

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, 8 MAY 2018
at 5.00pm

Donna Ferretti
Assessment Manager

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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:

Ms C Dunn (Presiding Member)

Councillor: Mr G Nitschke

Independent Members: Ms J Strange, Mr C Menz, Mrs A Caddy

Officers:

Mr Terry Buss	(Chief Executive Officer)
Mr Angelo Catinari	(General Manager Urban Services)
Dr Donna Ferretti	(Assessment Manager)
Ms Hannah Bateman	(Manager City Development)
Ms Rachel Knuckey	(Team Leader Planning)
Mr Jordan Leverington	(Senior Development Officer - Planning)
Mr Josh Banks	(Senior Development Officer - Planning)
Ms Sonia Gallarello	(Development Officer - Planning)
Ms Amelia DeRuvo	(Development Officer - Planning)

3 APOLOGIES

Nil

4 CONFIRMATION OF MINUTES

RECOMMENDATION

That the Minutes of the meeting of the Council Assessment Panel held on 10 April 2018 be confirmed as a true and correct record.

COUNCIL ASSESSMENT PANEL DECISION

Moved: G Nitschke

Seconded: A Caddy

That the recommendation be adopted.

CARRIED

5 DISCLOSURE STATEMENTS

Nil

6 REPORTS OF THE ASSESSMENT MANAGER

6.1 34-48 Lipsett Terrace, BROOKLYN PARK

Application No 211/1066/2017

Appearing before the Panel were:

Representors: **Aleida and Alex Mabarrack** of 14 Tolley Crescent, Brooklyn Park (on behalf of **Matthew Conrad Wreford** of 12 Tolley Crescent, Brooklyn Park) appeared in support of the representation.

Kerry Mahony on behalf of the **Salesian Society Inc.** and **Catholic Church Endowment Society Inc.** from 23 & 25 Lipsett Terrace, Brooklyn Park appeared in support of the representations.

Applicant **Michael Osborn** from Fyfe and **Melissa Mellen** from MFY (on behalf of **Emmaus Christian College**) 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. 211/1066/2017 by Tonkin Shultz Design and Build Pty Ltd to undertake a change of use to Early Learning Centre and Primary School, incorporating refurbishment of an existing two-storey building, entry canopy addition, 2.1m high acoustic fence and site works to add playground and driveway access for shared car parking area at 34-48 Lipsett Terrace, Brooklyn Park (CT5871/305) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The premises must be kept tidy and all buildings, fences, landscaping and paved or sealed surfaces must be maintained in good condition at all times.
3. All existing and proposed landscaping shall be kept in a good and healthy condition at all times with any dead or diseased plantings replaced immediately to the reasonable satisfaction of Council.
4. Unless varied by Council, the hours of operation of the primary school and early learning centre shall be 7:30am to 6:00pm Monday to Saturday.
5. There shall be no more than 340 primary school students, 40 early learning centre students and 25 teachers accommodated within the early learning centre and primary school at any one time.
6. No signage has been considered as part of this application. Any future signage may require a separate approval from Council.
7. Directional signs not exceeding 0.5m², must be erected at vehicle access points to indicate the location of and movement through the visitor parking area.

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. 211/1066/2017 by Tonkin Shultz Design and Build Pty Ltd to undertake a change of use to Early Learning Centre and Primary School, incorporating refurbishment of an existing two-storey building, entry canopy addition, 2.1m high acoustic fence and site works to add playground and driveway access for shared car parking area at 34-48 Lipsett Terrace, Brooklyn Park (CT5871/305) subject to the following conditions of consent:

Development Plan Consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. The premises must be kept tidy and all buildings, fences, landscaping and paved or sealed surfaces must be maintained in good condition at all times.
3. All existing and proposed landscaping shall be kept in a good and healthy condition at all times with any dead or diseased plantings replaced immediately to the reasonable satisfaction of Council.
4. Unless varied by Council, the hours of operation of the primary school and early learning centre shall be 7:30am to 6:00pm Monday to Saturday.
5. There shall be no more than 340 primary school students, 40 early learning centre students and 25 teachers accommodated within the early learning centre and primary school at any one time.
6. No signage has been considered as part of this application. Any future signage may require a separate approval from Council.
7. Directional signs not exceeding 0.5m², must be erected at vehicle access points to indicate the location of and movement through the visitor parking area.
8. The acoustic fence along the western boundary of the site shall be installed to the satisfaction of Council prior to commencement of all construction works associated with the development.

