

CITY OF WEST TORRENS



MINUTES

of the

COUNCIL ASSESSMENT PANEL

held in the George Robertson Room, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

TUESDAY, 13 MARCH 2018
at 5.00pm

Angelo Catinari
Assessment Manager

Index

1	Meeting Opened	1
1.1	Evacuation Procedure	
2	Present	1
3	Apologies	1
4	Confirmation of Minutes	1
5	Disclosure Statements	1
6	Reports of the Assessment Manager	2
6.1	185 - 187 Holbrooks Road, UNDERDALE	2
6.2	7 Durham Avenue, LOCKLEYS.....	9
6.3	19 Berrima Street, GLENELG NORTH.....	10
6.4	1-17 Scotland Road, MILE END SOUTH.....	10
6.5	44 Spring Street, NORTH PLYMPTON	12
6.6	33 & 35 Malurus Avenue, LOCKLEYS	13
6.7	8 & 10-12 Jeanie Street, CAMDEN PARK.....	14
6.8	32 Dudley Avenue, NORTH PLYMPTON.....	16
6.9	504 Henley Beach Road, FULHAM	18
6.10	66 Whelan Avenue, CAMDEN PARK	19
6.11	6 Torrens Avenue, LOCKLEYS	20
6.12	23 - 41 Galway Avenue, MARLESTON	21
6.13	10 Albert Street, THEBARTON	22
6.14	Procedures at Council Assessment Panel Meetings	22
7	Confidential Reports of the Assessment Manager	23
7.1	432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK	23
8	Summary of Court Appeals	24
8.1	Summary of SCAP, ERD Court and deferred CAP matters - March 2018	24
9	Meeting Close	24

1 MEETING OPENED

The Presiding Member declared the meeting open at 5.01pm.

1.1 Evacuation Procedure

The evacuation procedures were read out to the gallery by the Presiding Member.

2 PRESENT

Panel Members:

Dr D Ferretti (Independent Presiding Member)

Councillor: Mr G Nitschke

Independent Members: Ms C Dunn, Mr W Stokes, Ms J Strange

Officers:

Mr T Buss (Chief Executive Officer)

Mr A Catinari (General Manager Urban Services and Assessment Manager)

Ms H Bateman (Manager City Development)

Ms R Knuckey (Team Leader Planning)

Mr J Leverington (Senior Development Officer - Planning)

Ms A DeRuvo (Development Officer - Planning)

Ms S Gallarello (Development Officer - Planning)

Mr C Barone (Senior Development Officer - Planning)

Ms E Cetinich (Development Officer - Planning)

Ms E Morgan (EA Urban Services - Minute Secretary)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 13 February 2018 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: W Stokes

Seconded: J Strange

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 185 - 187 Holbrooks Road, UNDERDALE

Application No 211/1405/2017

Appearing before the Panel were:

Representors: **Con Costi** of Costi & Co on behalf of **George and Tanya Lambrakis** appeared in support of the representation.

Adam Williams of Access Planning on behalf of **Skremscin Pty Ltd** appeared in support of the representation.

Applicant/s **Ben Wilson** of Cirqa and **Rebecca Thomas** of Ekistics on behalf of **Leyton Property** appeared to respond to representations.

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1405/2017 by Leyton Property to undertake the demolition of the existing shop and wine store and construction of a new child care centre (pre-school) with associated on-site car parking, landscaping, fencing earthworks and retaining walls at 185 - 187 Holbrooks Road, Underdale (CT 6178/258) subject to the following conditions of consent (and any subsequent or amended conditions that may be required as a result of the consideration of reserved matters under Section 33(3) of the *Development Act*):

Reserved Matter

The following information shall be submitted for further assessment and approval by the Council as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a stormwater management plan that achieves water quality improvement measures to satisfy the tabulated targets as outlined in the State's WSUD policy and to the satisfaction of the Manager City Development and prior to receiving development approval.

The targets being;

Parameter	Target
Litter/Gross Pollutant	Retention of litter greater than 50mm for flows up to the 3 month ARI peak flow.
Oil and Grease	No visible oils for flows up to the 3 month ARI peak flow.
Reduction in Average Annual Total Suspended Solids (TSS)	80% *1
Reduction in Average Annual Total Phosphorous (TP)	60% *1
Reduction in Average Annual Total Nitrogen (TN)	45% *1

*1 - Reduction as compared to an equivalent catchment with no water quality management controls.

2. Provision of a waste management plan that satisfactorily manages the following aspects of waste storage and collection from the development to the satisfaction of the Manager City Development and prior to receiving Development Approval:
 - a. The use of equipment and timing of collection periods that satisfies the EPA *Environment Protection (Noise) Policy 2007* to avoid noise nuisance for residents of adjacent residential premises.
 - b. Waste collection vehicles shall include the restriction to an MRV vehicle size.
 - c. Ensures waste capable of creating odours is contained within bins that are kept closed at all times and are collected at a frequency and schedule to ensure that waste is not stored in the bins for longer than 48 hours to attract insects and vermin or to create unpleasant odours.
 - d. Timing of waste collection vehicle movements and the type of vehicles used so that use of the child care centre car park is not disrupted such that vehicles would be required to stand and queue on Holbrook Road thereby creating a traffic hazard or risk to the safety of children using the child care centre.

