



# **MINUTES**

## **Council Assessment Panel Meeting**

(Subject to confirmation)

**25 June 2019**

**MINUTES OF YORKE PENINSULA COUNCIL  
COUNCIL ASSESSMENT PANEL MEETING  
HELD AT THE COUNCIL CHAMBERS , MINLATON TOWN HALL, 57 MAIN STREET,  
MINLATON  
ON TUESDAY, 25 JUNE 2019 AT 9.30AM**

**1 WELCOME BY PRESIDING MEMBER**

Deputy Chair Debra Agnew welcomed everyone to the meeting and declared the meeting open at 9.38am.

**2 PRESENT**

Deputy Chair Debra Agnew, Mr Jeffrey Cook, Independent Member Elinor Walker

**In Attendance**

Dustin Guthberg (Acting Assessment Manager), Heidi Smith (Planning Officer), Maddy Pulling (Minute Secretary)

**3 GALLERY**

Nil

**4 APOLOGIES**

Rodney Button (Presiding Chair), Roger Brooks (Assessment Manager)

**5 LEAVE OF ABSENCE**

Nil

**6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION**

**COMMITTEE RESOLUTION**

Moved: Mr Jeffrey Cook

Seconded: Independent Member Elinor Walker

That the minutes of the Council Assessment Panel Meeting held on 17 April 2019 be confirmed.

**CARRIED 009/2019 (25/06/2019)**

**7 CONFLICT OF INTEREST**

Deputy Chair Debra Agnew reminded all Panel Members of the requirement to disclose any conflict of interest in relation to any matters before the Council Assessment Panel.

**8 VISITORS TO THE MEETING**

Nil

**REPORTS**

**9 DEVELOPMENT APPLICATIONS**

**9.1 LONGRIDGE GROUP PTY LTD 544/1177/2018****PROPOSAL OUTLINE**

<b>Author:</b>	Heidi Smith
<b>Application No.:</b>	544/1177/2018
<b>Applicant:</b>	Longridge Group Pty Ltd
<b>Owner:</b>	La Tortuga Pty Ltd
<b>Development Proposal:</b>	Two Storey Dwelling, Balcony, Deck & Retaining Walls
<b>Lodgement Date:</b>	8 June 2018
<b>Subject Land:</b>	(Lot 50) 93 Sultana Point Road, Sultana Point
<b>Zone:</b>	Coastal Settlement
<b>Nature of Development:</b>	Non-Complying
<b>Public Notification:</b>	Category 3
<b>Representations:</b>	Nil
<b>Referrals:</b>	Coast Protection Board
<b>Development Plan Version:</b>	31 October 2017

**COMMITTEE RESOLUTION**

Moved: Independent Member Elinor Walker

Seconded: Mr Jeffrey Cook

**That an amendment be made to Condition number 8 stipulating the requirement for any battering to be suitably landscaped with native plants and an additional Condition be inserted (resulting in the additional Condition being listed as number 11) stipulating the requirement of the overall height of the dwelling.**

- A. That Development Application 544/1177/2018 for the construction of a two storey dwelling, balcony, deck and retaining walls at (lot 50) 93 Sultana Point Road, Sultana Point is not seriously at variance with the provisions of the Yorke Peninsula Council Development Plan consolidated 31 October 2017.**
- B. That following consideration and having regard to all relevant matters concerning the construction of a two storey dwelling, balcony, deck and retaining walls at (lot 50) 93 Sultana Point Road, Sultana Point (Development Application 544/1177/2018), the proposal be GRANTED Development Plan Consent, subject to the following conditions of consent and concurrence being sought from the State Commission Assessment Panel.**

