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Yorke Peninsula Council

Minutes of the Meeting of the Council Development Assessment Panel

held on Tuesday 22 April 2014
in the Council Chambers,
57 Main Street, Minlaton commencing at 9.15am.

MEMBERSHIP: *Rodney Button (Presiding Member), Debra Agnew, Colin Boyce,
Peter Tonkin, Jeffrey Cook, Trevor Davey, John Rich*

(Subject to confirmation)

ITEM 1 COUNCIL DEVELOPMENT ASSESSMENT PANEL

1.1 Welcome by Presiding Member

Presiding Member Mr Rodney Button declared the meeting open at 9.15am and welcomed everyone in attendance.

1.2 Present

Mr Rodney Button, Ms Debra Agnew, Mr Colin Boyce, Mr Peter Tonkin, Mr Trevor Davey & Mr Jeff Cook

In Attendance

Mr Roger Brooks	Director Development Services
Mr Michael Cartwright	Manager Development Services
Ms Georgina Burgess	Planning Officer
Mrs Shona Emery	Minute Taker

1.3 Gallery

Nil

1.4 Apologies

Mr John Rich

1.5 Minutes of Previous Meeting

Mr Colin Boyce and Mr Peter Tonkin seconded

That the minutes of the Council Development Assessment Panel meeting held on Tuesday 25 February 2014 at 9.15am be confirmed as a true record.

CARRIED DAP #1

1.6 Conflict of Interest

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

ITEM 2 VISITORS TO THE MEETING

Mayor Ray Agnew

ITEM 3 DEVELOPMENT APPLICATIONS

3.1 DA 544/2268/2013 – Port Vincent Sailing Club

The Chairperson advised that this item would be deferred until Mr Nick Simos arrives.

3.2 DA 544/1264/2013 – H Wiechers

Mr Colin Boyce moved and Mr Jeff Cook seconded

A. That Development Application 544/1264/2013 for the construction of a non-complying detached dwelling and verandahs at (Section 13) 3099 South Coast Road, Foul Bay is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 28 March 2013.

B. That following consideration and having regard to all relevant matters concerning the construction of a non-complying detached dwelling and verandahs at (Section 13) 3099 South Coast Road, Foul Bay (Development Application 544/1264/2013), Council seek the concurrence of the Development Assessment Commission in respect to the proposal being 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 Development in a General Bushfire Risk Area in a Bushfire Protection Area shall:
 - Have a dedicated fire fighting water supply of at least 5,000 litres to comply with Ministers Specification SA 78
 - Ensure that gaps between the dwelling floor and the ground are enclosed to prevent burning embers from entering
 - Be located and designed to minimise the 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.

- 3 The applicant/land owner shall apply for and obtain the necessary approvals for an on-site wastewater system in accordance with the South Australian Public Health Act 2011 and South Australian Public Health (Wastewater) Regulations 2013, prior to the issue of Development Approval.
- 4 Where no mains water is available, the gutters of the dwelling shall be connected to on-site rainwater storage tank(s) with a minimum capacity of 45,000 litres, reticulated to the dwelling and with appropriate connection to enable its use for fire fighting purposes.
- 5 Driveways, vehicle manoeuvring and parking areas shall be constructed of dolomite (or similar material) prior to occupation or use of the development herein approved. Such surfaces shall be maintained in a good and substantial condition at all times to the reasonable satisfaction of Council.

CARRIED DAP #2

3.3 544/2013/2014 – Ericsson Australia

Mr Trevor Davey moved and Mr Colin Boyce seconded

- A. That Development Application 544/2013/2014 for a telecommunications facility (fixed wireless NBN tower and associated infrastructure) at Piece 3 (DP47263) Rickaby Road, Port Rickaby is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 28 March 2013.
- B. That following consideration and having regard to all relevant matters concerning the construction of a telecommunications facility (fixed wireless NBN tower and associated infrastructure) at Piece 3 (DP47263) Rickaby Road, Port Rickaby (Development Application 544/2013/2014) 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.

CARRIED DAP #3

Mr Nick Simos entered the room at 9.34am

3.4 544/1277/2013 – J & S Pergola Installations

Mr Jeff Cook moved and Mr Colin Boyce seconded

- A. That Development Application 544/1277/2013 for the construction of a domestic outbuilding (garage 12m x 7m x 3.3m wall height) at (Section 1095) 16 Templetonia Crescent, Marion Bay is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 28 March 2013.
- B. That following consideration and having regard to all relevant matters concerning the construction of a domestic outbuilding (garage 12m x 7m x 3.3m wall height) at (Section 1095) 16 Templetonia Crescent, Marion Bay (Development Application 544/1277/2013), the proposal being 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/garage 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/garage 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.
5. The building (garage) 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 DAP #4

3.5 544/D010/2013 – Pinksterbower & Associates

Mr Jeff Cook moved and Mr Colin Boyce seconded

That the Development Assessment Panel resolves that the proposed compromise not be supported.

CARRIED DAP #5

3.1 544/2268/2013 – Port Vincent Sailing Club

The Chairperson advised that item 3.1 would now be considered.

Mr Colin Boyce moved and Mr Trevor Davey seconded

That authorised staff be granted delegated authority to consider the application further subject to the following being submitted:

1. A scaled Site Plan showing the location of the proposed extension (including external staircase) in relation to property boundaries.
2. AHD levels at the bottom of the external staircase.
NOTE: The Applicant needs to demonstrate that safe access and egress to the building can be maintained during flooding events.
3. An Application for the disposal of sewage and sullage along with scaled drawings of all underfloor plumbing.

CARRIED DAP #6

ITEM 4 ANY OTHER BUSINESS

4.1 Matters Deferred

544/2282/2013 - CD Cleary

Mr Michael Cartwright advised the Panel that this application has been resolved to Council and Applicant's satisfaction and Development Approval has been granted.

4.2 ERD Court Matters

544/1034/2014 & 544/1307/2011 - Port Moorowie Community Centre

At the Council meeting held on 9 April 2014, Council considered the alternative parcel of land proposed through Development Application 544/1034/2014 for the Port Moorowie Community Centre. Council resolved that the Friends of Port Moorowie be advised that it is not prepared to accept the care, control and management of Lot 2 Moorowie Terrace, Port Moorowie. The ERD Court will now resume proceedings between the concerned parties.

4.3 Procedural Matters

4.3.1 Concurrence Approvals

Nil

ITEM 5 NEXT MEETING

Tuesday 27 May 2014

ITEM 6 CLOSURE

The meeting closed at 9:50am.

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Presiding Member – Mr Rodney Button
Tuesday 27 May 2014