



**DISTRICT COUNCIL OF GRANT**

**MINUTES OF COUNCIL ASSESSMENT PANEL**

**MEETING HELD AT THE DISTRICT COUNCIL OF GRANT**

**WEDNESDAY, 19 JUNE 2019 AT 5.00 PM**

**ATTENDANCE**

**Committee Members**

Ms L Travers, Presiding Member  
Mr M De Garis  
Mr S Herbert  
Cr B Kuhl until 5.05pm  
Cr B Bain from 5.05pm

**Council Officers**

J Fetherstonhaugh, Acting Chief Executive Officer  
LJ McEvoy, Assessment Manager /  
Director of Environmental Services  
TF Glynn, Planning Officer  
HL Michell, Administration Officer

**APOLOGIES FOR ABSENCE**

Nil

**OPENING, WELCOME AND INTRODUCTIONS**

1. Acknowledgement of Traditional Owners.
2. The Presiding Member outlined the process of the Council's Assessment Panel (CAP) meeting to the members of the gallery, advising that the role of the CAP is to assess Development Applications against the planning provisions contained in Council's Development Plan.

The Presiding Member advised that the Applicants would be invited to address CAP and to answer any questions from Panel Members. Representors who have already been heard at the previous Panel Meeting will not be heard again by the Panel. There will then be a closed section of the meeting, where the public is excluded, to discuss and consider the Applications. The public gallery was advised that they could wait outside the Council Chambers during the closed section of the meeting and then return and be advised of the outcome of the CAP decisions, or alternatively that they could contact Council Officers the next day.

**19020 – CONFIRMATION OF MINUTES**

Moved Mr S Herbert that the Minutes of the District Council of Grant Assessment Panel (CAP) meeting held on 22 May 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.

Seconded Mr M De Garis

CARRIED

### **19021 - BUSINESS WITH NOTICE**

#### **1. Update on State Commission Assessment Panel Concurrences**

The Assessment Manager / Director of Environmental Services advised Panel Members that concurrence from the State Commission Assessment Panel is currently up to date.

#### **2. Planning, Development and Infrastructure Act 2016 – Transition Process**

The Assessment Manager / Director of Environmental Services reminded Panel Members of their obligations regarding the Accredited Professionals Scheme, and advised that there is a delay with the Phase 2 Consultation, anticipated now for late June, and on consultation for a 10 week period.

#### **3. Development Application 732/162/18 – Ashborn Industries Pty Ltd – Timber Processing Facility – Timber Production Shed & Offices, Amenities Building – Planning Only**

The Assessment Manager / Director of Environmental Services advised Panel Members that a Notice of Appeal has been lodged with the Environment, Resources and Development (ERD) Court by nine representors (represented by Botten Levinson Lawyers), against the decision of the Council Assessment Panel (CAP) to approve the Development Application of a Timber Processing Facility for Ashborn Industries Pty Ltd.

*Cr Kuhl left the meeting at 5.05pm*

*Cr Bain joined the meeting at 5.05pm*

### **BUSINESS WITHOUT NOTICE**

Nil

### **19022 - DELEGATIONS**

1. GR & TA Weaver – Single Storey Split Level Detached Dwelling – Section 671, 3 Tanderra Way, Carpenter Rocks, Hundred of Kongorong [A2110, 732/241/18] – Report 10-2019

Mr Stephen Kuchel, SK Home Builders Pty Ltd and Mr Glenn Weaver attended the meeting.

Mr Stephen Kuchel spoke in support of the proposal and responded to questions from Panel Members and Council Officers.

Mr Glenn Weaver also spoke in support of the proposal and responded to questions from Panel Members and Council Officers.

### **19023 - EXCLUSION OF PUBLIC**

Mr S Herbert moved that the Panel resolves that it will exclude the public, except Cr Barry Kuhl and Cr Shirley Little, from attendance during that part of the meeting that consists of its discussion or determination of any Development Application or any other matter that falls to be decided by the Panel under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017.

Seconded Cr Bain

CARRIED

*The Panel moved into 'In Confidence' at 5.14pm*

*Mrs Trudy Glynn left the meeting at 5.14pm*

*Mrs Trudy Glynn resumed her seat in the meeting at 5.15pm*

### **19024 – APPLICATIONS**

1. **GR & TA Weaver** – Single Storey Split Level Detached Dwelling – Section 671, 3 Tanderra Way, Carpenter Rocks, Hundred of Kongorong [A2110, 732/241/18] – Report 10-2019

Moved Mr S Herbert that:

