



Yorke Peninsula Council

Minutes of the Meeting of the Council Development Assessment Panel

held on Tuesday 20 December 2016
in the Minlaton Town Hall,
57 Main Street, Minlaton commencing at 9:30am.

MEMBERSHIP: *Rodney Button (Presiding Member), Debra Agnew, Susan Avey, Peter Tonkin, Jeffrey Cook, Scott Hoyle, John Rich*

(Subject to confirmation)

ITEM 1 COUNCIL DEVELOPMENT ASSESSMENT PANEL

1.1 Welcome by Presiding Member

Chairperson Rodney Button declared the meeting open at 9.36am and welcomed everyone in attendance.

1.2 Present

Mr Rodney Button, Mr John Rich, Mr Peter Tonkin, Mr Jeff Cook, Ms Susan Avey and Ms Deb Agnew and Mr Scott Hoyle arrived at 10.20am.

In Attendance

Mrs Georgina Halman	Planning Officer
Mrs Heidi Smith	Planning Officer
Mr Mick Cartwright	Manager Development Services
Mr Roger Brooks	Director Development Services
Mrs Maddy Pulling	Minute Secretary

1.3 Gallery

Vivian and Steve Goss

1.4 Apologies

1.5 Minutes of Previous Meeting

Mr John Rich moved Ms Deb Agnew seconded

That the minutes of the Council Development Assessment Panel meeting held on Tuesday 22nd November 2016 at 9.30am be confirmed as a true record.

CARRIED DAP #1

1.6 Conflict of Interest

Chairperson Rodney Button reminded all members of the requirement to disclose any conflict of interest in relation to any matters before the Development Assessment Panel.

Mr Peter Tonkin declared a conflict of interest with **ITEM 3 – 3.2**

ITEM 2 VISITORS TO THE MEETING

ITEM 3 DEVELOPMENT APPLICATIONS

3.3 DA 544/1417/2016 – S M Goss

Steve Goss addressed the CDAP and spoke about the circumstances surrounding he and his wife Vivian's decision to purchase the land and their and plans for building a residential home on the land. Mr Goss went on to say that the land became zoned as general farming at the time he purchased the land and he had assurances from Council that he would not be prevented from building a dwelling as long as the application was a consent use.

Discussion ensued about the likelihood of the application being supported by the Development Assessment Commission. The CDAP advised Mr Goss that even with CDAP's support it is highly possible that the application may be refused.

Mr John Rich moved Mr Jeff Cook seconded

That the application proceed to an assessment of the application for a Non-Complying form of development in the Primary Production Zone.

CARRIED #2

3.2 DA 544/1428/2016 – CMB Drafting & design

Peter Tonkin left the Chamber due to a declared conflict of interest at 10.00am.

Email correspondence from representors Wade and Toni Hall dated 14th December 2016 was tabled.

Mr Jeff Cook moved Ms Susan Avey seconded

That email correspondence from Wade and Toni Hall be received.

CARRIED #3

Discussion ensued regarding the points raised in the correspondence.

Mr Jeff Cook moved Ms Debra Agnew seconded

A. That Development Application 544/1428/2016 for the construction of a carport and shed at (Lot 212) 19 Captain Hutchinson Drive, Point Turton is not

seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 26 November 2015.

B. That following consideration and having regard to all relevant matters concerning the construction of a carport and shed at (Lot 212) 19 Captain Hutchinson Drive, Point Turton (Development Application 544/1428/2016), the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent:

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. No process shall be carried out or activity conducted from this building (shed) which could give rise to reasonable objection from occupiers in the locality over noise, vibration, smell, fumes, smoke, silt, ash, dust, grit or electrical interference.

3. No industrial or commercial activity shall be conducted from this building (shed) without the prior written consent of Council.

4. The exterior cladding of the shed shall be finished in a factory pre-painted cladding of sound, undamaged materials of uniform colour and appearance.

5. The shed shall not be used or converted for use for human habitation. Human habitation includes the occupation of the building whether on a part time overnight basis or on a permanent basis.

CARRIED#4

Mr Peter Tonkin returned to the Chamber at 10.10am.

The meeting adjourned for a short break at 10.10am.

The meeting resumed at 10.16am.

ITEM 4 ANY OTHER BUSINESS

4.1 Matters Deferred

Nil

4.2 ERD Court Matters

Nil

4.3 Procedural Matters

Nil

4.3.1 Concurrence Approvals

DA 544/1218/2016 – Bargain Steel Centre (on behalf of J&J Deed)

4.3.2 Other Business

Roger Brooks told the DAP members that the future of the CDAP is unknown. Roger is going to contact the LGA to see if he can find out what the new legislation will be and how it is going to affect the CDAP. It is unknown at this stage what input/representation Council will have in regards to a Regional DAP.

Mr Scott Hoyle arrived at 10.20am and apologised for his late arrival.

3.1 544/1106/2016 – Royal Volunteer Coastal Patrol

Discussion ensued about the location of the proposed shedding. Scott Hoyle raised concerns that the proposed shed will encroach on community space. A playground is proposed adjacent to proposed shed area. The building of the shed will involve the addition of a driveway which would be located next to the community space. An alternative location was suggested for the shedding. Scott Hoyle showed the members photographs of an alternative location. It was noted that this is a Category 3 application and therefore public notification of the development has occurred.

Mr John Rich moved Mr Jeff Cook seconded

5 voted in favour - Mr John Rich, Mr Peter Tonkin, Ms Debra Agnew, Ms Susan Avey and Mr Jeff Cook.

1 voted not in favour – Mr Scott Hoyle

A. That Development Application 544/1106/2016 for the construction of a boat storage shed at (Lot 91) 68-70 Esplanade, Point Turton is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 26 November 2015.

B. That following consideration and having regard to all relevant matters concerning the construction of a boat storage shed at (Lot 91) 68-70 Esplanade, Point Turton (Development Application 544/1106/2016), the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent:

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. No process shall be carried out or activity conducted from this building which could give rise to reasonable objection from occupiers in the locality over noise, vibration, smell, fumes, smoke, silt, ash, dust, grit or electrical interference.

3. No industrial or commercial activity shall be conducted from this building without the prior written consent of Council.

4. The exterior cladding of the structure shall be finished in a factory pre-painted cladding of sound, undamaged materials of uniform colour and appearance, which does not result in glare to neighbouring properties.

5. The building shall not be used or converted for use for human habitation. Human habitation includes the occupation of the building whether on a part time overnight basis or on a permanent basis.

6. Driveways, vehicle manoeuvring and parking areas shall be constructed of an all-weather access material (e.g. dolomite or similar material) as a minimum, prior to first occupation or use of the development herein approved. Such

surfaces shall be maintained by the applicant in a good and substantial condition at all times to the reasonable satisfaction of Council.

7. Screen landscaping along the western elevation of the building shall be established within three months of first occupation of the site.

8. The plants comprising the landscaping shall be maintained in a healthy condition at all times with dead and diseased plants being promptly replaced.

9. Any security lights or floodlights associated with the development shall be shielded and adjusted so as not to create nuisance to adjacent occupants or reserve users.

10. Roof water and stormwater run-off shall be retained/disposed of in such a manner that it does not flow or discharge onto land of adjoining owners, lie against any building, create insanitary conditions or result in soil erosion.

CARRIED#5

ITEM 5 NEXT MEETING

Tuesday, 24th January 2016

ITEM 6 CLOSURE

The meeting closed at 10.45am

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Presiding Member – Mr Rodney Button

Tuesday, 20 December 2016