

CITY OF WEST TORRENS



Confidential Minutes

of

Report Items 21.1, 21.2 and 21.3 of the Council Meeting

of the

CITY OF WEST TORRENS

held in the Council Chambers, Civic Centre
165 Sir Donald Bradman Drive, Hilton

on

**TUESDAY, 7 SEPTEMBER 2021
at 7.00pm**

**Terry Buss PSM
Chief Executive Officer**

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Released

21.3 Planning, Development and Infrastructure Act: Anzac Highway, Glandore

Cr George Vlahos declared a perceived conflict of interest in this item as he owns a property in the area, and participated in the discussion and vote on the item.

Reason for Confidentiality

The Council is satisfied that, pursuant to Section 90(3)(h) of the *Local Government Act 1999*, the information to be received, discussed or considered in relation to this agenda item is:

- (h) legal advice.

Council resolved that:

1. Pursuant to Section 90(2) of the *Local Government Act 1999*, Council orders, that the public, with the exception of the Chief Executive Officer, members of the Executive and Management Teams in attendance at the meeting, and meeting secretariat staff, 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 report Item 21.3 - Planning, Development and Infrastructure Act: Anzac Highway, Glandore, attachments and any associated documentation submitted by the Chief Executive Officer, specifically on the basis of the provisions of Section 90(3)(h) because it is important to ensure that legal privilege is maintained with regard to this matter.
2. At the completion of the confidential session the meeting be re-opened to the public.

9.25pm the meeting moved into Confidence and the confidential session commenced.

PRESENT

Council Members:

Mayor M Coxon (Presiding Member)

Councillors: J Woodward, E Papanikolaou, D Huggett, K McKay, D Mugavin, G Nitschke, S Pal, S Tsiaparis, G Vlahos, C O'Rielly, A McKay, J Wood, B Reynolds

Officers:

Mr T Buss	(Chief Executive Officer)
Ms P Koritsa	(General Manager Business and Community Services)
Mr A Catinari	(General Manager Urban Services)
Mr D Ottanelli	(Manager City Property)
Ms S Curran	(Manager Strategy and Business)
Ms H Bateman	(Manager City Development)
Ms L Gilmartin	(Manager Financial Services)

On 1 July 2021 a Section 76 amendment to the Planning and Design Code was gazetted. Specifically, the amendment related to increasing the building height requirements in the Urban Corridor (Boulevard) Zone along Anzac Highway, Glandore. This report outlines the events that preceded the amendment and possible actions for Council to consider.

RECOMMENDATION

It is recommended to Council that it:

1. Awaits a response from the Minister for Planning on this matter in order to determine whether to commence a Code amendment to reduce the building height from 8 storeys to 3 storeys for the following parcels of land:
 - 118A Anzac Highway, Glandore
 - 130-132 Anzac Highway, Glandore
 - 144 Anzac Highway, Glandore
 - 158 Anzac Highway, Glandore
 - 186 Anzac Highway, Glandore
 - 188 Anzac Highway, Glandore
 - 2A Stuart Street, Glandore
 - 192 Anzac Highway, Glandore

OR

1. Initiates a Code amendment process immediately which seeks to reduce the building height of the following parcels of land from 8 storeys to 3 storeys:
 - 118A Anzac Highway, Glandore
 - 130-132 Anzac Highway, Glandore
 - 144 Anzac Highway, Glandore
 - 158 Anzac Highway, Glandore
 - 186 Anzac Highway, Glandore
 - 188 Anzac Highway, Glandore
 - 2A Stuart Street, Glandore
 - 192 Anzac Highway, Glandore
2. Requests the Minister to approve an early commencement of this Code amendment to ensure that 8 storey development is not facilitated on these allotments during the Code amendment process.
3. Allocates \$50,000 for the costs associated with undertaking this Code amendment.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Simon Tsiaparis

That Council:

1. Initiates a Code amendment process immediately which seeks to reduce the building height of the following parcels of land from a maximum building height of 8 levels (32.5 metres) to 3 levels (12.5 metres):
 - 118A Anzac Highway, Glandore
 - 130-132 Anzac Highway, Glandore
 - 144 Anzac Highway, Glandore
 - 158 Anzac Highway, Glandore
 - 186 Anzac Highway, Glandore
 - 188 Anzac Highway, Glandore

- 2A Stuart Street, Glandore
 - 192 Anzac Highway, Glandore
2. Requests the Minister to approve an early commencement of this Code amendment to ensure that 8 level development is not facilitated on these allotments during the Code amendment process.
 3. Allocates \$50,000 for the costs associated with undertaking this Code amendment.
 4. Seeks to recover the cost of the Code amendment from the State Government.

CARRIED

Cr George Vlahos voted in favour of the motion moved by Cr John Woodward and seconded by Cr Simon Tsiaparis.

FURTHER

1. In accordance with Sections 91(7) and 91(9) of the *Local Government Act 1999* the Council orders that the Item 21.3 - Planning, Development and Infrastructure Act: Proposed Code Amendment at Anzac Highway, Glandore, attachments and any associated documentation, but not the Minutes arising, having been considered by the Council in confidence under Section 90(3)(h), be kept confidential and not available for public inspection for a period of 12 months from the date of this meeting, on the basis that it is important to ensure that legal privilege is maintained with regard to this matter.
2. Council delegates the power of review, but not the extension, of the confidential order to the Chief Executive Officer on a monthly basis in accordance with the provisions of Section 91(9)(c) of the *Local Government Act 1999*.

RESOLUTION

Moved: Cr John Woodward

Seconded: Cr Elisabeth Papanikolaou

That the recommendations be adopted.

CARRIED

Cr George Vlahos voted in favour of the motion moved by Cr John Woodward and seconded by Cr Elisabeth Papanikolaou.

9.34pm the Confidential session closed and the meeting reopened to the public.