MINUTES

OF THE

COUNCIL ASSESSMENT PANEL

HELD ON

THURSDAY 5 DECEMBER 2019
COUNCIL ASSESSMENT PANEL

MINUTES 5 DECEMBER 2019

MINUTES OF A MEETING OF THE COUNCIL ASSESSMENT PANEL HELD IN THE COUNCIL CHAMBERS, 131 BELAIR ROAD, TORRENS PARK ON THURSDAY, 5 DECEMBER 2019 AT 6:30PM.

MEMBERSHIP:
David Billington (Presiding Member), Steve Hooper, Michael Osborn and Rebecca Rutschack
CR: Andrew Tilley CR: Yvonne Todd

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COUNCIL ASSESSMENT PANEL
MINUTES

5 DECEMBER 2019

TIM PRIDE
ACTING ASSESSMENT MANAGER
1. PRESENT
   David Billington (Presiding Member)
   Steve Hooper
   Michael Osborn
   Rebecca Rutschack
   Cr Andrew Tilley

2. APOLOGIES
   Cr Yvonne Todd

3. ABSENT
   Nil

4. CONFIRMATION OF MINUTES
   RECOMMENDATION
   That the Minutes of the Council Assessment Panel Meeting held on 7 November 2019 be confirmed.
   CARRIED

5. DISCLOSURE OF PECUNIARY INTERESTS
   Nil

6. DISCLOSURE OF INTERESTS
   Nil
7. CATEGORY 3 NOTIFIED APPLICATIONS

7.1 12 RIVIERA COURT PASADENA

Author: Sean Elliott
Proposal: Attached Deck & Privacy Screen (Retrospective)
Development Number: 080/1071/19
Date of Lodgement: 16/09/2019
Owner: Mr D J Crawford-Marshall & Mrs B N Crawford-Marshall
Applicant: Hills Design & Drafting
Location: 12 Riviera Court PASADENA SA 5042
Zone: Hills Face Zone [Mit/14]
Application type: Merit
Public Notification Category: Category 3
Representation Received: 3
Internal Referrals: Nil
External Referrals: Nil
Development Plan: Consolidated 20 February 2018
Delegation: CAP – Category 3 application where a representor wishes to be heard
Recommendation: To Grant Development Plan Consent subject to conditions

Representors

Mark Kwiatkowski of Adelaide Planning & Development Solutions Pty Ltd on behalf of Angus Clark & Adam Bonasiak of 14 Riviera Court Pasadena, ADDRESSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER

Owner

Daryl Crawford-Marshall, ADDRESSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER

MOTION: The panel defer further consideration of the application to enable the applicant an opportunity to consider the amendment of the proposed plans, specifically the following:

a. Reduction in total floor area
b. Reduce bulk and scale (particularly height above existing ground level)

CARRIED
7.2 24 LINCOLN AVENUE, COLONEL LIGHT GARDENS

<table>
<thead>
<tr>
<th>Author:</th>
<th>Marissa Virgara</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal:</td>
<td>Demolish Existing Structures (Shed to Remain) and Construct a Single Storey Detached Dwelling with Associated Fencing</td>
</tr>
<tr>
<td>Development Number:</td>
<td>080/0760/19</td>
</tr>
<tr>
<td>Date of Lodgement:</td>
<td>10/07/2019</td>
</tr>
<tr>
<td>Owner:</td>
<td>Mr &amp; Ms Nicholls</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Rivergum Homes Pty Ltd</td>
</tr>
<tr>
<td>Location:</td>
<td>24 Lincoln Avenue COLONEL LIGHT GARDENS SA 5041</td>
</tr>
<tr>
<td>Zone:</td>
<td>State Heritage Area (Colonel Light Gardens) [Map Mlt/28]</td>
</tr>
<tr>
<td>Application type:</td>
<td>Merit</td>
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<tr>
<td>Public Notification Category:</td>
<td>Category 3</td>
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<tr>
<td>Representations Received:</td>
<td>4</td>
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<tr>
<td>Internal Referrals:</td>
<td>NIL</td>
</tr>
<tr>
<td>External Referrals:</td>
<td>State Heritage Referral as per Schedule 8</td>
</tr>
<tr>
<td>Development Plan:</td>
<td>20 February 2018</td>
</tr>
<tr>
<td>Delegation:</td>
<td>CAP: Applications for demolition if a dwelling and/or construction of a new dwelling(s) in the State Heritage Area (Colonel Light Gardens), or any Historic (Conservation) Zone or Policy Area</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>To Grant Development Plan Consent subject to conditions</td>
</tr>
</tbody>
</table>

