



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

24 JANUARY 2017

MEMBERS PRESENT

Mr D Wallace (Presiding Member)
Mr R Bateup
Ms L Caruso
Ms S Johnston
Mr G Reynolds
Mr J Watson
Mr S White

STAFF

Manager Development Services, Mr C Zafirooulos
Development Officer – Planning, Ms K Thrusell
Development Officer – Planning, Mr C Carrey

The meeting commenced at 6:01 pm.

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

APOLOGIES

Nil

PRESENTATION OF MINUTES

Mr R Bateup moved and the Panel resolved that:

The Minutes of the Development Assessment Panel Meeting held on 13 December 2016, be taken and read as confirmed.

REPORTS

Development Applications

5.1.1

361/2086/2016/2T

Removal of a Regulated Tree on Road Reserve at Adjacent 27 Andrew Smith Drive, Parafield Gardens, SA 5107 for City of Salisbury

REPRESENTORS

Mr G Harward, spoke on behalf of Ms J Harward, on behalf of their representation.

B & A Harward spoke on behalf of their representation.

APPLICANT'S RESPONSE

Mr M Oborn, City of Salisbury, Coordinator – Tree Services, spoke on behalf of the applicant.

Mr R Bateup moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Council Development Plan – Consolidated 7 July 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **REFUSED** to application number 361/2086/2016/2T for Removal of a Regulated Tree on Road Reserve adjacent 27 Andrew Smith Drive, Parafield Gardens for the following reasons:
 - a) The tree warrants retention as it provides important aesthetic benefit to the locality and significantly contributes to the character and visual amenity of the locality, consistent with Objective 1 and 2, General Section: Regulated Trees module.
 - b) There are no relevant grounds for removal of the tree under Principle of Development Control 2, General Section: Regulated Trees module.

5.1.2**361/2237/2016/2T**

Removal of Regulated Tree on Road Reserve at Adjacent 58 Canterbury Drive, Salisbury Heights for City of Salisbury

REPRESENTORS

Mr J Mifsud spoke on behalf of Ms A Mifsud, to their representation.

APPLICANT'S RESPONSE

Mr M Oborn, City of Salisbury, Coordinator – Tree Services, spoke on behalf of the applicant.

Ms S Johnston moved, and the Panel resolved that:

- B. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 7 July 2016.
- C. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **REFUSED** to application number 361/2237/2016/2T for Removal of Regulated Tree on Road Reserve adjacent 58 Canterbury Road, Salisbury Heights for the following reasons:
 - a) The tree warrants retention as it provides important aesthetic benefit to the locality and significantly contributes to the character and visual amenity of the locality, consistent with Objective 1 and 2, Council-wide “Regulated Trees” module.
 - b) There are no relevant grounds for removal of the tree under Principle of Development Control 2, Council-wide “Regulated Trees” module.

5.1.3

361/1219/2016/NB

Change of use (unit 7) to place of worship for temporary period of five (5) years (non-complying development) at Unit 7, 38-50 Barndioota Road, Salisbury Plain for Omega Fire Ministries International Inc.

REPRESENTORS

Nil

APPLICANT’S RESPONSE

M Richardson, Masterplan, appeared on behalf of the applicant.

Mr S White moved, and the Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Council Development Plan – Consolidated 5 May 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1219/2016/NB for Change of use (unit 7) to place of worship for temporary period of five (5) years (non-complying development) in accordance with the plans and details submitted with the application. subject to the following conditions and the concurrence of the Development Assessment Commission:

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
Dated 20 June 2016	Statement of Support	Received by Council dated 23 June 2016	Masterplan
Not stated	Statement of Effect	Received by Council dated 26 September 2016	Masterplan
Not stated	Site Plan	Received by Council dated 26 September 2016	Masterplan

Not stated	Floor Plan	Received by Council dated 26 September 2016	Masterplan
A16437RP1, Revision B	Omega Fire Ministries Acoustic Consultancy Report: Music Noise Assessment	Received by Council dated 26 September 2016	Resonate Acoustics – Josh Loh
Dated 10 November 2016	Response to Representations	Received by Council dated 16 November 2016	Masterplan

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

- Use of Unit 7 for a place of worship shall cease 5 years from the date of development approval.

Reason: To ensure the use is for a temporary period only.

- Except where otherwise approved, the operating hours for the place of worship shall not extend beyond the times specified in the approved Statement of Support and Statement of Effect.

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

- The maximum number of worshippers within the tenancy at any one time between 9.00am and 6.00pm Monday to Friday shall not exceed 10 persons.

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

- The maximum number of worshippers within the tenancy at any one time for church services shall not exceed 50 persons.

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

- Internal noise levels within Unit 7 shall not exceed 88db(A).

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

7. External noise levels measured at 36 Barndioota Road, Salisbury Plain shall not exceed the criteria (L₁₀) in any octave band as identified in Table 4 of Omega Fire Ministries Acoustic Consultancy Report: Music Noise Assessment (Report Number A16437RP1, Revision B).

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

8. No amplification devices of any type are to be used outside of the building on the site at any time.

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

9. All waste and other rubbish shall be contained and stored pending removal in covered containers and waste containers must not be located within designated car parks, manoeuvring areas or traffic aisles.

Reason: To maintain the amenity of the locality.

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

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

11. All carparking associated with the place of worship shall be contained to the marked car parks.

Reason: To ensure carparking is utilised in an orderly manner.

Advice Notes

1. This is not a building consent, and a satisfactory application for Provisional Building Rules Consent has to be submitted before Council can issue a Development Approval.
2. Advertisements and advertising displays are not included in the consent granted. It will be necessary to make a fresh and separate application for any future proposed advertising signage.
3. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the subject property from previous approvals that remain active.

OTHER BUSINESS

5.2.1 Status of Current Appeal Matters and Deferred Items

Nil

5.2.2 Policy Issues is Arising from Consideration of Development Applications

That staff provide a report on the policies and procedures for street tree removal, including the Council Tree Policy and the alignment with the Regulated and Significant Tree Policies of the Development Plan, Councils delegations and how the community can access HACC assistance with the maintenance of trees.

5.2.3 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 28th February 2017.

The meeting closed at 7:50 pm.

PRESIDING
MEMBER.....

DATE.....