



**DISTRICT COUNCIL OF GRANT**

**MINUTES OF COUNCIL ASSESSMENT PANEL**

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

**WEDNESDAY, 28 AUGUST 2019 AT 5.30 PM**

**ATTENDANCE**

**Committee Members**

Ms L Travers, Presiding Member  
Mr M De Garis  
Cr BR Kuhl (Proxy)

**Council Officers**

LJ McEvoy, Assessment Manager /  
Director of Environmental Services  
J Best, Team Leader – Development Services  
TF Glynn, Planning Officer  
HL Michell, Administration Officer

**APOLOGIES FOR ABSENCE**

Cr B Bain, and J Fetherstonhaugh, Acting Chief Executive Officer

**OPENING, WELCOME AND INTRODUCTIONS**

1. Acknowledgement of Traditional Owners.
2. The Presiding Member welcomed Mr John Best, Council's new Team Leader – Development Services, to his first meeting of the District Council of Grant Assessment Panel.
3. 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 Representors and the Applicants would be invited to address CAP and to answer any questions from Panel Members. 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.

**19026 – CONFIRMATION OF MINUTES**

Moved Mr M De Garis that the Minutes of the District Council of Grant Assessment Panel (CAP) meeting held on 19 June 2019 be taken as read and confirmed as a true and correct record of the proceedings of that meeting.

Seconded Cr B Kuhl

CARRIED

## **19027 - 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.

## **BUSINESS WITHOUT NOTICE**

### **1. Council Assessment Panel Resignation – Stephen Herbert**

The Assessment Manager / Director of Environmental Services advised the Panel that Mr Stephen Herbert, an Independent Member on the Panel, tendered his resignation from the Panel forthwith, on 12 August 2019. Mr Herbert has been an Independent Member of the Panel since it commenced in 2007. Council has acknowledged and accepted the resignation, and thanked Mr Herbert for his twelve (12) years of valued work and efforts on the Panel, and wished him all the best for the future.

Council at its meeting held on 19 August 2019 resolved to proceed to advertise the vacant position of an Independent Member on the Council's Assessment Panel, with preferred applicants being those persons who are able to become Accredited Professionals under the provisions of the Planning, Development and Infrastructure Act 2016.

### **2. Review of the Council Assessment Panel**

The Assessment Manger / Director of Environmental Services advised the Panel that the new accreditation requirements for CAP Members under the new Planning, Development and Infrastructure Act 2016 (PDI Act), which excludes the Council Member, will now commence in April 2020.

The current arrangements associated with the operation of CAP need to be reviewed and updated by April 2020, with the independent members being accredited under the new PDI Act requirements. A separate Report is to be prepared on this matter for the consideration of Council. Until this Report is considered by Council, the current structure and membership of CAP should continue to operate.

The Review will also include whether or not the Panel was better structured with the four (4) independent members, and the one (1) Council Member (with a proxy).

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

The Assessment Manager / Director of Environmental Services provided the Panel with a general update on the transition process associated with the new PDI Act.

The Panel was advised that Phase 2 of the Planning and Design Code for Regional Councils, which includes the District Council of Grant, has been delayed from November 2019, and will now commence in April 2020.

Similarly, the Accredited Professional requirements have now been delayed until April 2020. It is recommended that Independent Members still submit Applications for professional accreditation at the earliest opportunity.

The Department of Planning, Transport and Infrastructure (DPTI) has advised that at this time testing associated with ePlanning is expected to commence in February 2020.

Council at its meeting held on 19 August 2019 resolved that at this time Council agree to pay the application fee for current Independent Members on Council's Assessment Panel to become Accredited Professionals under the provisions of the Planning, Development and Infrastructure Act 2016, with such payment being a pro-rata amount for those members who sit on more than one Assessment Panel.

The Panel was also advised that the pending overall review of Council's Assessment Panel will include such things as the sitting fees and the annual accreditation fees.

The Assessment Manager / Director of Environmental Services also advised the Panel that DPTI has recently confirmed that Independent Panel Members are covered and protected by Council, and do not require separate personal indemnity cover.

