ARI = 10 years). 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 properties for the major storm event ARI = 100 years.

*Reason: To ensure flood protection for the building.*

9. The stormwater drainage system for the development is to 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. The Finished Floor Level for the new building is to be a minimum of 150mm above the Q100 flood level adjacent the building.

*Reason: To ensure flood protection for the building.*

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

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

12. 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.*

13. 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 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.*

14. All construction is to be completed to the reasonable satisfaction of Council. Detailed designs and specifications for all civil works are to be provided to Council for comment prior to construction and no construction is to commence until requirements have been met. Damage sustained to any new or existing infrastructure during the course of the works is to be rectified to Council satisfaction prior to the completion of development works.

*Reason: To ensure that the development complies with Standards, best Engineering Practice and Council Policy.*

15. No amplification devices of any type are to be used outside of the building on the subject land.

*Reason: To ensure that noise does not cause nuisance to adjoining occupiers or owners thereby reducing the amenity of the locality.*

16. The growing of fruit and/or vegetables is not permitted on the subject land at any time, unless the owner undertakes a site contamination assessment meeting the requirements of the Environment Protection Authority that demonstrates that the land is suitable for planting of edible vegetation.

*Reason: To ensure that risk to human health is avoided.*

## OTHER BUSINESS

### OB1 Status of Current Appeal Matters and Deferred Items

**361/935/2015/3B** ..... DAP Decision Date 21 July 2015

**Farmers Market Independent of Existing Old Spot Hotel at 1955 Main North Road, Salisbury Heights for Mark Aldridge t/a Farm Direct Community Markets**

Judgement delivered on 21<sup>st</sup> January 2016 which held that a market is a form of “shop”, meaning the application should have been assessed as a non-complying form of development.

The judgement has quashed the previous development approval granted and has reverted the application back to Council to assess as a non-complying form of development.

The current enforcement notice issued by Council against the property has been suspended by the Court until further direction. This matter is due back in Court on 1<sup>st</sup> March 2016.

361/2343/2014/3X.....DAP Decision Date 15 December 2015

**Construction of Brick Wall (to be constructed on Portion of eastern boundary) at 10 David Road, Para Vista for B Stratford**

Third party appeal has been received from neighbour against decision of Council. Preliminary conference has been set for 15<sup>th</sup> February 2016.

**OB2 Policy Issues Arising from Consideration of Development Applications**

Nil

**OB3 Development Assessment Panel Workshop**

At the conclusion of the meeting, the Panel held a workshop to review its Terms of Reference and agenda report format. A report will be presented to the next meeting of the Panel with revised Terms of Reference for consideration.

Ms S Johnston advised that she will be an apology for the February meeting.

The meeting closed at 6.45 pm.

PRESIDING  
MEMBER.....

DATE.....