



COUNCIL ASSESSMENT PANEL

AGENDA FOR MEETING WEDNESDAY 14 AUGUST 2019

6:00pm

The Stirling Conference Room, 63 Mt Barker Road, Stirling

ORDER OF BUSINESS

1. **COMMENCEMENT**
2. **APOLOGIES/LEAVE OF ABSENCE**.....
 - 2.1 Apologies
 - 2.2 Leave of Absence
3. **PREVIOUS MINUTES**
10 July 2019
4. **DELEGATION OF AUTHORITY**.....
Decisions of this Panel were determined under delegated authority as adopted by Council on 28 November 2017
5. **PRESIDING MEMBER'S REPORT**
6. **DECLARATION OF INTEREST BY MEMBERS OF PANEL**
7. **MATTERS LYING ON THE TABLE/MATTERS DEFERRED**.....
 - 7.1 Matters Lying on the Table
Nil

7.2 Matters Deferred

7.2.1 Development Application 13/30/473 by Mark Musolino for filling of land to a maximum depth of 6.2 metres (non-complying) at 24 & 28 Emmett Road, Crafers West

Deferred from meeting 8 May 2019

“At the request of Council staff, that a decision on the matter be deferred to enable Council administration to repeat the public notification process in order to comply with the requirements of Regulation 22(5) of Development Regulations 2008.”

Deferred from meeting 10 July 2019

“That a decision on the matter be deferred to enable the applicant to:

- *Provide clean fill certificates or undertake soil samples, surface and ground water testing and analysis by a suitably experienced and qualified site contamination consultant to provide evidence that the fill placed on the site is not contaminated and suitable for a private open space area associated with a dwelling, and that there is no risk of pollution to surface or underground waters.*
- *Provide clarification of the pre 2010 land form, the existing land form with the fill in situ and the final form of the land proposed following the landscaping shown in the landscape concept plan”.*

7.2.2 Development Application 18/668/473 by Shu-Mu Tseng for a change of use of existing grazing land to include horticulture comprising a tree and flower plantation (8 hectares) at Lot 17 Mount Barker Road, Bridgewater

Deferred from meeting 12 June 2019

“That a decision on the matter be deferred to enable further discussion between the applicant and Council staff regarding:

- *Buffer Distances;*
- *Plant Species;*
- *External Professional Input; and*
- *CFS Advice*

And the preparation of a detailed landscape plan by a qualified Landscape Designer with planting allocations, buffers, plant species and plant numbers”.

8. DEVELOPMENT ASSESSMENT APPLICATIONS

8.1. Development Application 19/404/473 by Dan Edwards for two (2) frost fans associated with horticulture (maximum height 13.7m) at Lot 19 Forreston Road, Forreston – Marie Molinaro

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Christopher Pinchbeck	1 Norsworthy Road Forreston	Personally
Brett Graham	74 Norsworthy Road Forreston	Personally
Gary & Judith Smith	18 Norsworthy Road Forreston	Personally
Andrew & Lisa Tilley	404 Forreston Road Forreston	TBA
Michelle Sanders	480 Forreston Road Forreston	TBA

The applicant or his representatives, Adam Williams (Access Planning) and Alex Morabito (Marshall Day Acoustics), may be in attendance.

8.1.2 Decision of Panel

8.2. Development Application 18/697/473 by Anthony Donato for demolition of existing dwelling and construction of replacement two storey detached dwelling, attached decks (maximum height 2.7m), removal of native vegetation including 1 Significant Tree (SA Blue Gum) and associated earthworks (non-complying) at 44 Teringie Drive, Teringie – Damon Huntley

8.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Sarah Shelton and Anthony Shirley	45 Teringie Drive Terlingie	Personally

The applicant (or representative) may be in attendance.

8.2.2 Decision of Panel

- 8.3. Development Application 18/828/473 by Bird in Hand Pty Ltd for expansion to existing mixed use development comprising cellar door, restaurant & function facility (400 person capacity), including building alterations & 4 storey additions with an additional restaurant, ancillary bars, viewing deck and underground cellar, construction of sewer pumping main, associated car parking, combined fence and retaining walls & earthworks and Variation to Development Authorisation 473/65/10 to vary Conditions 2 & 3 relating to hours of operation and overall capacity of the premises (excluding outdoor concerts) and to delete Conditions 9 & 10 relating to other operational restrictions (non-complying) at 150 Pfeiffer Road, Woodside – Sam Clements**

- 8.3.1 Representations
Nil

The applicant (or representative) may be in attendance.

- 8.3.2 Decision of Panel

- 8.4. Development Application 18/751/473 by Urban Habitats for two storey detached dwelling with access via free and unrestricted right(s) of way over Section 1140 & Section 1139, attached deck (maximum height 1.7m) & verandah, domestic outbuilding (shipping container), water storage tanks (2 x 22,000L) and associated earthworks at Section 1492 Scott Creek Road, Scott Creek – Sam Clements**

- 8.4.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Jean Clayton	813 Scott Creek Road Scott Creek	Personally

The applicant's representative and owner of the property, Andrew Nathan (Nathan Pastoral Pty Ltd), may be in attendance.

- 8.4.2 Decision of Panel

8.5. Development Application 18/1038/473 (18/D067/473) by Stirling and Districts Hospital Inc for Land Division – boundary realignment (non-complying) at 20 Milan Terrace and 1/6-8 Bilney Road, Stirling – Sarah Davenport

8.5.1 Representations
Nil

The applicant (or representative) may be in attendance.

8.5.2 Decision of Panel

9. POLICY ISSUES FOR ADVICE TO COUNCIL

10. OTHER BUSINESS

11. ORDER FOR EXCLUSION OF THE PUBLIC FROM THE MEETING TO DEBATE CONFIDENTIAL MATTERS

That pursuant to Regulation 13(2)(a)(vii) and (ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*, an assessment panel may exclude the public from attendance at a meeting during so much of the meeting as is necessary to receive, discuss or consider in confidence any of the following matters:

- vii. Matters that should be considered in confidence in order to ensure that the assessment panel, or any other entity, does not breach any law, or any order or direction of a court or tribunal constituted by law, any duty of confidence, or other legal obligation or duty; and
- ix. Information relating to actual litigation

12. CONFIDENTIAL ITEM

12.1 Compromise Proposal – Development Application 18/498/473 by Frost Protection Australia Pty Ltd for Frost Fan (maximum height 13.3m) at 106 Buckleys Road, Lobethal – Marie Molinaro

12.1.1 Decision of Panel

13. NEXT MEETING

The next ordinary Council Assessment Panel meeting will be held on 11 September 2019

14. CLOSE MEETING