



# MINUTES

of

## COUNCIL ASSESSMENT PANEL MEETING

HELD IN

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

ON

**MONDAY, 21 JUNE 2021  
AT 6:00PM**

The meeting commenced at 6:00pm.

### **1 ATTENDANCE RECORD**

#### **1.1 Present**

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

Mr Stephen Coppins

Mr Nathan Grantham

Mr Paul Mickan

##### Also in attendance for the meeting:

Manager, Planning Services (Assessment Manager)

Development Officer – Planning

Cadet Planner

Cadet Planner

Minute Taker

Mr Matt Dineen

Mr Jamie Hanlon

Ms Laura Goulden

Mr Shanon Govindan

Mr Owen Perry

#### **1.2 Apologies**

Ms Olivia Franco

#### **1.3 Not Present**

Nil

**2 CONFIRMATION OF MINUTES****PANEL RESOLUTION****CAP476**

The Minutes of the Special Council Assessment Panel Meeting held 7 June 2021 be confirmed as a true and accurate record of proceedings.

**CARRIED****3 APPLICATIONS WITHDRAWN**

Nil

**4 DECLARATIONS OF INTEREST**

Mr Geoff Parsons declared that he sits on an different Council Assessment Panel with Mr Tom Gregory, Consultant Planner for Item 6.1 however maintains impartiality and will remain in the meeting to participate in the debate and vote.

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

Nil

**6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD****6.1 REMOVAL OF A SIGNIFICANT TREE (EUCALYPTUS CLADOCALYX)  
(292/2550/2020)**

**Representors:** Nil  
**Applicant:** Mr K Nicholls

**PANEL RESOLUTION****CAP477**

That pursuant to the authority delegated 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 City of Playford Development Plan; and
- b) REFUSES Planning Consent to the application by Mr K Nicholls to the removal of one (1) significant tree at 16 Lawder Road, Blakeview as detailed in Development Application 292/2550/2020 on the following grounds:
  1. The tree is considered to significantly contribute to the character and amenity of the locality and therefore considered at variance with the following provisions:
    - i. *Objective 1 (Regulated Trees) The conservation of regulated trees that provide important aesthetic and/or environmental benefit.*
    - ii. *Principle of Development Control 2 (Regulated Trees) Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:*
      - (a) *significantly contributes to the character or visual amenity of the locality*

- iii. *Objective 1 (Significant Trees) The conservation of significant trees, in Metropolitan Adelaide, that provides important aesthetic and environmental benefit.*
  - iv. *Principle of Development Control 1 (Significant Tree) Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:*
    - (a) *makes an important contribution to the character or amenity of the local area;*
    - (f) *forms a notable visual element to the landscape of the local area.*
2. The proposal is contrary to preservation of the tree as an environmental benefit and therefore considered at variance with the following provisions:
- i. *Objective 1 (Regulated Trees) The conservation of regulated trees that provide important aesthetic and/or environmental benefit.*
  - ii. *Principle of Development Control 2 (Regulated Trees) Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:*
    - (d) *an important habitat for native fauna*
  - iii. *Objective 1 (Significant Trees) The conservation of significant trees, in Metropolitan Adelaide, that provides important aesthetic and environmental benefit.*
  - iv. *Principle of Development Control 1 (Significant Tree) Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:*
    - (c) *represents an important habitat for native fauna*
    - (e) *is important to the maintenance of biodiversity in the local environment*
3. A regulated tree should not be removed if the removal criteria is not achieved in accordance with the following provisions:
- i. *Principle of Development Control 2 (Regulated Trees) Development in balance with preserving regulated trees that demonstrate one or more of the following attributes:*
    - (a) *the tree is diseased and its life expectancy is short*
    - (b) *the tree represents a material risk to public or private safety*
    - (c) *the tree is causing damage to a building*
    - (d) *development that is reasonable and expected would not otherwise be possible*
    - (e) *the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree*
  - ii. *Principle of Development Control 2 (Significant Trees) The conservation of significant trees in balance with achieving appropriate development*

iii. *Principle of Development Control 3 (Significant Trees)*

(a) *in the case of tree removal, where at least one of the following apply:*

(i) *the tree is diseased and its life expectancy is short*

(ii) *the tree represents an unacceptable risk to public or private safety*

(iii) *the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a bushfire prone area*

