



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

**26 NOVEMBER 2019**

**MEMBERS PRESENT**

Mr T Mosel (Presiding Member)  
Mr R Bateup  
Ms C Gill  
Mr B Brug

**STAFF**

Manager Development Services, Mr C Zafirooulos (Assessment Manager)  
Planning Consultant, Mr M Atkinson  
Development Officer – Planning, Ms K Brown  
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.30pm

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

**APOLOGIES**

Apologies were received from Mr M Canny.

**ENDORSED MINUTES FROM PREVIOUS MEETING**

The Minutes of the Council Assessment Panel Meeting held on 22 October 2019, be taken and read as confirmed.

**DECLARATIONS OF CONFLICTS OF INTEREST**

Nil

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## REPORTS

### *Development Applications*

#### 5.1.1

#### **361/799/2019/2B**

Scrap metal recycling facility (container and truck storage, weighbridge, bin storage, office/amenities, storage and processing shed, fencing and associated carparking, stormwater detention and landscaping) (staged development) at 361-369 Diment Road, Direk SA 5110 for Ferris Metal Recyclers

## REPRESENTORS

Mr Rocco Caruso spoke to his representation.

## APPLICANT

Ms Rosanne Calabrese, Planning Consultant and Mr Nicholas Calabrese, Environmental Consultant, spoke on behalf of the applicant.

Mr R Bateup moved and Ms C Gill seconded, 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 4 April 2019.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/799/2019/2B for Scrap metal recycling facility (container and truck storage, weighbridge, bin storage, office/amenities, storage and processing shed, fencing and associated carparking, stormwater detention and landscaping) (staged development) in accordance with the plans and details submitted with the application and subject to the following reserved matter and conditions:

### Reserved Matter

The following matter shall be submitted for further assessment and approval by the Manager – Development Services, as delegate of the Council Assessment Panel, as a Reserved Matter under Section 33(3) of the *Development Act 1993*:

1. Civil and stormwater plans prepared by a suitably qualified engineer are required detailing:
  - a. Finished floor levels for all buildings and hardstand surfaces
  - b. Cut/fill details
  - c. Retaining walls, kerbing or ramps, their design and grades
  - d. Pavement design details and gradients

- e. Car parking dimensions, aisle widths, circulation movements and associated parking markings and signage
  - f. Stormwater management arrangements, including accompanying design calculations, which consider the minor storm (Q10) and major storm (Q100) events. Discharge to the external underground stormwater system is not to exceed pre-development minor storm flows.
  - g. Water sensitive urban design measures to maximise stormwater detention on-site
  - h. Surface water treatment to ensure water quality objectives are met.
2. An amended Site Plan and boundary cross section shall be submitted for Approval and shall designate raised mounds to the external sides of the full length of the acoustic screen (i.e. container walls) adjacent to both side boundaries to in part screen the container walls and to provide visual relief. The boundary tree plantings shall be accommodated on top of the mounds and spaced to provide the effect of a continuous screen, together with an understory screen of approximately three metres. To the extent necessary to accommodate the mounds, the acoustic screen (i.e. container walls) shall be shifted inwards.

Note: Some consequential adjustment of the site layout may be necessary to accommodate this change.

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:

<b>Drawing No.</b>	<b>Plan Type</b>	<b>Date Received</b>	<b>Prepared By</b>
0119-004-02 Revision B	Site Plan	20 August 2019	Calabrese Partners
0119-004-03 Revision B	Site Stormwater Plan	20 August 2019	Calabrese Partners
0119-004-04 Revision B	Shed Elevations	20 August 2019	Calabrese Partners
0119-004-B01 Revision B	Building Floor Plan	20 August 2019	Calabrese Partners
0119-004-B02 Revision B	Building Elevations	20 August 2019	Calabrese Partners
0119-004-B03 Revision B	Building Isometric	20 August 2019	Calabrese Partners
0119-004-06 Revision B	Landscaping Plan	12 September 2019	Calebrese Partners
0119-004-05 Revision B	Staging Plan	20 August 2019	Calabrese Partners
N/A	Planning Report	10 May 2019	Calabrese Partners

N/A	Response to Representations	5 July 2019	Calabrese Partners
S6102C2	Environmental Noise Assessment Acoustic Report	30 August 2019	Sonus Pty Ltd
19145	Traffic and Parking Report	30 August 2019	CIRQA

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

2. The development and operational activities shall be carried out in accordance with all noise attenuation measures contained within the Environmental Noise Assessment Acoustic Report, No. S6102C2, dated August 2019, prepared by Sonus Pty Ltd shall be implemented prior to the operation of the facility and maintained at all times to ensure compliance with the *Environment Protection (Noise) Policy*.