6.2 588-592 Henley Beach Road, FULHAM

Application No 211/1544/2017

Appearing before the Panel were:

Representors: **Frank Rizkalla** and **Mark Noor** on behalf of **Vivian Rizkalla** appeared in support of the representation.

Danny Scinto of **Eastern Building Group** did not appear.

Applicant/s **Rhys Davies** of **Qattro** 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. 211/1544 /2017 by Rhys Davies to undertake the construction of a childcare centre (pre-school), two (2) ancillary storage buildings and acoustic fencing with associated car parking, landscaping and fencing at 588-592 Henley Beach Road, Fulham (CT5584/849) 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):

Reserved Matters:

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

1. A detailed landscaping plan shall be provided prior to the issue of Development Approval, which indicates the following:
 - a. The location of all plantings within the proposed development;
 - b. Details of all plant species;
 - c. Details of spacing and expected growing heights. Plantings shall include a mix of trees, shrubs and groundcovers.

Council Conditions

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in this application except where varied by any condition(s) listed below.
2. Prior to the issue of full Development Approval, an amended *Overall Site Plan* and *Ground Floor Plan* by Briars and an amended *Civil Plan* prepared by TMK Consulting Engineers shall be provided to and endorsed by Council showing a crossover width of 6 metres at the property boundary with suitable flaring to allow for two way vehicular movements as per the advice of the Department of Planning, Transport and Infrastructure.
3. The total number of children accommodated within the childcare centre at any one time shall be limited to 63.
4. The total number of staff working within the childcare centre at any one time shall be limited to 13.
5. Unless varied by Council, the hours of operation of the childcare centre shall be:
 - 7:00am to 7:00pm Monday to Friday;
 - no operation on Saturdays, Sundays or public holidays.

6. Prior to commencement of the use hereby approved, the car parking area shall be line marked in accordance with Australian Standard AS2890 and the approved *Overall Site Plan* and *Ground Floor Plan* by Briars, to the reasonable satisfaction of Council.
7. All staff car parks shall be clearly identified by way of line marking and/or identification signage, including identification of the three allocated staff car parking spaces, as indicated in the *Transport Impact Assessment* report prepared by GTA Consultants dated 05/12/2017, to the reasonable satisfaction of Council.
8. All line marking and identification signage shall be maintained in good, clear and visible condition at all times, to the reasonable satisfaction of Council.
9. Prior to the commencement of the use hereby approved, the stormwater management system, including but not limited to, downpipes, pits, stormwater detention and stormwater quality improvement devices, shall be installed in accordance with the Stormwater Calculations and *Civil Plan* prepared by TMK Consulting Engineers and maintained in good condition at all times, to the reasonable satisfaction of Council.
10. All roof stormwater shall be directed to a minimum 9,500 litre detention storage tank, as indicated on the approved *Civil Plan* prepared by TMK Consulting Engineers.
11. Discharge from the detention tank shall be restricted to 4 litres per second (L/s) by utilising a 40 millimetre orifice positioned 1.4 metres below the top of the tank (measured to the invert of the orifice).
12. The nominated stormwater quality device indicated on the approved '*Civil Plan*' prepared by TMK Consulting Engineers shall be maintained and cleaned in accordance with the manufacturer's best practice recommendations.
13. All stormwater design and construction shall 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; or
 - e) flow across footpaths or public ways.
14. Waste collection shall be carried out by a private waste contactor, outside of childcare centre operating hours, but no earlier than 6:00 am and no later than 7:00 pm Monday to Saturday, in accordance with the approved *Waste Management Plan* prepared by Qattro dated February 2018.
15. Any deliveries not utilising a light vehicle shall be undertaken outside of childcare centre operating hours, but no earlier than 6:00 am and no later than 7:00 pm Monday to Saturday.
16. All service vehicles used for waste collection and deliveries shall be no greater than 10 metres in length, in accordance with the approved *Transport Impact Assessment* report prepared by GTA Consultants dated 5 December 2017.
17. Containers, bins or receptacles used for the temporary storage of garbage, waste or refuse arising from the premises shall be located in the designated bin storage area and screened from public view, as indicated on the approved plans prepared by Briars dated 19 March 2018, Revision C, to the reasonable satisfaction of Council.

18. All waste shall be placed within garbage containers with lids that are closed at all times to limit odours and prevent insects and vermin accessing the waste.
19. Driveways, car parking spaces, manoeuvring areas and landscaping areas shall not be used for storage of materials or goods, such as waste products and refuse, at any time.
20. Prior to commencement of the use hereby approved, all boundary fencing shall be installed in accordance with the approved plans prepared by Briars dated 19 March 2018, Revision C, and the *Environmental Noise Impact Assessment* report prepared by Resonate Acoustics dated 13 December 2017, Revision A.
21. Security lighting and lighting of the driveways, parking and manoeuvring areas and footpaths shall be in accordance with the Australian Standard AS1158 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.