#### **4. Team Leader – Development Services**

The Assessment Manager / Director of Environmental Services advised the Panel that Mr John Best has been appointed to the position of Team Leader – Development Services within the Environmental Services Department. Mr Best commenced in this position on Monday 5 August 2019.

Mr Best was at the Wattle Range Council, and prior to this the City of Mount Gambier, working in the planning, building, development and compliance areas. Mr Best is qualified with a Diploma and an Advanced Diploma of Building Surveying, and currently holds building surveying accreditation at Level 2.

#### **19028 - DELEGATIONS**

1. GA Di Censo – Relocation of an existing Paintball and Lasertag Business – Section 774, 480 Carpenter Rocks Road, Compton, Hundred of Blanche [A2885, 732/035/19] – Report 12-2019

Mr Joe Dicenso, Applicant and Ms Wendy Di Censo, attended the Panel meeting.

Mr Ricky Phillips and Mr Vincent Abraham, Representors, attended the Panel meeting.

Mr Ricky Phillips spoke in support of his representation, and responded to questions from Panel Members and Council Officers.

Mr Vincent Abraham spoke in support of his representation, and responded to questions from Panel Members and Council Officers.

Mr Joe Di Censo, and Ms Wendy Di Censo spoke in support of the proposal and responded to questions from Panel Members and Council Officers.

2. DRWR Allen & KL Evans – Wood Yard – Lot 436 in FP193428, 283 Hollis Road, Compton, Hundred of Blanche [A4664, 732/112/19] – Report 13-2019

Mr David Allen, Applicant and Ms Kristy Evans, attended the Panel meeting.

Ms Sarah Mott and Mr Brendon Curley, Representors attended the Panel meeting.

Ms Sarah Mott and Mr Brendon Curley spoke in support of their representation and responded to questions from Panel Members and Council Officers.

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

### **19029 - EXCLUSION OF PUBLIC**

Mr M De Garis moved that the Panel resolves that it will exclude the public 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 BR Kuhl

CARRIED

*The Panel moved into 'In Confidence' at 6.39pm*

*Mr John Best left the meeting at 6.39pm*

*Mr John Best resumed his seat in the meeting at 6.40pm*

### **19030 – APPLICATIONS**

1. District Council of Grant – Terminal Expansion and Redevelopment – Lot 101 in DP88179, 81 Airport Road, Wandilo, Hundred of Young [A5584, 732/153/19] – Report 11-2019

Cr BR Kuhl declared an interest in relation to this Development Application as he is a Council representative on the District Council of Grant Mount Gambier Regional Airport Strategy Committee.

Moved Mr M De Garis that:

1. That the report for Development Application DA No: 732/153/19 be received.
2. That having regard to the Development Plan and the supporting information, which included a viewing of a model of the new Terminal building prepared by the Architects, it is considered that the proposed development is not seriously at variance with the Council's Development Plan and be **granted** Development Plan Consent subject to the following conditions listed below:

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

1. The development must be undertaken in accordance with the plans and associated documentation comprising the Development Application 732/153/19, 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 Standard and Codes*.
2. 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.
3. All stormwater from the building must discharge to the internal roadside water table, to the reasonable satisfaction of Council.
4. A landscaping plan shall be prepared to the reasonable satisfaction of Council.
5. Landscaping shall be established in accordance with the Landscaping Plan prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

**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 *General* 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.
2. Compliance with the fire protection requirements is not a guarantee that a building will not burn in the event of a bushfire.

Seconded Ms L Travers

CARRIED

2. GA Dicenso – Relocation of an existing Paintball and Lasertag Business – Section 774, 480 Carpenter Rocks Road, Compton, Hundred of Blanche [A2885, 732/035/19] – Report 12-2019

Moved Cr BR Kuhl that:

1. The Panel determines that the application for a Paint Ball & Laser Tag Business is not seriously at variance with the requirements of Council's Development Plan for development in the Primary Production Zone.
2. After consideration of all written and verbal representations, and having regard to all relevant matters, the Development Assessment Panel **grant** Development Plan Consent to Joe Di Censo for the change of land use at 480 Carpenters Rocks Road, Compton, for the establishment of a Paint Ball & Laser Tag Business, as detailed in Development Application 732/035/19, subject to the following 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.
  2. The hours of operation shall be 9.00am to 5.00pm; excluding Christmas Day, Good Friday and New Year's Day, unless otherwise agreed to by Council.
  3. The buildings and land shall not be used for purposes other than those approved by Council.
  4. No unreasonable disturbance or pollution to the amenity of the locality shall be created by way of dust, pollution, noise, electrical interference or other means.
  5. Floodlighting shall be restricted to that necessary for security purposes only and shall be directed and shaded in such manner as to cause no light spill nuisance to any person living in the vicinity of the subject land or any person using an adjacent public road.
  6. The vehicular crossover shall be a minimum 8.0 metres in width to cater for simultaneous two-way vehicle movement, and be flared to the road to maximise ease of ingress and egress. All future maintenance of the crossover will be the developers' responsibility.
  7. All of the driveway and yard areas shall be appropriately graded and surfaced at all times to the reasonable satisfaction of Council, so as to ensure maximum dust suppression and to avoid dust and mud being carried out by vehicles onto public roads.
  8. No overflow parking is permitted along the Carpenters Rocks Road reserve.

9. Tree planting is to be carried out in accordance with the plans submitted, within six (6) months of this approval. Trees/shrubs are to be maintained in good and healthy condition at all times, with prompt replacement of any plants that may be diseased or dying.
10. All waste collection points and waste enclosures shall be adequately screened from public view and be kept in a neat and tidy condition at all times.
11. Any rubbish and/or waste is to be stored in a neat and tidy manner and removed on a regular basis, to the reasonable satisfaction of Council.
12. All signage must be wholly contained within private land and must not protrude onto the roadside outside the property boundary.
13. Signage is not to be internally illuminated.
14. The Paint Ball & Laser Tag Business herein approved must not be commenced until an approved and fully functioning effluent disposal system is installed.
15. The Development herein approved shall not commence until the matters included in the conditions of approval, other than where they relate to maintenance, have been substantially completed or undertaken to the reasonable satisfaction of Council.
16. The subject land and all improvements thereon, including all signage, shall be maintained in a state of good, tidy and attractive repair and condition at all times to the reasonable satisfaction of Council.
17. The operator of the Paint Ball & Laser Tag Business must ensure that the site design and construction does not promote or harbour pests such as mosquito's and other vermin.
18. The shade cloth fencing as listed on the site plan (11/7/19 – 1 of 2), must extend along both the western and southern boundaries of the playing fields.
19. Height limit: all structures within the playing field areas must not exceed 3.0 metres in height.
20. Should the Paint Ball & Laser Tag Business cease to operate for a period exceeding 6 months, then the playing field areas must be cleared of all playing field equipment, and the land returned and utilised for primary production purposes.

**Commissioner of Highways conditions:**

21. The access shall be designed constructed in general accordance with the site plan referred to the District Council of Grant, dated 15 July 2019.
22. All vehicles shall enter and exit the site in a forward direction.
23. The new access pavement shall be constructed of suitable compacted quarry rubble and extend from the edge of the existing unsealed road side shoulder on Carpenter Rocks Road to the property boundary.

24. Any signage shall be consistent with DPTI's "Advertising Signage Assessment Guidelines for Road Safety" publication.
25. Stormwater runoff shall be collected on site and discharged without jeopardising the safety and integrity of Carpenter Rocks Road. Any alterations to road drainage infrastructure to facilitate this development shall be at the applicant's expense.

**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 **General** 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. The operator of the Paint Ball & Laser Tag Business must ensure that all requirements of the South Australian Police Firearms Branch are fully met prior to first use of the site.

