



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

23 AUGUST 2022

MEMBERS PRESENT

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

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 6.32pm.

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

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 26 July 2022, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Ms M English, Manager City Development, declared a conflict of interest in relation to Item 8.1.2 and advised that she would leave the meeting when the Item 8.1.2 is being considered by the Panel.

Mr B Brug, Panel Member, declared a conflict of interest in relation to Item 8.1.2 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 Item 8.1.2, and advised that he would leave the meeting when the Item 8.1.2 is being considered by the Panel.

REPORTS

Development Applications

8.1.1 22008891

Change in use to a portion of the land, for the temporary storage (2 years) of construction vehicles, materials, plant and equipment in association with civil construction works at the Bolivar Wastewater Treatment plant, and associated civil works, amenities, 4 shipping containers, tanks and landscaping at 146-156 St Kilda Road, Waterloo Corner, SA 5110 for Mr Scott Searle

REPRESSENTORS

The Panel noted that Mr M Reveruzzi and Ms M Reveruzzi withdrew their objects to the development application.

APPLICANT

Mr Scott Searle and Mr T Emanuele spoke 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. That Development Application No 22008891 for *Change in use to a portion of the land, for the temporary storage (2 years) of construction vehicles, materials, plant and equipment in association with civil construction works at the Bolivar Wastewater Treatment plant, and associated civil works, amenities, 4 shipping containers, tanks and landscaping* at 146-156 St Kilda Road, Waterloo Corner, SA 5110 is not considered to be seriously at variance with the Planning and Design Code but is **REFUSED** Planning Consent for the following reasons:
 - The proposed land use is inconsistent with the land uses sought by the Rural Horticulture Zone as expressed in Desired Outcomes 1 and 2 and Performance

Outcome 1.1 of the Zone;

- The proposed land use will not protect and maintain the productive value of horticulture land as required by Performance Outcome 1.1 of the Rural Horticulture Zone;
- The scale and siting of the proposed development will be inconsistent with the Rural Horticulture Zone; and
- The proposed development will result in an unreasonable impact on sensitive receivers in the locality in terms of heavy vehicle movements thereby offending Desired Outcome 3 of the Rural Horticulture Zone as well as Desired Outcome 1 and Performance Outcomes 1.2, 4.1 and 4.2 within the Interface between Land Use General Development Policies.

Ms M English, Manager City Development, left the meeting at 7.12 pm

Mr B Brug, Panel Member, left the meeting at 7.13pm and advised he would be an apology for the remainder of the meeting and not return to the meeting.

8.1.2 22022501

Ten (10) Two Storey Detached Dwellings at 94, 96, 98, 100, 102, 104, 106, 108, 110, 112 Boardwalk Drive, Paralowie SA 5108 for Dominion Homes Australasia

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.
- B. Pursuant to Section 33 of the *Development Act 1993*, Development Plan Consent is **GRANTED** to application number 22022501 for Ten (10) Two Storey Detached Dwellings in accordance with the plans and details submitted with the application and 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
-	Elevations	24/01/2022	Dominion Homes
-	Ground Floor Plans	24/01/2022	Dominion Homes
-	Upper Floor Plans	24/01/2022	Dominion Homes

220556-C01	Site Plan		Gama Consulting
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2. The external surfaces of the buildings shall:
 - be of new non-reflective materials; and
 - be finished in natural tones; and
 - be maintained in good condition at all times.
3. The driveways and car parking areas, designated on the Approved Site Plan shall be constructed with brick paving or concrete. The driveway and car parking areas shall be established, prior to occupation and shall be maintained at all times thereafter to the reasonable satisfaction of Council.
4. Except where otherwise approved, staging of the development is not permitted.
5. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Approved Site Plan. All landscaping shall be completed prior to occupation 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).
6. Tree planting shall be undertaken within 12 months from the date of occupation of the dwelling in accordance with the following table:
 - Where allotment is less than 450 square metres, 1 small tree; or
 - Where allotment between 450 square metres and 800 square metres, 1 medium tree or 2 small trees; or
 - Where allotment between 800 square metres, 1 large tree or 2 medium trees or 4 small trees.

Except where otherwise Approved, the tree planting shall be maintained in good health and condition at all times thereafter.

Note: For meaning of tree sizes, please refer to the Urban Tree Canopy Overlay, Planning and Design Code.

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. The Council approved plans should be available on site at all times while performing the building work.
3. 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.
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.

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>.

5. 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;*
 - *After 7pm or before 7am on any other day.*

Ms M English, Manager City Development, returned to the meeting at 7.22 pm.

OTHER BUSINESS

8.2.1 Annual Report of the Council Assessment Panel for 2021/22

Mr M Atkinson moved, and the Council Assessment Panel resolved that the draft Council Assessment Panel Annual Report for 2021/22 be adopted with the inclusion of the following clause:

Key Policy and Operational Issues

The Panel has also undertaken a review of completed developments that the Panel has determined. The review is intended to understand the outcomes from the development and how issues considered by the Panel have resulted in the completed development.

During this period the Panel reviewed development industrial development applications with an interface to adjoining residential areas. In both instances, acoustic engineers were engaged to review the operations of the proposed uses and the appropriateness of the proposals, given the potential noise impacts and having regard to the EPA noise Policy. In both matters, mitigation measures have been employed which appear to have achieved satisfactory results. These developments highlight the importance of strong policy considerations that should be applied in interface areas. Given the extent of such interface areas within the City of Salisbury, Council may wish to undertake a more in depth review of interface policy considerations throughout the Council area.

8.2.2 Status of Current Appeal Matters and Deferred Items

Mr R Bateup moved, and the Council Assessment Panel resolved that the information was received .

8.2.3 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.4 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 27 September 2022.

ADOPTION OF MINUTES

Mrs 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 7.30pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 23 August 2022
(refer to email approving minutes registered in Dataworks Document Number 7436991 and 7437185)