



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

**27 FEBRUARY 2024**

**MEMBERS PRESENT**

Mr T Mosel (Presiding Member)  
Mr R Bateup  
Ms C Gill  
Ms S Reardon (Deputy Elected Member)  
Mr J Botten

**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 6.33pm.

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

**APOLOGIES**

Apologies were received from Mr B Brug.

**LEAVE OF ABSENCE**

Nil

**ADOPTED MINUTES FROM PREVIOUS MEETING**

The Minutes of the Council Assessment Panel Meeting held on 30 January 2024, be taken as read and confirmed.

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The Minutes of the Confidential Special Council Assessment Panel Meeting held on 05 February 2024, be taken as read and confirmed.

## **DECLARATIONS OF CONFLICTS OF INTEREST**

Ms S Reardon declared a conflict of interest, being an Elected Member on Council in relation to Item 8.1.2 that involves a land transfer between the applicant the City of Salisbury, and advised that she would leave the meeting when the Item is being considered by the Panel. Ms S Reardon will not debate or vote on the item.

## **OTHER BUSINESS**

### **8.2.1 Status of Current Appeal Matters and Deferred Items**

Ms C Gill moved, and the Council Assessment Panel resolved that the information was received.

## **REPORTS**

### *Development Applications*

#### **8.1.1 23028052**

Placement of Thirty-One (31) Shipping Containers to southern side of industrial building (for storage of paperwork and office materials) (Amendment to Development Application 22006655) at 24-30 Kurna Avenue, Edinburgh SA 5111 for Regent Street Properties Pty Ltd

## **REPRESENTORS**

Ms J Eckert was not present at the meeting.

Mr S Dix spoke on behalf of Ms L Coxall's representation.

## **APPLICANT**

Ms S Rosella, Representative for Regent Street Properties Pty Ltd and Mr N Henrys, Acoustic Consultant, spoke on behalf of the applicant.

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 application number 23028052 for Placement of Thirty-One (31) Shipping Containers to southern side of industrial building (for storage of paperwork and office materials) (Amendment to Development Application 22006655) 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:

**Plan Type - Drawing No. – Date - Prepared By**

Supporting Letter - N/A – 09/11/23 - Regent Street Properties (Adam Hopkins)

Site Plan – 5111-A-03 C – 07/11/23 – AH

Acoustic Assessment – A230418LT2 – 30/01/24 – Resonate

Response to Representations – N/A – 30/01/24 - Regent Street Properties (Adam Hopkins)

*This Decision Notification Form shall be read in conjunction with the Decision Notification Form for DA 22006655, and all previous stamped plans, documentation and planning conditions from DA 22006655 are still applicable, except where varied by this application and conditions.*

2. All visible external surfaces of each shipping container shall be painted in a natural colour tone (such as ‘woodland grey’) within 1 month from the date of container placement, and maintained in good conditions at all times. All containers shall be painted with the same colour.
3. The shipping containers shall be installed in accordance with the Site Plan approved under Planning Condition 1. The containers shall not be moved to another location on the site, unless otherwise approved by Council.
4. The containers shall not be stacked above single height in accordance with the Site Plan approved under Planning Condition 1.
5. 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

#### **Previous Application Still Applies**

All previous stamped plans and documentation, including planning conditions previously granted for Development Application No. 22006655 are still applicable except where varied by this application and conditions.

#### **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.

### **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:

*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>.

Ms S Reardon left the meeting at 7.16 pm and did not return to the meeting.

### 8.1.2 23022307

Staged Land Division comprising creation of Twenty-Three (23) Allotments from Four (4) Allotments, Public Roads, Reserves and associated excavation, filling, retaining walls, acoustic fence and tree damaging activity (removal of 6 Significant and 20 Regulated Trees)

Stage 1 – Allotments 6-11 and 16-22, Reserves and Roads (providing connection to Port Wakefield Road and Globe Derby Drive)

Stage 2 – Allotments 1-5 and 12-15, completion of Road including cul-de-sac head and acoustic fence at 21-77 Globe Derby Drive, Globe Derby Park SA 5110 for The South Australian Harness Racing Club Inc.

### REPRESENTORS

Mr D Nolan and Ms A Nolan spoke on behalf of their representation and on behalf of 33 representors opposing the proposal.

