



MINUTES OF COUNCIL ASSESSMENT PANEL MEETING HELD IN THE COUNCIL CHAMBER, SALISBURY COMMUNITY HUB, 34 CHURCH STREET, SALISBURY ON

26 JULY 2022

MEMBERS PRESENT

Mr T Mosel (Presiding Member)
Mr R Bateup
Mr B Brug
Mr M Atkinson

STAFF

General Manager City Development, Ms M English
Assessment Manager, Mr C Zafiropoulos
Team leader Business Services, Ms H Crossley

The meeting commenced at 6.30pm.

The Presiding Member welcomed the members, staff and the gallery to the meeting.

APOLOGIES

Apologies were received from Ms C Gill.

LEAVE OF ABSENCE

Nil

ENDORSED MINUTES FROM PREVIOUS MEETING

The Minutes of the Council Assessment Panel Meeting held on 28 June 2022, be taken as read and confirmed.

DECLARATIONS OF CONFLICTS OF INTEREST

Nil

REPORTS

Nil

OTHER BUSINESS

8.2.1 Assessment Manager Quarterly Report - April to June 2022

Mr B Brug moved, and the Council Assessment Panel resolved that the information be received and noted.

8.2.3 Status of Current Appeal Matters and Deferred Items

Verbal update provided to Panel.

Applicant Appeal to Environment, Resources and Development Court, Tony Maiello (N27 Pty Ltd) v City of Salisbury (ERD-22-000014) - Development Application 361/1618/2020/2A

The Applicant represented by Botten Levinson Lawyers advised that they are considering alternative options and a possible submission of further information and/or alternative proposal. The matter has been adjourned before the Court until 4 August 2022, to allow for a re-presentation of an alternative proposal to the CAP on 27 July 2022.

Applicant Appeal to Environment, Resources and Development Court, 48 Commercial Road, Salisbury Pty. Ltd. v Salisbury Council Assessment Panel (ERD-22-000046) - Development Application 21034988

The conference scheduled for 20 July 2022 has been delayed for a month at the request of the appellant who has advised that the land has been sold to another party. In the interim, the applicant has submitted a new development application for land division only. The new application is largely the same allotment configuration of that previously considered by the Panel and is presently under assessment.

8.2.4 Policy Issues Arising from Consideration of Development Applications

Nil

8.2.5 Future Meetings & Agenda Items

Next meeting scheduled for Tuesday 23 August 2022.

ORDER TO EXCLUDE THE PUBLIC

Mr M Atkinson moved, and the Council Assessment Panel resolved to:

Exclude the public from the CAP proceedings for consideration of item 8.3.1 on the Agenda of the CAP meeting 27 April 2022 on the basis of regulation 13(2)(vi) of the *Planning, Development and Infrastructure (General) Regulations 2017*.

8.3.1 Applicant Appeal to Environment, Resources and Development Court, Tony Maiello (N27 Pty Ltd) v City of Salisbury (ERD-22-000014) - Development Application 361/1618/2020/2A

Mr M Atkinson moved, and the Council Assessment Panel resolved to:

1. Consider the settlement offer (second compromise) by Tony Maiello (N27 Pty Ltd) at the conciliation conference before the ERD Court (Action No.22-000014).
2. Approve that the report, attachments, discussion, recommendations, decision and minutes for this item will remain confidential and not available for public inspection until the finalisation of the court action and potential subsequent appeals.
3. Decline the settlement offer by Tony Maiello (N27 Pty Ltd) at the conciliation conference before the ERD Court (Action No.22-000014).

The meeting moved out of confidence at 6.50 pm.

8.2.2 Decision Making in Development Assessment and Ethics in Planning

Mr R Bateup moved, and the Council Assessment Panel noted the information on Decision Making in Development Assessment and Ethics in Planning under the *Planning, Development and Infrastructure Act 2016*.

ADOPTION OF MINUTES

Mr B Brug moved, and the Council Assessment Panel resolved that the Minutes of the Council Assessment Panel Meeting be taken and read as confirmed.

The meeting closed at 9.15pm.

PRESIDING MEMBER: Mr T Mosel

DATE: 26 July 2022
(refer to email approving minutes registered in Dataworks
Document Number 7398678)