



AGENDA

FOR COUNCIL ASSESSMENT PANEL MEETING TO BE HELD ON

26 JULY 2022 AT 6.30 PM

IN THE COUNCIL CHAMBER, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY

MEMBERS

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

REQUIRED STAFF

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

APOLOGIES

LEAVE OF ABSENCE

ENDORSED MINUTES FROM PREVIOUS MEETING

Presentation of the Minutes of the Council Assessment Panel Meeting held on 28 June 2022.

DECLARATIONS OF CONFLICTS OF INTEREST

REPORTS

Nil

OTHER BUSINESS

- 8.2.1 Assessment Manager Quarterly Report - April to June 2022 11
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- 8.2.2 Status of Current Appeal Matters and Deferred Items
- 8.2.3 Policy Issues Arising from Consideration of Development Applications
- 8.2.4 Future Meetings & Agenda Items

ORDER TO EXCLUDE THE PUBLIC

That the Council Assessment Panel:

Excludes the public from the CAP proceedings for consideration of item 8.3.1 on the Agenda of the CAP meeting 26 July 2022 on the basis of regulation 13(2)(ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

8.3.1 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

Recommendation

Pursuant to regulation 13(2)(ix)) of the Planning, Development and Infrastructure (General) Regulations 2017, the Council Assessment Panel determines, this matter may be considered in confidence on grounds that:

1. *It relates to legal advice and information to an appeal against the decision of the Council Assessment Panel to the Environment, Resources and Development Court that may prejudice the Court hearing.*

CLOSE

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

28 JUNE 2022

MEMBERS PRESENT

Ms C Gill (Acting Presiding Member)
Mr R Bateup
Mr B Brug
Mr M Atkinson

STAFF

Assessment Manager, Mr C Zafiropoulos
General Manager City Development, Ms M English
Senior Development Officer Planning, Ms K Thrussell

The meeting commenced at 6.42pm.

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

APOLOGIES

Apologies were received from Mr T Mosel.

LEAVE OF ABSENCE

Nil

ADOPTED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 24 May 2022, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

None

REPORTS

Development Applications

8.1.1 22006655

Change of use from Light Industry to General Industry (consisting of four (4) tenancies comprising machinery, equipment and steel fabrication, geo-membrane fabrication, metal pressing and assembly) at 24-30 KAURNA AV EDINBURGH SA 5111 for Regent Street Properties Pty Ltd

REPRESENTORS

Ms Leanne Coxall spoke to her representation.

Ms Jacqueline Eckert spoke to her representation.

APPLICANT

Mr Stephen Holmes, Holmes Dyer, and Mr Stephen Young spoke on behalf of the applicant.

Mr Ross 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.
- B. Pursuant to Section 107 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to application number 22006655 for Change of use from Light Industry to General Industry (consisting of four (4) tenancies comprising machinery, equipment and steel fabrication, geo-membrane fabrication, metal pressing and assembly) 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*:

- 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) Designated species to be used, noting should comprise species contained in the City of Salisbury Landscape Plan; and

- c) Shade trees within the car parking areas; and
- d) Pot sizes, confirming the tree planting shall comprise advanced growth species at time of planting; and
- e) Maintenance methods including irrigation, barriers and protection from vehicles and pedestrians.

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
N/A	Planning Report	28.02.22	Holmes Dyer
N/A	Response to Correspondence	15.06.22	Holmes Dyer
N/A	RFI Response	28.04.22	Holmes Dyer
A220039RP1 Rev D	Environmental Noise Assessment	14.06.22	Resonate
A220039RP2 Rev A	Noise Management Plan	14.06.22	Resonate
QMM0483-01-000-01	Site & Landscape Plan (Rev 2)	15.03.22	QMM (R. Heinjus)
QMM0483-01-000-01	Permitted Activity Locations (Rev 2A)	15.03.22	QMM (R. Heinjus)

