



Yorke Peninsula Council

Minutes of the Meeting of the Council Development Assessment Panel

held on Monday 22 December 2014
in the Council Chambers,
57 Main Street, Minlaton commencing at 10:00am.

MEMBERSHIP: *Rodney Button (Presiding Member), Debra Agnew,
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 10.00am and welcomed everyone in attendance.

1.2 **Present**

Mr Rodney Button, Mr Peter Tonkin, Mr John Rich, Ms Debra Agnew, Mr Trevor Davey & Mr Jeff Cook

In Attendance

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

1.3 **Gallery**

Mayor Ray Agnew, Mr Andrew Cameron (CEO), Cr Scott Hoyle and 6 visitors.

Apologies

Nil

1.4 Minutes of Previous Meeting

Mr Peter Tonkin moved Mr John Rich seconded

That the minutes of the Council Development Assessment Panel meeting held on Tuesday 25 November 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

Mr Rob & Mrs Sandra Klopp

ITEM 3 DEVELOPMENT APPLICATIONS

3.1 **DA 544/2142/2014 – Ardrossan Progress Association**

The Presiding Member asked Mr Rob Klopp to come forward and address the Panel.

Mr Klopp made the following comments regarding the proposed development:-

- When they purchased their property in 1990 they were under the impression that no development would or could occur between their property and the coast.
- Will restrict main front living room sea views
- Depreciate their property value

The Presiding Member thanked Mr Klopp for his comments.

Discussion ensued on this matter.

Mr Jeff Cook moved Ms Debra Agnew seconded

That Development Application 544/2142/2014 for a Shade Structure at (Lot 12) East Terrace Ardrossan is not seriously at variance with the provisions of the Yorke Peninsula (DC) Development Plan, consolidated 6 February 2014.

That following consideration and having regard to all relevant matters concerning the construction of a shade structure at (Lot 12) East Terrace, Ardrossan (Development Application 544/2142/2014) the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent:

- 1 The shade structure is to be built in accordance with the plans submitted and conditions imposed by this consent, except where minor variations are required to comply with the Building Code of Australia.**
- 2 The colour of the shade cloth used as part of the shade structure is to be environmentally sensitive and approved by Council in writing prior to construction.**
- 3 The shade structure is to be maintained in good condition at all times to the reasonable satisfaction of Council.**

CARRIED DAP #2

3.2 DA 544/1006/2013 – D & M Marcoionni

Mr Marcoionni requested to address the Panel. Presiding Member approved the request and invited Mr Marcoionni to come forward to address the Panel.

Mr Marcoionni made the following comments regarding the proposed development:-

- Believes he has addressed concerns raised by Coast Protection Authority and Council and has made alterations to the plans of his development accordingly.
- Doesn't understand why it can not be approved with alterations made.

Discussion ensued on this matter.

The Presiding Member thanked Mr Marcoionni for his comments.

Mr Trevor Davey moved Mr Jeff Cook seconded

That Development Application 544/1006/2013 for a two storey detached dwelling at (Lot 27) 3 Foreshore Road, Hardwicke Bay is not seriously at variance with the provisions of the Yorke Peninsula (DC) Development Plan, consolidated 22 November 2012.

That following consideration and having regard to all relevant matters concerning the construction of a two storey detached dwelling at (Lot 27) 3 Foreshore Road, Hardwicke Bay (Development Application 544/1006/2013) the proposal be REFUSED Development Plan Consent, for the following reasons:

The development fails to meet section 86 of the Electricity Act 1996

The development relies on road access by an excavated crossover from and across Foreshore Road that has not been approved by the Council pursuant to section 221 of the Local Government Act 1999

The development fails to locate the building within the building envelope depicted in the Land Management Agreement that applies to the land

The development fails to meet the following provisions of the Yorke Peninsula Council Development Plan (consolidated 22 November 2012):

Coastal Settlement Zone

Objective 4

Principles of Development Control 3, 8, 9, 10, 11, 13

General Section

Coastal Areas

Principle of Development Control 20(a)

Design and Appearance

Principles of Development Control 9, 11, 17, 19

Residential Development

Principles of Development Control 7, 8, 14, 30

Siting and Visibility

Principle of Development Control 4

CARRIED DAP #3

Ms Georgina Burgess informed the Panel that the since writing the report the colour of the building has changed from a light grey to a darker grey. This was to overcome any issues caused by reflection of the lighter colour.

Mr John Rich moved M Trevor Davey seconded

That Development Application 544/1172/2014 for two warehouses at (Lots 46 & 47) 10 Fourth Street, Warooka is not seriously at variance with the provisions of the Yorke Peninsula (DC) Development Plan, consolidated 6 February 2014.

That following consideration and having regard to all relevant matters concerning the construction of two warehouses at (Lots 46 & 47) 10 Fourth Street, Warooka (Development Application 544/1172/2014) 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.**
- 2 The hours of operation of the premises shall not exceed the times: Monday to Friday 8:00am to 5:00pm.**
- 3 The premises shall maintain an Agsafe Industry Code of Practice Accreditation, or equivalent, at all times and be able to produce evidence of such accreditation to any servant, agent or officer of Yorke Peninsula Council upon request.**
- 4 The buildings 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.**
- 5 No process shall be carried out or activity conducted from these buildings which could give rise to reasonable objection from occupiers in the locality over vibration, smell, fumes, smoke, silt, ash, dust, grit or electrical interference.**
- 6 All landscaping as indicated on the plans submitted to and approved by Council shall be established within three months of first occupation of the site and it shall be maintained and nurtured at all times, with any diseased or dying plants being promptly replaced, to the reasonable satisfaction of Council.**
- 7 Driveways, vehicle manoeuvring and parking areas shall be constructed of dolomite (or similar all-weather 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.**
- 8 Driveway, vehicle manoeuvring areas, car parking spaces, and landscaping areas shall not be used for the storage or display of any materials or goods.**
- 9 All loading and unloading of vehicles and manoeuvring of vehicles shall be done entirely upon the subject land.**

- 10 All security lights and floodlights associated with the development herein approved shall be shielded and adjusted so as not to create nuisance to adjacent occupiers of land or road users.
- 11 Prior to the issuing of Development Approval, the applicant or land owner shall submit to Council evidence of the amalgamation of Allotments 46 and 47.
- 12 Prior to the issuing of Development Approval, artwork for the advertisements (business identification signs) shall be submitted to Council for approval.
- 13 Prior to the issuing of Development Approval, the applicant or 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.

CARRIED DAP #4

ITEM 4 ANY OTHER BUSINESS

4.1 Matters Deferred

Nil

4.2 ERD Court Matters

544/D010/2013 – Juren Nominees

This matter has been adjourned until March 2015. Staff will update the Panel in due course of any further action.

544/1307/2011 – Friends of Port Moorowie

Another parcel of Crown land has been suggested by the Applicant and Council and the Applicant continue to negotiate options for development. The ERD Court hearing has been adjourned until further negotiations can take place.

4.3 Procedural Matters

4.3.1 Concurrence Approvals

544/1021/2014 – Longridge Group on behalf of PC Clerke – Foul Bay

Ms Georgina Burgess advised the Panel that this application has received concurrence from the Development Assessment Commission.

ITEM 5 NEXT MEETING

Thursday 29 January 2015 at 10:00am

ITEM 6 CLOSURE

The meeting closed at 10:27am

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Presiding Member – Mr Rodney Button
 29 January 2015