



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, 17 JULY 2025
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

Manager Planning Services

Senior Development Officer Planning Major Projects

Senior Development Officer Planning

Development Officer Planning

Governance Officer

ICT Support Engineer

ICT Support Officer

Minute Taker

Mr Matt Dineen

Mr Leif Burdon

Mr Mahmoud Hasaneen

Mr Andrew Simons

Mr Andrew Humby

Ms Kiraly Gosnell

Mr Nick Gehlert

Mr Krunal Patel

Mrs Skye Nitschke

1.2 Apologies

Nil

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES**PANEL RESOLUTION****CAP577**

The Minutes of the Council Assessment Panel Meeting held 19 June 2025 be confirmed as a true and accurate record of proceedings.

CARRIED**3 APPLICATIONS WITHDRAWN**

Item 6.2 25005488: 17 Stebonheath Road, Edinburgh North.

4 DECLARATIONS OF INTEREST

Nil

5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD

Nil

6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD**6.1 24042350: 17 STEBONHEATH RD EDINBURGH NORTH****Representors:** Nil**Applicant:** Leyton Property Pty Ltd

Matt King & Matilda Asser, URPS on behalf of the applicant addressed questions from the Panel.

PANEL RESOLUTION**CAP578**

It is therefore recommended that the Council Assessment Panel resolves to:

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 Leyton Property Pty Ltd for the Construction of three shops (restaurants, with dine-in and takeaway) and one shop (general retail) with associated signage, landscaping, parking and manoeuvring areas and earthworks, at 17 Stebonheath Road, Edinburgh North, as detailed in application ID 24042350, with the following conditions:

Conditions

1. The development shall 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 retail building shall be consistent at all times with the regulations imposed by the *Shop Trading Hours Act 1977* and the *Shop Trading Hours Regulations 2018* or any subsequent legislation which regulates shop trading hours and supersedes these provisions.
3. Delivery, service and waste vehicles shall not attend the site outside of the hours of 7am to 7pm Monday to Saturday or 9am to 7pm on Sunday and Public Holidays.
4. The premises shall be kept tidy and all buildings, fences, landscaping and paved or sealed surfaces shall be maintained in good condition at all times.
5. All exhaust systems shall be designed to minimise nuisance by way of odour by incorporating appropriate treatment technology before emissions are released, to the reasonable satisfaction of Council.
6. All loading and unloading of goods and merchandise shall be carried out entirely within the delineated loading areas and no loading of any goods or merchandise shall be permitted to be carried out in the street.
7. All off-street carparking spaces shall be linemarked, in accordance with the approved plans and Australian Standards AS 2890.1:2004 and 1742.2.2009. The linemarking, signposting and directional arrows shall be maintained to a clear and visible standard at all times.
8. A 150mm kerb shall be constructed to separate carparking spaces and driveways from landscaping areas and other open portions of the subject land.
9. All planting and landscaping identified on the plans submitted with the application shall be completed in the first planting season concurrent with or following commencement of the land uses approved herein. Such planting and landscaping shall not be removed nor the branches of any tree lopped and any plants which become diseased or die shall be replaced by suitable species.
10. The following shall occur during construction in close proximity to the Tree Protection Zones (TPZs) of each tree:
 - i. The TPZs shall be isolated as exclusion zones;
 - ii. The TPZs shall be suitably mulched;
 - iii. The TPZs shall be irrigated and kept moist for 4 weeks before site works commence and must continue throughout the length of the project. This must be tasked to a competent person and occur at the rate of 3-litres of water per square metre of land on any week when less than 3mm of rain has fallen in the locality (AS4970-2009);
 - iv. All surfaces within the TPZs shall be of suitably permeable construction;

- v. Perimeter kerbing to access roads within the TPZ shall first be hydro-vacced or similar along the alignments to ensure tree roots are located prior to any further excavation for kerbing and access roads;
- vi. Permeable subbase shall be used within the retail car park to allow the continued flow of water, nutrients and gaseous exchange to soil.

