



# **MINUTES**

## **Council Assessment Panel Meeting**

(Subject to confirmation)

**23 October 2018**

**MINUTES OF YORKE PENINSULA COUNCIL  
COUNCIL ASSESSMENT PANEL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON TUESDAY, 23 OCTOBER 2018 AT 9.30AM**

**1 WELCOME BY PRESIDING MEMBER**

Presiding Member Rodney Button welcomed everyone to the meeting and declared the meeting open at 9.30am.

**2 PRESENT**

Presiding Member Rodney Button, Mr Jeffrey Cook, Independent Member Peter Tonkin, Independent Member Susan Hadley

**In Attendance**

Ray Agnew (Mayor), Roger Brooks (Assessment Manager), Dustin Guthberg (Planning Officer) and Maddy Pulling (Minute Taker)

**3 GALLERY**

One person

**4 APOLOGIES**

Debra Agnew and Mick Cartwright (Manager Development Services)

**5 LEAVE OF ABSENCE**

Nil

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

**COMMITTEE RESOLUTION**

Moved: Mr Jeffrey Cook

Seconded: Independent Member Peter Tonkin

That the minutes of the Council Assessment Panel Meeting held on 28 August 2018 be confirmed.

**CARRIED 010/2018 (23/10/2018)**

**7 CONFLICT OF INTEREST**

Presiding Member Rodney Button 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 Susan Hadley advised the Panel of her opinion that she has an indirect, non-pecuniary conflict of interest with reports 9.1 and 9.2 presented in the Agenda, due to the nature of her employment. Assessment Manager, Roger Brooks advised the Panel that he sought legal advice in regards to the Susan Hadley's conflict of interest email and was advised that Susan Hadley does not have a conflict of interest and therefore is able to partake in the meeting.

**8 VISITORS TO THE MEETING**

Peter and Kelsey Klopp and Wahlstedt Pty Ltd representative Sam Carter

Tom Saint

**REPORTS****9 DEVELOPMENT APPLICATIONS****9.1 K J KLOPP 544/1064/2018****PROPOSAL OUTLINE**

<b>Author:</b>	<b>Dustin Guthberg</b>
<b>Application No.:</b>	<b>544/1064/2018</b>
<b>Applicant:</b>	<b>G Wahlstedt Pty Ltd</b>
<b>Owner:</b>	<b>K J Klopp</b>
<b>Development Proposal:</b>	<b>Dwelling including Garage UMR</b>
<b>Lodgement Date:</b>	<b>26 July 2018</b>
<b>Subject Land:</b>	<b>Section 268 1328 James Well Road Cunningham</b>
<b>Zone:</b>	<b>Primary Production</b>
<b>Nature of Development:</b>	<b>Non Complying</b>
<b>Public Notification:</b>	<b>Category 3</b>
<b>Representations:</b>	<b>1 – in support</b>
<b>Referrals:</b>	<b>Nil</b>
<b>Development Plan Version:</b>	<b>31 October 2017</b>

**COMMITTEE RESOLUTION**

Moved: Mr Jeffrey Cook

Seconded: Independent Member Susan Hadley

- A. That Development Application 544/1064/2018 for the construction of a new dwelling at Section 268 1328 James Well Road Cunningham is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 31 October 2017.**
- B. That following consideration and having regard to all relevant matters concerning the construction of a new dwelling at Section 268 1328 James Well Road Cunningham (Development Application 544/1064/2018), the proposal be GRANTED Development Plan Consent, subject to the following conditions and notes 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. Development in a general or medium bushfire prone area shall:
  - (a) Have a dedicated firefighting water supply of at least 5,000 litres to comply with Ministers Specification SA 78.
  - (b) Ensure that gaps between the dwelling floor and the ground are enclosed to prevent burning debris from entering.

- (c) Be located and designed to minimise risk from bushfires.
  - (d) Have access roads and tracks that are appropriately designed and built for entry and exit of vehicles, including fire fighting vehicles, during a fire.
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 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.
  5. Where mains water is available, the gutters of the dwelling shall be connected to on-site rainwater storage tank(s) with a minimum capacity of 10,000 litres, reticulated to and for use within the dwelling. Where no mains water is available, the dwelling shall be connected to an onsite rainwater storage tank with a minimum capacity of 45,000 litres reticulated to and for use within the dwelling.
  7. The land shall be suitably landscaped to the satisfaction of Council.
  8. Stormwater run-off, including surface stormwater generated by the development, shall be managed on site or directed to the street water table so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of Council.

**CARRIED 011/2018 (23/10/2018)**

**9.2 TOM SAINT 544/1138/2018****PROPOSAL OUTLINE**

<b>Author:</b>	<b>Dustin Guthberg</b>
<b>Application No.:</b>	<b>544/1138/2018</b>
<b>Applicant:</b>	<b>Tom Saint</b>
<b>Owner:</b>	<b>Tom Saint</b>
<b>Development Proposal:</b>	<b>Service Trade Premises including office, verandah, external stair and signage.</b>
<b>Lodgement Date:</b>	<b>14 May 2018</b>
<b>Subject Land:</b>	<b>Section 79 146 Saint Road Maitland</b>
<b>Zone:</b>	<b>Primary Production</b>
<b>Nature of Development:</b>	<b>Non Complying</b>
<b>Public Notification:</b>	<b>Category 3</b>
<b>Representations:</b>	<b>NIL</b>
<b>Referrals:</b>	<b>NIL</b>
<b>Development Plan Version:</b>	<b>31 October 2018</b>

**COMMITTEE RESOLUTION**

Moved: Independent Member Peter Tonkin

Seconded: Independent Member Susan Hadley

- A. That Development Application 544/1138/2018 for a Service Trade Premises including office, verandah, external stair and signage at Section 76 146 Saint Road Maitland is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 31 October 2017.**
  
- B. That following consideration and having regard to all relevant matters concerning a Service Trade Premises including office, verandah, external stair and signage at Section 76 146 Saint Road Maitland (Development Application 544/1138/2018), the proposal be GRANTED Development Plan Consent, subject to the following conditions and notes 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. 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.
3. 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.

4. All security lights and floodlights associated with the proposed development shall be shielded and adjusted so as not to create nuisance to adjacent occupants or road users.
5. Stormwater run-off, including surface stormwater generated by the development, shall be managed on site or directed to the street water table so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of Council.
8. Access and egress shall be from the existing access point on Saint Road as per the site plan. Any additional access to Saint Road or Miller Road will require prior written consent from Council.

**CARRIED 012/2018 (23/10/2018)**

**10 MATTERS DEFERRED**

Nil

**11 ERD COURT MATTERS**

Nil

**12 CONCURRENCE APPROVALS**

Nil

**13 PROCEDURAL MATTERS**

Roger Brooks advised the Panel of the recently updated Code of Conduct document.

**14 NEXT MEETING**

Tuesday 27 November 2018

**15 CLOSURE**

**The Meeting closed at 9.45am**

**The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on 27 November 2018.**

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**CHAIRPERSON**