1. The Panel determines that the Application for a Single Storey Split Level Detached Dwelling is not seriously at variance with the requirements of Council's Development Plan for development in the Coastal Open Space Zone.
2. Following consideration of all written and verbal representations, and having regard to all relevant matters, the Council Assessment Panel **grant** Development Plan Consent to SK Home Builders Pty Ltd for the use of land at Section 671, 3 Tanderra Way, Carpenter Rocks, Hundred of Kongorong for a Single Storey Split Level Detached Dwelling, as detailed in Development Application 732/241/18, subject to the following conditions:

#### **District Council of Grant Conditions**

1. The development must be undertaken in accordance with the plans and associated documentation comprising the Development Application, except where varied by the following conditions and/or where changes are required to comply with the Building Code of Australia and/or relevant Australian Standards and Codes.
2. The building herein approved must not be occupied until an approved and fully functioning domestic effluent disposal system is installed.
3. All stormwater from the building must discharge directly into rainwater tank(s) of at least 22,000 litres capacity, prior to the habitation of the dwelling.
4. All stormwater and/or rainwater tank overflow shall discharge away from the effluent system.
5. The dwelling must be connected to the rainwater tank(s) for the purposes of drinking and household water supply.
6. A supply of water independent of household supply shall be available at all times for fire-fighting purposes.
  - A minimum supply of five thousand (5000) litres of water shall be available at all times for bushfire fighting purposes.
  - In areas where SA Water reticulated water supply is connected, the amount of water required to be provided may be reduced to two thousand (2000) litres. A water storage facility connected to mains water must have an automatic float switch to maintain full capacity.
  - Where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.
  - Where a water storage facility is required to have a domestic fitting, the outlet for the required capacity must be located at least 400mm above ground level for a distance of 200mm either side of the outlet.  
(Refer to Minister's Specification SA 78 – Additional requirements in designated bushfire prone areas)

7. For compliance with the Coast Protection Board's coastal flooding risk standard, minimum site level of 2.6 metres and minimum floor level of 2.85 metres Australian Height Datum (AHD) is required for the entirety of the dwelling.
8. The foundations for the dwelling shall be designed by a qualified engineer to achieve a finished floor level of 2.85 metres AHD with either fill, pylons or similar.
9. Any mechanical or electrical equipment and chemicals vulnerable to water ingress should be made safe from a coastal flooding risk and therefore be raised to the Coast Protection Board's minimum recommended level of 2.85 metres AHD.
10. Any imported fill shall be free of weeds and pathogens to ensure that noxious weed or contamination sources are not introduced into the coastal environment.
11. No development shall extend beyond the boundaries of the site onto Crown land, including fill, retaining walls or landscaping.
12. The wastewater system shall be designed and installed to ensure that wastewater cannot pollute or migrate into the coastal environment including near shore waters.
13. 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 South East may be contacted for species lists. General information can be found in the Coastal Gardens – A planting guide found on the following website: <https://www.naturalresources.sa.gov.au/southeast/water-and-coast/coast> or at <https://www.naturalresources.sa.gov.au/southeast/water-and-coast/coast/Coastal-resources>
14. The subject land and all improvements thereon shall be maintained in a state of good, tidy and attractive repair and condition at all times to the reasonable satisfaction of Council.

#### NOTES

1. In November 2006, amendments to the Development Regulations were passed by the State Government, with the effect that this land is now within a designated **Medium** Bushfire Risk Area. This is drawn to your attention so that you are aware of the need for prevention and protection measures around buildings and other assets. Further information on Bushfire Preparedness is enclosed. For further details you may contact the CFS on 1300 362 361, or Council's Fire Prevention Officer on (08) 8721 0444.
2. Council attaches the following disclaimer to the above advice:

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 District Council of Grant, Coast Protection Board nor any of its servants, agents or officers accept any responsibility for any loss of life and property that may occur as a result of such circumstances.

Seconded Mr M De Garis

CARRIED

#### 19025 - CONCLUSION OF CLOSED MEETING

Moved Mr M De Garis that the Panel resolves to conclude its exclusion of the public from attendance at the meeting under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017.

Seconded Cr Bain

CARRIED

*The Panel moved out of 'In Confidence' at 5.32pm*

*Mrs Trudy Glynn left the meeting at 5.32pm*

*Mrs Trudy Glynn resumed her seat in the meeting at 5.33pm*

**OUTCOME OF CAP MEETING**

Members of the Public Gallery returned to the meeting at 5.33pm.

The Presiding Member advised these Members of the Public Gallery of the decision made by the Panel on the Development Application during the 'closed' part of the meeting.

**NEXT MEETING**

The next CAP Meeting will be held on **Wednesday, 14 August 2019**, in the District Council of Grant Council Chambers, commencing at 5.30pm, unless otherwise determined.

CAP Meeting closed at 5.34pm



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ASSESSMENT MANAGER

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PRESIDING MEMBER