2. The Site Plan shall be amended to ensure consistency with the Noise Management Plan in relation to the hours of operation for the car park (i.e. 7:00am to 10:00pm) and to clarify that the smaller building will only be used as a store as per the letter from Holmes Dyer dated 15 June 2022.
3. The development shall be carried out in strict accordance with the Noise Management Plan including the hours of operation and the following noise management measures:
 - a. No truck or forklift movements will occur on the southern side of the building.
 - b. The roller doors on the southern side of the building shall remain closed at all times except in the case of an emergency.
 - No cutting, welding, grinding or hammering activities will occur outside the building.
 - Noise from the facility shall not exceed the following noise levels:
 - L_{Aeq} level of 52 during the day (7.00am to 10.00pm)
 - L_{Aeq} level of 45 at night (10.00pm to 7.00am)
 - L_{Amax} level of 60 dB(A) at night (10.00pm to 7.00am) when measured and adjusted in accordance with the *Environment Protection (Noise) Policy 2007*.
 - No external mechanical plant is permitted.
 - Between the hours of 10:00pm and 7:00am, no more than three staff

shall be working on the site, all doors must remain closed and no truck movements are permitted.

4. No materials, goods or containers shall be stored in the designated staff carparking area or driveways.
5. 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.
6. All loading and unloading of vehicles and manoeuvring of vehicles in connection with the approved land use shall be carried out entirely within the site at all times.
7. Except where otherwise approved, no materials, goods or containers shall be stored in the designated car parking area or driveways at any time.
8. 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.
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’.

OTHER BUSINESS

8.2.1 Status of Current Appeal Matters and Deferred Items

Applicant Appeal to Environment, Resources and Development Court, Garden College v City of Salisbury [2022] SAERDC 10 - The Court has delivered its judgement dismissing the appeal and finding that the development application is subject to public notification in accordance with section 107 of the *Planning, Development and Infrastructure Act, 2016*. A copy of the judgement will be provided to Members separately.

8.2.2 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.3 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 26 July 2022.

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 8.24pm.

ACTING PRESIDING MEMBER: Ms C Gill

DATE: 28 June 2022
(refer to email approving minutes registered in Dataworks Document Number 7359553)

**INFORMATION
ONLY
ITEM**

8.2.1

COUNCIL ASSESSMENT PANEL**DATE**

26 July 2022

HEADING

Assessment Manager Quarterly Report - April to June 2022

AUTHOR

Chris Zafiropoulos, Assessment Manager, City Development

SUMMARY

This report provides the Assessment Manager Quarterly Report for the period between April to June 2022.

RECOMMENDATION

1. That the information be received and noted.

ATTACHMENTS

There are no attachments to this report.

1. BACKGROUND

- 1.1 The general operating procedures require the Assessment Manager to prepare a quarterly report of:
 - the development applications with representations determined under delegated authority for the previous period.
 - any development application delegated by the Panel where a deemed consent notice has been received.
- 1.2 This report provides a quarterly report for the period April to June 2022.

2. REPORT

- 2.1 The Panel is assigned as a relevant authority in its own right under the *Planning, Development and Infrastructure Act 2016*. In the exercise of its duties, the Panel delegated to the Assessment Manager specific duties and powers on its behalf. Delegations enhance decision making processes and allow nominated matters to be resolved efficiently and effectively without the need for the Panel's consideration.
- 2.2 The delegations provide for:
 - Administrative matters to assist in the timely processing of applications such as verifying development applications, undertaking statutory referrals and public notification.
 - Determining prescribed development applications.

Overview of planning application activity

- 2.3 The planning applications for the period are summarised in the table below (excluding land division).

	Number
Planning Applications Submitted	427
Planning Applications determined	281
Notified Applications	7
Determined planning consents by relevant authority	
➤ CAP	3
➤ Assessment Manager (AM)	262
➤ AM as delegate for Panel	8

- 2.4 The number of development applications that were notified during this period was seven (7). Eight (8) development applications were determined by the Assessment Manager under delegated authority and three (3) development applications were determined by the Panel.
- 2.5 The number of planning applications that were lodged under the previous *Development Act 1993* (prior to 19 March 2021) that are still active at the end of this quarter is eighty-five (85) down from ninety-six (96) from the previous quarter.

