



COUNCIL ASSESSMENT

PANEL

MINUTES

THURSDAY 31 JANUARY 2019

Membership of this Committee is:-

*M L H Roberts (Presiding Member), Cr P L Mitchell, J Egan, T Christensen
and I J Fitzsimons.*

DISTRICT COUNCIL OF LOWER EYRE PENINSULA

MINUTES OF THE COUNCIL ASSESSMENT PANEL MEETING HELD AT 9.00 AM ON THURSDAY 31 JANUARY 2019, IN THE REGIONAL DEVELOPMENT AUSTRALIA BOARDROOM, 89 LIVERPOOL STREET, PORT LINCOLN.

PRESENT : M L H ROBERTS (PRESIDING MEMBER), CR P L MITCHELL, J EGAN, T CHRISTENSEN AND I J FITZSIMONS.

ALSO PRESENT: L P J BLACKER (ASSESSMENT MANAGER), R W PEARSON (CHIEF EXECUTIVE OFFICER) AND J ISLE (PLANNING CONSULTANT).

1 WELCOME

The Presiding Member welcomed all members to the meeting.

2 APOLOGIES

G JUTZEN (WORKS MANAGER).

3 CONFIRMATION OF MINUTES

EGAN / FITZSIMONS

That the Minutes of the Council Assessment Panel meeting held on Friday 7 December 2018, as per copies supplied to members, be confirmed.

Carried.

4 BUSINESS ARISING

Nil.

5 DELIBERATIONS IN CONFIDENCE

MITCHELL / CHRISTENSEN

That the Council Assessment Panel, resolves, pursuant to regulation 13(2)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, to exclude the public from the meeting to enable the Panel to discuss and determine those applications in the absence of the public.

Carried.

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
COUNCIL ASSESSMENT PANEL MINUTES – 31 JANUARY 2019**

6 ASSESSMENT MANAGER'S REPORT

FITZSIMONS / EGAN

That the Assessment Manager's Report be received.

Carried.

PART I - LAND DIVISION

1.1 DEVELOPMENT APPLICATION 932/D018/18 HAGE

EGAN / MITCHELL

That the Council Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE to grant Land Division Consent and Development Approval to the proposal by J Hage for land division (boundary realignment) at 1510 (Lot 12) and 1528B (Lot 11) Lincoln Highway, Poonindie in Development Application 932/D018/18, subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

DEVELOPMENT PLAN CONSENT CONDITIONS:

- 1 The application hereby approved shall be carried out in accordance with the Plan of Division prepared by PA Dansie & Associates reference 18324 as uploaded to EDALA on 27 September 2018.

Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.

STATE COMMISSION ASSESSMENT PANEL CONDITIONS:

- 1 A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

continued:

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
COUNCIL ASSESSMENT PANEL MINUTES – 31 JANUARY 2019**

PART I - LAND DIVISION

CONT'D:

1.1 DEVELOPMENT APPLICATION 932/D018/18 HAGE

CONT'D:

COMMISSIONER OF HIGHWAYS CONDITIONS:

- 1 Proposed Allotments 21 and 22 shall gain all access via the existing access points only. No additional access onto Lincoln Highway shall be permitted.
- 2 All vehicles shall enter and exit Lincoln Highway in a forward direction.

ADVISORY NOTES - HERITAGE SOUTH AUSTRALIA

- 1 The applicant is advised of the following requirements of the Heritage Places Act 1993:
 - a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

- 2 The applicant is advised of the following requirements of the Aboriginal Heritage Act 1988:
 - a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

continued:

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
COUNCIL ASSESSMENT PANEL MINUTES – 31 JANUARY 2019**

PART I - LAND DIVISION

CONT'D:

1.1 DEVELOPMENT APPLICATION 932/D018/18 HAGE

CONT'D:

ADVISORY NOTES - ABORIGINAL AFFAIRS & RECONCILIATION

- 1 The applicant is advised that sites or objects may exist in the proposed development area.

- 2 There are various there are various Aboriginal groups/organisations/traditional owners that may have an interest, these may include:
Barngarla Determination Aboriginal Corporation
Address: cl- Norman Waterhouse, Lvl 15, 45 Pirie Street.
ADELAIDE SA 5000 Telephone: (08) 8210 1200
Email: normans@normans.com.au.

Carried.

PART II - FOR PANEL APPROVAL

2.1 DEVELOPMENT APPLICATION 932/124/18 CHRISTOPHERS

The Panel discussed the location of the site and the proposed shed.

MITCHELL / CHRISTENSEN

That the Council Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.