Conditions imposed upon advice of DPTI

23. The first three car parking spaces shall be dedicated to 'staff parking' only. Suitable line marking and signage shall be installed to reinforce this.
24. All vehicles shall enter and exit the site in a forward direction.
25. All refuse vehicles shall access the site outside of the normal operating times and clear of the peak traffic flows on Henley Beach Road.
26. All landscaping adjacent the Henley Beach Road access point shall be low growing (<1.0m in height) in order to maximise driver and pedestrian sightlines.
27. The redundant crossovers to Henley Beach Road shall be reinstated with Council standard kerb and gutter prior to the business becoming operational.

Notes

1. This approval does not include the erection of any advertising signage. Further permission may be required from Council for the erection or display of any signage.
2. The applicant/owner is reminded that the approved childcare centre is subject to requirements under the National Food Safety Standards. Please contact Council's Environmental Health Department on 8416 6333 and speak with an Environmental Health Officer for more information.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.3 17 Keith Avenue, NORTH PLYMPTON

Application No 211/704/2017 & 211/399/2017

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. 211/704/2017 by Holmes Property Developments to undertake a Land Division - Community Title; DAC No. 211/C103/17; Create four (4) additional allotments & common property at 17 Keith Avenue, North Plympton (CT5715/633) 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.

Land Division Consent Conditions

Council Requirements

Nil

SCAP Requirements

2. The financial requirements of the SA Water Corporation shall be met for the provision of water and sewerage services (SA Water H0060246).

SA Water Corporation further advise that an investigation will be carried out to determine if the water and/or sewer connection/s to your development will be costed as standard or non-standard.

3. Payment of \$26,704 into the Planning and Development fund (4 lots @ \$6676/lot). 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.
4. 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.

Notes:

1. 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.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be 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. 211/399/2017 by 365 Design Studio Pty Ltd to undertake the construction of a residential flat building comprising five (5) two-storey dwellings at 17 Keith Avenue, North Plympton (CT5715/633) subject to the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the approved plans prepared by 365 Design Studio, Job No. 008-09-16/PD01, PD02, PD03, PD04 & PD05, Issue H except where varied by any condition(s) listed below.
2. All stormwater design and construction shall 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; or
 - e) Flow across footpaths or public ways.
3. Each dwelling shall be connected to a minimum 2,000 litres combined detention and retention storage tank (1,000 litres retention and 1,000 litres detention) prior to occupation, as annotated on the stamped approved Drainage Plan by TMK Consulting Engineers (Job No. 1703136, Drawing No. CRD/PC, Amendment Date 15/12/2017).
4. All driveways, parking and manoeuvring areas shall be formed and surfaced with concrete or paving, including permeable paving as per the approved plans, and be properly drained prior to occupation of the dwellings.
5. All driveways, parking and manoeuvring areas shall be maintained in reasonable condition at all times to the satisfaction of Council.
6. All landscaping shall be planted in accordance with the stamped approved *Site Plan* prepared by 365 Design Studio, Job No. 008-09-16/PD01, Issue H, within three (3) months of the practical completion of the development. Such landscaping shall be maintained in good health and condition at all times and any dead or diseased plants shall be replaced immediately to the reasonable satisfaction of the Council.
7. All upper level windows, with the exception of the upper level windows of dwelling 1 facing south, shall have a sill height of 1.7 metres above the upper floor level or consist of fixed obscure glazing to a minimum height of 1.7 metres above the upper floor level, and shall be maintained in good condition at all times to the reasonable satisfaction of Council.
8. All wall cladding, roofing materials and external building finishes and colours used on the dwellings shall be natural and non-reflective, and shall be maintained to the reasonable satisfaction of Council.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

6.4 376 & 378 Marion Road, PLYMPTON

Application No 211/62/2018 & 211/66/2018

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. 211/62/2018 by Area Developers Pty Ltd to undertake Land Division - Torrens Title land division; creating two additional allotments at 376 & 378 Marion Road, Plympton (CT 5707/600 & 5108/668) subject to the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the land division plan by State Survey, 'Subject to Survey Torrens Division' Reference: 17571, Drawn by: EF except where varied by any condition(s) listed below.
2. Prior to the issue of certificates to the division approved herein, all existing buildings and associated structures shall be removed from the subject land.

