



COUNCIL ASSESSMENT PANEL

NOTICE OF MEETING

To: **Presiding Member:** Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
John Kemp

Notice is hereby given that the next meeting of the Council Assessment Panel will be held on:

Wednesday 14 September 2022
The Stirling Conference Room, 63 Mt Barker Road, Stirling AND
Zoom Virtual Meeting Room
at 6.30pm

Meetings of the Council are open to the public and interested members of the community are encouraged to attend via Zoom.

Please refer to Council's website for the link to join this meeting.

A handwritten signature in black ink that reads 'Deryn Atkinson'.

Deryn Atkinson
Assessment Manager
7 September 2022



COUNCIL ASSESSMENT PANEL

AGENDA FOR MEETING

Wednesday 14 September 2022

6:30pm

**The Stirling Conference Room, 63 Mt Barker Road, Stirling AND
Zoom Virtual Meeting Room**

ORDER OF BUSINESS

1. COMMENCEMENT

2. OPENING STATEMENT

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna 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

3.2 Leave of Absence

4. PREVIOUS MINUTES

Confirmation of the Minutes of the previous meeting held on Wednesday 10 August 2022

5. PRESIDING MEMBER’S REPORT

6. DECLARATION OF INTEREST BY MEMBERS OF THE 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 21008654 by Phillips/Pilkington Architects for two storey community facility, including function hall (200 person capacity), verandah, associated car parking, landscaping and earthworks at 1377 Lower North East Road, Houghton

Deferred from meeting 10 August 2022

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

- 1) Further acoustic professional advice to confirm modelling of patron noise includes both patrons on the terrace (balcony) and patrons within the building with doors and windows open, when music is not played.*
- 2) And validate that the modelling of background noise has considered noise readings taken as close as practicable to the elevation of the sensitive receiver premises”.*

Refer to Item 8.1 of the Agenda.

8. DEVELOPMENT ASSESSMENT APPLICATIONS – PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT

8.1 Development Application 21008654 by Phillips/Pilkington Architects for two storey community facility, including function hall (200 person capacity), verandah, associated car parking, landscaping and earthworks at 1377 Lower North East Road, Houghton – Doug Samardzija

8.1.1 Representations

Representations were heard previously at meeting held on 10 August 2022.

The applicant, or representatives, may be in attendance.

8.1.2 Decision of the Panel

8.2 **Development Application 22006231 by Beyond Ink for change in use from shop to indoor recreation facility at 41 Avenue Road, Stirling – Melanie Scott**

8.2.1 Representations

There were three representations received, and the following wish to be heard:

Name of Representer	Address of Representer	Nominated Speaker
Nicholas Stephenson	PO Box 93, Stirling	TBA
Matthew O'Callaghan on behalf of Joan O'Callaghan	PO Box 1277, Mylor 50 Avenue Road, Stirling	TBA

The applicant, or representatives, may be in attendance.

8.2.2 Decision of the Panel

8.3 **Development Application 22011328 by Simon Winter for change of use from residential to include service trade premises (plant sales in an outdoor setting) at 11 Rugby Road, Aldgate – Melanie Scott**

8.3.1 Representations

There were two representations received, and the following wishes to be heard:

Name of Representer	Address of Representer	Nominated Speaker
Rick Harper	20 Rugby Road, Aldgate	TBA

The applicant, or representatives, may be in attendance.

8.3.2 Decision of the Panel

9. DEVELOPMENT ASSESSMENT APPLICATIONS – DEVELOPMENT ACT

9.1 **Development Application 19/532/473 by GE Hughes Construction Co for variation to Development Authorisation 19/532/473 to vary truck wash location, combined fence and retaining wall height (maximum 4.4m), retaining walls height (maximum height 2m) and retaining wall location and associated earthworks at 4 Brettig Road, Lobethal.**

Original Proposal: Change of use to include a transport depot and extend an existing vehicle hardstand, retaining walls, combined fence and retaining wall (maximum height 4.15 metres), 2 x 28,000 litre fuel storage pods, storage building, outbuilding for truck wash equipment, 2 x 20,000 litre water tanks & associated earthworks at 4 Brettig Road, Lobethal – Melanie Scott

9.1.1 Representations
Nil

9.1.2 Decision of the Panel

10. DEVELOPMENT ASSESSMENT APPLICATIONS - REVIEW OF DECISIONS OF ASSESSMENT MANAGER

11. ERD COURT APPEALS

- 11.1 Compromise proposal for 14 Johnston Street, Stirling – DA 21031474

12. POLICY ISSUES FOR ADVICE TO COUNCIL

13. OTHER BUSINESS

- 13.1 Report on Review of Operating and Meeting Procedures

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

That pursuant to Regulation 13(2)(a) and (b) 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 matters in confidence:

- 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

15. CONFIDENTIAL ITEM

16. NEXT MEETING

The next ordinary Council Assessment Panel meeting will be held on 12 October 2022

17. CLOSE MEETING