



Yorke Peninsula Council

Minutes of the Meeting of the Council Development Assessment Panel

held on Tuesday 22 March 2016
in the Council Chambers,
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**

Presiding Member Mr Rodney Button declared the meeting open at 9.33am and welcomed everyone in attendance.

1.2 **Present**

Mr Rodney Button, Ms Debra Agnew, Ms Susan Avey, Mr Peter Tonkin, Mr Jeff Cook and Mr Scott Hoyle at 9.40am.

In Attendance

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

1.3 **Gallery**

Mayor Ray Agnew.

1.4 **Apologies**

Mr John Rich

1.5 Minutes of Previous Meeting

Mr Jeff Cook moved Ms Debra Agnew seconded

That the minutes of the Council Development Assessment Panel meeting held on Monday 23 February 2016 at 9.30am 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 544/2253/2015 – Trevarth Garages (on behalf of J Cacciola and J Bernardin)

Ms Susan Avey moved Ms Debra Agnew seconded

That the matter be deferred, pending negotiations with the Applicant.

CARRIED DAP #2

3.2 DA 544/1158/2014 – C Candlish and J Jenkins

Mr Jeff Cook moved Mr Peter Tonkin seconded

B. That Development Application 544/1158/2014 for the construction of a non-complying detached dwelling and tourist accommodation (bed and breakfast) at Lot 1 (DP31624) Hundred Line Road, Hd Warrenben, Foul Bay is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 6 February 2014.

C. That following consideration and having regard to all relevant matters concerning the construction of a non-complying detached dwelling and tourist accommodation (bed and breakfast) at Lot 1 (DP31624) Hundred Line Road, Hd Warrenben, Foul Bay (Development Application 544/1158/2014), 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 Where no mains water is available, the gutters of the dwelling shall be connected to an adequate and reliable on-site water storage system having a capacity of at least 45,000 litres which is connected to the development.

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 The landowner and Council shall enter into a Supplementary Deed to existing Land Management Agreement No 7045857 relating to the future development, management, preservation and conservation of the subject land, pursuant to section 57 of the Development Act 1993. The Supplementary Deed shall allow for tourist accommodation comprising a single accommodation unit only, of not more than two bedrooms, and shall be registered on the Certificate of Title for the subject land prior to the commencement of any building work on site.

6 The landowner shall submit to the Native Vegetation Council a native vegetation clearance application or an application for exemption in accordance with the Native Vegetation Act 1991 and associated Regulations. Evidence of application approval or exemption shall be provided to Council prior to the commencement of any building work or vegetation clearance on site.

South Australian Country Fire Service Conditions:

ACCESS TO DWELLING

The Code Part 2.3.3.1 describes the mandatory provision for 'Private' roads and driveways to buildings, where the furthest point to the building from the nearest public road is more than 30 metres, shall provide safe and convenient access/egress for large Bushfire fighting vehicles.

CFS has no objection to the proposed access driveway. Access shall be constructed as proposed on drawing named Bushfire Protection Plan prepared by Master Plan dated at last revision Jan 2016, with the following conditions:-

1 Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 6 metres and must allow forward entry and exit for large fire-fighting vehicles.

2 The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –

- A loop road around the building, OR
- A turning area with a minimum radius of 12.5 metres, OR
- A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.

3 Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres width and a vertical height clearance of 4 metres.

4 The existing track around the proposed tourist accommodation shall be maintained in order to provide a break from continuous vegetation.

CFS further recommends:-

5 The existing track to the neighbouring property on the south to be accessible by chain or rural fencing (not stone) for ease of access in an emergency.

ACCESS (to dedicated water supply)

The Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA 78 describes the mandatory provision for access to the dedicated water for fire-fighting vehicles where the path of travel from the entrance to the property to the water storage facility is more than 30 metres in length, by an all-weather roadway:

6 Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.

7 The driveway shall be constructed to be capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes, AND

8 Provision shall be made adjacent to the water supply for a hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.

9 CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the CFS appliance can easily connect to it rear facing.

(NOTE: the water supply outlet may be remotely located from the tank to provide adequate access).

