



MINUTES

Council Assessment Panel Meeting

(Subject to confirmation)

18 May 2023

**MINUTES OF YORKE PENINSULA COUNCIL
COUNCIL ASSESSMENT PANEL MEETING
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,
MINLATON
ON THURSDAY, 18 MAY 2023 AT 9.30AM**

1 WELCOME BY PRESIDING MEMBER

Presiding Member Debra Agnew welcomed everyone to the meeting and declared the meeting open and acknowledged both the Applicant Matthew Hodge and Representor Ashley Mehmet who were both attending the meeting via Electronic Means (phone).

2 PRESENT

Presiding Member Debra Agnew, Independent Member Peter Allen, Independent Member Stephen Horsell, Independent Member Jordan Hunt, Mr Richard Carruthers

In Attendance

Roger Brooks (Assessment Manager), Jodie Terp (Manager Development), Susan Hadley (Planning Officer), Maddy Pulling (Minute Secretary), Stewart Germaine (IT Support)

3 GALLERY

Applicant Matthew Hodge via Electronic Means (phone), Representor Ashley Mehmet (via Electronic Means (phone), Dustin Guthberg

4 APOLOGIES

Nil

5 LEAVE OF ABSENCE

Nil

6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

COMMITTEE RESOLUTION

Moved: Mr Richard Carruthers

Seconded: Independent Member Stephen Horsell

That the minutes of the Council Assessment Panel Meeting held on 26 July 2022 be confirmed.

CARRIED 001/2023 (18/05/2023)

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 Ben Green declared a Conflict of Interest for report Item 9.1 22009096 Lot 17 Cardigan Castle Circuit, advising that his office has provided planning advice to the applicant.

Although the advice was not utilised as part of their application, it was paid for, and therefore could be a perceived conflict of interest.

Independent Member Ben Green did not attend the meeting.

<p>CAP ONLY Schedule 3, Clause 1(c) of the Planning, Development and Infrastructure Act 2016 and the Code of Conduct adopted by the Minister</p> <p>Declare and leave the meeting. <i>(The Code of Conduct adopted by the Minister requires a CAP Member who has an interest in a matter, not take part in any hearings conducted by the CAP, or in any deliberations or decision of the CAP and to be absent from the meeting when the matter is discussed.)</i></p>	
1. CAP Member Name:	Ben Green
2. Matter to be discussed:	Item 9.1
3. Nature of the Interest being declared:	Conflict of Interest - financial

8 VISITORS TO THE MEETING

Applicant - Matthew Hodge

Representor - Ashley Mehmet

REPORTS**9 DEVELOPMENT APPLICATIONS****9.1 22009096 - LOT 17 CARDIGAN CASTLE CIRCUIT PORT VICTORIA****PROPOSAL OUTLINE**

Author:	Susan Hadley – Planning Officer
Application No.:	22009096
Applicant:	Matthew Hodge
Owner:	BP Ebert & MG Hodge
Development Proposal:	Single storey detached dwelling
Lodgement Date:	9 May 2022
Subject Land:	Lot 17 in D126993, 6 Cardigan Castle Circuit, Port Victoria, CT Volume 6255 Folio 70
Zone:	Deferred Urban Zone
Nature of Development:	Code Assessed – Performance Assessed
Public Notification:	Yes
Representations:	2 opposed – 1 wishes to be heard
Referrals:	Nil
Development Plan Version:	Planning & Design Code – 28 April 2022 - V2022.7
Development Legislation:	Planning, Development and Infrastructure Act 2016

Planning Officer Susan Hadley presented a short video recording and photos of Cardigan Castle Circuit to the Panel.

9.42am Applicant Matthew Hodge addressed the Panel and spoke in favour of his application.

The Panel sought clarification from the Applicant and Planning Officer, Susan Hadley, in relation to the onsite parking.

9.49am Applicant Matthew Hodge concluded his address to the Panel.

9.51am Ashley Mehmet addressed the Panel and raised concerns in relation to the dwelling which he believes to be a duplex, the lack of proposed onsite parking for a dwelling of its size, and the positioning of the bins. He stated his concerns, that inadequate onsite parking would subsequently lead to offsite parking along Cardigan Castle Circuit and instigate him to request yellow lines (no parking) be applied along Cardigan Castle Circuit.

Discussion ensued and the Panel sought clarification from the Planning Officer, Susan Hadley and Ashley Mehmet in relation to some of the concerns raised.

10.00am Ashley Mehmet concluded his address to the Panel.

COMMITTEE RESOLUTION

Moved: Independent Member Peter Allen

Seconded: Mr Richard Carruthers

- A. That the Council Assessment Panel resolve that pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.
- B. Development Application Number 22009096, by Matthew Hodge is refused Planning Consent for the following reasons:
- C. The proposed development is at variance with Transport, Access and Parking - Table 1 General Off-Street Car Parking Requirements of the Planning and Design Code.
- D. The proposed development is at variance with General Development Policy - Design in Urban Areas, Waste Storage Performance Outcome 24.1 and the corresponding Designated Performance Feature 24.1 of the Planning and Design Code.

CARRIED 002/2023 (18/05/2023)

10 MATTERS DEFERRED

Nil

11 REVIEW OF DECISION OF ASSESSMENT MANAGER

Nil

12 ERD COURT MATTERS

Nil

13 CONCURRENCE APPROVALS

Nil

14 PROCEDURAL MATTERS

Nil

15 NEXT MEETING

Tuesday 27 June 2023

16 CLOSURE

The Meeting closed at 10.24am.

The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on 27 June 2023.

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CHAIRPERSON