



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

**30 JANUARY 2024**

**MEMBERS PRESENT**

Mr T Mosel (Presiding Member)  
Ms C Gill  
Mr B Brug  
Mr J Botten

**STAFF**

Assessment Manager, Mr C Zafirooulos  
General Manager City Development, Ms M English  
Team Leader Planning, Mr C Carrey  
Team Leader Business Services, Ms H Crossley

The meeting commenced at 6.30 pm.

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

**APOLOGIES**

Apologies were received from Mr R Bateup.

**LEAVE OF ABSENCE**

Nil

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## ADOPTED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 19 December 2023, be taken as read and confirmed.

The Minutes of the Confidential Council Assessment Panel Meeting held on 19 December 2023, be taken as read and confirmed.

## DECLARATIONS OF CONFLICTS OF INTEREST

Mr B Brug declared a conflict of interest, being an Elected Member on Council in relation to Item 8.1.1 and advised that he would leave the meeting when the Item is being considered by the Panel. Mr B Brug did not debate or vote on the item.

## OTHER BUSINESS

### 8.2.1 Assessment Manager Quarterly Report - October to December 2023

Mr B Brug moved, and the Council Assessment Panel resolved that the information be received and noted.

### 8.2.2 Status of Current Appeal Matters and Deferred Items

Mr B Brug 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 meetings scheduled for Monday 5 February 2024 and Tuesday 27 February 2024.

Mr B Brug left the meeting at 6.38 pm and did not return.

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## REPORTS

### *Development Applications*

#### 8.1.1 23004431

Sports facility comprising change rooms, kiosk, amenities and verandah, upgrade to car park and landscaping at Hausler Reserve, Paralowie, SA 5108

(Allotment 1130, Greentree Boulevard, Paralowie)

(Allotment 1138, Greentree Boulevard, Paralowie) for Thorne Constructions

## REPRESENTORS

Mr A Nelson was not present at the meeting.

## APPLICANT

Ms K Shepherd (Thorne Construction) and Mr M Kwiatkowski (Adelaide Planning & Development Solutions Pty Ltd), were present at the meeting, however were not requested to respond to questions from the Panel.

Mr J Botten 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; and
- B. Pursuant to Section 102 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to Development Application 23004431 for the construction of a sports facility comprising change rooms, kiosk, amenities and verandah, upgrade to car park and landscaping in accordance with the plans and details submitted with the application and subject to the following 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 under Section 102(5) of the *Planning, Development and Infrastructure Act 2016*:

1. Amended Site and Drainage Plan (KP Austruct (October 2023)) to address the following matter:
  - a. The driveway and carpark area will be paved with barrier kerbing along the perimeter of the area. The detailed design will need to be amended, removing the barrier kerb and replacing it with devices that allow for easier access only to the walkway leading up to the entrance of the new facility for wheelchairs and prams.

2. Detailed plans and specifications in relation to the altered indented on-street parking arrangements on Greentree Boulevard.
3. 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) Pot sizes, confirming the tree planting shall comprise advanced growth species at time of planting; and
  - d) 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**

- A-001 Cover Sheet 15/08/2023 Thorne Constructions
- A-101 Proposed Location Plan 01/09/2023 Thorne Constructions
- A-102 Demolition Plan 28/06/2023 Thorne Constructions
- A-103 Proposed Site and Landscaping Plan 01/09/2023 Thorne Constructions
- A-104 Proposed Floor Plan 15/08/2023 Thorne Constructions
- A-301 Elevations 15/08/2023 Thorne Constructions
- A-302 Elevations 15/08/2023 Thorne Constructions
- A-303 Sections 15/08/2023 Thorne Constructions
- A-401 Panel Details 15/08/2023 Thorne Constructions
- A-402 Panel Details 15/08/2023 Thorne Constructions
- A-501 Door and Window Schedule 15/08/2023 Thorne Constructions
- A-601 Car Park Site and SW Plan 15/08/2023 Thorne Constructions
- A-701 3D Drawings No Date Thorne Constructions
- A-702 3D Drawings No Date Thorne Constructions
- N/A Planning Statement 05/09/2023 Version 1 APDS
- N/A Response to Representations No Date APDS
- 232444R001A Traffic Impact Assessment 19/12/2023 Tonkin