- 2) RESOLVE to grant Development Plan Consent to the proposal by L Christophers for additions to and existing dwelling and shed at 10 Osprey Court, Coffin Bay, in Development Application 932/124/18, subject to the concurrence of the State Commission Assessment Panel and the following conditions of consent:

continued:

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
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PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/124/18 CHRISTOPHERS

CONT'D:

DEVELOPMENT PLAN CONSENT CONDITIONS:

- 1 The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 10 October 2018 and 23 November 2018, as contained in Development Application 932/124/18 except where varied by any conditions of consent;

Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.

- 2 The applicant shall provide adequate and reliable on-site water supply, which shall have a storage capacity equivalent to at least 15,000 litres per bedroom, be connected to the roof water drainage, fitted with first flush devices, and plumbed to the private dwelling. An additional dedicated and adequate water supply shall be clearly marked and made available for fire fighting purposes.

All above ground tanks and below ground tanks that project above ground in part which contain water dedicated for, and made available for, fire fighting purposes must be constructed of non-combustible material as tested in accordance with AS1530.1, Combustibility test for materials.

Reason: To ensure that the development is equipped with an adequate and reliable on-site water storage system

- 3 All storm water from buildings and paved areas shall be disposed of in accordance with recognised engineering practices and with materials that will not result in the entry of water onto any adjoining property or building, and does not affect the stability of any building.

Reason: To ensure stormwater is appropriately managed on site.

continued:

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PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/124/18 CHRISTOPHERS

CONT'D:

Storm water should be retained on the development site through the application of an appropriate range of the following techniques:

- (a) the collection of roof run-off into rainwater tanks;
- (b) the use of rainwater for domestic purposes;
- (c) the direction of surplus roof run-off onto garden areas;
- (d) the design of paved areas so that storm water is directed onto garden areas.

Reason: To maximise the harvest and use of stormwater.

- 4 The premises must be connected to an approved septic tank and then to the Community Wastewater Management System to the requirements of Council.

Reason: To ensure effluent is appropriately managed on site.

- 5 All construction waste and other rubbish shall be stored in such a manner that prohibits any waste being blown from the building site in the event of strong winds. When building works are complete, all waste shall be removed from the site to an approved waste disposal area.

Reason: To ensure that the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

COAST PROTECTION BOARD CONDITIONS:

- 1 Excavation and construction shall be carried out in a manner which minimises environmental impacts on coastal landforms.
- 2 Any imported substrate material or engineered fill shall be free of weeds, contaminants and pathogens to ensure that noxious weeds or pollution sources are not introduced into the coastal environment.
- 3 Stormwater management shall be in accordance with recognised best practice to ensure that stormwater does not adversely affect coastal land or the nearshore marine environment.

continued:

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
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PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/124/18 CHRISTOPHERS

CONT'D:

Planning Advisory Notes

- 1 Every effort should be made to ensure that excavation and construction shall be carried out in a manner which minimises detrimental impacts to the surrounding environment, including vegetation.
- 2 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.
- 3 Please note that no work can commence on the land as a result of this consent. This approval is for Development Plan Consent only. Development Approval is required prior to the commencement of any works.
- 4 Pursuant to Section 34 (2) (d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either:
 - the District Council of Lower Eyre Peninsula; or,
 - a Private Certifier.

When all relevant consents have been issued, Development Approval will be granted by Council.
- 5 Development Plan Consent will lapse within twelve (12) months of the date of this notice unless Development Approval has been obtained.

Coast Protection Board Planning Advisory Notes

- 1 Landscaping associated with this development should consist of local native coastal species, to improve coastal biodiversity, minimise the spread of exotic plants on the coast, and for effective stabilisation of the landform. Natural Resources Eyre Peninsula may be contacted for species lists.

Carried.

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
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PART III - CORRESPONDENCE

Nil.

**PART IV - DEVELOPMENT APPROVALS UNDER DELEGATED
AUTHORITY**

Noted.

FITZSIMONS / MITCHELL

That the Assessment Manager's Report be adopted.

Carried.

7 LATE CORRESPONDENCE

Nil.

8 GENERAL BUSINESS

M Roberts questioned whether an application has been lodged in regard to 100 Esplanade, Coffin Bay. J Isle advised that a change of land use application was lodged in December 2018 and further information has been requested. L Blacker advised that suspected breaches to some conditions attached to the previous Development Approval are being investigated.

9 NEXT MEETING

MITCHELL / CHRISTENSEN

That the next meeting of the Council Assessment Panel be held at 9.00 am on Thursday 7 March 2019 in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln.

Carried.

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
COUNCIL ASSESSMENT PANEL MINUTES – 31 JANUARY 2019**

MEETING CLOSED AT 9.10 AM

MINUTES CONFIRMED

.....
(ASSESSMENT MANAGER)

.....
(PRESIDING MEMBER)

DATED : 7 MARCH 2019