Ms I Zmuda spoke on behalf of her representation and Mr J Dolan, who was not present at the meeting.

Mr S A'Court was not present at the meeting.

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## APPLICANT

Mr C Webber, Future Urban, Stephen Lawson, Seymour Group, Mathew Ward, Echo Acoustics and Ms M Mellen, MFY, spoke on behalf of the application.

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 107 of the Planning, Development and Infrastructure Act 2016, Planning Consent is GRANTED to application number 23022307 for Staged Land Division comprising creation of Twenty-Three (23) Allotments from Four (4) Allotments, Public Roads, Reserves and associated excavation, filling, retaining walls, acoustic fence and tree damaging activity (removal of 6 Significant and 20 Regulated Trees)

Stage 1 – Allotments 6-11 and 16-22, Reserves and Roads (providing connection to Port Wakefield Road and Globe Derby Drive)

Stage 2 – Allotments 1-5 and 12-15, completion of Road including cul-de-sac head and acoustic fence in accordance with the plans and details submitted with the application and subject to the following reserved matters and conditions:

### Reserved Matters

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 stormwater management plan and accompanying stormwater design calculations, prepared by a qualified and experienced stormwater engineer, which shall address all of the following:

The site stormwater drainage system shall be designed to control the quantity and quality of stormwater discharged from the site to minimise flooding, to prevent adverse impacts on downstream drainage systems and to protect the water quality of receiving waters. In particular, the following components shall be included in the stormwater drainage design:



- a) Finished floor level shall be at least 150mm above the Q100 flood level adjacent the building;
- b) Storm runoff from the building roof areas should be separated from the runoff from ground or paved surfaces and may be discharged directly to Council's downstream underground drainage system without treatment to improve water quality;
- c) Grassed or vegetated swale drains and sedimentation/detention basins shall be used to convey storm runoff from paved surfaces including car parking areas to Council's downstream drainage system to reduce the extensive use of hard concrete kerb edges and underground piped drainage systems. The use of permeable paving for light vehicle car parking areas is suggested as a means of increasing the site stormwater detention / retention and infiltration rates and reducing the peak discharge rates and volume of runoff that discharge to Council's downstream drainage system;
- d) The minor stormwater drainage system of grassed swale drains, culverts, pits and pipes shall be designed with capacity to convey the runoff resulting from a 1 in 10 year ARI storm event;
- e) Grassed swale systems and basins shall be designed to provide primary treatment of stormwater runoff by filtering and removal of silt, sediment, oil and grease before discharge to downstream drainage systems and may also incorporate bio-retention treatment systems;
- f) Gross pollutant traps including trash racks and trash nets shall be included in the stormwater drainage system to capture stormwater pollutants such as rubbish and floatable litter.
- g) Gross pollutant traps, water quality treatment devices and drainage systems shall include high flow bypass and overflow provisions to accommodate extreme storm events resulting from the 1 in 100 year Ari major storm event.
- h) The following water quality requirements shall be met:
  - 80% retention of the typical urban annual load for Total Suspended Solids (TSS);
  - 60% retention of the typical urban annual load for Total Phosphorus (TP);
  - 60% retention of the typical urban annual load for Total Nitrogen (TN)(45% reduction target is applicable if discharge < 60L/sec);
  - No visible oil flows up to the 3 month ARI peak flow;
  - MUSIC modelling is required to verify that water quality targets are achieved;
  - Gross pollutant traps, water quality treatment devices and drainage systems shall include high flow bypass and overflow provisions to accommodate extreme storm events resulting from the 1 in 100 year ARI major storm event.

Planning Conditions - Council

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:
  - Planning Report – 31.01.2024 – Future Urban Group
  - Response to RFI – 31.01.2024 – Future Urban Group
  - Response to Representations – 16.11.2023 – Future Urban Group
  - 21A1526PROP1(H) – Plan of Division – 24.01.2024 Revision G – Alexander Symonds
  - 21-0012 – Traffic and Parking Report – September 2023 – MFY