**Representors**
NIL

**Applicant**
Rivergum Homes Pty Ltd, *was not required to answer any questions of the Panel*

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

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and

2. GRANTS Development Plan Consent to the application by Rivergum Homes PTY LTD to Demolish Existing Structures (Shed to Remain) and Construct a Single Storey Detached Dwelling at 24 Lincoln Avenue Colonel Light Gardens, as detailed in Development Application No. 080/0760/19 subject to the following conditions and advisory notes:

**Development Plan consent Conditions:**

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/0760/19 except where varied by any condition(s) listed below:
• External Finishes – Reference Number 18757
• Siteworks Plan – Sheet 1 – Reference Number 18757 – 24 May 2019
• General Notes – Reference Number 18757 WD001 – Revision 5 – 23 September 2019
• Site Plan – Reference Number 18757 WD002 – Revision 5 – 23 September 2019
• Floor Plan – Reference Number 18757 WD003 – 23 September 2019
• Elevations – Reference Number 18757 WD004 – Revision 5 – 23 September 2019
• Elevations – Reference Number 18757 WD005 – Revision 5 – 23 September 2019
• Electrical Plan – Reference Number 18757 WD006 – Revision 5 – 23 September 2019
• Kitchen Elevations – Reference Number 18757 WD007 – Revision 5 – 23 September 2019
• Wet Area Elevations – Reference Number 18757 WD008 – Revision 5 – 23 September 2019
• Wet Area Elevations - Reference Number – 18757 WD009 – Revision 5 – 23 September 2019
• Slab Plan – Reference Number – 18757 WD010 – Revision 5 – 23 September 2019
• Window and Door Schedules – Reference Number 18757 WD011 – Revision 5 – 23 September 2019
• Section – Reference Number 18757 WD012 – Revision 5 – 23 September 2019
• Details – Reference Number 18757 WD013 – Revision 5 – 23 September 2019
• Working Drawings Details – Reference Number 18757 WD014
• Working Drawings Details – Reference Number 18757 WD015 – Revision 5  23 September 2019
• Working Drawings Details – Reference Number 18757 WD016

2. Stormwater connections to the street water table, must be in accordance with Council’s Engineering Detail SD-600, Sheet 19. Pipes through the Council verge area must be constructed of galvanized steel, not PVC. Trench reinstatements beneath the footpath area must be in accordance with Council’s Engineering Detail SD-600 Sheets 14 B & 15 B.

   Reason: To comply with Council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

3. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

   Reason: To provide adequate protection against the possibility of stormwater inundation to neighbouring properties

4. Stormwater from the site must be managed during construction and until the site is stabilized to ensure that it does not cause nuisance to any adjoining property. Temporary drainage must be installed as soon as the roof is constructed.
Reason: To ensure that all necessary measures are undertaken to stabilize all earthworks on site

5. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council’s drainage system, Council’s road network, or neighbouring properties.

**NOTE:** Pollution prevention measures must be in accordance with the Environmental Protection Authority’s “Stormwater Pollution Prevention Codes of Practice”;

- For the Community
- For Local, State and Federal Government
- For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites

6. Any portion of Council’s infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to Council’s satisfaction at the developer’s expense.

Reason: To ensure any damage to Council’s infrastructure is reinstated

7. The proposed landscaping must be established on site in accordance with the approved plan, prior to the occupation of the dwellings and must be maintained in good conditioned at all times to the reasonable satisfaction of Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of Council.

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated

**NOTES:**

1. Heritage Places

You are advised of the following requirements of the Heritage Places Act, 1993:

(a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.

