

# MINUTES

Of

## Council Assessment Panel Meeting



Pursuant to the provisions of section 83 of the  
*Planning, Development and Infrastructure Act 2016*

HELD IN

**By electronic means**

On

**Wednesday, 2 September 2020 at 5:30pm**

The Presiding Member formally declared the meeting open at 5:30pm.

**1. ATTENDANCE RECORD**

**1.1. Present**

Nathan Cunningham (Presiding Member)  
Ian O'Loan  
Paul Mickan  
Cherry Getsom  
Frank Maiolo (Council Member)

**Also in Attendance**

David Roberts (Manager Development Assessment)  
Darren Starr (General Manager Development and Community)  
Carol Wildbore (Minute Secretary)  
Thomas Harris-Howson (IT Administrator)

Acknowledgment of the Kaurna People as the Traditional Custodians of the Land

**1.2. Apologies**

Nil

**1.3. Not Present / Leave of Absence**

Nil

**2. CONFIRMATION OF MINUTES**

**2.1.**

**Moved**      P Mickan      **Seconded**      F Maiolo

"that the minutes of the Council Assessment Panel meeting held on Wednesday 5 August 2020, be accepted as read and confirmed."

**Agreed**

**3. DECLARATION OF INTEREST**

Nil

**4. REPORTS FOR DECISION**

- 4.1. 312/14/2020 - MasterPlan on behalf of Agrisano Holdings Pty Ltd - Integrated Horticulture Facility comprising the staged establishment of 10 greenhouses on the subject land, along with a nursery, staff amenities building, parking area and internal roadways. - Wasleys Road Mallala - Allotment 1 in Deposited Plan 15619, Hundred of**



Grace Certificates of Title Volume 5328 Folio 873 and Allotment 2 in Deposited Plan 15619, Hundred of Grace Volume 5713 folio 686

The Presiding Member took the opportunity to advise the CAP of some correspondence provided to him earlier in the day from a third-party alleging conflicts of interest regarding the relationship between Agrisano and one of their technical consultants, Tonkins. The Presiding Member outlined how private consultants were not subject to the same tests as 'public officers' of a Council and the critical requirement for Council on this matter is to be certain that the reports provided with the application are professional and valid. The Assessment Manager confirmed that the reports had been reviewed by qualified staff of Council and were satisfied their content could be relied upon.

There were a number of questions posed (during discussion) by the CAP Members so the Presiding Member (with support of the CAP) directed these questions to the applicant and their relevant consultants who were present in the electronic meeting.

**Moved** P Mickan      **Seconded** C Getsom

1. That the Council Assessment Panel resolves that amended plans and details as a basis for compromise proposed by MasterPlan on behalf of Agrisano Holdings Pty for an Integrated Horticulture Facility comprising the staged establishment of 10 greenhouses on the subject land, along with a nursery, staff amenities building, parking area and internal roadways at Wasleys Road Mallala, Allotment 1 in Deposited Plan 15619, Hundred of Grace Certificates of Title Volume 5328 Folio 873 and Allotment 2 in Deposited Plan 15619, Hundred of Grace (Volume 5713 folio 686 (312/14/2020) is not seriously at variance with the Mallala Council Development Plan consolidated 20 February 2018.
  
- 2(A) That the Council Assessment Panel resolves to accept the amended plans and details as a basis for compromise in determining the appeal against the previous refusal of the application by MasterPlan on behalf of Agrisano Holdings Pty for Integrated Horticulture Facility comprising the staged establishment of 10 greenhouses on the subject land, along with a nursery, staff amenities building, parking area and internal roadways at Wasleys Road Mallala, Allotment 1 in Deposited Plan 15619, Hundred of Grace Certificates of Title Volume 5328 Folio 873 and Allotment 2 in Deposited Plan 15619, Hundred of Grace (Volume 5713 folio 686 (312/14/2020) once:
  - An Infrastructure Agreement and a Land Management Agreement are executed and
  - the Land Management Agreement is registered on the Certificates of Titles for the subject land, and subject to the following conditions being imposed:-
    - 1 The development must be undertaken, completed and maintained in accordance with the details, plans, specifications and correspondence submitted with and forming part of Development Application 312/14/2020, being

*RC*



Agrisano Horticulture Facility Compromise Proposal prepared by MasterPlan dated 13 August which comprises the following documents:

- Covering letter from MasterPlan dated 13 August 2020 titled Agrisano Horticulture Facility Compromise Proposal
  - Planning Report prepared by MasterPlan – Amended July 2020;
  - Proposal Plans prepared by MasterPlan - Amended June - July 2020;
  - Site Plan and Locality Plan prepared by MasterPlan – Amended 30 June 2020;
  - Staging Plans prepared by Tonkin – Amended 30 June 2020;
  - Stormwater Assessment prepared by Tonkin – Amended 7 July 2020;
  - Traffic Impact Assessment prepared by Tonkin – Amended 7 July 2020;
  - Infrastructure Assessment prepared by Tonkin – Amended 7 July 2020;
  - New On-Site Water Reuse Report prepared by Tonkin – Dated 7 July 2020; and
  - New Domestic Wastewater Management Report prepared by Tonkin – Dated 7 July 2020.
  - Elevations MasterPlan IC:51334-E1-3A; dated December 2019
  - Elevations MasterPlan IC:51334-EB1-3A; dated December 2019
- 2 The applicant must, at their cost, connect the approved development to the adjoining street by a sealed vehicle crossover designed and located to the reasonable satisfaction of Council.
  - 3 The parking areas, manoeuvring areas and access ways must be constructed, of a compacted rubble surface to prevent dust, drained, and maintained to the reasonable satisfaction of Council.
  - 4 Car parking must be provided to the reasonable satisfaction of the Council concurrent with the construction of the development.
  - 5 All landscaping must be established strictly in accordance with that depicted on drawing Job Number 20190938 Sheet Number SK00 Revision F prior to the commencement of the operation on the site. Such landscaping shall comprise of a combination of established semi mature specimens (minimum 150mm tube size) and seed stock and shall be nurtured and maintained in good condition at all times, to the reasonable satisfaction of Council.
  - 6 The development must be connected to an approved effluent disposal system to the satisfaction of SA Health and Council and a copy of any

approval from SA Health must be supplied to council before the commencement of operation.

- 7 The vehicle access on Wasleys Road shall be to the reasonable satisfaction of Council.
  - 8 Stormwater shall not discharged from the site at a rate or volume greater than proposed in the Stormwater Management Plan.
  - 9 Prior to detailed stormwater design
    - a. a thorough geotechnical investigation shall be undertaken to confirm soil classification and determine the actual infiltration rate of the soil; and
    - b. In the event that the site investigations indicate that the actual infiltration rate is lower than has been assumed, the applicant will prepare and submit to the Council an adjusted design for storage volumes and infiltration areas which maintains the discharge rates and volumes reported in the SMP.
  - 10 The beneficiary of this approval will design and implement, to the satisfaction of the Council in consultation with the adjoining landowner, localised earthworks at the point of discharge of stormwater from the site to encourage the flows to disperse and to minimise the risk of erosion and sediment transport from the development.
  - 11 The Applicant will measure the amount of water flowing in the last section of pipe before it is dispersed/discharged from the site and will monitor this data on an ongoing basis for a sensible and appropriate period of time following completion of each stage of the development to confirm that discharge flow rates accord with the Stormwater Management Plan.
  - 12 In the event that the neighbouring property described in Certificate of Title Volume 5559 Folio 759 being allotment 568 in File Plan 175035 Hundred of Grace is adversely impacted by the water discharges, the beneficiary of this approval will implement, in consultation with the affected landowner, additional measures as reasonably possible to further reduce the flows.
  - 13 That the proposed glasshouses to be set back a minimum of 28.5 m from the western boundary.
- 2(B) That the Council Development Panel resolves to authorise the Assessment Manager to inform the ERD Court that the Council resolves to accept the amended plans and details as a basis for compromise in determining the appeal against the previous refusal of the application once

- An Infrastructure Agreement and a Land Management Agreement are executed by the relevant parties; and
- The Land Management Agreement is registered on the Certificates of title for the subject land.

**Agreed**

**5. REPORTS FOR INFORMATION**

**5.1. PDI Act 2016 & Planning and Design Code Implementation**

**Moved** I O'Loan **Seconded** F Maiolo

"The Council Assessment Panel notes the report, PDI Act 2016 and Planning Design Code and Implementation"

**Agreed**

**6. OTHER BUSINESS**

**6.1.** The Council Assessment Panel expressed the view that Council ensures intersections are safe in the vicinity of the Agrisano development.

**7. CONFIDENTIAL ITEMS**

Nil

**8. NEXT MEETING**

Wednesday 7 October 2020 (To be confirmed)

**9. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 7.31pm.

Confirmed as a true record.

Presiding Member: .....

*N CUNNINGHAM*

Date: 9/10/2020