



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, 18 SEPTEMBER 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

Ms Cherie Gill (Deputy)
via Zoom

Ms Misty Norris

Mr Adam Squires

Also in attendance for the meeting:

Assessment Manager
Manager Planning Services
Development Officer - Planning
Senior Manager City Property
Program Manager Repurposing Assets
Governance Support
ICT Applications Analyst
Minute Taker

Mr Matt Dineen
Mr Leif Burdon
Ms Rhiya Singh
Mr Paul Alberton
Ms Edi Bergamin
Ms Kiraly Gosnell
Ms Helen Pocius
Mrs Skye Nitschke

1.2 Apologies

Mr Paul Mickan

1.3 Not Present

Nil

2 CONFIRMATION OF MINUTES**PANEL RESOLUTION****CAP585**

The Minutes of the Council Assessment Panel Meeting held 21 August 2025 be confirmed as a true and accurate record of proceedings.

CARRIED UNANIMOUSLY

3 APPLICATIONS WITHDRAWN

Nil

4 DECLARATIONS OF INTEREST

Mr Squires declared a conflict of interest with item 10.1

Ms Norris declared a material conflict of interest in item 6.1 as Council is the owner of the land and applicant of the development.

5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD

Nil

6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD**6.1 25027178 - ALLOTMENT 144 JOHN RICE AVENUE, ELIZABETH SOUTH - VARIATION TO 24022584 - LAND DIVISION (1 INTO 4) AND TREE DAMAGING ACTIVITY**

Ms Norris left the meeting room at 6:04 pm in response to their declared conflict of interest.

Representors:

N/A

Applicant:

City of Playford

PANEL RESOLUTION**CAP586**

Pursuant to Part 3, 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, provision is made for the exclusion of the public from the meeting in such situations, with the exception of:

- Assessment Manager;
- Manager Planning Services;
- Development Officer - Planning;
- Senior Manager City Property;
- Program Manager Repurposing Assets;

- **Governance Officer;**
- **ICT Applications Analyst; and**
- **Minute Taker.**

in order to consider in confidence agenda item 6.1 under Part 3, 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017* on the basis that:

(ii) information the disclosure of which –

- (A) could unreasonably be expected to confer a commercial advantage on a person, or to prejudice the commercial position of a person; and
- (B) would, on balance, be contrary to the public interest;

This matter is confidential because they reflect plans for works outside of the site to which negotiations are still progressing, the disclosure of which could prejudice the commercial position of such negotiations.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Panel consider it necessary to consider this matter in confidence.

CARRIED UNANIMOUSLY

The meeting went into confidence at 6:07 pm.

The meeting re-opened to the public at 6:20 pm.

PANEL RESOLUTION**CAP587**

It is therefore recommended that the Council Assessment Panel:

1. **DETERMINES** that the proposed Variation is not seriously at variance with the provisions of the *Planning and Design Code*
2. **GRANTS** Planning and Land Division Consent of Development Application 25027178 to amend Development Application ID. 24022584 and retention of the following Reserved Matters and Conditions:

RESERVED MATTERS

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016* (the PDI 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 shall submit an updated Plan of Division which has an amended Right of Way B to facilitate the augmentation of access in lot 1 and 2 prepared in consultation with the Department of Infrastructure and Transport.

CONDITIONS**Planning Consent**

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. All regulated and significant trees not authorised under this consent for removal and impacted via Tree Protection Zone (TPZ) encroachments, must ensure protection measures are undertaken in line with the Tree Protection measures listed within the submitted Arborist Report. Further to this, to ensure all trees remain viable post development, any TPZ encroachment over 10% must be undertaken utilising non- destructive methods of excavation (hydrovac, hand dig). Any roots over 30mm diameter that are found within the excavation areas and require removing will need to be recorded in location and photos taken, this information will need to be submitted to the City of Playford Arborist to ensure tree viability and safety of community.

Land Division Consent:

1. 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 Tree Fund in lieu of planting replacement trees. Payment must be made prior to clearance under Section 138 of the Act.
2. Prior to clearance under Section 138 of the PDI Act access points shall be installed, or a legally binding agreement between Council and any relevant parties has been executed for works to be completed, on John Rice Avenue, Phillip Highway and Coglein Road at Rights of Way identified as 'B' and 'C' in accordance with the approved plan of division prepared by Mosel Surveyors, Ref. A21008P1.8, Revision 1.8 Dated 25/03/24. The works shall be designed and constructed in accordance with recognised engineering practice and shall be to the satisfaction of the Council.
3. Prior to clearance under Section 138 of the PDI Act all necessary electrical supply, water supply and sewerage services shall be installed, or a legally binding agreement between Council and any relevant parties has been executed for works to be completed, on the land in accordance with recognised engineering practice and shall be to the satisfaction of the Council.
4. Prior to clearance under Section 138 of the PDI Act adequate provision, shall be made for the creation of appropriate easements for the purposes of access,

drainage, electricity supply, water supply and sewerage services as reflected in the approved plan of division prepared by Mosel Surveyors, Ref. A21008P1.11, Revision 1.11 Dated 10/09/25.