Council Conditions

1. The development shall be undertaken and completed in accordance with the Planning Statement provided by Ekistics; traffic assessment report by Cirqa; stormwater management plan by Combe, Pearson and Reynolds Consulting Engineers; detailed site investigations by Senversa Pty Ltd dated as received 5 December 2017, plans for Job No 2017067, Drawing No 3158, DA01, DA04, DA05, DA06 and - DA08 dated as received 15 December 2017 and DA02, DA03 and DA07 dated as received 28 February 2018 drawn by Brown Falconer, and further information in correspondence received from Ekistics; Cirqa; Combe, Pearson, Reynolds Pty Ltd dated as received 26 February 2018 except where varied by any condition(s) below.
2. The site shall be remediated via the 'consolidation and isolation of the soil by on-site containment' method as per the Senversa report dated as received 5 December 2017 prior to the commencement of works for the childcare centre. This shall be supervised and verified by a suitably trained and experienced environmental consultant. Notification to the EPA shall occur where necessary and in accordance with the *Environment Protection Act 1993*.
3. The total number of children accommodated on the site at any one time shall be limited to 112 in accordance with page 8 of the Ekistics report dated as received 5 December 2017.
4. The hours of operation of the child care centre shall be in accordance with page 8 of the Ekistics report dated as received 5 December 2017 and as follows:
 - 6.30am to 6.30pm Monday to Friday;
 - no operation on Saturdays, Sundays or public holidays.
5. The access/egress point shall be suitably flared to Holbrooks Road in accordance with the site plan prepared by Brown Falconer dated as received 28 February 2018 to allow safe and convenient ingress and egress movement in order to minimise disruption to the free flow of traffic.
6. Stormwater detention shall be installed prior to the occupation of the development and maintained thereafter in accordance with the stormwater calculations designed by Combe, Pearson, Reynolds Consulting Engineers dated as received 26 February 2018.

7. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) result in the entry of water into a building;
 - b) affect the stability of a building;
 - c) create unhealthy or dangerous conditions on the site or within the building;
 - d) flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
8. All waste shall be placed within garbage containers with lids that are closed at all times to limit odours and to prevent insects and vermin accessing the waste at all times.
9. General service vehicles (excluding waste management) for the subject development shall be restricted to 'B99' size and servicing shall be restricted to outside of peak time periods of the child care centre and the use of equipment and timing of collection periods that satisfies the *EPA Environment (Noise) Policy 2007*.
10. The fence along the eastern boundary shall be not less than two metres in height, extending from top to ground level and be sealed between the underside of the fence and ground level.
11. Security lighting and lighting of the driveways, parking and manoeuvring areas and footpaths shall be in accordance with the Australian Standard 1158 during the hours of darkness that they are in use. Such lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs. When not in use such lights shall be reduced in brightness to levels sufficient for security purposes only to diminish impacts on adjacent dwellings after operating hours. All such lighting on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.
12. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Such landscaping shall be cultivated, tended and nurtured, maintained and shall be promptly replaced if it becomes seriously diseased or dies, to the reasonable satisfaction of Council.
13. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to commencement of the use of the development, and shall be maintained in reasonable conditions at all times.
14. Driveways, carparking spaces, manoeuvring areas and landscaping areas shall not be used for storage of materials or goods such as waste products and refuse.
15. A minimum of three staff parks shall be linemarked opposite the entrance of the site to avoid excessive conflict with vehicles entering the site.
16. Easements B, C and D over the subject land are to be extinguished as per the Ekistics report dated as received 26 February 2018.
17. Amalgamation of the two allotments 15 and 16 shall occur prior to Building Rules Consent.

Conditions imposed by DPTI

1. Access to/from Holbrooks Road to serve the site shall be gained via a single two-way access point located 2.0 metres north of the southern property boundary only. No additional access to/from Holbrooks Road shall be permitted.
2. A minimum 1.0 metre separation shall be provided between the access and the stobie pole adjacent the southern property boundary.
3. The Holbrooks Road access shall be a minimum of 6.0 metres in width at the property boundary and extend at this width for a minimum of 6.0 metres into the site.
4. The obsolete Holbrooks Road crossover shall be closed and reinstated to Council standard kerb and gutter at the applicant's expense.
5. The first three car parks opposite the access shall be deleted or dedicated to staff parking only.
6. The first two car parks immediately adjacent the access shall be designated as staff parking only.
7. The access point shall comply with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' as defined in AS/NZ 2890.1:2004.
8. Vehicles larger than 8.8 metre Medium Rigid Vehicles (MRV) shall not be permitted on site. All vehicles larger than B99 passenger vehicles shall access the site outside of normal business hours.
9. All onsite vehicle parking shall be consistent with AS/NZS 2890.1:2009 and AS/NZS 2890.6:2009.
10. All vehicles shall enter and exit the site in a forward direction.
11. Any signage associated with this development that is visible from the adjacent roads shall not contain any elements that flashes, scrolls, moves or changes.
12. Any signage associated with this development shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
13. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
14. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Holbrooks Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Notes

1. This approval does not include the erection of any signs or advertising. Further permission may be required from Council for the erection or display of any signage.
2. Any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
3. Any existing crossovers shall be considered redundant and reinstated to upright kerbing to the satisfaction of Council. Any new or modified crossovers shall be constructed to Council's requirements.