(b) *the tree is shown to be causing or threatening to cause substantial damage to a substantial building or structure of value*

(c) *all other reasonable remedial treatments and measures have been determined to be ineffective*

(d) *it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree damaging activity occurring.*

(e) *in any other case, any of the following circumstances apply:*

(i) *the work is required for the removal of dead wood, treatment of disease, or is in the general interests of the health of the tree*

(ii) *the work is required due to unacceptable risk to public or private safety*

(iii) *the tree is within 20 metres of a residential, tourist accommodation or habitable building and is a bushfire hazard within a bushfire prone area*

(iv) *the tree is shown to be causing or threatening to cause damage to a substantial building or structure of value*

(v) *the aesthetic appearance and structural integrity of the tree is maintained*

(vi) *it is demonstrated that all reasonable alternative development options and design solutions have been considered to prevent substantial tree damaging activity occurring.*

**CARRIED**

**7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1**

Nil

**8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS****8.1 CONSTRUCTION OF AN IMPLEMENT SHED, PACKING SHED, OFFICE, SALES ROOM ASSOCIATED WITH HORTICULTURE, TWO (2) GREENHOUSE BUILDINGS AND SHADE SAIL STRUCTURE (292/985/2019)**

**Representors:** Mr M Marks  
Mr J Clark  
Ms J K McKinnon & Kym Smith

**Applicant:** Michael Vu

**PANEL RESOLUTION****CAP478**

That pursuant to the authority delegated 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 City of Playford Development Plan; and
- B. GRANTS Planning Consent to the application by City of Playford for the Construction of an implement shed, packing shed, office, sales room associated with horticulture, two (2) greenhouse buildings and shade sail structure at 2 Talbot Road, Waterloo Corner, as detailed in Development Application No. 292/985/2019 subject to the following 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 of the packing shed, office and sales room herein approved are as follows:

7.00am to 5.00pm

Any variation to these hours of operation will require a further consent.

*Reason: To minimise the impact on adjoining properties.*

3. Any proposed new crossing place or alterations to a crossing place shall meet the minimum standard of design and construction as detailed on City of Playford drawings.

These are available from Councils website under [www.playford.sa.gov.au/standarddrawings](http://www.playford.sa.gov.au/standarddrawings)

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

4. All storm water shall be managed on site in accordance with;

- Harnett Engineering *Storm Water Plan*, Job Number HE15719/Date 06/07/2020
- Harnett Engineering *Engineering-Storm Water Management*, Job Number HE15719/Revision C October 2020

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.

*Reason: To ensure storm water is disposed of in a controlled manner.*

5. The greenhouses and associated structures herein approved as part of this Application must be maintained in a reasonable condition to the satisfaction of Council.

*Reason: To ensure that the greenhouse and associated structures do not become unsightly*

6. Hazardous substances/chemicals/fuels storage shall comply with the best practices guidelines for the storage and handling of such materials to the reasonable satisfaction of Council and other relevant bodies.

*Reason: To minimise the impact on adjoining properties.*

7. No waste materials, including biological waste and hard waste shall be stored on site for more than 30 days. Within this period, biological waste shall be stored in sealed bins or containers and hard waste shall be contained in a tidy and sightly manner until it is removed from the site.

*Reason: To minimise the risk of disease and pollution and to preserve the amenity.*

8. Any lighting on the subject land must be directed and screened so that overspill of light is avoided, does not create a nuisance to adjoining properties and motorists are not distracted.

*Reason: To minimise the impact on adjoining properties and drivers.*

9. The packing shed, office and sales room herein approved must not be used for any purpose until the greenhouses on the subject site have been substantially completed and have commenced operation.

*Reason: To ensure the proposal is established in accordance with the proposed use.*

**CARRIED**

## **9 OTHER BUSINESS**

### **9.1 STAFF REPORTS**

Nil

## **10 CONFIDENTIAL MATTERS**

Nil

## **11 POLICY DISCUSSION FORUM**

Nil

## **12 CLOSURE**

The meeting closed at 6:29 pm.