These measures shall include:

- a. Ensure the handling of ferrous materials occurs between the hours of 7.00am and 10.00pm only;
- b. Construct acoustic barriers to a minimum height of 7.8 metres at the locations and to the extent shown in Appendix B of the report. The height corresponds to three shipping containers placed on top of one another;
- c. Provide acoustic absorption to the face of the acoustic barriers for the full height of the barrier and to the extent show in Appendix B of the report. The acoustic barrier should have a minimum Noise Reduction Coefficient (NRC) of 0.8.

*Reason: To limit the effect of noise on the locality.*

3. Noise measured at the nearest residential property boundary shall remain within the requirements of the Environment Protection Authority (EPA) guidelines for development adjacent to residential areas.

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

4. The proposed acoustic barriers will comprise of painted shipping containers, stacked a maximum three (3) high with an overall height of 7.8 metres. The acoustic barriers will be painted in a Pale Eucalypt colour and will be screened by landscaping, including evergreen trees with a mature height of ten (10) metres prior to the operation of the facility.

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

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5. 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.*

6. The designated landscaping areas as shown on the approved Landscaping Plan (Drawing No. 0119-004-06, Revision B), prepared by Calebrese Partners, received by Council dated 12 September 2019 shall be planted with shade trees, shrubs and ground covers as appropriate to complement the approved buildings and site layout and achieve a high level of amenity. Shade trees shall be planted throughout the car parking areas and screening shrubs shall be located to obscure views of large blank walls and less attractive elements of the development.

To avoid doubt, all landscaping shall be completed prior to the operation of the facility and shall be maintained (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council.

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

7. Except where otherwise approved, the external finishes of the building shall:
  - (a) Be of new non-reflective materials;
  - (b) Be finished in natural tones in accordance with the Approved Plans;
  - (c) Be maintained in good condition at all times; and
  - (d) Be kept free of any graffiti. Any graffiti shall be removed within 24 hours.

*Reason: To ensure the building appears as one and maintains the amenity of the locality.*

8. All mechanical services to the building and in conjunction with the proposed use shall be designed, installed and operated in such a manner that any person or persons working within or adjacent to the site should not be subjected to any nuisance or inconvenience from noise or fumes.

*Reason: To limit the effect of the mechanical services for activities on the subject land within the site, thereby maintaining the amenity of the locality.*

9. All loading and unloading of vehicles and manoeuvring of vehicles in connection with the now approved land use shall be carried out entirely within the site at all times.

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

10. Stormwater systems shall be designed and constructed to cater for minor storm flows from a 10yr ARI event. No stormwater shall discharge to any adjoining private land.

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

11. Surface stormwater shall be managed in so that there is no ponding of water against buildings or structures, no runoff into neighbouring properties and does not put downstream property at risk during the 100yr ARI event.

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

12. Peak stormwater discharge from the site be restricted to the peak pre-development minor storm discharge rates for equivalent events up to the 100yr ARI event.

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

13. Storm runoff from building roof areas is to be separated from the runoff from ground or paved surfaces and may be discharged directly to Council's underground drainage system without treatment to improve water quality.

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

14. The following Water Sensitive Design elements and principles are to be included in the stormwater drainage design:

- a. Grassed or vegetated swale drains and sedimentation / detention basins are to be used to convey storm runoff from paved surfaces, including car parking areas, to Council's downstream drainage system to reduce the extensive use of hard concrete kerb edges and underground piped drainage systems. The use of permeable paving for car parking areas is suggested as a means of increasing the site stormwater detention / retention and infiltration rates and to reduce the volumes and peak discharge rates to Council's downstream system.
- b. Use of grassed swale systems is preferred in providing primary treatment of stormwater runoff by filtering and removal of silt, sediments, oil and grease before discharge to downstream drainage systems. Systems may incorporate bio-retention treatment systems.
- c. The minor stormwater drainage system of grassed swale drains, culverts, pits and pipes is to be designed with capacity to convey the runoff resulting from a 1 in 10 year ARI storm event.
- d. Development is to comply with principles and recommendations of Water Sensitive Urban Design in Greater Adelaide Technical Manual and Council's Flood Management Strategy. The following

water quality targets apply:

- ii. 80% retention of the typical urban annual load for Total Suspended Solids (TSS)
  - iii. 60% retention of the typical urban annual load for Total Phosphorus (TP)
  - iv. 60% retention of the typical urban annual load for Total Nitrogen (TN)
  - v. 100% retention of the typical urban annual load for Gross Pollutants (litter)
  - vi. No visible oil flows up to the 3month ARI peak flow.
- e. In addition to grassed swale systems, Gross Pollutant Traps (GPT's) including trash racks and trash nets (if applicable) are to be included in the stormwater drainage system to capture stormwater pollutants such as rubbish, floatable litter and to capture oil and grease. GPTs, stormwater quality improvement devices (SQID's) and drainage systems are to include high flow bypass and overflow provisions to accommodate extreme storm events.