COUNCIL ASSESSMENT PANEL DECISION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1405/2017 by Leyton Property to undertake the demolition of the existing shop and wine store and construction of a new child care centre (pre-school) with associated on-site car parking, landscaping, fencing earthworks and retaining walls at 185 - 187 Holbrooks Road, Underdale (CT 6178/258) subject to the following conditions of consent (and any subsequent or amended conditions that may be required as a result of the consideration of reserved matters under Section 33(3) of the *Development Act*):

Reserved Matter

The following information shall be submitted for further assessment and approval by the Council as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a stormwater management plan that achieves water quality improvement measures to satisfy the tabulated targets as outlined in the State's WSUD policy and to the satisfaction of the Manager City Development and prior to receiving development approval.

The targets being;

<i>Parameter</i>	<i>Target</i>
Litter/Gross Pollutant	Retention of litter greater than 50mm for flows up to the 3 month ARI peak flow.
Oil and Grease	No visible oils for flows up to the 3 month ARI peak flow.
Reduction in Average Annual Total Suspended Solids (TSS)	80% *1
Reduction in Average Annual Total Phosphorous (TP)	60% *1
Reduction in Average Annual Total Nitrogen (TN)	45% *1

*1 - Reduction as compared to an equivalent catchment with no water quality management controls.

2. Provision of a waste management plan that satisfactorily manages the following aspects of waste storage and collection from the development to the satisfaction of the Manager City Development and prior to receiving Development Approval:
 - a. The use of equipment and timing of collection periods that satisfies the EPA *Environment Protection (Noise) Policy 2007* to avoid noise nuisance for residents of adjacent residential premises.
 - b. Waste collection vehicles shall include the restriction to an MRV vehicle size.
 - c. Ensures waste capable of creating odours is contained within bins that are kept closed at all times and are collected at a frequency and schedule to ensure that waste is not stored in the bins for longer than 48 hours to attract insects and vermin or to create unpleasant odours.
 - d. Timing of waste collection vehicle movements and the type of vehicles used so that use of the child care centre car park is not disrupted such that vehicles would be required to stand and queue on Holbrook Road thereby creating a traffic hazard or risk to the safety of children using the child care centre.

Council Conditions

1. The development shall be undertaken and completed in accordance with the Planning Statement provided by Ekistics; traffic assessment report by Cirqa; stormwater management plan by Combe, Pearson and Reynolds Consulting Engineers; detailed site investigations by Senversa Pty Ltd dated as received 5 December 2017, plans for Job No 2017067, Drawing No 3158, DA01, DA04, DA05, DA06 and - DA08 dated as received 15 December 2017 and DA02, DA03 and DA07 dated as received 28 February 2018 drawn by Brown Falconer, and further information in correspondence received from Ekistics; Cirqa; Combe, Pearson, Reynolds Pty Ltd dated as received 26 February 2018 except where varied by any condition(s) below.
2. The site shall be remediated via the 'consolidation and isolation of the soil by on-site containment' method as per the Senversa report dated as received 5 December 2017 prior to the commencement of works for the childcare centre. This shall be supervised and verified by a suitably trained and experienced environmental consultant. Notification to the EPA shall occur where necessary and in accordance with the *Environment Protection Act 1993*.
3. The total number of children accommodated on the site at any one time shall be limited to 112 in accordance with page 8 of the Ekistics report dated as received 5 December 2017.
4. The hours of operation of the child care centre shall be in accordance with page 8 of the Ekistics report dated as received 5 December 2017 and as follows:
 - 6.30am to 6.30pm Monday to Friday;
 - no operation on Saturdays, Sundays or public holidays.
5. The access/egress point shall be suitably flared to Holbrooks Road in accordance with the site plan prepared by Brown Falconer dated as received 28 February 2018 to allow safe and convenient ingress and egress movement in order to minimise disruption to the free flow of traffic.
6. Stormwater detention shall be installed prior to the occupation of the development and maintained thereafter in accordance with the stormwater calculations designed by Combe, Pearson, Reynolds Consulting Engineers dated as received 26 February 2018.
7. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) result in the entry of water into a building;
 - b) affect the stability of a building;
 - c) create unhealthy or dangerous conditions on the site or within the building;
 - d) flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
8. All waste shall be placed within garbage containers with lids that are closed at all times to limit odours and to prevent insects and vermin accessing the waste at all times.
9. General service vehicles (excluding waste management) for the subject development shall be restricted to 'B99' size and servicing shall be restricted to outside of peak time periods of the child care centre and the use of equipment and timing of collection periods that satisfies the *EPA Environment (Noise) Policy 2007*.
10. The fence along the eastern boundary shall be not less than two metres in height, extending from top to ground level and be sealed between the underside of the fence and ground level.