Seconded Mr M De Garis

CARRIED

3. DRWR Allen & KL Evans – Wood Yard – Lot 436 in FP193428, 283 Hollis Road, Compton, Hundred of Blanche [A4664, 732/112/19] – Report 13-2019

Moved Cr BR Kuhl that:

1. The Panel determines that the application for a Wood Yard is not seriously at variance with the requirements of Council's Development Plan for development in the Primary Production Zone.
2. After consideration of all written and verbal representations, and having regard to all relevant matters, the Development Assessment Panel **grant** Development Plan Consent to David Allen for the use of land at Lot 436 in FP193428, 283 Hollis Road, Compton, Hundred of Blanche for the establishment of a Wood Yard, as detailed in Development Application 732/112/19, subject to the following 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.
  2. The land shall not be used for purposes other than those approved by Council.
  3. Hours of operation of the business are to be as follows:

• Monday to Friday	9.00 am to 6.00 pm
• Saturday	9.00 am to 6.00 pm
• Sunday	Nil
• Public holidays	Nil

Noise making equipment/machinery associated with the business can only be used during the hours of 10.00 am to 3.00 pm Monday to Friday.
  4. The public are not permitted to collect firewood from the property.

5. Access and egress to/from the property for deliveries of wood shall only be from Hollis Road.
6. The Wood Yard shall be re-located north of the proposed site, and shall be sited a minimum distance of 90 metres from Hollis Road, to the reasonable satisfaction of Council.
7. A colorbond fence, with a minimum height of 1.8 metres, in a single neutral colour, shall be erected on the southern and western sides of the Wood Yard to provide a screen, to the reasonable satisfaction of Council.
8. Dense tree/shrub planting shall be established around the Wood Yard, to the reasonable satisfaction of Council, so as to provide a screen/buffer between the development, and adjacent properties and roads.
9. A Landscaping Plan is to be prepared and submitted to Council, within sixty (60) days of this approval, and should incorporate the following features:
  - (a) Dense tree/shrub planting shall be established to effectively screen the Wood Yard on the site from view; and,
  - (b) Trees/shrubs used in the landscaping shall be local indigenous species.
10. Tree/shrub planting is to be carried out in accordance with the approved Landscaping Plan, within six (6) months of this approval.
11. Trees/shrubs are to be maintained in good and healthy condition at all times, with prompt replacement of any plants that may be diseased or dying.
12. Any vehicles used in conjunction with the business must be parked within the property and are not to be parked on the roadside.
13. Noise levels are not to exceed those specified by the Environment Protection Authority.
14. No unreasonable disturbance or pollution to the amenity of the locality shall be created by way of dust, pollution, noise, or other means.
15. Access to the Wood Yard shall be of all-weather construction, with a minimum formed road surface width of 4 metres, and must allow forward entry and exit for large fire fighting vehicles.
16. An adequate supply of water independent of household supply shall be available at all times for fire-fighting purposes at the Wood Yard.
17. All logs are to be stored in heaps not larger than 10 metres wide by 20 metres long by 3 metres high, with a minimum separation distance between heaps of 10 metres. Such clearances are required for the purposes of fire separation and vehicle access for emergency services.
18. Sawdust is to be cleaned up regularly, and is to be either spread over gardens/landscaped areas to a depth not exceeding 50mm, or is to be removed from the site. Burning of sawdust is not to be undertaken.
19. This consent does not include the display of any signs on the site.

20. The Development herein approved shall not commence until the matters included in the conditions of approval, other than where they relate to maintenance, have been substantially completed or undertaken to the reasonable satisfaction of Council.
21. Any rubbish and/or waste is to be stored in a neat and tidy manner and removed on a regular basis, to the reasonable satisfaction of Council.
22. The site and surrounds shall be maintained in a clean and tidy 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 **General** 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. For further details you may contact the CFS on 1300 362 361, or Council's Fire Prevention Officer on (08) 8721 0444.

Seconded Mr M De Garis

CARRIED

**19031 - CONCLUSION OF CLOSED MEETING**

Moved Ms L Travers 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 Mr M De Garis

CARRIED

*The Panel moved out of 'In Confidence' at 8.08pm*

*Mr John Best left the meeting at 8.08pm*

*Mr John Best advised the members of the public of the decisions made by the Panel on the Development Applications during the 'closed' part of the meeting.*

*Mr John Best resumed his seat in the meeting at 8.10pm*

**NEXT MEETING**

The next CAP Meeting will be held on **Wednesday, 16 October 2019**, in the District Council of Grant Council Chambers, commencing at 5.30pm, unless otherwise determined.

CAP Meeting closed at 8.12pm



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ASSESSMENT MANAGER

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PRESIDING MEMBER