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

15. Finished floor levels of buildings shall be the greater of the following:

- a. A minimum of 300mm above the crown of the Diment Road adjacent the building; or
- b. A minimum of 150mm above the Q100 flood level within the sealed area adjacent the building.

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

16. All driveways, manoeuvring areas and hardstand areas shall be constructed in accordance with the approved Site Plan and Staging Plan, prepared by Calabrese Partners, received by Council dated 20 August 2019. The surface shall consist of brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types. Individual car parking bays shall be clearly line-marked. Driveways and car parking areas shall be established in accordance with the staging plan and shall be maintained at all times to the reasonable 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.*

17. The developer shall employ measures to eliminate dust emission from the site during construction period so as not to cause nuisance to nearby residents.

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

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18. 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.*

19. All works for Stage 1 comprising part ferrous metal yard, all acoustic screening, stormwater detention basin, part stormwater swales, concrete rubble car parking area, part driveway, all boundary fencing and all landscaping shall be completed prior to the commencement of use.

All works for Stage 2, being the completion of the ferrous metal yard, completion of the stormwater swales, the weighbridge, bitumen car parking area and concrete driveway to the weighbridge shall be completed prior to the commencement of Stage 2.

All works for Stage 3, being the remainder of the development including the construction of the two (2) main buildings (office and processing buildings) and product storage bays shall be completed prior to the commencement of Stage 3.

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

EPA Conditions

20. Prior to the commencement of waste receipt, the following must be constructed as per the plans and details provided with Development Application 361/799/2019/2B:
- the access road including concreted entrance
  - the concrete crushed rubble base for the ferrous scrap yard
  - the concrete crushed rubble base for the truck turn around and parking areas
  - the concreted product storage bays and bin storage area
  - the oily waste concrete pad.
21. Liquid waste must be contained within a bunded area with a capacity of at least 120% of the total volume and must be constructed to prevent the escape of material into surface or underground water resources. Note: The EPA's Guidelines for Bunding and Spill Management, August 2012 can be accessed via the following link:  
[http://www.epa.sa.gov.au/xstd\\_files/Waste/Guideline/guide\\_bunding.pdf](http://www.epa.sa.gov.au/xstd_files/Waste/Guideline/guide_bunding.pdf)
22. Batteries received on site must be stored undercover.
23. Baling of non-ferrous metals and shearing of ferrous materials are only to be undertaken between 7am and 10pm.



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24. Prior to operation, acoustic barriers must be constructed to a minimum height of 7.8 metres and as described on Page 7 of the SONUS report: Ferris Metal Recycling, 361 Diment Road, Direk, Environmental Noise Assessment, August 2019 (August 2019) including height, location and Noise Reduction Coefficient of the absorption material.

Advice Notes

1. This is not a building consent, and a satisfactory application for Building Rules Consent must be submitted and approved before the Council can issue a Development Approval.

EPA Notes

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 taking all reasonable and practical operational steps to reduce off site noise, and ensuring that all trucks and forklifts are be fitted with broadband reverse beepers.
3. The applicant is reminded that noise from construction, demolition and site preparation activities is required to meet the mandatory provision of part 6 Division 1 of the Environment Protection (Noise) Policy 2007.
4. 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](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence)
5. 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.
6. The applicant should be aware of the relevant requirements within the Environment Protection (Noise) Policy 2007. Information is available at:  
[http://www.epa.sa.gov.au/data\\_and\\_publications/standards\\_and\\_laws/environment\\_protection\\_noise\\_policy](http://www.epa.sa.gov.au/data_and_publications/standards_and_laws/environment_protection_noise_policy)
7. 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>

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## **OTHER BUSINESS**

### **5.2.1 Status of Current Appeal Matters and Deferred Items**

Nil

### **5.2.2 Policy Issues Arising from Consideration of Development Applications**

Nil

### **5.2.3 Future Meetings & Agenda Items**

Next meeting scheduled for Tuesday 17 December 2019

## **ADOPTION OF MINUTES**

Mr Brug 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 8.10pm.

### **PRESIDING MEMBER:**

Mr T Mosel

### **DATE:**

26 November 2019  
(refer to email approving minutes registered in Dataworks  
Document Number 5700039)