- MLM/21-0012 – Supporting Letter (Traffic) – 17 November 2023 – MFY
  - MLM/21-0012 – Supporting Letter (Traffic) – 14 December 2023 – MFY
  - 22-3180-SKC02 – Preliminary Grading and Stormwater Layout – Revision J – 30.01.2024 – Greenhill
  - 22-3180-SKC03 – Preliminary Grading and Stormwater Layout – Revision J – 30.01.2024 – Greenhill
  - 22-3180-SKC04 – Preliminary Grading and Stormwater Layout – Revision H – 30.01.2024 – Greenhill
  - 22-3180-SKC05 – Preliminary Services Layout – Revision A – 29.01.2024 – Greenhill
  - 22-3180-SKC06 – Preliminary Services Layout – Revision A – 29.01.2024 – Greenhill
  - 22-3180-SKC07 – Preliminary Services Layout – Revision A – 29.01.2024 – Greenhill
  - 22-3180 – Preliminary Infrastructure Services and Stormwater Management Report – Revision C – 27.07.2023 – Greenhill
  - 231975L001Rev0 – Flood Advice for 21-77 Globe Derby Drive – 23 November 2023 – Tonkin
  - 231975L002RevA – Updated Flood Advice for 21-77 Globe Derby Drive – 20 December 2023 – Tonkin
  - 231975L003RevA – Additional Flood Mitigation Investigation for 21-77 Globe Derby Drive – 24 January 2024 – Tonkin
  - PROJECT\_22.3180 – Landscape Master Plan – 29.01.2024 – GD Studia
  - Preliminary Arboricultural Impact Assessment – 4 May 2023 – Tree Vision
  - Native Vegetation Clearance Data Report – 12/07/2023 – EBS Ecology
  - 313-4 – Environmental Noise Assessment – 14 November 2023 – Echo Acoustic Consulting
2. The generation of airborne dust caused as a result of construction works shall be minimised at all times. Where generation of airborne dust is likely to cause nuisance beyond the site boundaries, dust control measures shall be implemented immediately.
3. A Soil Erosion and Drainage Management Plan and Construction Environment Management Plan shall be submitted to Council for Approval. The Soil Erosion and Drainage Management Plan and Construction Environment Management Plan shall be prepared in accordance with the document entitled “*Handbook for Pollution Avoidance on Commercial and Residential Building Sites*”, prepared by the Environment Protection Authority.
- (a) Hours of operation for all civil works;
  - (b) Arrangements for management of stormwater, noise and dust both during and post construction;
  - (c) Silt/erosion management both during and post construction;
  - (d) Measures to eliminate drag-out from the site during wet weather events.

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4. All recommendations contained under the Soil Erosion and Drainage Management Plan and Construction Environment Management Plan, Approved by Council under Planning Consent Condition 3, shall be met all times.
  5. Replacement trees must be planted within 12 months of completion of the development at the following rates:
    - a. if the development relates to a regulated tree—2 trees to replace a regulated tree; or
    - b. if the development relates to a significant tree—3 trees to replace a significant tree.

*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.*

6. The clearance of trees and vegetation within the Stage 2 area delineated on the approved Plan of Division, shall not be removed until the Stage 2 Detailed Design has been approved by Council.
7. The acoustic fence shall:
  - a. be finished in a dark grey neutral colour tone to match the retaining wall; and
  - b. be maintained in good conditions at all times, to the reasonable satisfaction of Council.

Planning Conditions – Department of Infrastructure and Transport (DIT)

8. Access to allotments 1 to 22 shall be gained via the internal road network as shown on Alexander Symonds, Plan of Division, Drawing No. 21A1526PROP1(H), Revision G, (RHF/BAT/DEL 24.1.2024. Access to Lots 15 and 16 shall be located along the western boundaries of each allotment as far as practicable from the internal T-junction.
9. The Port Wakefield Road/New Road junction and modifications to Port Wakefield Road shall be in accordance with MFY Drawing No. MFY\_210012\_06\_SK02, Revision B, dated 9 August 2023.

The road upgrades shall ensure that the existing Wire Rope Safety Barrier, existing sealed shoulder and bicycle facility are maintained and that the separation between the new diverge (into the AUL) and the existing merge from 3 lanes into 2 (north Globe Derby Drive) is appropriately designed. The new road junction shall be designed to accommodate PBS Level 2A vehicles and any modifications to Port Wakefield Road shall accommodate PBS Level 3A vehicles.

All required road works shall be designed and constructed in accordance with Austroads Guides, Australian Standards and the Department for Infrastructure and Transport (DIT) Master Specifications. All associated costs (including but not limited to project management and any necessary road lighting, modifications to the Wire Rope Safety Barrier, signage and drainage upgrades) shall be borne by the applicant. All works shall be completed to the satisfaction of DIT prior to Section 138 land division certificates being issued.

