



# **MINUTES**

## **Council Assessment Panel Meeting**

(Subject to confirmation)

**22 September 2020**

**MINUTES OF YORKE PENINSULA COUNCIL  
COUNCIL ASSESSMENT PANEL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON TUESDAY, 22 SEPTEMBER 2020 AT 9.30AM**

**1 WELCOME BY PRESIDING MEMBER**

Presiding Member Debra Agnew welcomed everyone to the meeting and declared the meeting open at 9.34am.

**2 PRESENT**

Presiding Member Debra Agnew, Independent Member Ben Green, Independent Member Peter Allen, Mr John Rich

**In Attendance**

Roger Brooks (Assessment Manager), Jodie Terp (Manager of Development), Susan Hadley (Planning Officer), Maddy Pulling (Minute Secretary)

**3 GALLERY**

Sue Thompson, Bill McFarlane, John Outhred, Richard Carruthers

**4 APOLOGIES**

Independent Member Elinor Walker

**5 LEAVE OF ABSENCE**

Nil

**6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**

**COMMITTEE RESOLUTION**

Moved: Independent Member Ben Green

Seconded: Mr John Rich

That the minutes of the Council Assessment Panel Meeting held on 28 July 2020 be confirmed.

**CARRIED 032/2020 (22/09/2020)**

**7 CONFLICT OF INTEREST**

Presiding Member Debra Agnew reminded all Panel Members of the requirement to disclose any conflict of interest in relation to any matters before the Council Assessment Panel.

**8 VISITORS TO THE MEETING**

John Outhred (Planning Consultant) in relation to Report Item 9.1 – 544/1184/2020 – Outhred English & Associates (Goss)

Sue Thompson (Applicant) in relation to Report Item 9.2 – 544/1096/2018 – Construction Services Australia Pty Ltd (McFarlane), Black Point.

## REPORTS

### 9 DEVELOPMENT APPLICATIONS

#### 9.1 544/1184/2020 - OUTHRED ENGLISH & ASSOCIATES (GOSS) - PORT VICTORIA

#### COMMITTEE RESOLUTION

Moved: Mr John Rich  
Seconded: Independent Member Ben Green

#### PROPOSAL OUTLINE

**Author:** Susan Hadley – Planning Officer, Development Services  
**Application No.:** 544/1184/2020  
**Applicant:** Outhred English & Associates Pty Ltd  
**Owner:** SM & VM Goss  
**Development Proposal:** Dwelling, Garage (umr), Alfresco Area & Verandah.  
**Lodgement Date:** 15/06/2020  
**Subject Land:** Lot 19 Pebble Beach Road, Hd Wauraltee  
**Zone:** Primary Production  
**Nature of Development:** Non-complying  
**Public Notification:** Category 3  
**Representations:** 1 – in support  
**Referrals:** N/A  
**Development Plan Version:** 29 November 2018  
**Development Legislation:** Development Act, 1993

#### COMMITTEE RESOLUTION

Moved: Independent Member Peter Allen  
Seconded: Independent Member Ben Green

That the Council Assessment Panel accept correspondence from Outhred English dated 18 September 2020, in relation to Development Application 544/1184/2020 SM & VM Goss.

**CARRIED 033/2020 (22/09/2020)**

*9.36am Planning Consultant John Outhred addressed the Panel on behalf of applicants SM and VM Goss in support of the application.*

*9.44am John Outhred concluded his address to the Panel.*

*Discussion ensued and the Panel were in agreement that the Description of the Development be changed to Detached Dwelling, Garage(UMR), Alfresco Area and Verandah ancillary to primary production and Condition #5 be amended to reflect that the land shall be suitably landscaped in accordance with the landscape plan dated & received by Council 27 August 2020.*