(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water & Natural Resources.
If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

CARRIED
7.3 2 STURT AVENUE COLONEL LIGHT GARDENS

<table>
<thead>
<tr>
<th>Author:</th>
<th>Cassia Byrne</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal:</td>
<td>Partial Demolition of Existing Building, Alterations and Additions to Existing Educational Establishment (Lisieux Building Associated with St Therese School), Fencing, Deck and other Associated Works</td>
</tr>
<tr>
<td>Development Number:</td>
<td>080/0868/19</td>
</tr>
<tr>
<td>Date of Lodgement:</td>
<td>06/08/2019</td>
</tr>
<tr>
<td>Owner:</td>
<td>Catholic Church Endowment Soc Inc</td>
</tr>
<tr>
<td>Applicant:</td>
<td>St Therese School</td>
</tr>
<tr>
<td>Location:</td>
<td>2 Sturt Avenue COLONEL LIGHT GARDENS  SA  5041</td>
</tr>
<tr>
<td>Zone:</td>
<td>State Heritage Area (Colonel Light Gardens) [Mit/9]</td>
</tr>
<tr>
<td>Application type:</td>
<td>Merit</td>
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<tr>
<td>Public Notification Category:</td>
<td>Category 3</td>
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<tr>
<td>Representations Received:</td>
<td>8</td>
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<tr>
<td>Internal Referrals:</td>
<td>Project and Development Engineer</td>
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<tr>
<td>External Referrals:</td>
<td>Heritage SA</td>
</tr>
<tr>
<td>Development Plan:</td>
<td>Consolidated 20 February 2018</td>
</tr>
<tr>
<td>Delegation:</td>
<td>Council Assessment Panel – Category 3 application where a representor wishes to be heard by the Council.</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>To Grant Development Plan Consent subject to conditions</td>
</tr>
</tbody>
</table>

**Applicant**

Greg Vincent of Masterplan on behalf of St Therese School, answered questions of the Panel in relation to clarification of materials and finishes.

**Representors**

Dion DeFalco of 4 Sturt Avenue Colonel Light Gardens, *ADDRESSSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER*

Jeffery Kruse of 51 Salisbury Crescent Colonel Light Gardens, *was called but was not present*

Janet Scott of 14 Pembroke Place Colonel Light Gardens, *ADDRESSSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER*

Philip Knight of 3 East Parkway Colonel Light Gardens, *ADDRESSSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER*

Dr Richard Salter of 8 Broadway Colonel Light Gardens, *was called but was not present*

**Applicant**

Greg Vincent of Masterplan and De’Arne Matthews of Hardy Milazzo Architects on behalf of St Therese School, *ADDRESSSED & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER*
MOTION: That pursuant to the authority delegated to the Council Assessment Panel by the Council, the Council Assessment Panel:

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and

2. GRANTS Development Plan Consent to the application by ST THERESE SCHOOL to PARTIAL DEMOLITION OF EXISTING BUILDING, ALTERATIONS AND ADDITIONS TO EXISTING EDUCATIONAL ESTABLISHMENT (LISIEUX BUILDING ASSOCIATED WITH ST THERESE SCHOOL), FENCING, DECK AND OTHER ASSOCIATED WORKS at 2 STURT AVENUE COLONEL LIGHT GARDENS as detailed in Development Application No. 080/0868/19 subject to the following conditions and advisory notes:

Development Plan consent Conditions:

1. The development must be undertaken, completed and maintained in accordance with the plans and information detailed in Application No. 080/0868/19, and in particular plans:

   Hardy Milazzo Architecture and Interior Design:
   - Cover Sheet/ Location Plan – SK01-D – Job No. 6800-1 – dated 22/11/2019
   - Proposed Site Plan – SK02-D – Job No. 6800-1 – dated 22/11/2019
   - Lisieux Elevations (Front and Rear) – SK07-D – Job No. 6800-1 – dated 22/11/2019
   - Lisieux Elevations (East and West) – SK08-D – Job No. 6800-1 – dated 22/11/2019

   Design Well

   Except where varied by the following conditions.

