



**MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD
VIA AUDIO VISUAL MEDIA
ON 27 JULY 2021**

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Mr B Brug
Mr M Atkinson

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 Karyn Brown
Development Officer – Planning, Mr Michael Sumito
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.37pm.

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

APOLOGIES

Apologies were received from Ms C Gill.

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 29 June 2021, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

8.1.1 Development Application 21007764

Additions to existing research facility including reconfiguration of carpark and fencing, relocation of storage yard, and landscaping at 19-23 Park Way, Mawson Lakes SA 5095 and 25-31 Park Way, Mawson Lakes SA 5095 for Sagle Constructions Pty Ltd.

REPRESENTORS

Mr G King spoke to his representation.

Ms M Kodagoda spoke to hers and Mr S Udakumbuera representation.

APPLICANT

Mr A Humby, Planning Consultant, spoke on behalf of the applicant.

Mr M Atkinson moved, and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be Seriously at Variance with the Planning and Design Code; and
- B. Pursuant to Section 102 of the *Planning, Development And Infrastructure Act 2016*, Planning Consent is **GRANTED** to Development Application 21007764 for Additions to existing research facility including reconfiguration of carpark and fencing, relocation of storage yard, and landscaping in accordance with the plans and details submitted with the application and subject to the following conditions.

Planning 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
DA01 Revision 1	Site Plan	28 April 2021	On Architecture Pty Ltd
DA03 Revision 2	Proposed Floor Plan	24 May 2021	On Architecture Pty Ltd

DA04 Revision 2	Northern Elevation, Western Elevation and Materials Selection	24 May 2021	On Architecture Pty Ltd
DA05 Revision 2	Southern Elevation and Cross Section	24 May 2021	On Architecture Pty Ltd
DA01 Revision 1	Existing Floor Plan	28 April 2021	On Architecture Pty Ltd
646321-C1 Issue 0	Siteworks and Drainage	24 May 2021	Sagle Construction Pty Ltd
646321	Site Stormwater Calculations	May 2021	Nigel Hallett and Associates
-	Planning Report	26 May 2021	Humby Consulting
-	Response to Representations	9 July 2021	Humby Consulting

* *Except where otherwise stated, the development shall be completed prior to commencement of use (of the addition as hereby approved)*

2. Except where otherwise approved, the external finishes of the building work shall:
 - (a) Be finished in new non-reflective materials; and
 - (b) Be finished in natural tones, in accordance with the approved plans; and
 - (c) Be maintained in good condition at all times.
3. The building addition shall be maintained clear of graffiti at all times.
4. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.
5. Except where otherwise approved, all outdoor storage shall be contained within the Approved external storage yard as shown on the Approved Site Plan, prepared by On Architecture Pty Ltd, dated 28 April 2021.
6. All landscaping shown on the Approved Proposed Floor Plan, prepared by On Architecture Pty Ltd, dated 24 May 2021, shall be completed, prior to commencement of use (of the addition as hereby approved) and shall be maintained at all times thereafter (including the replacement of diseased or dying plants and the removal of weeds and pest plants) to the reasonable satisfaction of Council.
7. The noise levels from the site measured at residences (the noise affected premises) shall comply with the *Environment Protection (Noise) Policy 2007* at all times.

8. Except where otherwise approved, 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. External lighting shall be compliant with Australia Standard 4282 – 1997 ‘Control of the obtrusive effects of outdoor lighting’ at all times.

Council Advice Notes

- Building Consent and Development Approval must be obtained within 24 months from the date of this Notification, unless this period has been extended by the Council. Work cannot commence until a Development Approval is obtained.
- This Development Approval does not constitute land owners approval. The following applies to any works on Council land:
 - (a) Any person making alteration to council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in, on, under or over Council land, is subject to a permit from Council pursuant to Section 221 of the *Local Government Act 1999*.
 - (b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
 - (c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development such as irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works.
 - (d) It is the developers/owners responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any willful damage.
- Except where otherwise varied by this Consent, the conditions imposed are in addition to conditions that apply to the site from previous approvals that remain active.
- It is your responsibility to ensure that building work is correctly sited with respect to the property boundaries of the site and it is strongly recommended that a boundary survey be undertaken before any work commences to ensure the building work is accommodated within the designated footprint and achieves the designated boundary setbacks.

- 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.

EPA information sheets, guidelines documents, codes of practice, technical bullets etc. can be accessed on the following web site:

<http://www.epa.sa.gov.au>.

- The applicant is reminded that demolition and construction is required to be carried out so that it complies with the mandatory construction noise provisions of 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 to constitute 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.*

Heritage SA General Notes

- Any changes to the proposal for which Planning Consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes could include for example (a) an application to vary the Planning Consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the development application.
- To ensure a satisfactory heritage outcome, the relevant planning authority is requested to consult the Department for Environment and Water when finalising other Conditions.
- In accordance with Regulation 57 of the *Planning, Development and Infrastructure (General) (Development Assessment) Variation Regulations 2019*, please send the Department for Environment and Water a copy of the Notice of Decision.
- The relevant planning authority is requested to inform the applicant of the following requirements of the *Heritage Places Act 1993*.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.