**COMMITTEE RESOLUTION**

Moved: Independent Member Ben Green

Seconded: Mr John Rich

- A. That the Development Assessment Panel resolves that Development Application 544/1184/2020 for a Detached Dwelling, Garage (UMR), Alfresco Area and Verandah ancillary to primary production at Lot 19 Pebble Beach Road, Port Victoria is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 29 November 2018.**
- B. That following consideration and having regard to all relevant matters concerning the construction of a Detached Dwelling, Garage (UMR), Alfresco Area and Verandah ancillary to primary production at Lot 19 Pebble Beach Road, Port Victoria (Development Application 544/1184/2020) the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent:**

**CONDITIONS:**

- 1 The applicant shall proceed strictly in accordance with the plans submitted and conditions imposed by this consent, except where minor changes are required to comply with the Building Code of Australia.**
- 2 Where a Private Certifier is engaged for Building Rules Consent, the Private Certifier is to provide Council with a certified statement to verify that the Building Rules Consent is consistent with the Development Plan Consent.**
- 3 The Applicant or Landowner shall apply and obtain the necessary approvals for a waste control system in accordance with the South Australian Public Health Act 2011, prior to obtaining Development Approval.**
- 4 Where no mains water is available, the gutters of the dwelling shall be connected to on-site rainwater storage tanks(s) with a minimum capacity of 45,000 litres, reticulated to the dwelling.**
- 5 The land shall be suitably landscaped in accordance with the landscape plan (dated and received by Council 27/08/2020) to the satisfaction of Council and, in particular, plantings which create a buffer between the dwelling and farmed land, shall be established to minimise potential impacts of chemical spray drift and other impacts associated with primary production.**
- 6 Development in a General Bushfire Risk Area in a Bushfire Protection Area shall:**
  - Have a dedicated firefighting water supply of at least 5,000 litres to comply with Minister's Code: Undertaking Development In Bushfire Protection Areas**
  - Ensure that gaps between the dwelling floor and the ground are enclosed to prevent burning debris from entering**

- Be located and designed to minimise risk from bushfires
- Have access roads and tracks that are appropriately designed and built for entry and exit of vehicles, including fire fighting vehicles, during a fire.

CARRIED 034/2020 (22/09/2020)

**9.2 544/1096/2018 - CONSTRUCTION SERVICES AUSTRALIA PTY LTD (MCFARLANE) - BLACK POINT**

**PROPOSAL OUTLINE**

<b>Author:</b>	<b>Access Planning – David Hutchison</b>
<b>Application No.:</b>	<b>544/1096/2018</b>
<b>Applicant:</b>	<b>Construction Services Australia</b>
<b>Owner:</b>	<b>WR McFarlane</b>
<b>Development Proposal:</b>	<b>Compromise proposal for two storey dwelling with verandah and balcony and retrospective consent for earthworks.</b>
<b>Lodgement Date:</b>	<b>6/04/2018</b>
<b>Subject Land:</b>	<b>Allotment 9 Black Point Drive, Black Point</b>
<b>Zone:</b>	<b>Settlement Zone</b>
<b>Nature of Development:</b>	<b>Merit</b>
<b>Public Notification:</b>	<b>Category 3</b>
<b>Representations:</b>	<b>2</b>
<b>Referrals:</b>	<b>Nil</b>
<b>Development Plan Version:</b>	<b>31 October 2017</b>
<b>Development Legislation:</b>	<b>Development Act, 1993</b>

10.15am Sue Thompson (on behalf of Applicant) addressed the Panel in support of the application.

10.23am Sue Thompson concluded her address to the Panel.

Discussion ensued amongst the Panel.

