



MINUTES

of

COUNCIL ASSESSMENT PANEL MEETING

Pursuant to the provisions of Section 82 of the Planning, Development and Infrastructure Act 2016

HELD IN

**COUNCIL CHAMBERS
PLAYFORD CIVIC CENTRE
10 PLAYFORD BOULEVARD, ELIZABETH**

ON

**THURSDAY, 20 NOVEMBER 2025
AT 6:00 PM**

The meeting commenced at 6:01 pm.

As Presiding Member, Mr Geoff Parsons, is an apology, Mr Matt Dineen, Assessment Manager, opened the meeting.

1 ATTENDANCE RECORD

1.1 Present

MR AARON CURTIS– ACTING PRESIDING MEMBER

Ms Cherie Gill (Deputy) via Zoom

Mr Paul Mickan

Also in attendance for the meeting:

Assessment Manager
Manager, Planning Services
Development Officer - Planning
Development Officer - Planning
Governance Support
ICT Applications Analyst
Minute Taker

Mr Matt Dineen
Mr Leif Burdon
Ms Rhiya Singh
Mr Jamie Hanlon
Ms Kiraly Gosnell
Ms Helen Pocius
Mrs Skye Nitschke

1.2 Apologies

Mr Adam Squires
Mr Geoff Parsons
Ms Misty Norris
Ms Tanya Smiljanic (Deputy)

1.3 Not Present

Nil

As the Presiding Manager, Mr Geoff Parsons, is an apology, it is necessary to appoint a Member present in the Council Chambers to preside over the meeting.

PANEL RESOLUTION**CAP592**

- 1. CAP appoint Mr Aaron Curtis as Presiding Member for the Council Assessment Panel held on 20 November 2025.**
- 2. That, if required, the Private Ballot process outlined in the Code of Practice for Council and Committee Meetings – Section 16, be utilised to elect a Presiding Member, with the results of the ballot becoming the outcome.**

CARRIED

Mr Curtis assumed the Chair to preside over the meeting.

2 CONFIRMATION OF MINUTES**PANEL RESOLUTION****CAP593**

The Minutes of the Council Assessment Panel Meeting held 18 September 2025 be confirmed as a true and accurate record of proceedings.

CARRIED**3 APPLICATIONS WITHDRAWN**

Nil

4 DECLARATIONS OF INTEREST

Nil

5 APPLICATIONS FOR CONSIDERATION – PERSONS WISHING TO BE HEARD

Nil

6 APPLICATIONS FOR CONSIDERATION – NO PERSONS TO BE HEARD

- 6.1 CHANGE OF LAND USE TO A TRANSPORT DISTRIBUTION FACILITY FOR THE PURPOSE OF SUPPORTING PRIMARY PRODUCTION, COMPRISING WAREHOUSE, HEAVY VEHICLE PARKING OF UP TO 8 VEHICLES, CAR PARKING, TRUCK MAINTENANCE AND WASHDOWN AREA, DETENTION BASIN, FENCING AND LANDSCAPING.**

- Representors:** Mr Donald Sawley, Addressed the Panel
Mr Rodger Fryer, Addressed the Panel
- Applicant:** Tedesco Freightlines Pty Ltd
- Mr James Hilditch, Hilditch Lawyers, for the applicant, addressed the Panel
- Mr Grazio Maiorano, URPS, for the applicant, responded to questions from the Panel
- Mr Michael Grogan, URPS, for the applicant, responded to questions from the Panel

PANEL RESOLUTION**CAP594**

It is therefore recommended that the Council Assessment Panel:

1. **DETERMINES** that the proposed development is not seriously at variance with the policies in the Planning and Design Code; and
2. **REFUSES** Planning Consent to the application by Tedesco Freightlines Pty Ltd for change of land use to a transport distribution facility for the purpose of supporting primary production, comprising warehouse, heavy vehicle parking of up to 8 vehicles, car parking, detention basin, fencing and landscaping.
 - a. The proposal is inconsistent with the intent of the Rural Horticulture Zone and is therefore considered inappropriate within this zone. Furthermore, the proposed land use and scale of the development are regarded as excessive and incompatible with the rural function and character of the locality.
 - b. In particular, it falls short of the following:
 - i. Rural Horticulture Zone PO 1.1 - The productive value of horticultural land for a range of agricultural, intensive horticultural activities and associated value adding, processing, warehousing and distribution activities is supported, protected and maintained. The proliferation of other land uses that may be sensitive to those activities is avoided.
 - ii. Rural Horticulture Zone PO 4.1 - Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.
 - iii. Rural Horticulture Zone PO 4.3 - Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural function and character in a manner that respects landscape amenity.
 - iv. Design PO 1.5 - The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.
 - v. Transport, Access and Parking PO 5.1 - Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: availability of on-street car parking.
 - vi. Transport, Access and Parking PO 6.2 - Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced, and the like.

CARRIED**7 APPLICATIONS FOR CONSIDERATION - CATEGORY 1**

Nil

8 OUTSTANDING MATTERS – APPEALS AND DEFERRED ITEMS

Nil

9 OTHER BUSINESS**9.1 STAFF REPORTS**

Nil

10 CONFIDENTIAL MATTERS**10.1 WAREHOUSE AND LIGHT INDUSTRY DEVELOPMENT WITH ADVERTISEMENT AND ASSOCIATED DETENTION BASIN, CAR PARKING, LANDSCAPING AND REGULATED AND SIGNIFICANT TREE REMOVALS**

Representors: Nil

Applicant: Zuppa Group C/ Future Urban

A. COMMITTEE TO MOVE MOTION TO GO INTO CONFIDENCE FOR ITEM 10.1**PANEL RESOLUTION****CAP595**

Pursuant to Part 3, 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017*, a provision is made for the exclusion of the public from the meeting in such situations, with the exception of:

- Assessment Manager;
- Manager Planning Services;
- Development Officer – Planning;
- Development Officer – Planning;
- Governance Support;
- ICT Applications Analyst; and
- Minute Taker.

in order to consider in confidence agenda item 10.1 under Part 3, 13(2)(a) of the *Planning, Development and Infrastructure (General) Regulations 2017* on the basis that:

- (vi) information the disclosure of which could reasonably be expected to prejudice the maintenance of law, including by affecting (or potentially affecting) the prevention, detection or investigation of a criminal offence, or the right to a fair trial.
- (ix) information relating to actual litigation, or litigation that the assessment panel believes on reasonable grounds will take place.

This matter is confidential because this agenda item relates to an ongoing appeal between the appellant and the Council Assessment Panel. As an ongoing appeal, this is a confidential matter between parties and the public discussion of such matters has the potential to impact the appellants right to a fair trial and relates to ongoing litigation.

On the basis of this information, the principle that meetings should be conducted in a place open to the public has been outweighed in this instance; the Panel consider it necessary to consider this matter in confidence.

CARRIED

The meeting went into confidence at 7:11 pm.

C. PROCEDURAL DECISION - COMMITTEE TO DECIDE HOW LONG ITEM 10.1 IS TO BE KEPT IN CONFIDENCE

PANEL RESOLUTION

CAP597

Pursuant to Part 3, 14(4) of the *Planning, Development and Infrastructure (General) Regulations 2017*, the Panel orders that the following aspects of Item 10.1 be kept confidential, in accordance with the Panel's reasons to deal with this item in confidence pursuant to Part 3, 13(2)(a)(vi) & (ix) of the *Planning, Development and Infrastructure (General) Regulations 2017*:

- Report for Item 10.1
- Attachment(s) for Item 10.1
- Minutes for Item 10.1

other than where required to be released in the management of the Environment, Resources and Development Court proceedings, at the discretion of the Assessment Manager.

CARRIED

The meeting re-opened to the public at 7:30 pm.

11 POLICY DISCUSSION FORUM

Mr Burdon drew Members attention to the Code of Conduct for Panel Members and Guidance material that come into effect from 10 November 2025, recently provided via email.

Further consideration of policy intent within the Rural Horticultural Zone given recent development applications heard by the Panel.

12 CLOSURE

The meeting closed at 7:33 pm.