



# MINUTES

of

## COUNCIL ASSESSMENT PANEL MEETING

*Pursuant to the provisions of Section 56A of the Development Act 1993*

HELD IN

**COUNCIL CHAMBERS  
PLAYFORD CIVIC CENTRE  
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**MONDAY, 18 JANUARY 2021  
AT 6:00PM**

The meeting commenced at 6:02 pm.

### **1 ATTENDANCE RECORD**

#### **1.1 Present**

#### **MR GEOFF PARSONS – PRESIDING MEMBER**

Mr Stephen Coppins      Mr Paul Mickan

#### Also in attendance for the meeting:

Manager, Planning Services (Assessment Manager)  
Development Officer – Planning  
Governance Support  
Minute Taker

Mr Matt Dineen  
Ms Megan Leverington  
Mr Aaron Galanti  
Mr Owen Perry

**1.2 Apologies**

Mr Nathan Grantham  
Ms Olivia Franco

**1.3 Not Present**

Nil

**2 CONFIRMATION OF MINUTES****PANEL RESOLUTION****CAP459**

The Minutes of the Council Assessment Panel Meeting held 21 December 2020 be confirmed as a true and accurate record of proceedings.

**CARRIED****3 APPLICATIONS WITHDRAWN**

Nil

**4 DECLARATIONS OF INTEREST**

The organisation Mr Parsons works for has approached the planning consultant of the applicant for item 6.1 to undertake some work for the organisation.

**5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD**

Nil

**6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD****6.1 THE CONSTRUCTION OF A FOAM MANUFACTURING PLANT (GENERAL INDUSTRY) INCLUDING WAREHOUSE AND OFFICE, ASSOCIATED HARDSTAND AREAS AND A CARPARK, THE ERECTION OF SIGNAGE, THE REMOVAL OF TWO REGULATED TREES, THE PLACEMENT OF TWO ABOVE GROUND WATER TANKS AND THE PARTIAL DEMOLITION OF AN EXISTING WAREHOUSE AND LEAN-TO**

**Representors:** Animal Welfare League of South Australia Inc.  
**Applicant:** Sagle Constructions Pty Ltd

**PANEL RESOLUTION****CAP460**

That pursuant to the authority to the Council Assessment Panel by the Council, it is recommended that the Council Assessment Panel:

- A. DETERMINES that the proposed development is not seriously at variance with the policies in the Playford Council Development Plan; and
- B. GRANTS Development Plan Consent, to the application by Sagle Constructions Pty

Ltd for the construction of a foam manufacturing plant (general industry) including warehouse and office, associated hardstand areas and a carpark, the erection of signage, the removal of two regulated trees, the placement of two above ground water tanks and the partial demolition of an existing warehouse and lean-to at 12 Hewittson Road, Edinburgh North as detailed in Development Application 292/1790/2020 subject to the following conditions and reserve matter:

### **Reserve Matter**

The following matter(s) have been reserved pursuant to section 33(3) of the Development Act 1993, and sub-delegated to Council planning staff for a determination, prior to the issue of Development Approval:

- A Construction Environmental Management Plan (CEMP) prepared by a site contamination consultant in accordance with the EPA Industry Guideline Construction Environmental Management Plan (CEMP) which:
  - identifies the environmental issues that may arise from the proposed work at the site (e.g soil management, including fill importation, stockpiles and prevention of soil contamination, including prevention of further groundwater contamination);
  - provides control measures to mitigate and/or manage any environmental impacts; and
  - includes an environmental assessment to ensure the site is suitable for its intended use.
- A detailed landscaping plan to be provided that details the species of plants to be incorporated along the southern and western boundary and adjoining the existing office buildings.

### **Council Conditions**

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in this Application except where varied by any condition(s) listed below:
2. The hours of operation herein approved are as follows:  
  
6.00am to 10.30pm  
  
Any variation to these hours of operation will require a further consent.  
  
*Reason: To minimise the impact on adjoining properties.*
3. No materials or equipment are to be stored outdoors.  
  
*Reason: To preserve and enhance the amenity of the site and locality.*
4. All loading and unloading of goods and merchandise shall be carried out upon the subject land and no loading of any goods or merchandise shall be permitted to be carried out in the street in conjunction with the consent herein granted.  
  