11. Security lighting and lighting of the driveways, parking and manoeuvring areas and footpaths shall be in accordance with the Australian Standard 1158 during the hours of darkness that they are in use. Such lights shall be directed and screened so that overspill of light into nearby premises is avoided and minimal impact on passing motorists occurs. When not in use such lights shall be reduced in brightness to levels sufficient for security purposes only to diminish impacts on adjacent dwellings after operating hours.
12. All landscaping shall be planted in accordance with the approved plans prior to the occupancy of the development. Such landscaping shall be cultivated, tended and nurtured, maintained and shall be promptly replaced if it becomes seriously diseased or dies, to the reasonable satisfaction of Council.
13. All driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained prior to commencement of the use of the development, and shall be maintained in reasonable conditions at all times.
14. Driveways, carparking spaces, manoeuvring areas and landscaping areas shall not be used for storage of materials or goods such as waste products and refuse.
15. A minimum of three staff parks shall be linemarked opposite the entrance of the site to avoid excessive conflict with vehicles entering the site.
16. Easements B, C and D over the subject land are to be extinguished as per the Ekistics report dated as received 26 February 2018.
17. Amalgamation of the two allotments 15 and 16 shall occur prior to Building Rules Consent.

Conditions imposed by DPTI

1. Access to/from Holbrooks Road to serve the site shall be gained via a single two-way access point located 2.0 metres north of the southern property boundary only. No additional access to/from Holbrooks Road shall be permitted.
2. A minimum 1.0 metre separation shall be provided between the access and the stobie pole adjacent the southern property boundary.
3. The Holbrooks Road access shall be a minimum of 6.0 metres in width at the property boundary and extend at this width for a minimum of 6.0 metres into the site.
4. The obsolete Holbrooks Road crossover shall be closed and reinstated to Council standard kerb and gutter at the applicant's expense.
5. The first three car parks opposite the access shall be deleted or dedicated to staff parking only.
6. The first two car parks immediately adjacent the access shall be designated as staff parking only.
7. The access point shall comply with Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' as defined in AS/NZ 2890.1:2004.
8. Vehicles larger than 8.8 metre Medium Rigid Vehicles (MRV) shall not be permitted on site. All vehicles larger than B99 passenger vehicles shall access the site outside of normal business hours.
9. All onsite vehicle parking shall be consistent with AS/NZS 2890.1:2009 and AS/NZS 2890.6:2009.

10. All vehicles shall enter and exit the site in a forward direction.
11. Any signage associated with this development that is visible from the adjacent roads shall not contain any elements that flashes, scrolls, moves or changes.
12. Any signage associated with this development shall be finished in a material of low reflectivity to minimise the risk of sun and headlamp glare for motorists.
13. The utilisation of Trailer Mounted Variable Message Displays for advertising purposes shall not be permitted on or adjacent to the subject land.
14. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Holbrooks Road. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's cost.

Notes

1. This approval does not include the erection of any signs or advertising. Further permission may be required from Council for the erection or display of any signage.
2. Any retaining walls will be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
3. Any existing crossovers shall be considered redundant and reinstated to upright kerbing to the satisfaction of Council. Any new or modified crossovers shall be constructed to Council's requirements.

6.2 7 Durham Avenue, LOCKLEYS

Application No 211/906/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/906/2017 by Distinctive Homes Pty Ltd to create one additional allotment and construction of two (2) storey semi-detached dwellings at 7 Durham Avenue, Lockleys (CT 5671/472) for the following reasons:

The proposed development is contrary to the following objectives and principles of development control of the West Torrens Council Development Plan consolidated 30 May 2017:

Residential Zone, Low Density Policy Area 21, Principle of Development Control 3

Reason: The dwellings do not achieve the minimum site area and minimum frontage requirements.

Residential Zone, Principle of Development Control 22:

Reason: The proposed development is not consistent with the existing pattern and scale of allotments in the locality.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 19 Berrima Street, GLENELG NORTH

Application No 211/1542/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Development Approval for Application No. 211/1542/2017 by S & G Smallacombe to undertake Removal of a regulated *Eucalyptus Camaldulensis* (River Red Gum) at 19 Berrima Street, Glenelg North (CT 5134/772) subject to the following conditions:

Development Plan Consent Conditions

- 1) That the development is undertaken in accordance with Development Application No. 211/1542/2017, the approved plans and details therein.
- 2) That within four (4) weeks of the date of tree removal, payment of \$175.00 shall be made into the State Government's Planning and Development Fund, in accordance with Section 42(6) of the *Development Act 1993* and Regulation 117(4) of the *Development Regulations 2008*.

Please contact the State Commission Assessment Panel on 1800 752 664 (option 5) for more information on making payment.

