

DECISION NOTIFICATION FORM

Section 126(1) of the Planning, Development and Infrastructure Act 2016

TO THE APPLICANT(S):

Name: SAJAD ALBADRI
Postal address: 55 WINARA DRIVE INGLE FARM SA 5098
Email: CKFA.SA@GMAIL.COM

IN REGARD TO:

Development application no.: 23005904	Lodged on: 11 Mar 2023
Nature of proposed development: Shed	

LOCATION OF PROPOSED DEVELOPMENT:

Location reference: 55 WINARA DR INGLE FARM SA 5098		
Title ref.: CT 5237/787	Plan Parcel: D9021 AL857	Council: CITY OF SALISBURY

DECISION:

Decision type	Decision (granted/refused)	Decision date	No. of conditions	No. of reserved matters	Entity responsible for decision (relevant authority)
Planning Consent	Granted	17 Mar 2023	3	0	Assessment Manager at City of Salisbury
Building Consent	Granted	29 Mar 2023	2	0	City of Salisbury
Development Approval - Planning Consent; Building Consent	Granted	29 Mar 2023	5	0	City of Salisbury

FROM THE RELEVANT AUTHORITY: City of Salisbury
Date: 29 Mar 2023

CONDITIONS

Planning Consent

Condition 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.

Condition 2

The external surfaces of the building shall:

1. be of new non-reflective materials; and
2. be finished in natural tones; and
3. be maintained in good condition at all times.

Condition 3

The building shall:

1. Only be used for purposes incidental to and in association with the existing dwelling; and
2. Not be used for human habitation.

Building Consent

Condition 1

The building work shall be completed in accordance with the Endorsed Documents.

Condition 2

Roof storm water from the building including any overflow from a rainwater tank must be piped to the street water table or site drainage easement in accordance with the requirements of AS/NZS3500.3 and in such a manner that none of the following conditions shall occur:

- a) The water enters or lies against the building; or
- b) The water unduly affects the stability of the building or any other building on the same site; or
- c) The water unduly creates any unhealthy or dangerous conditions on the site; or
- d) The water discharges into any drain leading to a sewerage system or to a common effluent drainage system; or
- e) That the water does not flow or discharge onto land of an adjoining Owner except with the prior written consent of that Owner.

ADVISORY NOTES

Planning Consent

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.

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:

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.*

Building Consent

None

CONTACT DETAILS OF CONSENT AUTHORITIES

Name: City of Salisbury	Type of consent: Planning; Building
Telephone: 08 8406 8222	Email: development@salisbury.sa.gov.au
Postal address: PO Box 8, Salisbury SA 5108	

BUILDING CLASSIFICATION/S

Essential safety provisions apply: No

Building work shed

Building Classification	Approved number of occupants
10A - Open or private garage,shed etc	N/A

CERTIFICATE OF BUILDING INDEMNITY INSURANCE

Domestic building work must not commence before a copy of the certificate of Building Indemnity Insurance has been lodged with the relevant authority. If not already lodged, you must lodge the required certificate of insurance before notice is given of intended commencement of building work (regulation 36).

Building work shed

Certificate of Building Indemnity Insurance received: (Not specified)

REQUIRED NOTIFICATIONS

You are advised that notice and/or documentation must be provided to council when the following stages of building work are reached (regulation 93):

Building work shed

- Commencement of Building work (1 business day's notice)
- Completion of Building work (1 business day's notice)

Note regulation 57(7) allows the relevant authority issuing the notice to specify any additional stage of building work for which notice must be given to the council under regulation 93.

Where a building certifier is issuing the building consent the use of this regulation is to inform the council of stages of work when a notification should be provided and an inspection may occur at the council's discretion. If applicable, notifications specified under 57(7) are therefore intended to be in addition to mandatory notifications and any notifications specified by council under 93(1)(b) or (c) when issuing the final Development Approval.

*To submit the requested notifications, log in to the SA planning portal and select **Submit mandatory building notifications**.*

STATEMENT OF COMPLIANCE

A Statement of Compliance is required at the completion of all building work, except in respect of a Class 10 building other than a swimming pool or private bushfire shelter.

Building Work shed

(None specified)

A blank copy of the Statement of Compliance is available on the SA planning portal. The Statement of Compliance and other required documents may be uploaded to the SA planning portal on completion.

BUILDING OCCUPATION/COMPLETION

Building work shed

Building classification 10A - Open or private garage,shed etc

A Certificate of Occupancy issued under section 152 is required for this building before it can be occupied: No

Note section 152 of the Act and regulation 103, requires a Certificate of Occupancy to be issued before a building can be occupied, except in respect of a Class 10 building under the Building Code (regulation 103(1)).

Note, despite a YES being indicated above, a Certificate of Occupancy is not required for a Class 1a building if this building is completed between 1 July 2021 and 31 December 2023 (inclusive). Completion of a building will be signalled by the receipt of the Statement of Compliance required for that building, or the final Statement of Compliance where multiple statements are required.

Section 152(2) of the Act states that 'A certificate of occupancy will be issued by council', noting that section 154 allows a building certifier to exercise this power should they elect to, where either: the building is owned occupied by the Crown or an agency or instrumentality of the Crown; or if they issued the building rules consent for that building.

The authority above - either building certifier or council - will therefore be responsible for issuing this Certificate following receipt of the Statement of Compliance and other documentation as required to provide assurance that the building is suitable for occupation.

Note the default authority for issuing this Certificate remains the council, should there be no building certifier or if the certifier elects not to issue this Certificate, noting that a council may still elect not to issue a certificate, if the council is not satisfied the building is suitable for occupation under section 152(6) of the Act.

Contact details for the purposes of this notification

Name City of Salisbury
Email development@salisbury.sa.gov.au

Phone 08 8406 8222

Notifications may also be provided via the SA planning portal.