*Reason: To minimise the impact on adjacent properties, roads, road users and infrastructure.*
5. All driveways, parking and manoeuvring areas must be formed, sealed with concrete, bitumen or paving, and be properly drained. They must be maintained in good condition thereafter.  
  
*Reason: To ensure useable and safe car parking.*

6. The signage, herein approved, must be maintained in good repair with all words and symbols being clearly visible at all times.

*Reason: To ensure amenity of the site and locality.*

7. The planting and landscaping identified on the site plan sheet no: A02 of 11 submitted with the application must be completed in the first planting season concurrent with or following commencement of the use of the manufacturing plant. Such planting and landscaping must not be removed nor the branches of any tree lopped and any plants which become diseased or die must be replaced by suitable species.

*Reason: To maintain the amenity of the site and locality.*

8. All vehicles must enter and exit the site in a forward direction.

*Reason: To ensure safe and convenient access is provided.*

9. Ensure stormwater from the subject site is directed safely to the legal stormwater discharge point, without increasing the risk of flood inundation of adjoining properties. The stormwater system installation shall meet the minimum requirements of City of Playford drawing: 10 Footpath Drainage outlet C.

*Reason: To maintain consistency of the streetscape, protect the infrastructure within the road verge and adjoining properties.*

10. On site stormwater detention must be constructed in accordance with the site works and stormwater management plans A2020 – 10517 and calculations produced by Mlei Engineers dated 10 December 2020 and 11 December 2020.

*Reason: The stormwater drainage system in the area surrounding the subject land has limited capacity. The reason for this condition is to reduce the flow of stormwater off the subject land to a rate which does not exceed the system's capacity.*

11. Four trees must be planted on the land to replace the trees herein approved for removal. Such trees shall not be a species specified under regulation 6A(5)(b) of the Development Regulations 2008. The plantings must be completed in the first planting season following the issuing of this consent and must be maintained in good condition thereafter.

*Reason: To ensure compliance with the legislative requirement for the planting of replacement trees, pursuant to Section 42(4) of the Development Act 1993.*

*For the purposes of section 42(4) of the Act, the prescribed number of trees is—*

*(a) if the development authorisation relates to a regulated tree—2 trees to replace the regulated tree;*

*(b) if the development authorisation relates to a significant tree—3 trees to replace the significant tree.*

#### **EPA Conditions**

12. All stormwater collected in the chemical storage bunded areas, cleaning wastes and spills must be collected, stored in bunded areas and disposed of via an EPA licensed facility for such wastes;

13. All chemicals must be stored, loaded/unloaded within the bunded areas suitable for

preventing the escape of chemicals into the land and waters;

14. All bunded areas must be blind systems, without any connection to the stormwater system;
15. The whole processing building for the factory and polyol area must be adequately bunded to contain all spillages and potential emergency fire-fighting wastes;
16. The stacks are to be located at least 3m above the highest point within a 30m radius; and
17. The exit velocity of each stack will be a minimum of 9.9m/s with upward flow to be unimpeded by the installation of a rain protector or similar device.

#### **EPA Notes**

- The Applicant is reminded of its general environmental duty, as required by Section 25 of the *Environment Protection Act*, 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;
- An environmental authorisation in the form of a licence is required for the operation of this development. The Applicant is required to contact the Environment Protection Authority before acting on any approval granted by the Council to ascertain licensing requirements. Likely conditions of the licence would include (but would not be limited to) – providing a consolidated Environmental Management System (EMS) to be developed to the satisfaction of the EPA;
- Information on applying for a licence (including licence application forms) can be accessed here:  
[http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence);
- A licence may be refused where the Applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority;
- The Applicant is reminded that all reasonable and practical operational steps should be taken to reduce off site noise. This includes fitting all trucks and forklifts with broadband reverse beepers;
- The Applicant is reminded that construction will need to be undertaken in accordance with Division 1 of Part 6 of the *Environment Protection (Noise) Policy 2007* at all times. Activities, which include the operation of machinery, resulting in noise with an adverse impact on the amenity need to be restricted to between 7.00am and 7.00pm Monday to Saturday and if necessary, on Sunday between 9.00am and 7.00pm to minimise the potential for complaint from noise nuisance;
- The Applicant is reminded that if during any site works, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the Applicant may need to remediate the contamination in accordance with EPA guidelines. More information can be found at:  
[https://www.epa.sa.gov.au/environmental\\_info/site\\_contamination/assessment\\_and\\_remediation](https://www.epa.sa.gov.au/environmental_info/site_contamination/assessment_and_remediation);
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website:

<http://www.epa.sa.gov.au>

**CARRIED**

## 7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1

Nil

## 8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS

Nil

## 9 OTHER BUSINESS

### 9.1 STAFF REPORTS

#### Matters to be considered by the Committee Only

*Matters delegated to the Committee.*

#### 9.1.1 STANDING REFERRAL OF BUILDING RULES ASSESSMENT

Responsible Executive Manager : Derek Langman

#### PANEL RESOLUTION

**CAP461**

1. The City of Playford Council Assessment Panel determines to act under Section 99(1)(b) of the Planning, Development and Infrastructure Act 2016 (the Act) in relation to all development applications received by it that involve the performance of building work.
2. Pursuant to Section 99(1)(c) of the Act, where the Panel has determined to act under Section 99(1)(b) of the Act, the City of Playford Council Assessment Panel refers the assessment of the development in respect of the Building Rules to the City of Playford.

**CARRIED**

#### 9.1.2 DELEGATIONS UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

Responsible Executive Manager : Barry Porter

#### PANEL RESOLUTION

**CAP462**

1. In exercise of the power contained in Section 100 of the *Planning, Development and Infrastructure Act 2016* the powers and functions under the *Planning, Development and Infrastructure Act 2016* and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 18 January 2021 and entitled 'Proposed Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)' and marked Attachment 1) are hereby delegated this 18 day of January 2021 to the City of Playford Assessment Manager subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. Such powers and functions may be further delegated by the City of Playford Assessment Manager in accordance with Section 100(2)(c) of the *Planning, Development and Infrastructure Act 2016* as the City of Playford Assessment Manager sees fit, unless

otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

With the following amendments:

The following delegations contained within Attachment 1 entitled 'Proposed Instrument of Delegation under the Planning, Development and Infrastructure Act 2016, Regulations, Planning and Design Code and Practice Directions of Powers of an Assessment Panel (Instrument C)' are not delegated:

s99(1)	4. Relevant Provisions Clause 4.1
s102(1)	5.1.2 – the relevant provisions of the Building Rules (building consent)
s118(1)	7. Building Consent Clause 7.1
s118(2)(a)	7. Building Consent Clause 7.2
s118(2)	7. Building Consent Clause 7.3
s118(4)	7. Building Consent Clause 7.4
s118(6)	7. Building Consent Clause 7.5
s118(7)	7. Building Consent Clause 7.6
s118(8)	7. Building Consent Clause 7.7
s118(10)	7. Building Consent Clause 7.8
s118(11)	7. Building Consent Clause 7.9
s134(1)	18. Requirements to Up-grade Clause 18.1
s134(1)	18. Requirements to Up-grade Clause 18.2
s134(2)	18. Requirements to Up-grade Clause 18.3
s134(3)	18. Requirements to Up-grade Clause 18.4
s134(4)	18. Requirements to Up-grade Clause 18.5
s134(5)	18. Requirements to Up-grade Clause 18.6
cl13(5) Sch 8	22. Regional Assessment Panels Clause 22.1
r45(1)	31. Building Matters Clause 31.1
r45(2)	31. Building Matters Clause 31.2
r45(3)	31. Building Matters Clause 31.3
r45(4)	31. Building Matters Clause 31.4
r45(5)	31. Building Matters Clause 31.5
r63(1)	40. Urgent Work Clause 40.1
r63(2)	40. Urgent Work

r63(3)	Clause 40.2 40. Urgent Work Clause 40.3	<b><u>CARRIED</u></b>
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**10 CONFIDENTIAL MATTERS**

Nil

**11 DEVELOPMENT PLAN POLICY DISCUSSION FORUM**

Nil

**12 CLOSURE**

The meeting closed at 6:44pm.