- 3) That receipt of payment shall be provided to Council within one (1) week of payment into the State Government's Planning and Development Fund.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 1-17 Scotland Road, MILE END SOUTH

Application No 211/1094/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1094/2017 by Mr G Hazzard to undertake a change of land use from warehouse to warehouse and industry, demolition of existing structures, alterations to existing buildings and construction of a workshop and office addition (Non-Complying) at 1-17 Scotland Road, Mile End South (CT 5420/608) subject to the following conditions of consent and the concurrence of the State Commission Assessment Panel (SCAP):

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That no goods, materials or equipment associated with the approved use shall be stored outside of the building(s).
3. All equipment and services within the building addition approved herein shall be located a minimum of 500mm above the floor level for flood mitigation purposes.

4. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
5. That the hours of operation of the warehouse and manufacturing activities shall be between 6.00am and 6.00pm on any day (seven days a week).
6. That the number of staff to occupy the premises (warehouse, workshop and offices) at any one time shall not exceed 30 people.
7. The proposed car parking spaces and access areas shall be designed to conform with Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities.
8. All car parking areas shall be line marked to delineate the parking spaces prior to the occupation of the development.
9. That any lights on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.

COUNCIL ASSESSMENT PANEL DECISION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/1094/2017 by Mr G Hazzard to undertake a change of land use from warehouse to warehouse and industry, demolition of existing structures, alterations to existing buildings and construction of a workshop and office addition (Non-Complying) at 1-17 Scotland Road, Mile End South (CT 5420/608) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the *Development Act 1993*) and the concurrence of the State Commission Assessment Panel (SCAP):

Reserved Matter

The following information shall be submitted for further assessment and approval by the Council as a reserved matter under Section 33(3) of the *Development Act 1993*:

1. Provision of a landscaping plan that demonstrates landscaping to the front of the site and within the car parking area to the satisfaction of the Manager City Development.

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That no goods, materials or equipment associated with the approved use shall be stored outside of the building(s).
3. All equipment and services within the building addition approved herein shall be located a minimum of 500mm above the floor level for flood mitigation purposes.

4. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
5. That the hours of operation of the warehouse and manufacturing activities shall be between 6.00am and 6.00pm on any day (seven days a week).
6. That the number of staff to occupy the premises (warehouse, workshop and offices) at any one time shall not exceed 30 people.
7. The proposed car parking spaces and access areas shall be designed to conform with Australian Standard AS 2890.1:2004- Off-street Car parking and Australian Standard 2890.6:2009 - Off-Street Parking for People with Disabilities.
8. All car parking areas shall be line marked to delineate the parking spaces prior to the occupation of the development.
9. That any lights on the subject site shall be directed and screened so that overspill of light into the nearby premises is avoided and minimal impact on passing motorists occurs.

6.5 44 Spring Street, NORTH PLYMPTON

Application No 211/700/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Land Division Consent for Application No. 211/700/2017 by Amanda Piper to undertake land division - Torrens Title; SCAP No. 211/D100/17; Create one (1) additional allotment at 44 Spring Street, North Plympton (CT 5623/86) for the following reasons:

The proposed development is contrary to the following provisions of the West Torrens Council Development Plan consolidated on 30 May 2017:

General Section, Land Division Principle of Development Control 7(e).

Reason: The battleaxe configuration of the proposed allotments is inconsistent with the prevailing pattern of development in the locality.

General Section, Design and Appearance, Objective 1.

Reason: The development does not promote a high standard of design and does not respond to and reinforce the positive aspects of the local environment and built form.

General Section, Orderly and Sustainable Development Objective 1 and 4.

Reason: The proposal is not orderly in that it will disrupt the prevailing pattern of development in the locality and will prejudice the achievement of the provisions of the Development Plan relevant to the Zone and Policy Area.

Residential Zone, Low Density Policy 20, Objective 1 and Principle of Development Control 2.
Reason: The battleaxe configuration of the proposal is contrary to the Desired Character for Low Density Policy Area 20.

Residential Zone, Low Density Policy 20, Principle of Development Control 5.
Reason: The allotment does not satisfy the minimum allotment area nor does Allotment 92 satisfy the frontage requirements by virtue of its battleaxe configuration.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange
 Seconded: G Nitschke

The Panel resolved that this item be withdrawn.

CARRIED

6.6 33 & 35 Malurus Avenue, LOCKLEYS

Application No 211/1373/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1373/2017 by GM Developments Pty Ltd to undertake Land division - Torrens Title (Boundary re-alignment); SCAP No. 211/D184/17 at 33 & 35 Malurus Avenue, Lockleys (CT 5804/629 and CT5804/628) for the following reasons:

The proposed land division is contrary to the following provisions of the West Torrens Council Development Plan consolidated 30 May 2017:

Residential Zone

Form and Character

PDC 5 Development should not be undertaken unless it is consistent with the desired character for the zone and policy area.

Reason: The irregular allotment shape and smaller allotment size and depth is not consistent with the Desired Character for the Lockleys Character Policy Area 25.

