



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

28 MAY 2019

MEMBERS PRESENT

Ms S Johnston (Deputy Presiding Member)
Mr R Bateup
Mr J Watson
Mr B Brug

STAFF

General Manager City Development, Mr T Sutcliffe
Manager Development Services, Mr C Zafirooulos (Assessment Manager)
Team Leader – Planning, Mr A Curtis

The meeting commenced at 6.00pm

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

APOLOGIES

Apologies were received from Mr D Wallace (Presiding Member).

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 26 March 2019, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1

361/873/2018/NB

Change of use to salvage yard (reception, storage, sorting and disposal of inert construction waste), service trade premises, truck parking and construction of shed (non-complying) at 1415-1417 Main North Road, Para Hills West SA 5096 for Aleks Sopic

REPRESENTORS

Nil

APPLICANT

Mr Marcus Rolfe , URPS, spoke on behalf of the applicant.

Mr Aleks and Mr Dejay Sopic, spoke on behalf of the applicant.

Mr R Bateup moved and the Development Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Salisbury Development Plan – Consolidated 15 December 2016.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/873/2018/NB for Change of use to salvage yard (reception, storage, sorting and disposal of inert construction waste), service trade premises, truck parking and construction of shed (non-complying) in accordance with the plans and details submitted with the application and subject to the following conditions and the concurrence of the State Commission Assessment Panel:

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
SK02 Revision A	Site Plan (Turning Paths to Shed)	Date Received by Council Stamped 26 February 2019	FMG Engineering
-	Elevations	Date Received by Council Stamped 26 February 2019	Bargain Steel Centre

-	Statement of Support	Date Received by Council Stamped 21 September 2018	URPS
-	Statement of Effect	Date Received by Council Stamped 26 February 2019	URPS
S5712C1	Environmental Noise Assessment (“Acoustic Report”)	Date Received by Council Stamped 30 August 2018	Sonus
S42989-264018	Stormwater Management Plan	Date Received by Council Stamped 8 April 2019	FMG Engineering
18ADL-0091	Response to Request for Additional Information	Date Received by Council Stamped 8 April 2019	URPS

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

2. The Developer shall employ measures to eliminate dust emission from the site during construction period so as not to cause nuisance to adjoining residents

Reason: To preserve the amenity of the locality during construction work.

3. The approved use operating times for the salvage yard (reception, storage, sorting and disposal of inert construction waste) shall be limited as follows:

- a. Monday to Friday 7.00am to 4.00pm.
- b. No activity on Saturdays, Sundays and Public Holidays

Reason: To limit the effect of nuisance to residents living in the locality.

4. The approved use operating times for the service trade premises shall be limited as follows:

- a. Monday to Friday 9.00am to 5.00pm.
- b. No activity on Saturdays, Sundays and Public Holidays

Reason: To limit the effect of nuisance to residents living in the locality.

-
5. The development shall be carried out in accordance with the recommendations contained within the Acoustic Report, approved by Council under Development Plan Condition 1 – in particular, the Applicant/Operator shall ensure:
 - a. Any permanent vehicle on site such as the forklift is fitted with broadband type reversing alarms in lieu of tonal alarms
 - b. Ensure the new building is sealed airtight at all junctions and joins

Reason: To preserve the amenity of the locality.

6. Outside lighting shall be restricted to that necessary for security purposes only and shall be directed and shaded to prevent light overspill and/or nuisance to adjacent occupiers or distraction to drivers on adjacent public roads.

Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

7. All loading and unloading of vehicles and maneuvering of vehicles in connection with the now approved land use shall be carried out entirely within the subject land.

Reason: To ensure that vehicles associated with the land use do not cause disruption of danger to vehicles on adjoining public roads.

Conditions recommended by Development Engineering

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

Reason: To ensure flood protection of the buildings.

9. The carparking 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.

-
10. 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 carparking bays shall be clearly linemarked. Driveways and carparking areas shall be established prior to the approved use commencing and maintained at all times to the satisfaction of Council.

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

Conditions Directed by the Environment Protection Authority (EPA)

11. Within three months of Development Approval, the new shed building must be sealed airtight at junctions and joins.
12. All wastes must be received and sorted in the approved new shed structure only.
13. No processing of wastes (e.g. crushing) is to occur at the site.
14. For any flammable liquids stored at the site, bund capacity must be at least 133% of the net capacity of the largest tank.

Note: Refer to the EPA Guideline Bunding and spill management (https://www.epa.sa.gov.au/files/47717_guide_bunding.pdf) for guidance.

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.

Advice Notes by the Environment Protection Authority (EPA)

2. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes ensuring that vehicles permanently located onsite (such as forklifts) are fitted with a broadband type reversing alarm.
3. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence

4. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
5. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

OTHER BUSINESS

5.2.1 Status of Current Appeal Matters and Deferred Items

Judicial Review proceedings in the Civil Jurisdiction of the Supreme Court of South Australia - 83 Saints Road Nominees Pty Ltd and City of Salisbury and GIC Kings Road Pty Ltd – Mixed Use Retail and Entertainment Complex, 1460 Main North Road, Salisbury South

Staff provided a verbal update and advised that the appellant has withdrawn their appeal and agreed to make a payment towards Councils legal costs.

5.2.1 Policy Issues is Arising from Consideration of Development Applications

Nil

5.2.3 Acknowledgement

The Deputy Presiding Member and General Manager City Development took the opportunity to thank Panel members and staff for their contributions to the Panel.

5.2.4 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 25 June 2019

ADOPTION OF MINUTES

Mr Watson 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 6.19pm.

DEPUTY PRESIDING MEMBER: Ms S Johnston

DATE: 28 May 2019
(refer to email approving minutes registered in Dataworks Document Number 5411800)