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

3. The designated landscaping areas shall be planted with shade trees, shrubs and ground covers in accordance with the Landscaping Plan Approved under Reserved Matter 3. 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).
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. In relation to access, manoeuvring, surface treatments and car parking:
  - a. The invert, crossover and driveway shall be constructed with brick paving, concrete or bitumen, in accordance with Council’s Heavy-Duty Commercial Entrance, Drawing SD-16; and
  - b. All internal driveways, car parking and manoeuvring areas, shall be constructed with brick paving, concrete or bitumen to a standard appropriate for the intended traffic volumes and vehicle types; and
  - c. All car parking bays shall be clearly line marked; and
  - d. 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.
  - e. All existing crossovers made redundant by this development shall be reinstated to kerb, prior to commencement of use, in accordance with Council’s kerb design standard, to the satisfaction of Council.

All works outlined in points a. to e. shall be implemented prior to the commencement of use and be maintained at all times to the reasonable satisfaction of Council.

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

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Advice Notes

**Rights of Appeal**

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 Rules Consent and Approval Still Required**

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.

**Commencement**

The development shall be lawfully commenced by substantial work on the site of the development within 2 years from the date of Development Approval. If substantial work on the site has occurred within 2 years, the development shall be substantially or fully completed within 3 years from the date of Development Approval.

**Advice regarding Council land**

This Development Approval does not constitute land owners approval. The following applies to any works on Council land:

1. 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*.
2. 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 roof expansion.
3. 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;
4. 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 wilful damage.

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### **Siting of 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.

### **Plans Available Onsite**

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

### **Fences Act**

You will need to obtain your permission from your neighbour should you wish to access their property to carry out construction work adjacent the boundary or if you wish to erect common boundary fencing or boundary retaining walls, pursuant to the *Fences Act 1975*. To find out more, please visit:

<https://lsc.sa.gov.au/resources/fencesandthelawbooklet.pdf>

### **Building Work Affecting Other Land**

Pursuant to Section 139 of the *Planning, Development and Infrastructure Act 2016*, a person undertaking activity that affects stability of land or premises must serve notice in the prescribed form to the owner of the affected site. For the purposes of Section 139, work of the following nature is prescribed as building work which is to be treated for the purposes of that section as building work that affects the stability of other land or premises, namely:

- An excavation which intersects a notational plane extending downwards at a slope of 1 vertical to 21 horizontal from a point 600mm below natural ground level at a boundary with an adjoining site;
- An excavation which intersects any notional plane extending downwards at a slope of 1 vertical to 2 horizontal from a point at natural ground level at any boundary between 2 sites (not being a boundary with the site of the excavation), where the boundary is within a distance equal to twice the depth of the excavation;
- Any fill which is within 600mm of an adjoining site, other than where the fill is not greater than 200mm in depth (or height) and is for landscaping, gardening or other similar purposes.

To find out more, please visit:

<https://lawhandbook.sa.gov.au/ch28s02s06s03.php>

### **Construction Noise**

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:



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*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.*

#### **EPA and Local Nuisance Matters**

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.

In addition, the applicant is responsible for ensuring the development (including demolition, civil works and construction activities) do not cause a ‘local nuisance’ under the *Local Nuisance and Litter Control Act 2016*

Accordingly, your site planning activities should consider:

- providing a stabilised entry/exit point to the site for all construction and trade vehicles, including contained wash down area for vehicles and equipment
- appropriately located stockpiles and storage materials
- a suitable and designated area for brick cutting and concrete works
- a contained area for paint and plastering waste and wash waters
- appropriate location of noisy equipment so as to avoid unreasonable impacts to neighbours
- dust control measures such as use of a water cart and/or covering stockpiles

Note: 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>.

#### **ADOPTION OF MINUTES**

Ms C 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 6.48 pm.

**PRESIDING MEMBER:** Mr T Mosel

**DATE:** 30 January 2024  
(refer to email approving minutes registered in the City of Salisbury’s Record Management System - Document Number 8087646.)