



MINUTES

Council Assessment Panel Meeting

(Subject to confirmation)

8 December 2020

**MINUTES OF YORKE PENINSULA COUNCIL
COUNCIL ASSESSMENT PANEL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON TUESDAY, 8 DECEMBER 2020 AT 9.30AM**

1 WELCOME BY PRESIDING MEMBER

Presiding Member Debra Agnew welcomed everyone to the meeting and declared the meeting open at 9.30am.

2 PRESENT

Presiding Member Debra Agnew, Independent Member Elinor Walker, Independent Member Ben Green, Independent Member Peter Allen, Mr Richard Carruthers and CEO Andrew Cameron

In Attendance

Roger Brooks (Assessment Manager), Dustin Guthberg (Manager Building and Compliance), Jodie Terp (Manager Development), Susan Hadley (Planning Officer), Maddy Pulling (Minute Secretary)

3 GALLERY

Nil

4 APOLOGIES

Mr John Rich

5 LEAVE OF ABSENCE

Nil

6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

COMMITTEE RESOLUTION

Moved: Independent Member Peter Allen

Seconded: Independent Member Ben Green

That the minutes of the Council Assessment Panel Meeting held on 22 September 2020 be confirmed.

CARRIED 037/2020 (8/12/2020)

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.

Independent Member Peter Allen advised he has an Actual conflict of interest with Matter Deferred Item 10.1 544/1346/2018 P Phillips.

CONFLICT OF INTEREST DECLARATION

CONFLICT OF INTEREST DECLARATION	
Disclosure of [type] of Conflict of Interest being declared	Actual
Elected/Independent Member Name	Peter Allen
Matter to be discussed (<i>Agenda Item #</i>)	Item 10.1
Nature of the Interest (<i>as described by the Member</i>)	COI as per S75 (1)-(4) of LG Act: <ul style="list-style-type: none"> - Prior to my appointment on the CAP I provided planning and Coast Protection Board policy advice to applicant's planning consultant, and discussed the merits of the application with delegates of the CPB. - As a referral body for the DA under the D Act, the CPB subsequently made a recommendation to Council. In this set of circumstances I deem it would be inappropriate for me to participate in the CAP's assessment of the subject DA by way of having a personal professional COI.
Manner in which the Member addressed the Actual or Perceived Conflict of Interest	<ul style="list-style-type: none"> - Ceased communications in relation to the DA following my appointment to the CAP. - Declared a COI at the beginning of the subject CAP meeting. - Left the meeting for the discussion and any decisions on this item
If the Member voted on the matter, the manner in which he or she voted	N/A
The manner in which majority of persons who were entitled to vote at the meeting voted on the matter	As per usual requirements and protocols

8 VISITORS TO THE MEETING

Nil

REPORTS**9 DEVELOPMENT APPLICATIONS****9.1 20001067 - AURECON AUSTRALASIA****PROPOSAL OUTLINE**

Author:	Jodie Terp
Application No.:	20001067
Applicant:	Aurecon Australasia
Owner:	Harward Properties
Development Proposal:	Remove Condition 2 of Development Approval 544/1221/2019
Lodgement Date:	9 October 2020
Subject Land:	608 Cant Road Warooka
Zone:	Rural
Nature of Development:	Code Assessed - Performance Assessed
Public Notification:	Nil
Representations:	Nil
Referrals:	Nil
Development Plan Version:	Planning and Design Code Version 2.1
Development Legislation:	Planning, Development and Infrastructure Act 2016

COMMITTEE RESOLUTION

Moved: Independent Member Ben Green
Seconded: Independent Member Elinor Walker

- A. That Development Application 20001067, to remove condition 2 from Development Approval 544/1221/2019, for a Telstra Telecommunications Tower & associated infrastructure at 608 Cant Road, Warooka, is not seriously at variance with the Planning & Design Code Version 2.1.**

- B. That Development Plan Consent for application 20001067, to remove condition 2 from Development Approval 544/1221/2019, for a Telstra Telecommunications Tower & associated infrastructure at 608 Cant Road, Warooka be GRANTED.**

CARRIED 038/2020 (8/12/2020)

