



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

17 DECEMBER 2024

MEMBERS PRESENT

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

STAFF

Assessment Manager, Mr C Zafiropoulos
General Manager City Development, Ms M English
Acting Team Leader Planning, Mr S Ondeyo
Development Officer Planning, Ms K Brown
Team Leader Business Service, Ms H Crossley

The meeting commenced at 6.33pm.

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

APOLOGIES

Nil

LEAVE OF ABSENCE

Nil

ADOPTED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 26 November 2024, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Development Applications

8.1.1 24026923

Additions to an existing educational establishment comprising the construction of a new indoor sports facility (one (1) indoor court and one (1) undercover outdoor court) with associated specialised learning areas and covered walkways linking to other school buildings at 27-35 & 37 Countess Street, Paralowie SA 5108 for Jeremy Graetz and Tim Ross

REPRESENTORS

Ms C Neill, spoke on behalf of her representation.

APPLICANT

Mr T Ross, Bell Architecture, spoke on behalf of the application.

Ms W Matear, Principal Bethany School, spoke on behalf of the application.

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 33 of the *Planning, Development and Infrastructure Act 2016*, Planning Consent is **GRANTED** to application number 24026923 for Additions to an existing educational establishment comprising the construction of a new indoor sports facility (one (1) indoor court and one (1) undercover outdoor court) with associated specialised learning areas and covered walkways linking to other school buildings 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. Civil and Siteworks Plan, prepared by a qualified and experienced stormwater engineer, for all civil and stormwater works, which shall address all of the following:
 - (a) Finished floor levels for all buildings, hardstand surfaces, pavement design
 - (b) details and gradients; and
 - (c) Cut/fill details; and
 - (d) Retaining walls, kerbing or ramps, their design and grades; and
 - (e) To provide additional protection from stormwater within the road, the level of the driveway at the boundary is to maintain a minimum 150mm boundary rise be raised from the adjacent top of kerb in accordance with Council's standard detail SD-13; and
 - (f) Car parking dimensions, aisle widths, circulation movements and associated pavement markings and signage; and
 - (g) Pumped stormwater systems are to be designed and constructed in accordance with AS3500.3 – Section 8. This includes the provision of duplicate, alternate duty pumps, alarms and emergency storage; and
 - (h) Plans prepared are to be consistent and reflective of the advice received by third party consultants (Environmental Noise Assessment, Traffic and Parking Report, Landscape Plans and Waste Management Advice).

2. Stormwater management arrangements, including accompanying design calculations, which consider the 10% AEP minor storm and 1% AEP major storm events.
 - (a) Stormwater discharge to the downstream system is not to exceed the pre-development
 - (b) discharge rate for the equivalent minor and major storm events; and
 - (c) Stormwater systems shall be designed and constructed to cater for minor storm flows (10% AEP). 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 conditions and no runoff into neighbouring property for the 1% AEP major storm event
 - (d) Surface drainage systems are to be designed and constructed in accordance with AS3500.3 – Section 5. Surface drainage systems are to be designed to ensure overflows, in storm events with an ARI of 100 years, do not present a hazard or nuisance to people or property or discharge over any adjoining land.
 - (e) Roof drainage systems are to be designed in accordance with AS3500.3 – Section 3. Stormwater discharge from the site to the downstream stormwater system is not to exceed the equivalent of the pre-developed minor storm event (10% AEP)
 - (f) MUSIC modelling is to be provided to demonstrate that Council's water quality targets can be achieved. The P&D Code (Design in Urban Areas – Assessment Provision PO 42.2) includes the following Water Sensitive

Design provision; Water discharged from a development site is to be of a physical, chemical and biological condition equivalent to of better than its pre-development state. To achieve the requirements of the Code and ensure Council's water quality objectives are met, it's recommended that the following water quality targets requirements apply. These are to be verified through provision of a MUSIC model to support the proposal:

- i. 80% retention of the typical urban annual load for Total Suspended Solids
- ii. 60% retention of the typical urban annual load for Total Phosphorus
- iii. 45% retention of the typical urban annual load for Total Nitrogen
- iv. 100% retention of the typical urban annual load for Gross Pollutants (litter)
- v. No visible oil flows up to the 3month ARI peak flow

Planning Consent 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.
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 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.
4. 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.
5. All roof and ground level plant and equipment shall incorporate screening devices.
6. 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'.

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 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.
9. Student numbers for Bethany Christian School shall be limited to a maximum of 545 students at any one time, unless otherwise approved by Council.
10. The approved use shall operate only by the school with no public use. Operating times shall be limited to Monday to Friday 8.00am to 6.00pm and Saturday 8.00am to 6.00pm with no activity on Sundays and Public Holidays.

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 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 landowner'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 root 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 developers/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 willful 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 On-Site**

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>

- **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 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>

- **Conditions Remain Valid Unless Otherwise Varied**

Except where otherwise varied by this Consent, the conditions imposed herein shall be in addition to conditions that apply to the site from previous approvals that remain active.

OTHER BUSINESS

8.2.1 Council Assessment Panel 2025 Meeting Schedule

Mr R Bateup moved, and the Council Assessment Panel resolved that the Council Assessment Panel 2025 meeting schedule forming Attachment 1 to the agenda report, be adopted.

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 meeting scheduled for Wednesday 29 January 2025.

ADOPTION OF MINUTES

Mr R Bateup 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 7.34pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 17 December 2024
(refer to email approving minutes registered in the City of Salisbury's Record Management System - Document Number 8334287)