

**MINUTES  
OF THE COUNCIL ASSESSMENT PANEL MEETING OF THE CITY OF TEA TREE  
GULLY HELD ON TUESDAY 17 AUGUST 2021 AT 10:00AM IN THE COUNCIL  
CHAMBERS, 571 MONTAGUE ROAD, MODBURY**

**1. Attendance Record:**

**1.1 Present**

Mr M Adcock	<i>(Independent Member)-(Presiding Member)</i>
Mr G Salmon	<i>(Independent Member)</i>
Mr J Rutt	<i>(Independent Member)</i>
Mr D Wyld	<i>(Elected Member)</i>
Mr A Mackenzie	<i>(Independent Member)</i>

**Officers in Attendance**

Ms C Neil	Director, Community & Cultural Development
Mr N Grainger	Manager, City Development
Ms C Tully	Team Leader, Planning
Mr H Beesley	Planning Officer
Mrs C Gustafson	Development Services Administration Officer

**1.2 Apologies - Nil**

**1.3 Public Gallery – Two attendees**

**1.4 Media - Nil**

**2. Minutes of Previous Meeting**

Moved Mr Mackenzie, seconded Mr Wyld

That the Minutes of the Special Council Assessment Panel Meeting held on 3 August 2021 be confirmed as true and accurate records of proceedings.

**Motion Carried Unanimously (182)**

**3. Business Arising from Previous Minutes - Nil**

## 4. Reports and Recommendations

### 4.1 CAP.070/120708/2021 - Removal of a Significant Tree - 9 Paradise Grove Highbury

Moved Mr Rutt, seconded Mr Salmon

That pursuant to the authority delegated to the Council Assessment Panel by Council, the Council Assessment Panel:

- A. RESOLVES that the proposed development is not seriously at variance with the policies in the Tea Tree Gully (City) Development Plan.
- B. RESOLVES to REFUSE Development Plan Consent to the application by Mr Mark Elliott to remove a significant tree (*Eucalyptus leucoxylon* – South Australian Blue Gum) at 9 Paradise Grove, Highbury, as detailed in Development Application No.070/120708/2021 for the following reasons:
  - (1) The tree provides an important aesthetic and environmental benefit, and is worthy of preservation.
  - (2) The tree does not meet the criteria for removal under the Development Plan.
  - (3) In particular, the proposal is at variance with the following provisions of the Development Plan:
    - (a) **Significant Tree Objective 1** which seeks the conservation of significant trees that provide an important aesthetic and environmental benefit.
    - (b) **Significant Tree PDC 1** which states that development should preserve significant trees that demonstrate the attributes making an important contribution to the character or amenity of the local area or forms a notable visual element to the landscape of the local area.
    - (c) **Significant Trees PDC 3** which seeks to preserve significant trees and avoid tree-damaging activity except where the tree is diseased and has a short life expectancy, or represents an unacceptable risk to safety, or is within 20m of a bushfire area, or causing or threatening to cause damage to a substantial building or structure of value, and it has been demonstrated that all reasonable alternative development options have been considered.
    - (d) **Residential Zone Objective 3 and PDC 6** which requires development to contribute to and be undertaken in accordance with the desired character for the zone.

- (e) **Residential Zone Desired Character** statement which notes the contribution of mature landscaping and large trees contributing to the amenity and character of the zone and encourages development that contributes to the enhancement of the landscape character of the zone.

**Motion Carried (183)**

**5. Other Business**

**5.1 E.R.D. Court Matters Pending**

- 5.1.1 CAP.070/120611/2020** – Removal of a Significant Tree (SA Blue Gum) at 12 Deering Crescent, Banksia Park

Outcome: Members noted progress on above application.

**5.2 Policy Considerations**

Mr Wyld made comment that health matters, CWMS/sewer infrastructure for example, may need to be considered when assessing tree removal applications. Members discussed.

**5.3 Pending State Commission Assessment Panel Concurrence – Nil**

**5.4 Resignation of CAP Member**

Mr Salmon advised that he has resigned from the CAP. He thanked panel members and staff for their support during his nine years on the CAP. Mr Adcock thanked him for his service to the CAP.

**6. Information Reports - Nil**

**7. Date of Next Meeting**

21 September 2021

The Presiding Member declared the meeting closed at 10.29am.

Confirmed.....  
Presiding Member 21 September 2021