Character Areas

PDC 22 The division of land should occur only where it will be consistent with the existing pattern and scale of allotments.

Reason: The irregular allotment shape and smaller allotment size and depth is not consistent with the pattern and scale of existing allotments in the Lockleys Character Policy Area 25.

Lockleys Character Policy Area 25

Objective 1: Development that contributes to the desired character of the policy area.

Reason: The proposed land division does not contribute to the Desired Character of Lockleys Character Policy Area 25 but detracts from it by way of irregular allotment shape and smaller allotment size and depth.

Form and Character

PDC 2: Development should not be undertaken unless it is consistent with the desired character for the policy area.

Reason: The proposed land division does not contribute to the Desired Character of Lockleys Character Policy Area 25 but detracts from it by way of irregular allotment shape and smaller allotment size and depth.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.7 8 & 10-12 Jeanie Street, CAMDEN PARK

Application No 211/726/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/726/2017 by C S Foord to undertake Combined Application: Land division – Community Title; SCAP No. 211/C105/17, Create one (1) additional allotment and common property; and construction of one (1) two-storey group dwelling with associated driveway access and landscaping at 8 Jeanie Street, CAMDEN PARK (CT5377/32) subject to the following conditions of consent:

Development Plan Consent Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That all driveways, parking and manoeuvring areas shall be formed (surfaced with concrete, bitumen or paving) and properly drained, and shall be maintained in a reasonable condition at all times.
3. That all landscaping will be planted in accordance with the approved plans (Site Plan and Ground Floor Plan prepared by Macgregor Architecture, Drawing PL02 and PL03 Rev C dated 15/11/2017) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
4. That all upper level windows shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.

5. That the timber slat privacy screen to the eastern and southern sides of the upper level deck shall be constructed with spacings of no greater than 10 millimetres between each slat and shall be installed prior to occupation of the dwelling.
6. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
7. That prior to the issue of clearance to the division approved herein, all existing buildings and structures shall be removed from proposed Lot 54 and the existing boundary fence at the rear of proposed Lot 50 shall be relocated in accordance with the approved plans.

Land Division Consent Conditions

Council Conditions

Nil

State Commission Assessment Panel (SCAP) Conditions

8. The financial requirements of the SA Water Corporation shall be met for the provision of water supply (SA Water H0060520).

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connection/s to the development will be costed as standard or non-standard.

9. Payment of \$13,352 into the Planning and Development fund (2 allotments @ \$6,676/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
10. A final plan complying with the requirements for plans as 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 Commission Assessment Panel for Land Division Certificate purposes.

State Commission Assessment Panel (SCAP) Notes

1. Council shall provide the SCAP with:
 - a) the date on which any existing building(s) on the site were erected (if known);
 - b) the postal address of the site; and
 - c) a copy of its Decision Notification Form (via EDALA) pursuant to Regulations 60 (4) (b) ii and 44 respectively.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.8 32 Dudley Avenue, NORTH PLYMPTON

Application No 211/1128/2017 & 211/922/2017

RECOMMENDATION 1

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent, Land Division Consent and Development Approval for Application No. 211/1128/2017 by Dudley Avenue Pty Ltd to undertake a land division - Community Title; SCAP No. 211/C148/17 (Unique ID 59205); Create three (3) additional allotments at 32 Dudley Avenue, North Plympton (CT5239/340) subject to the following conditions of consent:

Development Plan Consent Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That prior to the issue of clearance to the division approved herein, all existing buildings and associated structures shall be removed from subject land (proposed Lots 1 to 4).

Land Division Consent Conditions

Council Conditions

Nil

State Commission Assessment Panel (SCAP) Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services.

On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.

The developer must inform potential purchasers of the community lots of the servicing arrangements and seek written agreement prior to settlement, as future alterations would be at full cost to the owner/applicant.

4. Payment of \$20,490 into the Planning and Development fund (3 allotments @ \$6,830/allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.
5. A final plan complying with the requirements for plans as 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 Commission Assessment Panel for Land Division Certificate purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation is not adopted.

RECOMMENDATION 2

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/922/2017 by I Think Design Studio to undertake the construction of two (2) two-storey residential flat buildings comprising four (4) dwellings; Dwelling 1 & 2 with front porticos and balconies and double garages under main roof, and Dwelling 3 & 4 with front porticos, rear verandahs to alfresco and double garages under main roof at 32 Dudley Avenue, North Plympton (CT5239/340) subject to the following conditions of consent:

Planning Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) Result in the entry of water into a building; or
 - b) Affect the stability of a building; or
 - c) Create unhealthy or dangerous conditions on the site or within the building; or
 - d) Flow or discharge onto the land of an adjoining owner; and not flow across footpaths or public ways.
3. That all landscaping will be planted in accordance with the approved plan (Site Plan and Landscape Schedule prepared by I Think Design Studio, PA Sheet 1 of 11, Amended) within three (3) months of the occupancy of the development. Any person(s) who have the benefit of this approval will cultivate, tend and nurture the landscaping and shall replace any plants which may become diseased or die.
4. That all side and rear upper level windows of Dwelling 1 and 2 within the residential flat building approved herein shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.
5. That all front, side and rear upper level windows of Dwelling 3 and 4 within the residential flat building approved herein shall be fitted with fixed obscure glass or raised sills to a minimum height of 1.7 metres above the upper floor level to minimise the potential for overlooking of adjoining properties, prior to occupation of the building. The glazing in these windows shall be maintained in reasonable condition at all times.
6. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
7. That the stormwater connection to the street watertable shall satisfy the following requirements:
 - 100 x 50 x 2mm RHS Galvanised Steel; or
 - 125 x 75 x 2mm RHS Galvanised Steel; or
 - Multiples of the above.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the item be deferred to enable the applicant to address the following matters:

- Excessive site coverage
- Concerns relating to the design of private open space
- Insufficient quantity and design of landscaping
- Concerns relating to car parking manoeuvrability
- Concerns relating to bulk and scale - Medium Density Policy Area Principle of Development Control 3
- Insufficient rear setback - Medium Density Policy Area Principle of Development Control 3

6.9 504 Henley Beach Road, FULHAM

Application No 211/1383/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Development Approval for Application No. 211/1383/2017 by Jennifer Frisby-Smith to undertake a change of use from an office to an office and consulting room at 504 Henley Beach Road, Fulham (CT5324/360) subject to the following conditions of consent (and any subsequent or amended condition that may be required as a result of the consideration of reserved matters under Section 33(3) of the Development Act 1993):

Council Conditions

1. That the development shall be undertaken and completed in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. That the hours of operation shall not exceed the following:
 - Monday to Friday: 9am to 8pm
 - Saturday: 9am - 12pmAny variation to these hours of operation will require a further consent.
3. The maximum number of staff on the site shall be limited to four (4) at any one time.
4. That driveways, parking and manoeuvring areas and footpaths shall remain formed (surfaced with concrete, bitumen or paving) and be properly drained and maintained in a reasonable condition at all time.
5. That all carparking spaces shall be linemarked, in accordance with the approved plans and in accordance with Australian Standards Association Code AS 2890.1, 2004 Parking Facilities, Part 1, Off Street Carparking, prior to the occupation of the proposed development. Linemarking and directional arrows shall be clearly visible at all times.
6. All landscaping shall be planted in accordance with the approved plans within three (3) months of commencement of the use of the development and maintained in good health at all times. Any landscaping which may become diseased or die shall be replaced with the same or like species/variety to the reasonable satisfaction of Council.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.10 66 Whelan Avenue, CAMDEN PARK

Application No 211/49/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent and Land Division Consent for Application No. 211/49/2017 by Mr Mohammed Saadati Marasht to undertake Land division - Torrens Title; DAC No. 211/D003/17 to Create one (1) additional allotment and construction of a two storey detached dwelling with portico and single garage under main roof at 66 Whelan Avenue, Camden Park (CT 5712/829) subject to the following conditions of consent:

DEVELOPMENT PLAN CONSENT**Council Conditions**

1. The development must be undertaken and completed in accordance with the plans prepared by Cavallo Forest and Associates except where varied by any condition(s) listed below:
2. That all stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:-
 - a) result in the entry of water into a building; or
 - b) affect the stability of a building; or
 - c) create unhealthy or dangerous conditions on the site or within the building; or
 - d) flow or discharge into the land of an adjoining owner; and not flow across footpaths or public ways.
3. That any retaining walls be designed to accepted engineering standards, and not of timber construction if retaining a difference in ground level exceeding 200mm.
4. That all driveways, parking and manoeuvring areas will be formed, surfaced with concrete, bitumen or paving, and be properly drained, and shall be maintained in reasonable condition at all times.
5. That all planting and landscaping will be completed within three (3) months of the commencement of the use of this development and be maintained in reasonable condition at all times. Any plants that become diseased or die will be replaced with a suitable species.
6. External material and finishes must be non-reflective.
7. The southern elevation of the dwelling proposed on allotment 2 shall be provided with fixed obscure glass to a minimum height of 1.7 metres above the upper floor level and to minimise the potential for overlooking of adjoining properties.
8. That prior to the issue of clearance to this division approved herein, the existing structures shall be removed from proposed allotment 11.

LAND DIVISION CONSENT**Council Conditions**

Nil

Development Assessment Commission

9. The financial requirements of SA Water shall be met for the provision of water supply and sewerage services.

The alteration of internal drains to the satisfaction of SA Water is required.

Subject to our new process, on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

10. Payment of \$6,676 into the Planning and Development Fund (1 allotment(s) @ \$6,676/allotment).

Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person by cheque or card, at Level 5, 50 Flinders Street, Adelaide.

11. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate Purposes.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.11 6 Torrens Avenue, LOCKLEYS

Application No 211/90/2018

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/90/2018 by Mark McInerney to undertake the removal of a significant tree - *Quercus ilex* (Holm Oak) at 6 Torrens Avenue, Lockleys (CT 6183/337) for the following reasons:

The proposed development is contrary to the following provisions of the West Torrens Council Development Plan consolidated 19 December 2018:

- General Section - Natural Resources Principles of Development Control 28
Reason: The tree is important to the local habitat for foraging and shelter of native fauna.
- General Section - Significant Trees Objectives 1 and 2(a)(d)
Reason: The subject tree provides an important aesthetic and environmental benefit which significantly contributes to the locality.

- General Section - Significant Trees Principles of Development Control 2
Reason: The subject tree is not diseased and does not pose a risk to public safety.
The subject tree is not causing any structural damage to a building.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.12 23 - 41 Galway Avenue, MARLESTON

Application No 211/1346/2017

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to REFUSE Development Plan Consent and Development Approval for Application No. 211/1346/2017 by Peter Ellis to undertake Removal of a regulated tree - *Corymbia Citriodora*, Lemon Scented Gum (tree 817) at 23 - 41 Galway Avenue, Marleston (CT 5529/625 & CT 5740/895) for the following reasons:

The proposed development is contrary to the following provisions of the West Torrens Council Development Plan consolidated 30 May 2017.

- General Section - Natural Resources Principles of Development Control 28
Reason: In that the tree is important to the local habitat for foraging and shelter of native fauna.
- General Section - Regulated Trees Objectives 1 and 2(a) and (d) Regulated Trees
Reason: In that the subject tree provides an important aesthetic and environmental benefit which significantly contributes to the locality.
- General Section - Regulated Trees Principles of Development Control 2 Regulated Trees
Reason: In that the subject tree is not diseased and does not pose an unacceptable risk to public safety nor is it causing any structural damage to a building at this point in time.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.13 10 Albert Street, THEBARTON

Application No 211/332/2015/A

RECOMMENDATION

The Council Assessment Panel, having considered all aspects of the report, the application for consent to carry out development of land and pursuant to the provisions of the *Development Act 1993* resolves to GRANT Development Plan Consent for Application No. 211/332 /2015A by Mr David Davis to Vary Condition 7 attached to DA 211/332/2015 to alter sill height of the southern facing upper level windows at 10 Albert Street Thebarton (CT6178/211) subject to the following conditions of consent.

Council Conditions

1. Development is to take place in accordance with the plans prepared by Design Eminence relating to Development Application No. 211/332/2015/A.
2. Except where varied by this approval, all other conditions, (with the exception of Condition 7), approved plans and details relating to Development Application Number 211/332/2015 continue to apply to this amended application.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.14 Procedures at Council Assessment Panel Meetings

This report presents the *Procedures at Council Assessment Panel Meetings* for approval.

RECOMMENDATION

It is recommended to the Council Assessment Panel that the revised *Procedures at Council Assessment Panel Meetings* be adopted.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

7.1 432 & 434 Sir Donald Bradman Drive, BROOKLYN PARK

Application No. 211/738/2017

Reason for Confidentiality

It is recommended that this Report be considered in CONFIDENCE in accordance with regulation 13(2)(a) (viii) of the *Planning, Development and Infrastructure (General) Regulations 2017*, which permits the meeting to be closed to the public for business relating to the following:

- (viii) legal advice.

as this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.

RECOMMENDATION

It is recommended to the Council Assessment Panel that:

1. On the basis that this matter is before the Environment Resources and Development Court so any disclosure would prejudice the position of Council, the Council Assessment Panel orders pursuant to regulation 13(2) of the *Planning, Development and Infrastructure (General) Regulations 2017*, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams, Assessment Manager, City Development staff in attendance at the meeting, and meeting secretariat staff, and other staff so determined, be excluded from attendance at so much of the meeting as is necessary to receive, discuss and consider in confidence, information contained within the confidential reports submitted by the Assessment Manager on the basis that this matter is before the Environment Resources and Development Court and it is a requirement of the Court that matters are kept confidential until such time as a compromise is reached or the matter proceeds to a hearing.
2. At the completion of the confidential session the meeting be re-opened to the public.

COUNCIL ASSESSMENT PANEL DECISION

Moved: J Strange

Seconded: C Dunn

That the recommendation be adopted.

CARRIED

5.56pm the meeting moved into Confidence and session commenced.

6.00pm the Confidential session closed and the meeting reopened to the public.

Note: The Confidential minutes are kept separate from this document.

8 SUMMARY OF COURT APPEALS

8.1 Summary of SCAP, ERD Court and deferred CAP matters - March 2018

This report presents information in relation to:

1. any matters being determined by the State Commission Assessment Panel (SCAP);
2. any planning appeals before the Environment, Resources and Development (ERD) Court;
and
3. any deferred items previously considered by the Council Assessment Panel.

RECOMMENDATION

The Council Assessment Panel receive and note the information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

The Council Assessment Panel thanked Dr Donna Ferretti for her service to the Panel given that it is her last meeting as Presiding Member.

Wayne Stokes tendered his resignation from the Panel effective 11 April 2018.

Colleen Dunn will be commencing in the Presiding Member role effective 10 April 2018.

9 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.05pm.