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*Note: Prior to undertaking detailed design, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone (08) 8226 8244, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to progress this. The applicant shall enter into a Developer Agreement with DIT to undertake and complete this work.*

10. Any infrastructure within the road reserve (including road signs, street lights, stormwater infrastructure, etc) that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
11. The internal roads shall be suitably designed to cater for the largest vehicle expected to access the development and the cul-de-sac shall ensure that a commercial vehicle (up to a PBS Level 2A vehicle) can undertake a full U-turn manoeuvre should site access not be possible (as shown on MFY Figure 1 in correspondence dated 17 November 2023).
12. Any noise attenuation installed at the Port Wakefield Road/Daniel Avenue junction shall be fully contained within the site of the development (or a dedicated reserve strip) and not installed on road reserve under the care, control and management of the Commissioner of Highways.
13. A final stormwater management plan shall be developed in conjunction with DIT and be in accordance with DIT Master Specification RD-DK-D1 Road Drainage Design and other relevant guidelines. The point/s of discharge shall be confirmed and the pre and post development peak discharge to any DIT infrastructure is to be confirmed during detailed design. All drainage infrastructure is to be to the satisfaction of Council and DIT.
14. Stormwater run-off shall be collected on-site and discharged without impacting the adjacent roads. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

*Planning Conditions – Native Vegetation Council*

15. Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the Native Vegetation Act 1991 have been satisfied.
16. Stockpiled materials, including cleared vegetation and excavated soil is not to be placed on top of native understorey outside the approved area.
17. Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area.

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## Advice Notes - Council

### **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).

### **Planning Consent Valid for 2 Years**

Land Division Consent, 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.

### **Advice regarding Council land**

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

- 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.
- 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.
- 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;
- It is the developer's/owner's 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.

### **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>

### **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>.

### **Advice Notes – DIT**

- The subject land abuts Port Wakefield Road that was proclaimed as a controlled access road on 13 July 1968. Subject to development approval, the department will amend its records to formalise the new road connection to Port Wakefield Road.
- The Department is currently undertaking a planning study for Elder Smith Road that includes consideration of the extension of Elder Smith Road to Port Wakefield Road. It is recommended that the applicant liaise with the Department prior to lodging for Section 138 certificates for Allotments 19-22 to determine whether any modifications to these allotments will be required as a result of the planning study.
- Approval will need to be sought from the National Heavy Vehicle Regulator prior to PBS Level 2A vehicles utilising the new roads in this land division.

### **Liaison with Asset Owners**

The Applicant is responsible for all costs, administration and processes associated with relocation of affected public infrastructure, including, but not limited to; electricity stobie poles; utility pits; traffic barriers; street signage etc.

## **Native Vegetation**

The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the Native Vegetation Act 1991 as set out in Decision Notification 2023/3169/361.

## **Telecommunications Act**

Under Part 20A of the Telecommunications Act 1997 (Cth), developers are required to install fibre-ready facilities (e.g. pit and pipe) in their developments, unless the development qualifies for an exemption. Developers can face penalties if they sell or lease building lots or units in new developments without fibre-ready facilities installed.

Under the Commonwealth's Telecommunications in New Developments Policy, developers are also expected to contract a telecommunications carrier (being any statutory infrastructure provider (SIP) or NBN Co as the default SIP) to provide services in their development. Carriers should install fixed-line network infrastructure in new developments, unless that is not commercially feasible, in which case they should use fixed-wireless or satellite technologies.

Further details of these requirements can be found at:

[www.infrastructure.gov.au/department/media/publications/telecommunications-new-developments](http://www.infrastructure.gov.au/department/media/publications/telecommunications-new-developments)

## **OTHER BUSINESS**

### **8.2.1 Policy Issues Arising from Consideration of Development Applications**

Nil

### **8.2.2 Future Meetings & Agenda Items**

Next meeting scheduled for Tuesday 26 March 2024.

## **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 8.38 pm.

**PRESIDING MEMBER:** Mr T Mosel

**DATE:** 27 February 2024  
(refer to email approving minutes registered in the City of Salisbury's Record Management System - Document Number 8115509)