Commissioner of Highways Conditions

11. All development (except for the KFC pylon sign) shall be setback 7.45 metres from the existing Womma Road property in accordance with the Metropolitan Adelaide Road Widening Plan. The signage shall be relocated at no cost to the Department should the land be required for road purposes.
12. Access to Womma Road shall be in accordance with MFY Concept - Womma Road Edinburgh North, Traffic Review – Response to RFI, Drawing MFY 240263_04_SH01, Revision B dated 26 March 2025 and be consistent with MFY Traffic and Parking Report, Reference MLM/24-063, Draft 1 dated December 2024 and RFI response dated 31 March 2025. The access and road works shall, amongst other things, include the following:
 - i. A channelised right turn lane (CHR(s)) and auxiliary left turn lane (AUL(s)) at the eastern access.
 - ii. A pedestrian refuge near the eastern access that will link to proposed pedestrian facilities on Womma Road along the developments and match into the existing pedestrian/shared use paths on both sides of Womma Road.
 - iii. An auxiliary left turn (AUL(s)) into a new western access that will provide for left turn in and left turn out movements only. A solid median will be required to physically restrict this access to left turn/left turn out only. As part of the access design, the existing channelised right turn into Edward John Parade shall be maintained (with modified line marking where required).
 - iv. Bicycle and pedestrian movements being provided for within the upgraded section of Womma Road.
 - v. Any new/modified bus stop facilities being located outside of the travelling lane on Womma Road. All new bus stop facilities shall be DDA compliant.
 - vi. Lighting and stormwater infrastructure upgrades to the satisfaction of DIT and Council.

Note: Prior to undertaking detailed design, the applicant shall contact Mr Narendra Patel, Senior Network Integrity Engineer, Network Management Services on telephone 08 7133 3208, mobile 0400 436 745 or via email: narendra.patel@sa.gov.au to progress this.

The applicant shall enter into a Developer Agreement with DIT to undertake and complete this work.
13. All road works must be designed and constructed in accordance with Austroads Guidelines, Australian Standards and DIT's Master Specification. All associated costs including but not limited to project management any necessary road lighting, guard rail, stormwater, bus stops, drainage, etc upgrades being borne by the applicant. The road works shall be completed prior the development becoming operational on the subject land.
14. Any land required from the subject site to facilitate the required roadworks, bus and pedestrian facilities shall be dedicated to road at no cost to DIT or Council.
15. All vehicles shall enter and exit the site in a forward direction. The internal driveway and all on-site vehicle manoeuvring areas shall be suitably signed and line marked to reinforce the desired traffic flow though the site.
16. Any infrastructure (e.g. road signs, guard rail, bus stops, drainage infrastructure, etc) within the road reserve that is demolished, altered, removed or damaged

during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.

17. All parking shall be designed and constructed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2022 with all commercial vehicle facilities being designed in accordance with AS2890.2-2018.
18. Prior to commencement of construction a final stormwater management plan (including DRAINS modelling) shall be developed in conjunction with DIT and Council and be in accordance with DIT Master Specification RD-DK-D1 Road Drainage Design and other relevant guidelines. The point/s of discharge shall be confirmed and the pre and post development peak discharge to any DIT infrastructure is to be confirmed during detailed design. All drainage infrastructure is to be to the satisfaction of DIT and Council.
19. No stormwater from this development is permitted to discharge on-surface to Womma Road. In addition, any existing drainage of the road shall be accommodated by the development and any alterations to road drainage infrastructure as a result of this development shall be at the expense of the developer.

Environment Protection Authority Conditions

20. Remediation works must be undertaken in accordance with the Construction Environmental Management Plan, 17 Stebonheath Road, Edinburgh North prepared by Land & Water Consulting and dated 13 November 2024 and must be overseen by a suitably qualified and experienced site contamination consultant.
21. A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability (in the form described by Practice Direction 14: Site Contamination Assessment 2021) is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.
22. For the purposes of the above condition and regulation 3(6) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the statement of site suitability must be issued by a site contamination consultant.

CARRIED UNANIMOUSLY

6.2 25005488: 17 STEBONHEATH RD EDINBURGH NORTH

This item was withdrawn by the applicant after the agenda was produced.

6.3 24042652 - ALLOTMENT 144 JOHN RICE AVENUE ELIZABETH SOUTH (PROPOSED ALLOTMENT 4) - SINGLE STOREY CHILDCARE CENTRE WITH ASSOCIATED PLAY AREAS, FENCING, LANDSCAPING AND ON-SITE CAR PARKING, REMOVAL OF 2 REGULATED TREES AND 2 SIGNIFICANT TREES

Representors: Nil

Applicant: Development Holdings Pty Ltd

Ms Norris declared a material conflict of interest in this matter due to the City of Playford being the current owner of the subject land and her status as an Elected Member. Ms Norris left the meeting room at 6:36 pm.

