



MINUTES

of

COUNCIL ASSESSMENT PANEL MEETING

Pursuant to the provisions of Section 82 of the Planning, Development and Infrastructure Act 2016

HELD IN

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

ON

**THURSDAY, 19 MARCH 2026
AT 6:00 PM**

The meeting commenced at 6:00 pm.

1 ATTENDANCE RECORD

1.1 Present

MR GEOFF PARSONS – PRESIDING MEMBER

Mr Aaron Curtis

Mr Paul Mickan

Ms Misty Norris

Mr Adam Squires

Also in attendance for the meeting:

Assessment Manager

Senior Manager Development Services

Principal Planner - Major Projects

Development Officer - Growth

Senior Development Officer - Planning

ICT Service Delivery Coordinator

Minute Taker & Governance Support

Mr Leif Burdon

Mr Matt Dineen

Mr Mahmoud Hasaneen

Mr Miro Todosijevic

Mr Oliver Luke

Mr Nathaniel Walter

Mrs Skye Nitschke

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES**PANEL RESOLUTION****CAP606**

The Minutes of the Council Assessment Panel Meeting held 19 February 2026 be confirmed as a true and accurate record of proceedings.

CARRIED UNANIMOUSLY

3 APPLICATIONS WITHDRAWN

Nil

4 DECLARATIONS OF INTEREST

Nil

5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD**5.1 25023116 - UNIT 8, 7B PEACHEY ROAD, EDINBURGH NORTH - CHANGE IN USE FROM WAREHOUSE TO A SHOP WITH ASSOCIATED OFFICE AND ADVERTISEMENT**

Representors: Craig Ahl Addressed the Panel via Zoom
Nicola Formichella Did not wish to be heard

Applicant: A.C.N. 132 266 329 PTY LTD AS Trustees for Mohamud Family Trust Trading as Afroz Store

PANEL RESOLUTION**CAP607**

It is therefore recommended that the Council Assessment Panel:

1. **DETERMINES** that the proposed development is not seriously at variance with the policies in the Planning and Design Code; and
2. **REFUSES** Planning Consent to the application by A.C.N. 132 266 329 Pty Ltd as Trustees for Mohamud Family Trust Trading as Afroz Store for change of use from a warehouse to a shop for the purpose of sales of a mixed-use retail products.
 - a. The proposal is inconsistent with the intent of the Strategic Employment Zone and the Transport, Access and Parking Modules and is therefore considered inappropriate within this Zone. Furthermore, the proposed change in use and scale of the development is regarded as incompatible with the industrial nature and function of the subject site and locality.
 - b. In particular, it falls short of the following:
 - i. Strategic Employment PO 1.6 – Bulky good outlets and standalone shops are located to provide convenient access.
 - ii. Transport, Access and Parking PO 5.1 – Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: availability of off-street car parking and shared use of other parking areas.
 - iii. Transport, Access and Parking PO 6.4 – Pedestrian linkages between parking areas and the development are provided and are safe and convenient.
 - iv. Transport, Access and Parking PO 6.7 – On-site visitor parking spaces are sited and designed to be accessible to all visitors at all times.

CARRIED UNANIMOUSLY

5.2 25028569 - 17 SPENCER STREET, MACDONALD PARK - CHANGE IN USE OF EXISTING OUTBUILDING TO ANIMAL KEEPING (DOG KENNELLING AND BREEDING) AND FROM EXISTING PRIVATE OPEN SPACE TO ANCILLARY DOG RUNNING YARD

Representors:

Mr Brian L Fretter	Addressed the Panel
Mr Ben Luxton	Did not attend
Mr Andrew Child	Did not wish to be heard

Applicant:

Mr Hieu Ngo C/- Flex Planning
Mr Michael Walmsley, Flex Planning, on behalf of the applicant, addressed the Panel

PANEL RESOLUTION**CAP608**

It is recommended that the Council Assessment Panel resolves to:

1. **DETERMINE** that the proposed development is not seriously at variance with the provisions of the Planning and Design Code.
2. **GRANTS** Planning Consent to the application by Mr Hieu Ngo C/- Flex Planning for the Change in use of an existing outbuilding to animal keeping (dog kennelling and breeding) and from existing private open space to ancillary dog running yard subject to the following Reserve Matters and Conditions:

Reserved Matters:

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act of 2016*, the following matters shall be reserved for further assessment to the satisfaction of the Council Assessment Panel, and sub-delegated to the Assessment Manager, for determination prior Building Rules Consent:

1. The applicant shall provide for an updated management report to include further details on the operation of the breeding program including, but not limited to, the sale and removal of puppies from the subject land and exercise opportunities for the breeder dogs.
2. Provide an updated Acoustic Report which includes further consideration to:
 - impacts of any plant and equipment, inclusive of but not limited to evaporative cooling systems, for temperature control of the kennel building
 - additional noise generation from dogs under 3-months of age.

