

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 8 MAY 2024
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

Paul Mickan

Leith Mudge

In Attendance

Jess Charlton

Deryn Atkinson

James Booker

Ashleigh Gade

Doug Samardzija

Tom Portas

Sarah Kimber

Karen Savage

Acting Director Community & Development

Assessment Manager

Team Leader Statutory Planning

Senior Statutory Planner

Senior Statutory Planner

Systems Analyst, Information Systems

Team Leader Administration

Minute Secretary

1. Commencement

The meeting commenced at 6.31pm

2. Opening Statement

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kaurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come”.

3. Apologies/Leave of Absence

3.1 Apologies

Myles Somers

3.2 Leave of Absence

Nil

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4. Previous Minutes

4.1 Meeting held 10 April 2024

The minutes were adopted by consensus of all members (16)

That the minutes of the meeting held on 10 April 2024 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 Development Application 23035583 by Lianne Sordillo for variation to DA 22022718 – to increase wall height of dwelling at 23 Highlands Court, Woodforde

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Phillip Brunning on behalf of Allan Amber	17 Kintyre Road Woodforde	Phillip Brunning

The representor's representative, Phillip Brunning, addressed the Panel and answered questions from the Panel.

The applicant's representative, Salvatore Marzullo, addressed the Panel and answered questions from the Panel.

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8.1.2 Decision of Panel

The following was adopted by consensus of all members (17)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 23035583 by Lianne Sordillo for variation to DA 22022718 – to increase wall height of dwelling at 23 Highlands Court, Woodforde is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisation 22022718 continue to apply to this amended authorisation.

ADVISORY NOTES

General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

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- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

9. **Development Assessment Applications – Development Act**

Nil

10. **Development Assessment Applications – Review of Decisions of Assessment Manager**

Nil

11. **ERD Court Appeals**

11.1 **Development Application 23034228 by Scott Butler for single storey detached dwelling, in-ground swimming pool with associated safety barriers, tennis court with 4 x light poles and associated fencing, combined fence & retaining walls, retaining walls & 2 x water storage tanks at 47 Lesley Crescent, Crafers**

11.1.1 **Representations**

Representations heard previously at CAP meeting held on 13 March 2024.

The applicant's representative, Corey Polyak (URPS), was invited to address the Panel and answer questions from the Panel.

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12. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

The following was adopted by consensus of all members (18)

That pursuant to Regulation 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Council Assessment Panel orders that all members of the public, except:

- Presiding Member, Geoff Parsons
- Independent Member, Ross Bateup
- Independent Member, Paul Mickan
- Council Member, Leith Mudge
- Acting Director Community and Development, Jess Charlton
- Assessment Manager, Deryn Atkinson
- Team Leader Statutory Planning, James Booker
- Senior Statutory Planner, Ashleigh Gade
- Senior Statutory Planner, Doug Samardzija
- Team Leader Administration, Sarah Kimber
- Minute Secretary, Karen Savage

be excluded from attendance at the meeting for Agenda Item 11.1 (Compromise Proposal – Development Application 23034228) to be debated in confidence.

The Council Assessment Panel is satisfied that it is necessary that the public, with the exception of Council staff in attendance as specified above, be excluded to enable the Panel to consider the report at the meeting on the following grounds:

- 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, or litigation that the assessment panel believes on reasonable grounds will take place

Accordingly, on this basis the principle that meetings of the Council Assessment Panel should be conducted in a place open to the public has been outweighed by the need to keep the discussion confidential.

7:15pm The Panel went into 'closed' session in order to allow for discussion and determination of the matter in confidence

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12.1 Decision of Panel

Compromise Proposal - Development Application Number 23034228 by Scott Butler for single storey detached dwelling, in-ground swimming pool with associated safety barriers, tennis court with 4 x light poles and associated fencing, combined fence & retaining walls, retaining walls & 2 x water storage tanks at 47 Lesley Crescent, Crafers – IN CONFIDENCE

7:32pm The Panel resumed 'open' session

13. Policy Issues for Advice to Council
Nil

14. Other Business

14.1 The Assessment Manager provided the Panel with an update on the Mount Lofty Golf Resort development. There have been changes to the proposed development in response to the RFI, community submissions and agency comments and a full response is anticipated to be submitted by the Applicant to SCAP in the next few months.

14.2 The Assessment Manager foreshadowed the possibility of the need for a Special CAP meeting and a proposed date will be circulated in due course.

14.3 The Assessment Manager provided the Panel with a verbal update on current ERD Court Appeals.

15. Confidential Item
No further item.

16. Next Meeting
The next ordinary Council Assessment Panel meeting will be held on Wednesday 12 June 2024.

17. Close meeting
The meeting closed at 7.39pm.