   Reason: To ensure the proposal is established in accordance with the plans and details submitted.

2. A landscaping plan to the satisfaction of Council shall be provided prior to full Development Approval being issued that details the number, location and species of plants proposed.

   Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated.
3. The proposed landscaping must be established on the site in accordance with the approved plan within six months of the substantial completion of the development and must be maintained in good condition at all times to the satisfaction of Council.

*Reason:* To maintain and enhance the visual amenity of the locality in which the subject land is situated.

4. A Stormwater Management Plan to the satisfaction of Council shall be provided prior to Development Approval being issued. The Stormwater Management Plan is to include:

- Detail outlining how the roof water from the addition will be connected to the underground stormwater infrastructure within the street; and
- Details of retention/detention stormwater management that incorporate the following:
  - 3,500 Litre capacity Rainwater Harvest (Retention) Tank reticulated to the building toilet or hot water system;
  - 1,500 Litre Stormwater Detention Tank;
  - 500 Litre Secondary Retention Storage which can be achieved by providing additional retention tank storage or alternative measures such as soakage trenches, permeable paving, rain gardens etc.

*Reason:* To ensure that stormwater is appropriately managed and to restrict concentrated stormwater run-off from the site.

5. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

*Reason:* To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

**Conditions as imposed by Department of Environment and Water – Heritage SA**

6. Final external material and colour selections shall be agreed and submitted to the satisfaction of Council in consultation with Heritage South Australia (Department for Environment and Water).

*Reason:* To allow for final decision-making compatible with the heritage values of the State Heritage Area

7. Final Fence and gate details shall be agreed and submitted to the satisfaction of Council in consultation with Heritage South Australia (Department for Environment and Water)

*Reason:* To allow for final decision-making compatible with the heritage values of the State Heritage Area
NOTES

1. HERITAGE PLACES

You are advised of the following requirements of the Heritage Places Act, 1993:-

(a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.

(b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department of Environment, Water & Natural Resources.

If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

CARRIED
8. CATEGORY 2 NOTIFIED APPLICATIONS

8.1 14 AYR AVENUE, TORRENS PARK

<table>
<thead>
<tr>
<th>Author:</th>
<th>Tegan Lewis</th>
</tr>
</thead>
<tbody>
<tr>
<td>Proposal:</td>
<td>Single Storey Detached Dwelling with Garage and Associated Retaining Walls and Fencing to a Maximum Height of 3.2 Metres</td>
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<tr>
<td>Development Number:</td>
<td>080/0933/19</td>
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<tr>
<td>Date of Lodgement:</td>
<td>15/08/2019</td>
</tr>
<tr>
<td>Owner:</td>
<td>Ms V J Hayman</td>
</tr>
<tr>
<td>Applicant:</td>
<td>Verity June Hayman Scott Salisbury Homes</td>
</tr>
<tr>
<td>Location:</td>
<td>14 Ayr Avenue TORRENS PARK SA 5062</td>
</tr>
<tr>
<td>Zone:</td>
<td>Residential (Central Plains) [Mit/5] Policy Area 8 [Mit/29]</td>
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<td>Application type:</td>
<td>Merit</td>
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<td>Public Notification Category:</td>
<td>Category 2</td>
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<td>Representations Received:</td>
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<td>Internal Referrals:</td>
<td>Horticulture</td>
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<td>External Referrals:</td>
<td>Nil</td>
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<td>Development Plan:</td>
<td>Consolidated 20 February 2018</td>
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<tr>
<td>Delegation:</td>
<td>CAP – Category 2 application where a representor wishes to be heard</td>
</tr>
<tr>
<td>Recommendation:</td>
<td>To Grant Development Plan Consent subject to conditions</td>
</tr>
</tbody>
</table>

**Representors**

Steven Henderson on behalf of Mr and Mrs Delaine of 12 Ayr Avenue Torrens Park, **ADDRESS & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER**

**Applicant / Owner**

Garth Heynen of Heynen Planning Consultants, **ADDRESS & ANSWERED QUESTIONS OF THE PANEL CONCERNING THIS MATTER**