Land Division Consent Conditions

Nil

Development Assessment Commission Conditions

3. The financial requirements of the SA Water Corporation shall be met for the provision of water supply 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 \$13,660 into the Planning and Development fund (2 lots @ \$6,830/lot). 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 Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, 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 be 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, Land Division Consent and Development Approval for Application No. 211/66/2018 by Area Developers Pty Ltd to undertake Land Division - Community Title; creating two additional allotments at 376 & 378 Marion Road, Plympton (CT 5707/600 & 5108/668) subject to the following conditions of consent:

Development Plan Consent Conditions

1. The development shall be undertaken and completed in accordance with the land division plan by State Surveys, 'Subject to Survey Community Division' Reference: 17571, Drawn by: EF except where varied by any condition(s) listed below.
2. Prior to the issue of certificates to the division approved herein, all existing buildings and associated structures shall be removed from the subject land.
3. An area measuring 1 metre by 1 metre shall be allocated for stormwater connection and shown on the final plan to the satisfaction of Council.

Land Division Consent Conditions

Nil

Development Assessment Commission Conditions

4. The financial requirements of the SA Water Corporation 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.

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.

5. Payment of \$13,660 into the Planning and Development fund (2 lots @ \$6,830/lot). 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 Department of Planning, Transport and Infrastructure and marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, at level 5, 50 Flinders Street, Adelaide.
6. 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 be adopted.

6.5 14 Rowells Road and 1a Carlow Avenue, LOCKLEYS

Application No 211/514/2017

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 Approval for Application No. 211/514/2017 by Mr Frank Salandra to remove one regulated and one significant tree at 14 Rowells Road, Lockleys and 1a Carlow Avenue, Lockleys (CT 6187/859 & 6187/860) for the following reasons:

Regulated Tree

1. The proposed development is contrary to:
 - General Section Regulated Trees Objective 1
Reason: The proposal is not seeking to retain a regulated tree that provides an important aesthetic and environmental benefit.
 - General Section Regulated Trees Objective 2 (a), (b) and (d)
Reason: The proposal seeks to remove a regulated tree that significantly contributes to the character and visual amenity of the locality, is indigenous to the locality and is an important habitat for native fauna.
 - General Section Regulated Trees Principle of Development Control 1
Reason: Despite the generous size of the subject allotments, development of the indicative dwelling will have an adverse effect on the regulated tree.
 - General Section Regulated Trees Principle of Development Control 2
Reason: It has not been demonstrated that the subject tree does not meet any of the criteria (a) - (e) to warrant removal.

Significant tree

2. The proposed development is contrary to:
 - General Section Significant Trees Objective 1
Reason: The proposal is not seeking to retain a significant tree that provides an important aesthetic and environmental benefit.
 - General Section Significant Trees Objective 2
Reason: The proposal seeks to remove a significant tree rather than retaining it in balance with achieving a reasonable development on the site.
 - General Section Significant Trees Principle of Development Control 1 (a), (c), (d), (e) & (f)
Reason: The significant tree makes an important contribution to the character and amenity of the local area, is an important habitat for native fauna, is part of a remnant area of native vegetation, is important to the maintenance of biodiversity in the local environment and forms a notable visual element to the local landscape and therefore should be retained.
 - General Section Significant Trees Principle of Development Control 2
Reason: Despite the generous size of the subject allotments, development of the indicative dwelling will have an adverse effect on the health of the significant tree.

- General Section Significant Trees Principle of Development Control 3
Reason: It has not been demonstrated that the subject tree does not meet any of the criteria (a) - (e) to warrant removal.
- Residential Zone Objective 4 and PDC 5
Reason: The proposal is not consistent with the Desired Character of the Zone in that landscaping will be removed that enhances the appearance of the locality and helps reduce heat loads in summer.
- Low Density Policy Area 21 Objective 1 and PDC 2
Reason: The proposal is not consistent with the Desired Character of the Policy Area in that landscaping will be removed along the main road frontage that enhances the appearance of the locality and helps reduce heat loads in summer.

COUNCIL ASSESSMENT PANEL DECISION

The Panel resolved that the recommendation be adopted.

7 CONFIDENTIAL REPORTS OF THE ASSESSMENT MANAGER

7.1 69 Ashley Street, TORRENSVILLE

Application No. 211/1103/2017

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: G Nitschke

Seconded: J Strange

That the recommendation be adopted.

CARRIED

6.11pm the meeting moved into Confidence and the Confidential session commenced.

6.14pm 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 - May 2018**

This report presented 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.

9 MEETING CLOSE

The Presiding Member declared the meeting closed at 6.16pm.