Conditions imposed by South Australian Water Corporation under Section 122 of the PDI Act:

1. This development is within a current Augmentation Charge area and SA Water Gazetted Augmentation charges shall be paid by the developer.
2. If a connection/s off an existing main is required, the connection/s to your development will be a standard or a non-standard cost. This will be determined by an investigation where appropriate.
3. SA Water has water/wastewater network assets within close proximity to the location of this development. An investigation, if required, will be undertaken following the provision of the development details to enable a servicing strategy to be provided. Augmentation infrastructure works may need to be undertaken by the Developer and/or SA Water to enable servicing of this development. SA Water may contribute to the cost of these works.

SA Water Gazetted Augmentation Charges, Connection and Extension Fees and Capacity Upgrade fees and charges shall be paid by the developer.

SA Water may contribute to any material upsizing requirements.

Conditions imposed by SPC Planning Services under Section 122 of the PDI Act:

1. A final plan complying with the requirements for plans set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Planning Commission for Land Division Certificate purposes.
2. Payment of \$26,121.00 into the Planning and Development Fund (3 allotments at \$8707.00 per allotment). This payment will not become payable until the Certificate of Approval application under Section 138 has been lodged. At that time the Land Division Registration fee (currently \$1154.00), will also become payable. The total of the two fees must be paid in a single payment. Payment may be made via credit card (Visa or MasterCard) online at plan.sa.gov.au, over the phone on 7133 3028, or cheques may be made payable to the State Planning Commission, marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001.

Conditions imposed by SPC Commissioner of Highways under Section 122 of the PDI Act:

1. Access to/from John Rice Avenue and Philip Highway shall be gained via suitably designed Rights of Way 'B' and 'C' as shown on Mosel Surveyors, Plan of Division, Reference A21008P1.8, Revision 1.8 dated 25/3/24. The access points shall be limited to left turn in and left turn out only.
2. Solid median shall be installed on John Rice Avenue at Rights of Way 'B' and 'C' to physically restrict movements to left in and left out only. These treatments shall be designed to cater for the largest vehicles expected to access the site and allow for B-Double (26.0m length) movements along John Rice Avenue. A channelised left turn (AUL) shall also be installed at Right of Way 'B'. To accommodate these works the northern kerb line of John Rice Avenue shall be suitably widened. The road works shall be undertaken as shown on Frank Siow & Associates, Concept Plan, Drawing No. PL-241219, sheets 1, 2 and 3 in correspondence dated 19 December 2024 and to DIT satisfaction.

The works shall be designed and constructed in accordance with the relevant Austroads Guides, Australian Standards and the DIT Master Specifications with all associated costs (including and not limited to project management and any necessary road lighting, signage and drainage upgrades) to be borne by the

applicant. All works shall be completed by 12 months following issuing of the titles.

Note: 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 the DIT to undertake and complete this work.

3. Any land required from the subject site for the construction of the access roads, median treatments, left turn lanes, corner cut offs, corner radius, footpaths/pedestrian ramps, etc shall be dedicated to road at no cost to the DIT.
4. All vehicles shall enter and exit the site in a forward direction.
5. Any infrastructure within the road reserve (including stobie pole/s, street light/s, directional sign/s, etc) 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.
6. All off-street parking and vehicle manoeuvring areas shall be designed in accordance with AS/NZS 2890.1:2004, AS/NZS 2890.6:2009 and AS2890.2:2018. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
7. A final stormwater management plan shall be developed in conjunction with the DIT. All drainage infrastructure is to be to the satisfaction of Council and the DIT.
8. Stormwater run-off shall be collected on-site and discharged without impacting the safety or integrity of John Rice Avenue, Philip Highway, Mark Road and Coglein Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

ADVISORY NOTES

Advisory Notes imposed by SPC Planning Services under Section 122 of the PDI Act:

1. Under Part 20A of the *Telecommunications Act 1997 (Cth)*, developers are required to install fibre-ready facilities (e.g. pit and pipe) in their developments, unless the development qualifies for an exemption. Developers can face penalties if they sell or lease building lots or units in new developments without fibre-ready facilities installed.

Under the Commonwealth's Telecommunications in New Developments Policy, developers are also expected to contract a telecommunications carrier (being any statutory infrastructure provider (SIP) or NBN Co as the default SIP) to provide services in their development. Carriers should install fixed-line network infrastructure in new developments, unless that is not commercially feasible, in which case they should use fixed-wireless or satellite technologies.

Further details of these requirements can be found at:

www.infrastructure.gov.au/departments/media/publications/telecommunications-new-developments

Advisory Notes imposed by Commissioner of Highways under Section 122 of the PDI Act:

1. Any further increase in traffic generation associated with development of Lots 1, 3 and 4 will need to be supported by a comprehensive traffic and parking assessment.
2. The applicant shall notify DIT's Traffic Management Centre (TMC) – Roadworks on 1800 434 058 or email dit.roadworks@sa.gov.au to gain approval for any road works, or the implementation of a traffic management plan during the construction

and or utility provision, tree removal, etc for the subject development. Before any construction/roads works the contractor(s) shall complete a 'Notification of Works' form via the following link:

https://www.dit.sa.gov.au/contractor_documents/works_on_roads_by_other_organisations.