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

1. DETERMINES that the proposed development is not seriously at variance with the policies in the City of Mitcham Development Plan; and

2. GRANTS Development Plan Consent to the application by Verity June Hayman and Scott Salisbury Homes to construct a single storey detached dwelling with garage and associated retaining walls and fencing to a maximum height of 3.2 metres at 14 Ayr Avenue, Torrens Park, as detailed in Development Application No. 080/0933/19 subject to the following conditions and advisory notes:

**Development Plan consent Conditions:**

1. The development must be undertaken, completed and maintained in accordance with the plan(s) and information detailed in Application No. 080/0933/19 except
where varied by any condition(s) listed below:

- Artist impression – Scott Salisbury Homes;
- Site Plan – Scott Salisbury Homes – 1st of July 2019;
- Floor Plan – Scott Salisbury Homes – 1st of July 2019;
- North Elevations – Scott Salisbury Homes – 1st of July 2019;
- East and West Elevations – Scott Salisbury Homes – 1st of July 2019;
- South Elevations – Scott Salisbury Homes – 1st of July 2019;
- Site Works Plan – Residential Commercial Industrial Engineers – 27th of August 2019;

2. The proposed landscaping must be established on the site in accordance with the approved plan, prior to the occupation of the dwellings and must be maintained in good condition at all times to the reasonable satisfaction of Council. Any dead or diseased plants or trees shall be replaced forthwith to the reasonable satisfaction of Council.

*Reason:* To maintain and enhance the visual amenity of the locality in which the subject land is situated

3. Stormwater connections to the street water table, must be in accordance with Council’s Engineering Detail SD-600, Sheet 19. Pipes through the council verge area must be constructed of galvanized steel, not PVC. Trench reinstatements beneath the footpath area must be in accordance with Council’s Engineering Detail SD-600 Sheets 14 B & 15 B.

*Reason:* To comply with council policy and to ensure uniformity with stormwater connections from the property boundary to the kerb and gutter

4. Stormwater must be disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building or create insanitary conditions.

*Reason:* To provide adequate protection against the possibility of stormwater inundation to neighbouring properties.

5. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter council’s drainage system, council’s road network, or neighbouring properties.

*Note:* pollution prevention measures must be in accordance with the environmental protection authority’s “stormwater pollution prevention codes of practice”;

- For the community
- For local, state and federal government
- For the building and construction industry
Reason: to inform owners, developers, builders etc. of their obligation in regard to the environment and to the appropriate measures of stormwater disposal from building sites.

6. All earthworks associated with the development must be stabilized in accordance with standard engineering design and practices against erosion and failure.

Note: the applicant is reminded that earthworks must not encroach across neighbouring property boundaries.

Reason: to ensure that all necessary measures are undertaken to stabilize all earthworks on site.

7. Any portion of council’s infrastructure damaged as a result of work undertaken on the allotment or associated with the allotment must be repaired/reinstated to council’s satisfaction at the developer’s expense.

Reason: to ensure any damage to council’s infrastructure is reinstated.

8. Stormwater from the site must be managed during construction and until the site is stabilized to ensure that it does not cause nuisance to any adjoining property. Temporary drainage must be installed as soon as the roof is constructed.

Reason: to ensure that all necessary measures are undertaken to stabilize all earthworks on site.

CARRIED
9. DEFERRED ITEMS (FROM PREVIOUS MEETING)
   Nil

10. CATEGORY 1 APPLICATIONS
    Nil

11. CONFIDENTIAL ITEMS
    Nil

12. APPEALS UPDATE

   12.1 APPEALS UPDATE
   An update was provided to panel members regarding 20-24 Walsh Street, St Marys – Third party appeal – Prelim conference 16 December.

13. OTHER BUSINESS
   The Assessment Manager reminded the Panel that there was to be no CAP Meeting in January 2020 with the next meeting to be held on 6 February 2020.

14. ASSESSMENT MANAGER REPORT
    Nil

15. STRATEGY AND POLICY CONSIDERATIONS
    Nil

16. CLOSE
   There being no further business, the meeting closed at 8:32pm.