Mr Rick Hutchins, Ekistics, on behalf of the applicant addressed questions from the Panel.

PANEL RESOLUTION**CAP579**

It is therefore recommended that the Council Assessment Panel:

1. **DETERMINES** 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 Development Holdings Pty Ltd for the construction of a Single Storey Childcare Centre with associated play areas, fencing, landscaping and on-site car parking, removal of 2 Regulated Trees and 2 Significant Trees at Allotment 144 John Rice Avenue, Elizabeth South as detailed in Development Application ID. 24042652 subject to the following Reserved Matters and Conditions:

RESERVED MATTERS

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 prior to the granting of Development Approval:

1. The applicant must submit an updated Stormwater Management Plan and supporting calculations that confirm the use of a single discharge point to Mark Road and specify the selected stormwater treatment and detention measures.
2. The applicant must submit an updated Landscaping Plan that identified verge upgrades works to John Rice Avenue and Mark Road, including the proposed retention or removal of any street trees on Mark Road.
3. The applicant must submit an updated Civil and Siteworks Plan that confirms final site and building levels, as well as the extent and method of battering adjacent to the Regulated Tree and Council street trees. Supporting arboricultural advice may be required where works are proposed within close proximity to the trees.
4. The applicant must submit evidence of compliance that identifies that mechanical plant equipment is:
 - To be located within the designated 'plant' room;
 - To be located away from the eastern boundary of the site;
 - where necessary, be fitted with acoustic attenuation treatments.

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 child care facility herein approved with a maximum capacity of 116 children.
3. The hours of operation herein approved are as follows:
 - Monday to Friday - 6:30am to 6:30pm
 - Saturday and Sunday – closed

Any variation to these hours of operation will require a further consent.
4. 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.
5. All off-street carparking spaces must be line marked, in accordance with the approved plans and Australian Standards AS 2890.1:2004 and 1742.2.2009. The line marking, signposting and directional arrows must be maintained to a clear and visible standard at all times.
6. The planting and landscaping identified on the Landscaping Plan submitted with

the application must be completed in the first planting season concurrent with or following commencement of the use of the Child Care Centre. 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.

7. Any lights on the subject land must be directed and screened so that overspill of light into the nearby properties is avoided and motorists are not distracted.
8. The signage, herein approved, must not move, flash, blink or rotate in any manner.
9. All recommendations contained within the Environmental Noise Assessment Report by Sonus document reference S8264C3 dated October 2024, shall be implemented prior to occupation of the site, and complied with at all times.
10. Payment of an amount calculated in accordance with the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* be made into the City of Playford Urban Trees Fund in lieu of planting replacement trees. Payment must be made prior to the issuing of Development Approval.
11. Refuse collection be restricted to periods when the child care centre is closed, specifically:
 - Saturday - Between the hours of 7:00am to 7:00pm
 - Sunday or Public Holiday - Between the hours of 9:00am to 7pm

Environment Protection Authority Conditions

12. A certificate of occupancy must not be granted in relation to a building on the relevant site until a statement of site suitability (in the form described by Practice Direction 14: Site Contamination Assessment 2021) is issued by a site contamination consultant certifying the land is suitable for the proposed use.

CARRIED UNANIMOUSLY

Ms Norris returned to the meeting room at 7:04 pm.

7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1

Nil

8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS

Mr Burdon advised that an appeal has been lodged in response to the decision made by the Council Assessment Panel on at the 19 June 2025 Council Assessment Panel meeting for Item 6.1 Development Applicant ID 24031376, Warehouse and Light Industry Development with advertisement and association detention basin, car parking, landscaping and regulated and significant trees at 1467 Angle Vale Road, Virginia.

9 OTHER BUSINESS

9.1 STAFF REPORTS

Nil

10 CONFIDENTIAL MATTERS

Nil

11 POLICY DISCUSSION FORUM

Mr Mickan discussed the interpretation and satisfaction of the Activity Zone Subzone policy relevant to application 24042652 to the provision of an iconic building at the intersection of Mark Road and John Rice Avenue, specifically whether this policy will continue to apply to the balance of the site. Staff anticipate that whilst some context can continue to be given to this policy, it is considered that application 24042652 has now met this requirement as the relevant built form to address this iconic building policy.

Mr Burdon sought the feedback from the Council Assessment Panel about the adoption of a 'Review of Assessment Manager Decision' document.

12 CLOSURE

The meeting closed at 7:21 pm.