(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

- The relevant planning authority is requested to inform the applicant of the following requirements of the *Aboriginal Heritage Act 1988*.

(a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

8.1.2 Development Application 21004673

Change of use from warehouse to light industry (Cabinet Making) for Unit 4 only at Unit 4, 51-53 Stanbel Road Salisbury Plain SA 5109 for Zakir Hussain.

REPRESENTORS

Mr P and Mrs E Marron spoke on behalf of their representation.

APPLICANT

Ms K Hussain, applicant’s daughter, spoke on behalf of the applicant.

Mr M Atkinson moved, and Mr R Bateup seconded and the Council Assessment Panel resolve that:

- A. The proposed development is not considered to be seriously at variance with the Planning and Design Code; and
- B. Pursuant to Section 102 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to Development Application 21004673 for Change of use from warehouse to light industry (Cabinet Making) for Unit 4 only in accordance with the plans and details submitted with the application and subject to the following conditions:

Planning Consent Conditions

1. The proposal shall be developed in accordance with the details submitted with the application and the following Council stamped approved plans and documents, except where varied by the conditions herein:

Drawing No.	Plan Type	Date	Prepared By
-	Operational Plan	24 May 2021	Noorband Kitchens Pty Ltd

1	Site Plan	24 May 2021	Knight Frank
2b	Floor Plan	12 July 2021	Knight Frank
S6844C2	Sonus Report	June 2021	Sonus Pty Ltd

* *Except where otherwise stated, the development shall be completed prior to occupation/commencement of use.*

2. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.
3. All waste bins shall be stored inside the building within a covered receptacle, pending removal at appropriate intervals.
4. Except where otherwise approved, 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. All lighting shall be in accordance with Australian Standard 4282 – 1997 ‘Control of the obtrusive effects of outdoor lighting’.
5. The approved use operating times shall be limited to Monday to Saturday 7.00am to 6.00pm with no activity on Sundays and/or Public Holidays.
6. The noise levels from the site measured at residences (the noise affected premises) shall comply with the *Environment Protection (Noise) Policy 2007* at all times.
7. Except where otherwise approved, surface coating such as painting, spraying or adhering coating to any materials shall not occur at any time.
8. Dust extraction systems shall be employed at all times, such that dust particles do not escape the workshop and adversely impact property occupiers and land uses in the locality.
9. The emergency exit door in the south western elevation of the building shall be kept closed at all times other than when required for emergency exit purposes.

Advice Notes

1. Building Consent and Development Approval must be obtained within 24 months from the date of this Notification, unless this period has been extended by the Council. Work cannot commence until a Development Approval is obtained.
2. This Development Approval does not constitute land owners approval. The following applies to any works on Council land:
 - (a) Any person making alteration to council land including erecting or installing a structure (pipes, wires, cables, fixtures, fittings), storing building materials, erecting temporary fencing, altering the kerb, gutter, footpath or crossover etc. in, on, under or over Council land, is subject to a permit from Council pursuant to Section 221 of the *Local Government Act 1999*.

- (b) Service infrastructure should be located as far as practicable away from street trees, in order to protect the root zone and to prevent future damage to the infrastructure from root expansion.
 - (c) Residents and businesses are encouraged to develop and maintain the verge area between their property boundary and the kerb. However, some types of development such as irrigation, tree planting and landscaping may be restricted in some areas and therefore permission should be first sought from Council before commencing any works.
 - (d) It is the developers/owners responsibility to ensure that damage does not occur to verge infrastructure during construction. Council regularly inspects the condition of verge infrastructure during construction and where damage is observed, Council may recover the costs from the owner for reinstatement of any damage to the footpath, kerb or gutter and may also impose a substantial penalty for any willful damage.
3. Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the site from previous approvals that remain active.
 4. 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.

OTHER BUSINESS

8.2.1 Planning & Design Code - Guide to Interpretation

Mr B Brug moved, and the Council Assessment Panel resolve that the report be noted.

8.2.2 Status of Current Appeal Matters and Deferred Items

Nil

8.2.3 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.4 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 24 August 2021.

8.2.5

Mr B Brug moved, and Mr T Mosel seconded and the Council Assessment Panel resolved that the City of Salisbury Council Assessment Panel acknowledges and thanks the General Manager City Development, Mr Terry Sutcliffe for his dedicated years of service to the Council Assessment Panel and that the Council Assessment Panel wish Mr Terry Sutcliffe our best wishes for his future endeavours.

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 9.03pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 27 July 2021
(refer to email approving minutes registered in Dataworks Document Number 6823728)