

MINUTES

Of

Council Assessment Panel Meeting



Pursuant to the provisions of section 83 of the
Planning, Development and Infrastructure Act 2016

HELD

By electronic means

On

Wednesday, 10 March 2021 at 5:30pm

The Presiding Member formally declared the meeting open at 5:30pm.

7. ATTENDANCE RECORD

8.1. Present

Nathan Cunningham (Presiding Member)
Ian O’Loan
Paul Mickan
Aaron Curtis
Frank Maiolo (Council Member)

Also in Attendance

David Roberts (Manager Development Assessment)
Darren Starr (General Manager Development and Community)
Abbey Cook (Minute Secretary)
Thomas Harris-Howson (IT Officer)

Acknowledgment of the Kurna People as the Traditional Custodians of the Land

8.2. Apologies

Nil

8.3. Not Present / Leave of Absence

Nil

8. CONFIRMATION OF MINUTES

8.1.

Moved F Maiolo **Seconded** P Mickan

“that the minutes of the Council Assessment Panel meeting held on Wednesday 3 February 2021, be accepted as read and confirmed.”

Agreed

9. DECLARATION OF INTEREST

Nil

10. REPORTS FOR DECISION

8.1. Procedure for the Management of Appeals under PDI Act 2016

Darren Starr addressed the Panel and answered questions of the Panel

Moved P Mickan **Seconded** A Curtis

1. The Panel resolves to adopt the Adelaide Plains Council Assessment Panel Procedure for the Management of Appeals under the PDI Act 2016 dated March 2021 (Attachment 1)

Agreed

8.2. Policy for Assessment Panel Review of Decision of Assessment Manager

Darren Starr addressed the Panel and answered questions of the Panel

Moved A Curtis **Seconded** F Maiolo

1. That CAP revoke its delegations contained in Instrument of Delegation INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL dated 3 February 2021.
2. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 10 March 2021 and entitled [INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL] are hereby delegated this 10th of March 2021 to the positions identified in the third column of the Instrument of Delegation subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation. With the amendment of the reference to 5.1.1.1 in the Schedule of Conditions being amended to read 5.1.2.1.
3. The delegated powers and functions may be exercised individually by each delegate in respect of any particular matter where the delegate is required or proposing to act in the course of their duties.
4. Such powers and functions may be further delegated by the Assessment Manager in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.
5. The powers in Sections 125(6) of the Planning, Development and Infrastructure Act 2016 may be further delegated by the General Manager Development & community in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated in the Schedule of Conditions contained in the proposed Instrument of Delegation.

7 REPORTS FOR INFORMATION

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- 8.1. An update was provided to the Panel on the Agrisano ERD Court Appeal. The ERD Court issued consent order after the LMA and Infrastructure Agreements were finalised.
- 8.2. Question was asked relating to the backlog of Development Applications that will be dealt with under the Development Act 1993 post introduction of the PDI Act 2016.

560 development applications received by Council last calendar year. A small percentage of outstanding DA's will need to be presented to the Panel in coming months. Several applications that have been subject to public consultations which will be presented to the Panel for a decision in line with current processes.

- 8.3. Questions from Frank Maiolo around the Childcare Care Centre development application with advice that public consultation has been undertaken and representations are to be reviewed. Council staff suggested that no detailed discussion of the development application occur as the development application has not yet been presented to the Panel.

9 CONFIDENTIAL ITEMS

Nil

10 NEXT MEETING

Wednesday 7 April 2021 (To be confirmed)

11 CLOSURE

There being no further business, the Presiding Member declared the meeting closed at 6:01pm

Confirmed as a true record.

Presiding Member:

Date: ____/____/____