Development Applications Assessed under Delegated Authority by the Assessment Manager

- 2.6 The development applications considered by the Assessment Manager under delegated authority are summarised below:

Change in use from childcare to community facility, internal building works, reconfiguration of car parking and landscaping at 1 Trinity Crescent Salisbury North

Representations – 1 (support)

Decision – Approve with conditions

Demolition of existing clubrooms and car parking and construction of a single storey sports clubrooms comprising change rooms, toilet facilities and canteen, associated storage building and canteen at Yalumba Reserve, Lot 2017 Vindana Road, Paralowie

Representations – two (support)

Decision – Approve with conditions

<p>Alterations and Additions to existing Health and Fitness Centre (Gymnasium), swimming pool, change in use from store to consulting room, car parking and landscaping at 16 Frost Road, Salisbury</p> <p>Representations – none</p> <p>Decision – Approve with conditions</p>
<p>Light Industry (Signage Company), facade signage, fencing, civil works, landscaping and removal of One (1) Significant Tree and One (1) Regulated Tree 39-41 West Avenue, Edinburgh</p> <p>Representations – one (support)</p> <p>Decision – Approve with conditions</p>
<p>Service Trade Premises (Sale of Motor Vehicles) With Associated Workshop, Signage, Fencing, Carparking and Landscaping at 571 Salisbury Highway, Green Fields & 9-11 Nucera Ct, Green Fields</p> <p>Representations – two (support)</p> <p>Decision – Approve with conditions</p>
<p>Construction of nine (9) warehouses, associated car parking and landscaping at 45 Playford Crescent, Salisbury North</p> <p>Representations – one (support)</p> <p>Decision – Approve with conditions</p>
<p>Two Storey Dwelling, retaining walls, fencing and outbuilding (shed) 32A Laver Avenue, Gulfview Heights</p> <p>Representations – one (oppose)</p> <p>Decision – Approve with conditions</p>
<p>Construction of an Indoor Recreation Centre (Cricket Training Facility) in association with existing clubroom and Removal of Four (4) Regulated Trees at 23 Brown Terrace, Salisbury</p> <p>Representations – three (support), one (oppose)</p> <p>Decision – Approve with conditions</p>

Deemed Consents

2.7 No deemed consent notices have been received for this period.

3. CONCLUSION / PROPOSAL

3.1 The Assessment Manager Quarterly Report for the period April to June 2022 be received and noted.

ITEM	8.2.2
	COUNCIL ASSESSMENT PANEL
DATE	26 July 2022
HEADING	Decision Making in Development Assessment and Ethics in Planning
AUTHOR	Chris Zafiropoulos, Assessment Manager, City Development
SUMMARY	The <i>Planning, Development and Infrastructure Act 2016</i> has introduced increased requirements on relevant authorities performing their statutory roles. It is proposed to conduct a workshop on Decision Making in Development Assessment and Ethics in Planning to assist the Panel in its consideration of its role under the Act.

RECOMMENDATIONThat the Council Assessment Panel:

- 1.1 Notes the information on Decision Making in Development Assessment and Ethics in Planning under the *Planning, Development and Infrastructure Act 2016*.

ATTACHMENTS

There are no attachments to this report.

1. REPORT

- 1.2 The purpose of this workshop is to focus on Decision Making in Development Assessment and Ethics in Planning, which are core competencies for relevant authorities under the Act.
- 1.3 Ms Victoria Shute, Lawyer from Kelledy Jones Lawyers will attend this meeting to facilitate the session.
- 1.4 The purpose of the workshop is to provide the Panel information to assist in the consideration of development applications under the Act.

2. CONCLUSION / PROPOSAL

- 2.1 The Panel notes the information on Decision Making in Development Assessment and Ethics in Planning under the *Planning, Development and Infrastructure Act 2016*.