

Notice of Confidential Reports of Council Assessment Panel



MEMBERSHIP

Mr M Adcock	Independent Member (Presiding Member)
Ms B Merrigan	Independent Member
Mr G Salmon	Independent Member
Mr J Rutt	Independent Member
Mr D Wyld	Elected Member

NOTICE is given pursuant to Sections 87 and 88 of the Local Government Act 1999 that the next **COUNCIL ASSESSMENT PANEL MEETING** will be held in the Council Chambers, 571 Montague Road, Modbury and/or by electronic means on **TUESDAY 15 JUNE 2021** commencing at **10:00AM**

A copy of the Agenda for the above meeting is supplied.

Council is committed to providing greater community access to Council meetings during the COVID-19 pandemic. Members of the community are welcome to listen and observe meetings via [Council's website](#).

Council may restrict or limit access to members of the public physically attending the meeting to ensure compliance with current restrictions. Priority will be given to members of the public who wish to speak in the Public Forum and Deputation section of the agenda and have obtained prior approval from Council.

A handwritten signature in purple ink, appearing to read 'John Moyle'.

JOHN MOYLE
CHIEF EXECUTIVE OFFICER

Dated: 10 June 2021

CITY OF TEA TREE GULLY
CONFIDENTIAL REPORTS OF COUNCIL ASSESSMENT PANEL
15 JUNE 2021

AGENDA

1. Attendance Record:

- 1.1 Present
- 1.2 Apologies
 - Mr M Adcock

2. Minutes of Previous Meeting

That the Minutes of the Council Assessment Panel Meeting held on 18 May 2021 be confirmed as a true and accurate record of proceedings.

3. Business Arising from Previous Minutes

3.1 CAP.070/120326/2020 - Change in Use to Meditation and Yoga Studio at Unit 1, 247 Milne Road, Modbury North

That the above application be deferred to allow the following to be undertaken—
- Traffic Survey Data or Further Information relating to the timed usage of the site's car parking; particularly between the hours of 4pm and 6pm.

Outcome: Applicant is currently preparing a response to the additional information request.

4. Reports and Recommendations

4.1 CAP.070/118168/2019 - Confidential Item - Appeal Compromise - Land Division (1 into 3) at 13 Pope Crescent Hope Valley .

Recommended to Advise the Environment Resources and Development Court that the Council Assessment Panel is willing to consider amended plans demonstrating a 1 into 2 land division

5. Other Business

5.1 E.R.D. Court Matters Pending - Nil

5.2 Policy Considerations

Planning Policy considerations will be recorded in the minutes following discussion by member.

6. Information Reports - Nil

7. Date of Next Meeting

20 July 2021

CITY OF TEA TREE GULLY

CONFIDENTIAL REPORTS OF COUNCIL ASSESSMENT PANEL 15 JUNE 2021

Confidential Subject: CAP.070/118168/2019 - Appeal Compromise - Land Division (1 into 3) at 13 Pope Crescent Hope Valley

It is the recommendation of the Assessment Manager that CAP.070/118168/2019 - 13 Pope Crescent Hope Valley be received, discussed and considered in confidence. The Council Assessment Panel should determine whether it is necessary and appropriate for the matter to be discussed in confidence as provided for by the provisions of Sections 56A of the Development Act 1993 (with a recommendation provided as follows):

Recommendation for Moving into Camera

That pursuant to the authority delegated to the Council Assessment Panel by Council, the Council Assessment Panel:

- A. RESOLVES that pursuant to Section 56A(12)(a)(ix) of the Development Act 1993 that the public with the exception of staff on duty be excluded from the meeting to enable discussion on the application by Willow Homes c/- Cavallo Forrest and Associates to consider an appeal compromise in relation to a Torrens Title land division creating three allotments from one existing allotment including party wall rights at 13 Pope Crescent Hope Valley (070/120150/2020) on the basis that the matter relates to:

(ix) information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place; and

the Panel is satisfied with the principle that the meeting should be conducted in a place open to the public has been outweighed in relation to this matter by the need to keep the discussion of this matter confidential.

Note: The meeting should pause to allow members of the public to leave the meeting room and the doors should be closed behind as the last person leaves. Discussion on the matter can then proceed. The meeting automatically moves out of confidentiality at the end of the consideration of the matter, and the public should then be invited to attend the remainder of the meeting.