**COMMITTEE RESOLUTION**

Moved: Independent Member Peter Allen

Seconded: Independent Member Ben Green

- A. That Development Application 544/1096/2018, that seeks to construct a two storey dwelling with verandah and balcony as well as retrospective consent for earthworks (filling of site) at Allotment 9 Black Point Drive, Black Point, is not seriously at variance with the Yorke Peninsula Council Development Plan, Consolidated 31 October 2017.**
- B. That Development Plan Consent to Development Application 544/1096/2018, that seeks to construct a two-storey dwelling with verandah and balcony as well as retrospective consent for earthworks (filling of site) at Allotment 9 Black Point Drive, Black Point, be approved subject to the following conditions:**

### Conditions

1. The development being carried out in accordance with the approved plans except for any minor variations that may be required to comply with the Building Code of Australia.
2. The finished floor level for the dwelling shall be set at 98.35mAHD and shall be confirmed by the applicant by survey plans provided to Council prior to the footings being poured.
3. Prior to final Development Approval, the applicant shall provide to the Council the following information:
  - a. An amended site plan providing details of the location of the driveway and manoeuvring areas associated with gaining access to the proposed carport, with reversing areas shown to ensure that all vehicles can access and egress the land in a forward direction.
  - b. Elevation plans and construction detail for the proposed carport.
  - c. An amended effluent disposal plan which accords with the requirement under the LMA for the system to an aerobic type.
  - d. A detailed landscaping plan, in particular addressing the landscaping of any battered slope but also more generally across the site with such landscaping to be suitable local native trees shrubs and groundcovers all to the satisfaction of Council.
4. Landscaping shall be established on the land within 6 months of the first occupation of the dwelling and thereafter shall be maintained in a neat and healthy state, with any dead or diseased plants being replaced immediately on identification, all to the reasonable satisfaction of Council.

**CARRIED 035/2020 (22/09/2020)**

### **10 MATTERS DEFERRED**

Nil

### **11 REVIEW OF DECISION OF ASSESSMENT MANAGER**

Nil

### **12 ERD COURT MATTERS**

(Compromise Proposal for Variation to Existing Garage) - 544/1207/2018 – Variation to Existing Garage – BP32 Pty Ltd – Black Point Drive, Black Point

(Compromise Proposal for Variation to Existing Dwelling) - 544/1208/2018 – Variation to Existing Garage – BP32 Pty Ltd – Black Point Drive, Black Point

### 13 CONCURRENCE APPROVALS

544/1086/2020 – Dwelling, Garage & Water Tanks (Non Complying) – Section 1 South Coast Road, Foul Bay (Hd Coonarie)

544/1416/2019 – Dwelling & Outbuilding (Non-Complying) – (Lot 15) 193 Fenely Road, White Hut (Hd Coonarie)

### 14 PROCEDURAL MATTERS

#### 14.1 UPDATE - COUNCIL ASSESSMENT PANEL TERMS OF REFERENCE

##### PURPOSE

To advise the Yorke Peninsula Council Assessment Panel of updates to the Yorke Peninsula Council Assessment Panel Terms of Reference (TOR), endorsed by Council at the 12 August 2020 Council meeting.

##### COMMITTEE RESOLUTION

Moved: Independent Member Peter Allen

Seconded: Mr John Rich

That the report be received.

**CARRIED 036/2020 (22/09/2020)**

### 15 NEXT MEETING

27 October 2020

*Discussion ensued;*

*Roger Brooks advised the Panel that the ERD Committee is taking comment from councils in regards to the Planning and Design Code. Council has raised the issue of lack of provisions for Black Point.*

*Roger Brooks advised the Panel that Manager of Development Services, Mick Cartwright, recently retired from Council. Dustin Guthberg has been appointed Manager of Building and Compliance and Jodie Terp has been appointed Manager of Development as part of a Development Services departmental restructure, which will be trialled for a period of six months. Presiding Chair Debra Agnew acknowledged Mick Cartwrights contribution to Council.*

*Presiding Chair Debra Agew enquired about training for the Planning and Design Code and for Professional Accreditation purposes. Council staff to make enquiries to see what training is available.*

### 16 CLOSURE

**The Meeting closed at 10.45pm.**

**The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on .**

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**CHAIRPERSON**