CARRIED UNANIMOUSLY

Ms Norris returned to the meeting room at 6:28 pm.

6.2 25005488: 17 STEBONHEATH RD, EDINBURGH NORTH - CHILD CARE FACILITY WITH ASSOCIATED CAR PARKING, LANDSCAPING AND ILLUMINATED SIGNAGE INCLUDING A PYLON SIGN TO 4.6M HEIGHT

Representors: Nil

Applicant: Leyton Property Pty Ltd

Mr Matthew King, URPS addressed questions from the Panel

Mr Jason Turner, Echo Acoustic Consulting addressed questions from the Panel

PANEL RESOLUTION**CAP588**

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 a Child care facility with associated car parking, landscaping and illuminated signage including a pylon sign to 4.6m height, at 17 Stebonheath Road, Edinburgh North, as detailed in application ID 25005488, 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 land use approved herein shall not exceed the hours of 6:30am to 7pm on weekdays and the land use shall not be in operation on weekends.
3. 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.
4. 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.
5. A 150mm kerb shall be constructed to separate carparking spaces and driveways from landscaping areas and other open portions of the subject land.
6. 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.
7. No more than 119 children and 25 staff shall be present on the premises at any one time.
8. Prior to the first operation of the land use, all acoustic treatments delineated on the site plan approved herein and all recommendations set out in the Environmental Noise Assessment prepared by Echo Acoustic Consulting, dated 27 August 2025, Ref. 749-4, shall be in place.

Commissioner of Highways Conditions

9. All access to/from the development shall be gained in accordance with the Site and Floor Plan produced by BELL Architecture, Drawing No. DD0002, Rev. D, Dated 26.02.2025.
10. The access to Womma Road shall be in accordance with DA 2402350. All works associated with the access points shall be completed prior to the operation of the development.
11. In the event that Womma Road is widened and the operation of the access to the subject development from the main internal circulation aisle shall be reviewed to ensure that vehicles turning right into the subject development do not affect the free flow of traffic into the site. This may require the restriction of right turns into the subject development from the main internal circulation aisle.

12. The first two car parking spaces adjacent to the access to the main internal circulation aisle shall be limited to staff parking only. These spaces shall be signed/linemarked to reinforce their operation.
13. Any infrastructure 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.
14. 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.
15. 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.
16. 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

17. 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

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

10.1 WAREHOUSE AND LIGHT INDUSTRY DEVELOPMENT WITH ADVERTISEMENT AND ASSOCIATED DETENTION BASIN, CAR PARKING, LANDSCAPING AND REGULATED AND SIGNIFICANT TREE REMOVALS

Representors:

Nil

Applicant:

Zuppa Group c/ Future Urban

Mr Squires left the meeting room at 7:08 pm in response to their declared conflict of interest.

Mr Tom Game, McDonald Game Lawyers addressed the Panel

A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 10.1

PANEL RESOLUTION

CAP589

Pursuant to Part 3, 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017*, provision is made for the exclusion of the public from the meeting in such situations, with the exception of:

- Assessment Manager;
- Manager Planning Services;
- Development Officer - Planning;
- Governance Support;
- ICT Applications Analyst;
- Minute Taker.

in order to consider in confidence agenda item 10.1 under Part 3, 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017* on the basis that:

- (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.
- (ix) information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place.

This matter is confidential because this agenda item relates to an ongoing appeal between the appellant and the Council Assessment Panel. As an ongoing appeal, this is a confidential matter between parties and the public discussion of such matters has the potential to impact the appellants right to a fair trial and relates to ongoing litigation.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Panel consider it necessary to consider this matter in confidence.

CARRIED UNANIMOUSLY

The meeting went into confidence at 7:27 pm.

C. PROCEDURAL DECISION - COMMITTEE TO DECIDE HOW LONG ITEM 10.1 IS TO BE KEPT IN CONFIDENCE

PANEL RESOLUTION

CAP591

Pursuant to Part 3, 14(4) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Panel orders that the following aspects of Item 10.1 be kept confidential, in accordance with Panel's reasons to deal with this item in confidence pursuant to Part 3, 13(2)(a)(vi) & (ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*:

- Report for Item 10.1
- Attachment(s) for Item 10.1
- Minutes for Item 10.1

other than where required to be released in the management of the Environment

Resources and Development Court proceedings, at the discretion of the Assessment Manager.

CARRIED

The meeting re-opened to the public at 8:04 pm.

Mr Squires returned to the meeting room at 8:05 pm.

11 POLICY DISCUSSION FORUM

Nil

12 CLOSURE

The meeting closed at 8:06 pm.