9.2 20000412 - MARK AND SHARON HAYDON (PORT VINCENT CARAVAN PARK AND SEASIDE CABINS PTY LTD)**PROPOSAL OUTLINE**

Author:	David Hutchison – Access Planning (SA) Pty Ltd
Application No.:	20000412
Applicant:	Mark and Sharon Haydon
Owner:	Port Vincent Caravan Park and Seaside Cabins Pty Ltd
Development Proposal:	Variation comprising boundary fencing not more than 2.1m high along Curramulka Road.
Lodgement Date:	28 September 2020
Subject Land:	(Lot 2002) 14-16 Minlacowie Road, Port Vincent
Zone:	Neighbourhood Zone
Nature of Development:	Performance Assessed
Public Notification:	Category 1
Representations:	N/A
Referrals:	Nil
Development Plan Version:	Planning and Design Code V2.1
Development Legislation:	Planning, Development and Infrastructure Act, 2016

COMMITTEE RESOLUTION

Moved: Mr Richard Carruthers
Seconded: Independent Member Peter Allen

That correspondence dated 19 November 2020 and 7 December 2020 from Andrew Cowell and the Curramulka Road residents (Port Vincent) be received.

CARRIED 039/2020 (8/12/2020)

Assessment Manager, Roger Brooks advised the Panel that Recommendation A & B be amended to read the street address as 14-16 Minlacowie Road, Port Vincent.

Discussion ensued in regards to the construction of the fence and the Panel were in agreement to amend the Recommendation to include Condition #1.

COMMITTEE RESOLUTION

Moved: Independent Member Ben Green
Seconded: Independent Member Elinor Walker

- A. That Development Application 20000412 for a variation comprising boundary fencing not more than 2.1m high along the Curramulka Road boundary of the land at 14-16 Minlacowie Road, Port Vincent is not seriously at variance with the Planning & Design Code Version 2.1.**

- B. That Development Application 20000412 for a variation comprising boundary fencing not more than 2.1m high along the Curramulka Road boundary of the land at 14-16 Minlacowie Road, Port Vincent be GRANTED.**

Condition

1. The fence shall be constructed with the Windspray Colorbond side of the fencing sheets facing Curramulka Road and the supporting post and rails for the fence shall be constructed internal to the site to the satisfaction of Council.

CARRIED 040/2020 (8/12/2020)

10 MATTERS DEFERRED

9.49am Independent Member Peter Allen declared an Actual Conflict of interest and left the Chamber.

10.1 544/1346/2018 - P PHILLIPS**PROPOSAL OUTLINE**

Author: Jodie Terp
Application No.: 544/1346/2018
Applicant: P Phillips
Owner: P Phillips
Development Proposal: Detached Dwelling
Lodgement Date: 3 October 2018
Subject Land: (Lot 7) 1689 Gleesons Road, White Hut (Hd Carribie)
Zone: Coastal Conservation
Nature of Development: Non-complying
Public Notification: Category 3
Representations: Nil
Referrals: Coast Protection Board & Country Fire Service
Development Plan Version: 31 October 2017
Development Legislation: Development Act 1993

Discussion ensued and the Panel were in agreement that further information be sought from the Applicant in regards to repositioning the proposed dwelling and seeking approval from the Native Vegetation Council and the CFS in regard to any changes and seeking agreement from both departments on appropriate vegetation removal and being able to satisfy all requirements.

COMMITTEE RESOLUTION

Moved: Independent Member Ben Green
Seconded: Independent Member Elinor Walker

That a decision on Development Application 544/1346/2018 by P Phillips c/- Town Planning HQ Pty Ltd be DEFERRED until further information is sought for consideration by the Panel.

CARRIED 041/2020 (8/12/2020)

10.27am Independent Member Peter Allen returned to the Chamber.

11 REVIEW OF DECISION OF ASSESSMENT MANAGER

Nil

12 ERD COURT MATTERS

Nil

13 CONCURRENCE APPROVALS

Nil

14 PROCEDURAL MATTERS**14.1 MEETING PROCEDURES****PURPOSE**

In accordance with Section 203 of the Planning, Development Infrastructure (PDI) Act 2016, the Yorke Peninsula Council Assessment Panel (CAP) Meeting Procedures have been updated to incorporate the requirements for "Assessment Panel Review of Decision of Assessment Manager".

COMMITTEE RESOLUTION

Moved: Independent Member Peter Allen

Seconded: Mr Richard Carruthers

That the Council Assessment Panel endorse and adopt the updated Yorke Peninsula Council Assessment Panel Meeting Procedures in accordance with Section 203 of the Planning, Development and Infrastructure Act 2016, noting that the date of the Temporary Addendum to Facilitate Electronic Meetings be amended to 8 December 2020.

CARRIED 042/2020 (8/12/2020)

15 NEXT MEETING

Wednesday 27 January 2021

16 CLOSURE

The Meeting closed at 10.30am.

The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on 27 January 2021.

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CHAIRPERSON