WATER SUPPLY

The Code Part 2.3.4.1 prescribes the mandatory provision of a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA78 provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78:

10 A minimum supply of 22,000 litres of water per dwelling/habitable structure shall be available at all times for bushfire fighting purposes. CFS has no objection to the proposed supply of water storage (2x 25,000 litres) which meets the minimum requirement.

11 The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a fire service 64mm male London round thread adaptor which shall be accessible to bushfire fighting vehicles at all times.

12 The water storage facility (and any support structure) shall be constructed of non-combustible material.

13 The dedicated fire-fighting water supply shall be pressurised by a pump that has –

- A minimum inlet diameter of 38mm, AND
- Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
- A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.

14 The dedicated fire-fighting water supply pump shall be located at or adjacent to the dwelling to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.

15 The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.

16 All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.

17 All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.

18 A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the dwelling).

19 All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.

20 All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.

21 All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.

22 All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.

23 All fire-fighting hoses shall be readily available at all times.

VEGETATION

The Code Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

NB: CFS notes plans regarding vegetation clearance and landscaping asset protection zone adjacent to the proposed dwelling.

24 A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the dwelling (or to the property boundaries – whichever comes first) as follows:

- The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
- Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2003.

- Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
- Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height).
- Within 10 metres of a building, flammable objects such as plants, mulches and fences must not be located close to vulnerable parts of the building such as windows, decks and eaves
- The VMZ shall be maintained to be free of accumulated dead vegetation.

BUILDING CONSIDERATIONS

25 Bushfire prevention and safety requirements shall be completed prior to occupancy of the building(s).

TOURIST ACCOMMODATION

26 Due to the development application indicating a Bed and Breakfast - Tourist Accommodation CFS notes the classification of the building, as defined by its intended purpose, to a Class 1b structure.

27 CFS draws your attention to Part 3.7 (Fire Safety) of the Building Code of Australia –

- Part 3.7.2 Smoke Alarms & evacuation lighting
- Part 3.7.4 Bushfire areas “Acceptable construction”

BUSHFIRE SURVIVAL PLAN

CFS further recommends:

28 The applicants shall prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.

29 This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event and when to take such protective actions.

30 The BSP should address the possibility that the owners may not be present at the time of the bushfire event.

31 The BSP should not expect guests to be involved in fire-fighting operations.

32 The SA CFS ‘Prepare, Act, Survive’ document (refer CFS web site) should be utilised as a basis for the drafting of the (GUEST) BSP.

NOTE: Compliance with the fire protection requirements is not a guarantee the dwelling and tourist accommodation will not burn, but its

intent is to provide a 'measure of protection' from the approach, impact and passing of a bushfire.

PLANNING NOTES:

The granting of this consent does not absolve the applicant from obtaining all other consents which might be required pursuant to the provisions of any other statutes or regulations.

The granting of this consent does not absolve the land owner from any obligation contained within the Land Management Agreement, as registered on the Certificate of Title for the land.

CARRIED DAP #3

ITEM 4 ANY OTHER BUSINESS

4.1 Matters Deferred

4.1.1 - DA 544/1228/2015 – S Tait

Planning Officer Mrs Georgina Halman advised that the orientation of the development has been amended by negotiation. Members are satisfied with the outcome.

Ms Debra Agnew moved Mr Jeff Cook seconded

A That Development Application 544/1228/2015 for variation to DA 544/1034/2015 (orientation and location of garage) at (Lot 104) 73 Ti-Tree Road, The Pines is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan, consolidated 6 November 2014.

B That following consideration and having regard to all relevant matters concerning the variation to DA 544/1034/2015 (orientation and location of garage) at (Lot 104) 73 Ti-Tree Road, The Pines (Development Application 544/1228/2015), 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.

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.

CARRIED DAP #4

4.2 ERD Court Matters

Nil

4.3 Procedural Matters

4.3.1 Concurrence Approvals

Nil

4.3.2 Other Business

Nil

ITEM 5 NEXT MEETING

Tuesday 26 April 2016 at 9:30am

ITEM 6 CLOSURE

The meeting closed at 9.44am

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Presiding Member – Mr Rodney Button
Tuesday, 26 April 2016