



MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL CHAMBER, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY ON

24 MAY 2022

MEMBERS PRESENT

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

STAFF

Assessment Manager, Mr C Zafiropoulos
General Manager City Development, Ms M English
Team Leader Planning, Mr C Carrey
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

Apology was received from Mr M Atkinson.

LEAVE OF ABSENCE

Mr T Mosel advised that he will be an apology for the 28 June 2022 meeting.

ADOPTED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 27 April 2022, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Mr Brug declared a conflict of interest for Item 8.1.1 - development application 2202996 and Item 8.1.2 – development application 22008360 that have been made by the City of Salisbury, given his role as an Elected Member of the City of Salisbury and in that capacity he would not take part in any deliberations or decision of the Panel for these items and that he will leave the meeting for those two items.

Mr B Brug left the meeting at 6.32pm.

REPORTS

Development Applications

8.1.1 22002996

Aquatic centre redevelopment comprising new indoor and outdoor swimming pools, water play areas, gymnasium, multi-purpose rooms, amenities, tennis court clubroom, plant room and alterations to existing car parking, removal of three (3) significant trees and new landscaping at Lot 65 Happy Home Drive, Salisbury North SA 5108
Lot 396 Waterloo Corner Road, Salisbury North SA 5108 for Will Gormly and City of Salisbury

REPRESENTATORS

Nil

APPLICANT

Nil

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 Planning and Design Code – V2022.5.
- B. That Development Application 22002996 for Aquatic centre redevelopment comprising new indoor and outdoor swimming pools, water play areas, gymnasium, multi-purpose rooms, amenities, tennis court clubroom, plant room and alterations to existing car parking, removal of three (3) significant trees and new landscaping is **GRANTED** Planning Consent subject to the following Reserved Matter and conditions:

Reserved Matter

The following matter shall be submitted for further assessment and approval by the Assessment Manager, as delegate of the Council Assessment Panel, as a Reserved Matter under Section 102(3) of the *Planning, Development and Infrastructure Act 2016*:

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 pavement 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 street water table is to be at the equivalent of the 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.

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	Dated	Prepared By
SK000	Cover Page and Drawing Register	18 January 2022	City Collective
SK001	Site Plan – Demolition	18 January 2022	City Collective
SK002	Site Plan – Proposed	18 January 2022	City Collective
SK003	Site Plan – Carpark	18 January 2022	City Collective
SK100	Ground Floor Plan	18 January 2022	City Collective
SK101	Plant Room and Pool Plant Floor Plan	18 January 2022	City Collective
SK102	Roof Plan	18 January 2022	City Collective
SK200	Ground Floor Plan – Part Plan 01	18 January 2022	City Collective
SK201	Ground Floor Plan – Part Plan 02	18 January 2022	City Collective

SK300	O/A Elevations	18 January 2022	City Collective
SK301	Material Schedule	18 January 2022	City Collective
SK400	Sections S-01	18 January 2022	City Collective
SK401	Sections S-02	18 January 2022	City Collective
SK500	3D Imagery – Entry	18 January 2022	City Collective
SK501	3D Imagery – Entry/Side	18 January 2022	City Collective
SK502	3D Imagery – Foyer	18 January 2022	City Collective
SK503	3D Imagery – Pool Hall	18 January 2022	City Collective
SK504	3D Imagery – Pool Concourse	18 January 2022	City Collective
21502 Version V1.1	Traffic and Parking Report	17 January 2022	Cirqa
321-0614-00-1-01-RP01 Issue 06	Landscape Concept Design and PPR Content Report	13 January 2022	Tract
-	Planning Statement	31 January 2022	City Collective
S32038	Pre-development Arboricultural Impact Assessment	21 December 2021	Project Green
A210645RP1 Revision A	Acoustic Design Report	17 December 2021	Resonate

2. The external surfaces of the building shall
 - a) be of new non-reflective materials; and
 - b) be finished in natural tones; and
 - c) be maintained in good condition at all times.

3. All driveways, car parking and manoeuvring areas as designated on the civil plan approved under Reserved Matter 1, shall be constructed with 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 prior to commencement of use and shall be maintained at all times thereafter to the reasonable satisfaction of Council.

4. The car parking layout including car park spaces, aisle widths and manoeuvring area shall be designed and constructed to comply with AS 2890.1-2009 – Off-Street Car Parking, Part 1, Austroads “Guide to Traffic Engineering Practice Part 11 – Parking”, AS 2890.2 – Facilities for Commercial Vehicles and AS

2890.6 – 2009 – Parking Facilities – Part 6: Off-street parking for people with disabilities.

5. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking areas, driveways and landscaping areas at any time.
6. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Landscape Concept Design and PPR Content Report prepared by Tract dated 13 January 2022. All landscaping shall be completed, prior to commencement of use and shall be maintained at all times thereafter to the reasonable satisfaction of Council (including the replacement of diseased or dying plants and the removal of weeds and pest plants).
7. All waste and rubbish from the activity shall be contained and stored pending removal in covered containers which shall be kept in an area screened from public view.
8. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Landscape Concept Design prepared by Tract dated 13 January 2022. All landscaping shall be completed, prior to commencement of use and shall be maintained at all times thereafter to the reasonable satisfaction of Council (including the replacement of diseased or dying plants and the removal of weeds and pest plants).
9. Provision is to be made for chlorinated water to be discharged to sewer.
10. 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*'.
11. The development approved herein shall incorporate the recommendations outlined in the Acoustic Design Report prepared by Resonate dated 17 December 2021 to the reasonable satisfaction of Council prior to commencement of use.
12. The operating hours of the development approved herein shall be between 5:30am and 9:30pm on any day.
13. Nine (9) replacement trees must be planted within 12 months of completion of the development, to offset the removal of the three (3) Regulated trees.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017*, and cannot be planted within 10 metres of an existing dwelling or inground swimming pool.

Commissioner of Highways Conditions

14. Vehicular access to serve the site shall be gained via Happy Home Drive only.
15. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Advice Notes

- The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, (telephone number 8204 0289).
- 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.
- The development shall be lawfully commenced by substantial work on the site of the development within 2 years from the date of Development Approval.
- A final survey of the site boundaries is recommended to ensure the approved building works are accommodated within the designated footprint and achieve the designated boundary setbacks.
- The Council approved plans should be available on site at all times while performing the building work.
- It is your responsibility to ensure that any 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 bulletins 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.*

Commissioner of Highways Advice Notes

- It is recommended that any proposed signage is consistent with DIT's publication '*Advertising Signs: Assessment Guidelines for Road Safety*'.

8.1.2 22008360

Demolition of two (2) existing sports clubrooms, construction of a single storey sports clubroom, shed, amenities, removal of 9 Regulated Trees, car parking and landscaping at The Paddocks comprising Lot 2 (CT6079/2 & CR-6223/525), Lot 12 (CT-5471/511) and Lot 14 (CT-6098/381) for City of Salisbury

REPRESENTATORS

Nil

APPLICANT

Mr J Olar, City of Salisbury, on behalf of the applicant.

Ms C Gill moved , and the Council Assessment Panel resolved that:

- A. The proposed development is not considered to be seriously at variance with the Planning and Design Code.
- B. Pursuant to Section 107 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to application number 22008360 for Demolition of two (2) existing sports clubrooms, construction of a single storey sports clubroom, shed, amenities, removal of 9 Regulated Trees, car parking and landscaping in accordance with the plans and details submitted with the application and subject to the following Reserved Matters and conditions:

Reserved Matters:

The following matter/s shall be submitted for further assessment and approval by the Assessment Manager, as delegate of the Council Assessment Panel, as Reserved Matters pursuant to Section 102(5) of the *Planning, Development and Infrastructure Act 2016*:

1. Civil and Siteworks Plan, prepared by a qualified and experienced engineer, for all civil and stormwater works, which shall address all of the following:
 - a. Finished floor levels for all buildings and hardstand surfaces; and
 - b. Cut/fill details; and
 - c. Retaining walls, kerbing or ramps, their design and grades; and
 - d. Pavement design details and gradients; and
 - e. Car parking dimensions, aisle widths, circulation movements and associated pavement markings and signage; and
 - f. Stormwater management arrangements, including accompanying design calculations, which consider the minor storm (10% AEP) and major storm (1% AEP) events; and
 - g. Water sensitive urban design measures; and
 - h. Surface water treatment.

2. Final landscaping plan, prepared by a qualified and experienced landscape architect or horticulturalist, which shall include all of the following:
 - a. Final locations for all landscaped areas, including designated areas for trees, shrubs and groundcovers; and
 - b. Replacement tree planting to offset the removal of Regulated Trees (minimum 18 trees); and
 - c. Designated species to be used, noting should comprise species contained in the City of Salisbury Landscape Plan; and
 - d. Shade trees within the car parking areas; and
 - e. Pot sizes, confirming the tree planting shall comprise advanced growth species at time of planting; and
 - f. Maintenance methods including irrigation, barriers and protection from vehicles and pedestrians.