Conditions:

1. The development granted Planning Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
2. Any dogs kept at the subject land for breeding purposes must be registered via Dogs and Cats Online (or any successor body or entity).
3. The number of dogs which can be kept on the subject land at any one time is limited to the following:
 - 14 dogs for breeding purposes including a maximum of 12 breeding females
 - 10 boarded dogs

The total number of dogs on the subject land shall be no more than 24 dogs. In Line with City of Playford By-Law 4, dogs under 3 months of age are excluded from this capacity.

4. Boarded dogs shall not occupy the subject land for more than 30 sequential days.
5. The dog park/recreation area shall be used by no more than four (4) dogs at any one time and shall only be used between 9:00am and 5:00pm.
6. The following noise mitigation measures shall be installed/undertaken prior to the commencement of animal keeping on the site in accordance with the Environmental Noise Assessment prepared by Vipac Engineers and Scientists Limited, dated 2 September 2025:
 - Removal of polycarbonate roof sheeting and replacement with profiled steel sheeting.
 - Installation of an absorptive lining to the underside of the roof consisting of glass fibre insulation, minimum thickness 50mm, minimum density 32kg/m³, fitted with a perforated foil facing.

- Lining of the east/west walls of the building with cement sheeting (6mm minimum thickness) or 13mm moisture resistant plasterboard. The lining should be fixed to 70mm steel studs, with a cavity infill of 70mm thick fibreglass (minimum 22kg/m³).
 - Any significant gaps in the building structure shall be sealed with caulking, using closed cell foam and/or steel sheet flashings.
 - Air vents in the roof shall be fitted with single diameter un-podded circular attenuators. Alternatively, a 1m long section of 50mm lined ductwork with a 50mm lined elbow (90-degrees) shall be installed to reduce noise transmission through vents.
 - A 2100mm high fence shall be constructed to provide shielding from noise radiating from the roller doors. The fence shall be constructed using profiled steel sheeting with a minimum thickness of 0.48mm BMT, cement sheeting, aerated concrete or masonry. Any gate shall be constructed using a solid panel.
7. Solid waste (faeces and bedding) shall be collected daily and stored in sealed bins until removed from the site by private waste contractor. Bins shall be managed in the following ways:
- Bins shall not be filled to a point above which the lid cannot be closed. Any waste or rubbish not able to fit within the appropriate bin must be disposed of at an appropriate location away from the subject land.
 - Bins used to store dog waste shall be cleaned and disinfected using appropriate product immediately after each collection day.
8. Waste disposal vehicles shall only service the development between the hours of 7.00am and 7.00pm Monday to Saturday inclusive, and shall, at all times, be restricted to the confines of the subject land.
9. All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the *South Australian Public Health Act 2011*.
10. The area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.
11. The driveway and car parking areas shall be surfaced, drained and marked to accepted engineering standards prior to the use of the development and shall be maintained in good condition at all times.
12. Effective measures shall be implemented during the on-going use of the land in accordance with this consent to:
- prevent dog faeces or waste from washing into or entering adjoining premises or public roads.
 - control offensive odours associated with dog keeping to the reasonable satisfaction of Council.
 - ensure that all litter and dog waste is contained on the subject site in suitable covered bins with such waste being collected or removed from the subject land not less than every seven (7) days.
 - ensure that dog barking is minimised so as not to become an unreasonable nuisance, in the opinion of council, to the occupiers of adjacent land.

Advisory Notes:

1. You are further advised that Building Rules Consent is required for the application pursuant to the *Planning, Development and Infrastructure Act 2016* (due within 2 years of the date of Planning Consent).
2. The land owner/developer is responsible for ensuring that building work is sited in

the approved position. This may necessitate a survey being carried out by a licensed land surveyor. Allotment boundaries will not be certified by Council staff; however Council may enforce removal of any encroachments over Council land.

3. Whilst not administered by Council, the provisions of the *Fences Act 1975* may apply to any works proposed affecting boundary fences, including requirements for consultation and notification of adjoining owners. It is recommended that your obligations under the Fences Act are confirmed prior to any works affecting boundary fences (existing or proposed).
4. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.

Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.

Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

CARRIED

5.3 24025773 - 66 MAIN TERRACE, BLAKEVIEW - CONSTRUCTION OF THREE STOREY RESIDENTIAL FLAT BUILDING FOR SUPPORTED ACCOMMODATION CONSISTING OF 10 SPECIALIST DISABILITY ACCOMMODATION (SDA) APARTMENTS, 1 ONSITE OVERNIGHT ASSISTANCE (OOA) APARTMENT AND GROUND FLOOR ASSOCIATED COMMON AREAS, LANDSCAPING, RETAINING WALLS AND CARPARKING

