



**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN LITTLE PARA
CONFERENCE ROOMS, 34 CHURCH STREET, SALISBURY ON**

25 AUGUST 2020

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
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
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 Atkinson and Ms C Gill.

Mr M Atkinson advised that he has a conflict of interest for Item 5.1.1 on the Agenda, therefore would not attend the meeting as this was the only development application for consideration by the Panel.

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 16 June 2020, be taken and read as confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

5.1.1 **361/1880/2018**

Amend operating hours to 24 hours and construct acoustic barrier of 6m high in association with existing road transport terminal at 6 EW Pitts Avenue, Cavan for Eades Transport

REPRESENTORS

Dr Koti, spoke to his representation.

APPLICANT

Mr Darrell Eades and Paul Howell, Eades Transport, spoke on behalf of their application.

Mr Chris Turnbull, Sonus, spoke on behalf of the applicant.

Mr R Bateup 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 15 December 2016;
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 361/1880/2018 for “Amend operating hours to 24 hours and construct acoustic barrier of 6m high in association with existing road transport terminal” in accordance with the plans and details submitted with the application, 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
Not Stated	Letter to Council	24 October 2020	Eades Transport
DWG No. 0	Site Plan	Not Dated	Not identified
HE9720	Elevations & Details	Dated 17 April 2020	Harnett Engineering
S5844C4	Environmental Noise Assessment	Dated April 2019	Sonus

* *The approved documents referred to above are subject to change where a minor variation has been authorised, pursuant to Regulation 47A of the Development Regulations 2008.*

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

2. The noise levels from the road transport terminal measured at residences (the noise affected premises) shall comply with the *Environment Protection (Noise) Policy 2007* at all times.

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

3. The acoustic barrier and all other noise attenuation measures recommended within the approved Environmental Noise Assessment, prepared by Sonus, dated April 2020, shall be completed, within 4 months of this consent. The acoustic barrier and all other noise attenuation measures shall remain in place in good condition at all times.

Reason: To ensure the proposed development is undertaken in accordance with the Environmental Noise Assessment, prepared by Sonus, dated April 2020.

4. Activities within the night-time period (i.e. 10:00pm to 7:00am) shall not exceed the activity limits identified on page 8 of the Environmental Noise Assessment, prepared by Sonus, dated April 2020.

Reason: To ensure the proposed development is undertaken in accordance with the Environmental Noise Assessment, prepared by Sonus, dated April 2020.

5. The 6 metre high acoustic barrier shall be finished in pre-colour coated metal to match Colorbond “Pale Eucalypt”, to the satisfaction of the Relevant Authority.

Reason: To ensure the fence is muted in tone and complements the existing Council fence and buildings on the site.

Advice Notes

1. 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.
2. 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>.
3. A final survey of the site boundaries is recommended to ensure the new acoustic barrier is constructed on the boundary as per the Approved Site Plan.
4. The applicant is reminded that construction is required to be carried out so that it complies with the mandatory construction noise provisions contained in Part 6, Division 1 of the Environment Protection (Noise) Policy 2007 and the provisions of the *Local Nuisance and Litter Control Act 2016*. Under the *Local Nuisance and Litter Control Act 2016*, construction noise is declared a local nuisance as follows:

The noise has travelled from the location of the construction activity to neighbouring premises –

- On any Sunday or public holiday; or
 - After 7pm or before 7am on any other day.
5. If you are a developer, you are responsible for providing telecommunications infrastructure in your developments. You can choose any carrier you want to service your development, if you don't wish to choose another carrier, NBN is the infrastructure provider of last resort (IPOLR) in those areas of its fixed line footprint where NBN has established its network, or where it has publicly identified an area as a fixed line rollout region. NBN is also the IPOLR for developments with 100 lots or more. Telstra is the IPOLR in developments with fewer than 100 lots where NBN Co has not established its network. Carriers, including NBN and Telstra, can charge for providing infrastructure in new developments. More information can be found at <https://www.communications.gov.au/policy/policy-listing/telecommunications-new-developments>.

If you choose NBN to service your development, you will need to enter into a development agreement with NBN. The first step is to register the development via <http://www.nbnco.com.au/buildwithnbn> once registered NBN will be in contact to discuss the specific requirements for the development. NBN requires you to apply at least 3 months before any civil works commence.

All telecommunications infrastructure should be built to NBN guidelines found at <http://www.nbnco.com.au/develop-or-plan-with-the-nbn/new-developments/design-build-install.html>.

OTHER BUSINESS

5.2.1 Appointment of Deputy Presiding Member

Mr B Brug moved, and the Council Assessment Panel resolved that:

The item be deferred to the next meeting of the Panel.

5.2.2 Status of Current Appeal Matters and Deferred Items

Nil

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 22 September 2020.

ADOPTION OF MINUTES

Mr B 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 7.50 pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 25 August 2020
(refer to email approving minutes registered in Dataworks Document Number 6142449)