



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

22 MAY 2018

MEMBERS PRESENT

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

STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos (Assessment Manager)
Team Leader – Planning, Mr A Curtis
Development Officer – Planning, Ms M Molinaro
Planning Consultant, Mr M Atkinson

The meeting commenced at 6.00pm

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

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1

361/284/2018/2T

Removal of one regulated tree on Council road reserve at Adjacent to 53 Margaret Avenue, Salisbury for City of Salisbury

REPRESENTATIONS

Mr Hoa Thai Nguyen, spoke to his representation.

Mr M Oborn (Coordinator Tree Services), on behalf of the applicant, spoke to their application.

Ms S Johnston moved and the Council Assessment Panel resolved that:

1. Development Application 361/284/2018/2T for Removal of One Regulated Tree on Council Road Reserve Adjacent to 53 Margaret, Salisbury is at variance with the Objectives and Principles of the City of Salisbury Development Plan, consolidated 15 December 2016 and therefore Development Approval is REFUSED 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 and 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.
2. The Council consider implementing the tree pruning recommendations contained in the independent arborist report prepared by Symatree.

5.1.2**361/515/2018/3B**

Change of use from scout hall to place of worship at 38 Mortess Street, Brahma Lodge SA 5109 for K Hamzah

REPRESENTATIONS

Ms S Graham & Mr H Barker, spoke to their representation.

Mr K Hamzah, applicant, spoke to their application.

Ms S Johnston moved and the Council Assessment Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 15th December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/515/2018/3B for Change of use from scout hall to place of worship in accordance with the plans and details submitted with the application and subject to the following conditions:

Development Plan Consent Conditions

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

Drawing No.	Plan Type	Date	Prepared By
Dated 9 April 2018	Planning Report	Received by Council dated 9 April 2018	Town Planning Advisors
Not stated	Site Plan	Received by Council dated 9 April 2018	Applicant
Not stated	Floor Plan	Received by Council dated 9 April 2018	Applicant
Dated 1 May 2018	Response to representations	Received by Council dated 1 May 2018	Town Planning Advisors

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

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2. Except where otherwise approved, the operating hours for the place of worship shall not extend beyond the times specified in the approved documents, namely: Monday to Sunday – 1.00pm to 9.00pm.

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

3. The maximum number of worshippers within the building at any particular time shall not exceed 20 persons.

Reason: To ensure that sufficient car parking is provided commensurate with the existing demand for the site.

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

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

5. All driveways and car parking areas as shown on the Approved Site Plan, prepared by the applicant, received by Council dated 9 April 2018, shall be constructed in concrete, pavers or bitumen. Individual car parking bays shall be line-marked. The driveways and car parking areas shall be established within three months from the date of Development Approval and shall be maintained at all times thereafter to the satisfaction of Council.

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

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

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

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

Reason: To maintain the amenity of the locality.

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

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

Advice Notes

1. 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.
2. 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 Planning Reforms - Introduction of an Accredited Professionals Scheme

The report on the *Accredited Professionals Scheme Discussion Paper* was noted and the submission on behalf of the Assessment Panel dated 30 June 2018 forming an attachment to the agenda report endorsed.

5.2.2 Status of Current Appeal Matters and Deferred Items

The Manager Development Services provided the following verbal update to the Panel:

Shia Community of SA Third Party Appeal, 256-258 Bridge Road, Pooraka – The Court has taken submissions from the parties in respect to conditions of approval and is expected to finalise its determination shortly.

United Sikhs of SA Appeal, 701-709 Pt Wakefield Road, Globe Derby Park – The appellant has requested that the appeal be set aside for a further 4 months. The conference has been adjourned by the Court until 19 September 2018.

5.2.3 Policy Issues is Arising from Consideration of Development Applications

Nil

5.2.4 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 26 June 2018.

ADOPTION OF MINUTES

Ms L Caruso moved, and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 7.15 pm.

PRESIDING MEMBER: Mr Doug Wallace

DATE: 22 May 2018
(refer to email approving minutes registered in Dataworks
Document Number 4864709)