**Conditions**

- 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 or medium bushfire prone 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 debris from entering.**
  - Be located and designed to minimise 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. 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. 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 firefighting purposes.
6. Driveways, vehicle manoeuvring and parking areas shall be constructed of dolomite (or similar material) as a minimum, 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.
7. All security lights and floodlights associated with the proposed development shall be shielded and adjusted so as not to create nuisance to adjacent occupants or road users.
8. The land shall be suitably landscaped to the satisfaction of Council. Any battering as a result of fill shall be planted with local native species at a ratio of 3 to 4 plants per square metre to assist in stabilising the soil.
9. Stormwater run-off, including surface stormwater generated by the development, shall be managed on site or directed to the street water table so as not to trespass on to adjoining properties, lie against any building or create unsanitary conditions. All associated works shall be to the satisfaction of Council.
10. The first floor deck of the dwelling shall be fitted with fixed privacy screening as shown on the plans prior to the area being used and shall be maintained in good condition at all times.
11. The overall height of the dwelling shall be no higher than 7.6 metres when measured from the site level of 2.95 metres Australian Height Datum (AHD).
12. Coast Protection Board Conditions:
  - (a) The subject land is subject to a current coastal flooding hazard risk, likely to be exacerbated with sea level rise. A site level of 2.95 and a minimum finished floor level of 3.15 metres, Australian Height Datum (AHD) is required for the dwelling.
  - (b) Service facilities vulnerable to flooding are to be raised above finished floor level (i.e. electrical power outlets, switchboards, hot water systems, air conditioning units etc.).
  - (c) The building footings are to be suitably engineered to withstand seawater inundation and potential scouring.
  - (d) All stormwater design and construction shall ensure that stormwater does not adversely affect coastal land or the nearshore marine environment.
  - (e) Excavation and construction shall be carried out in a manner which minimises environmental impacts on the coastal landform.

- (f) There is to be no encroachment of private structures on, or disturbances to, Crown land as a result of this development during or post-construction, including inappropriate landscaping.
- (g) Any imported substrate material or engineered fill shall be free of weeds and pathogens to ensure that noxious weed or contamination sources are not introduced into the coastal environment.

#### Notes

1. **Disclaimer:** 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.

2. The granting of this consent does not absolve the applicant from obtaining all other consents which might be required pursuant to the provision of any other statutes or regulations.
3. **Coast Protection Board Notes:**

- (a) The applicant is advised that there may be a coastal flooding and erosion risk to the carport. The applicant and all subsequent owners shall accept the responsibility for any loss of this structure as a result to coastal processes.
- (b) Any landscaping should use local native coastal species, avoiding the spread of exotic plants on the coast. Natural Resources Northern and Yorke should be contacted if the applicant requires expert advice including the development of a suitable species list. General information can be found in the *Coastal garden – a planting guide for the Northern and Yorke coastal region* found on the following website:  
<http://www.naturalresources.sa.gov.au/northernandyorke/get-involved/nrm-at-home>
- (c) The wastewater management system associated with the development should be designed and maintained to ensure there can be no seepage or overflow polluting the coastal or marine ecosystem.
- (d) The Board advises that based on current knowledge and information, the coastline at Sultana Point is considered to be susceptible to a coastal erosion hazard risk, which is expected to be compounded by sea level rise. Any future erosion mitigation measures at this location should be in accord with an authorised 'whole of settlement' erosion adaptation strategy.

CARRIED 010/2019 (25/06/2019)

## 10 MATTERS DEFERRED

Nil

**11 ERD COURT MATTERS**

Stuart Palecek (on behalf of Bohm) 544/1152/2018 – Dustin Guthberg advised the issues in regards to the balcony of the property were resolved through mediation and a Condition was added to the development approval.

**12 CONCURRENCE APPROVALS**

Nil

**13 PROCEDURAL MATTERS**

Dustin Guthberg updated the members regarding Council’s endorsement to grant an extension to the existing Panel membership until December 2019.

**14 NEXT MEETING**

23 July 2019

**15 CLOSURE**

**The Meeting closed at 9.55am.**

**The minutes of this meeting were confirmed at the Council Assessment Panel Meeting held on .**

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**CHAIRPERSON**