Conditions:

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

Drawing No.	Plan Type	Date	Prepared By
	Planning Statement	11 March 2022	URPS
PL100	Site Plan + Drawing List	11 March 2022	Stallard Meek – Flightpath
PL101	Demolition Site	11 March 2022	Stallard Meek –

	Plan		Flightpath
PL102	Proposed Site Plan	11 March 2022	Stallard Meek – Flightpath
PL103	Proposed Floor Plan	11 March 2022	Stallard Meek – Flightpath
PL104	Proposed Roof Plan	11 March 2022	Stallard Meek – Flightpath
PL105	Ceiling Plan	11 March 2022	Stallard Meek – Flightpath
PL106	Shed Extension + Public WC	11 March 2022	Stallard Meek – Flightpath
PL107	New Shed	11 March 2022	Stallard Meek – Flightpath
PL108	Elevations	11 March 2022	Stallard Meek – Flightpath
	Traffic and Parking Report	10 March 2022	CIRQA Pty Ltd

- * The approved documents referred to above may be subject to minor variation, pursuant to Regulation 65 of the *Planning, Development and Infrastructure (General) Regulations 2017*.
 - * Except where otherwise stated, the development shall be completed prior to commencement of use.
 - * All documents referred to under Reserved Matters 1 and 2 inclusive constitute approved documents and form part of this Consent.
2. The external surfaces of the building shall:
 - a. be of new non-reflective materials; and
 - b. be finished in natural tones; and
 - c. be maintained in good condition at all times.
 3. All driveways, car parking and manoeuvring areas as designated on the Civil Plan Approved under Reserved Matter 1, shall be constructed with 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 prior to commencement of use and shall be maintained at all times thereafter to the reasonable satisfaction of Council.
 4. The car parking layout including car park spaces, aisle widths and manoeuvring area shall be designed and constructed to comply with AS 2890.1-2009 – Off-Street Car Parking, Part 1, Austroads “Guide to Traffic Engineering Practice Part 11 – Parking”, AS 2890.2 – Facilities for Commercial Vehicles and AS 2890.6 – 2009 – Parking Facilities – Part 6: Off-street parking for people with disabilities.

5. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.
6. All waste and rubbish from the activity shall be contained and stored pending removal in covered containers which shall be kept in an area screened from public view.
7. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Landscape Plan Approved under Reserved Matter 2. All landscaping shall be completed, prior to commencement of use and shall be maintained at all times thereafter to the reasonable satisfaction of Council (including the replacement of diseased or dying plants and the removal of weeds and pest plants).
8. Stormwater systems shall be designed and constructed to cater for minor storm flows (Industrial / Commercial ARI = 10 years). 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 ARI = 100 years.
9. 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’.
10. Eighteen (18) Replacement trees must be planted within 12 months of completion of the development, to offset the removal of nine (9) Regulated Trees.

Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, and cannot be planted within 10 metres of an existing dwelling or inground swimming pool.

11. Noise measured at the nearest residential property boundary shall comply with the Environment Protection (Noise) Policy 2007 at all times.

OTHER BUSINESS

8.2.1 Status of Current Appeal Matters and Deferred Items

Verbal update provided to Panel.

Applicant Appeal to Environment, Resources and Development Court, Tony Maiello (N27 Pty Ltd) v City of Salisbury (ERD-22-000014) - Development Application 361/1618/2020/2A

Council staff attended the conference at the Environment, Resources and Development Court on 5 May 2022. The Applicant represented by Botten Levinson Lawyers advised that they are considering alternative options and a possible submission of further information and/or alternative proposal. The matter has been adjourned before the Court until 6 July 2022, to allow for a possible re-presentation of an alternative proposal to the CAP on 28 June 2022.

Applicant Appeal to Environment, Resources and Development Court, 48 Commercial Road, Salisbury Pty. Ltd. v Salisbury Council Assessment Panel (ERD-22-000046) - Development Application 21034988

The conference scheduled for 19 May 2022 has been adjourned to 20 July 2022. In the interim, the applicant has submitted a new development application for land division only. The new application is largely the same allotment configuration of that previously considered by the Panel and is presently under assessment.

8.2.2 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.3 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 28 June 2022.

ADOPTION OF MINUTES

Ms Gill 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 7.00 pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 25 May 2022
(refer to email approving minutes registered in Dataworks Document Number 7310215)