



Agriculturally rich-Naturally beautiful

Yorke Peninsula Council

Minutes of the Meeting of the Council Development Assessment Panel

held on Tuesday 28 October 2014
in the Council Chambers,
57 Main Street, Minlaton commencing at 9.15am.

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 9.15am and welcomed everyone in attendance.

1.2 Present

Mr Rodney Button, Mr Peter Tonkin, Mr John Rich & Mr Jeff Cook

In Attendance

Mr Roger Brooks	Director Development Services
Mr Michael Cartwright	Manager Development Services
Mrs Shona Emery	Minute Taker

1.3 Gallery

In the gallery Mayor Ray Agnew was present

1.4 Apologies

Ms Debra Agnew
Mr Trevor Davey
Mr Colin Boyce

1.5 Minutes of Previous Meeting

Mr Rodney Button would like it noted that at the last meeting he formally welcomed new Planning Officer Heidi Hirtler, however this was not noted in the previous minutes.

Mr Jeff Cook moved Mr Peter Tonkin seconded

That the minutes of the Council Development Assessment Panel meeting held on Tuesday 2 September 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

Nil

ITEM 3 DEVELOPMENT APPLICATIONS

3.1 DA 544/1125/2014 – K McLachlan

Mr John Rich moved Mr Jeff Cook seconded

- A. That Development Application 544/1124/2014 for the demolition of an existing 'shack' and construction of a non-complying two storey detached dwelling, carport (UMR) and garage at (Lot 4) 279 North Coast Road, The Drain/Point Turton is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 6 February 2014.
- B. That following consideration and having regard to all relevant matters concerning the demolition of an existing 'shack' and construction of a non-complying two storey detached dwelling, carport (UMR) and garage (Lot 4) 279 North Coast Road, The Drain/Point Turton (Development Application 544/1124/2014), 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 firefighting 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 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.
 - 4 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.
 - 5 Any landscaping associated with this development should use native coastal species, avoiding the spread of exotic plants in the coastal zone. The Native Vegetation Council should be contacted should the applicant require specific species lists.
 - 6 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.
 - 7 The exterior cladding of the garage herein approved shall be finished in a factory pre-painted (e.g. Colorbond) cladding.
 - 8 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.
 - 9 All security lights and floodlights associated with the development herein approved shall be shielded and adjusted so as not to create nuisance to the occupiers of adjoining land or adjacent road users.

NOTE: While the coastline here is relatively sheltered with low wave energy, it is subject to coastal erosion and this may increase with predicted sea level rise due to global warming.

NOTE: No building work or private access tracks will be permitted on the adjacent Crown land.

NOTE: Based upon current knowledge and information the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing this application.

Accordingly neither the Yorke Peninsula Council nor any of its servants, agents or officers accepts any responsibility for any loss of life and property that may occur as a result of such circumstances.

CARRIED DAP #2

Mr Jeff Cook moved Mr John Rich seconded

- A. That the Development Assessment Panel resolves that Development Application 544/2025/2013 for the construction of a two storey dwelling addition including a garage under the main roof at 6 Davit Drive, Bluff Beach, is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 6 February 2014.
- B. That following consideration and having regard to all relevant matters concerning the construction of a two storey dwelling addition including a garage under the main roof at 6 Davit Drive, Bluff Beach (Development Application 544/2025/2014) the proposal be REFUSED as the proposal is at variance with the following provisions of the Development Plan.

Settlement Zone

Objectives: 4

Principles 6, 7, 15, 16 and 17

General section

Design and Appearance

Principles 1, 2, 3, 4, 17,

Residential Development

Principles 1, 10, 12, 14, 15, 16, 17, 18 and 24

CARRIED DAP #3

ITEM 4 ANY OTHER BUSINESS

4.1 Matters Deferred

DA 544/1093/2014 – Ericsson Australia (c/- Visionstream)

Mr John Rich moved Mr Peter Tonkin seconded

A. That Development Application 544/1093/2014 for a telecommunications facility (fixed wireless NBN tower and associated infrastructure) at Part Section 646 Park Terrace, Edithburgh is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 6 February 2014.

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 Part Section 646 Park Terrace, Edithburgh (Development Application 544/1093/2014) 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 developer shall provide to the adjoining sporting club appropriate access to the compound at ground level, to ensure that sporting goods which may enter the compound from time to time are able to be retrieved.

- 3 **The telecommunications facility shall be located approximately 20.0 meters north east from the original proposed site.**

CARRIED DAP #4

4.2 ERD Court Matters

544/D010/2013 – Juren Nominees

Mr Allan Cotton advised the Panel that this matter has been adjourned to allow the applicant sufficient time to raise the funds needed to challenge the case. He will update the Panel in due course of any action.

544/1307/2011 – Friends of Port Moorowie

The applicant has requested a meeting with the CEO, Director of Development Services & Planning Staff in regard to the Hearing which is to be heard on 17 November 2014. No arrangements have been confirmed at this point in time.

John Rich left the meeting room at 9:36 and returned at 9:39am

4.3 Procedural Matters

4.3.1 Concurrence Approvals

DA 544/1031/2014 – AC & AM Easter

DA 544/2263/2013 – S Palecek

Mr Michael Cartwright advised the Panel that these two applications have received concurrence from the Development Assessment Panel.

4.4 Membership Update

Mr Roger Brooks advised the Panel that Mr Colin Boyce has submitted his resignation from the Panel effective immediately. Mr Brooks explained that he will not be re-advertising the position as the current term for the Panel is due to expire in February. The selection process for the next independent panel membership will begin with advertising in late November to early December, 2014 and the selection processed carried out in January, 2015.

ITEM 5 NEXT MEETING

Tuesday 25 November 2014

ITEM 6 CLOSURE

The meeting closed at 10.09am

.....
Presiding Member – Mr Rodney Button
Tuesday 25 November 2014