Representors:	Ms Schmidt*	Did not attend
	Mr Somers*	Did not attend
	Kayla Thompson*	Did not attend
	Scott Davis	Did not wish to be heard
	Margaret Troubridge	Did not wish to be heard
	Damir Pilvac	Did not wish to be heard
	Kate Mott	Did not wish to be heard
	Celeste Jedani	Did not wish to be heard
	Adrian Rossi	Did not wish to be heard
	Zachary Evans	Did not wish to be heard
	Isaac Tud	Did not wish to be heard
	Corrina Magro	Did not wish to be heard
	Rajvir Saini	Did not wish to be heard
	Pritpal Singh	Did not wish to be heard
	Amanda Jane Saunders	Did not wish to be heard

Applicant: Ashley Richards & Associates C/- DKJ Projects.Architecture & URPS

PANEL RESOLUTION**CAP609**

It is therefore recommended that the Council Assessment Panel:

1. **DETERMINES** that the proposed development is not seriously at variance with the policies in the Planning and Design Code; and
2. **GRANTS** Planning Consent to the application by Ashley Richards & Associates C/DKJ Projects Architecture & URPS for the Construction of a three-storey residential flat high-density building for supported accommodation consisting of 10 Specialist Disability Accommodation (SDA) apartments, 1 Onsite Overnight Assistance (OOA) apartment and ground floor associated common areas, landscaping, retaining walls and car parking, subject to the following reserved matter and conditions:

Reserved Matter(s)

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016* (the Act), the following matters shall be reserved for further assessment to the satisfaction of the Council Assessment Panel, and sub-delegated to the Assessment Manager for determination:

1. The applicant is to submit an updated stormwater management plan which includes:
 - The inclusion of a mesh basket for the collection/capture point for carpark run-off in addition to the grated inlet pit to stop bigger debris.
 - Additional note for the details of temporary storage during power outage and pump failure management to be provided if this alternative option is chosen.
 - Determination if additional freeboard to the vehicular access driveway is required to protect the development from any external stormwater spill from Bray Lane into the proposed carparking area.

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.

Reason: To ensure that the development is constructed and operated in accordance with the plans and details provided.

2. All stormwater resulting from the subject development shall be managed in an orderly manner and in accordance with the approved plans and documentation so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.
3. Waste disposal vehicles and general delivery vehicles shall only service the development between the hours of 7.00am and 7.00pm Monday to Saturday inclusive, and shall, at all times, be restricted to the confines of the subject land.
4. The waste storage areas and/or receptacles shall be screened so as to reduce their visual prominence when viewed from the surrounding locality.
5. The area set aside for the parking of vehicles shall be made available for such use and shall not be used for any other purpose.
6. All vehicle car parks, driveways and vehicle entry and manoeuvring areas shall be designed and constructed in accordance with the relevant Australian Standards and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of Council prior to the occupation or use of the development.

7. External lighting and security lighting shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.
8. Graffiti shall be removed from any structure on the site, at the cost of the applicant or owner, within 7 days of the graffiti being placed on the structure.
9. Effective measures shall be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
 - Prevent silt run-off from the land to adjoining properties, roads and drains.
 - Control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land.
 - Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site.
 - Ensure that all litter and building waste is contained on the subject site in a suitable covered bin or enclosure.
 - Ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of council, to the occupiers of adjacent land.
10. 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.
11. Landscaping shown on the plans herein approved shall be established to the reasonable satisfaction of Council prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced within the first planting season following removal.
12. Extension of footpath shown on the plans to connect to existing public walkway external to the site requires application to Alter Council Land under Section 221 of the *Local Government Act 1999*.
13. The upper-level windows of all elevations as shown on approved plans, must have:
 - Permanently obscured to a height of 1.5m above finished floor level and are fixed or not capable of being opened more than 200mm; or
 - Sill heights greater than or equal to 1.5m above finished floor level; or
 - Incorporate screening with a maximum of 25% openings, permanently fixed no more than 500mm from the window surface and sited adjacent to any part of the window less than 1.5m above the finished floor level of the upper level.
 - The obscured glass must be fitted prior to occupation of the building and maintained at all times thereafter.
14. Permanently fixed privacy screens with a maximum 25% transparency/openings as reflected within the approved plans must be erected on the southern elevation (identified as Elevation B), western elevation (identified as Elevation C) and eastern elevation (identified as Elevation D) of the proposed building to a minimum height of 1.7 metres above the finished floor level of the upper levels (levels 1 and 2) prior to the occupation of the building, and must be maintained as an effective privacy screen thereafter.

Reason: To minimise overlooking into adjoining properties.
15. Common rooms must only be used for activities by the on-site residents.

Advisory Notes

1. 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 (the Court) within two (2) 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.
2. Any pruning, damage or removal of a Council tree by a person, other than the Council (or a person acting under some other statutory authority) may result in action taken under Section 221 of the *Local Government Act 1999*. Maximum penalty \$5,000.
3. 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.

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.

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>.

CARRIED

6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

Nil

7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1

Nil

8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS

Nil

9 OTHER BUSINESS

9.1 STAFF REPORTS

Nil

10 CONFIDENTIAL MATTERS

Nil

11 POLICY DISCUSSION FORUM

Nil

12 CLOSURE

The meeting closed at 7:48 pm.