Minutes

from the meeting of

Light Regional Council
Council Assessment Panel Meeting

held in the Council Chamber
93 Main Street, Kapunda

Wednesday, 5 December 2018 at 5.30 p.m.
1. **MEETING OPENED**

The Presiding Member, Mr Bruce Ballantyne declared the meeting open at 5.32 p.m.

2. **PRESENT**

   Mr Bruce Ballantyne  
   Mr Mike Canny  
   Mr Joel Taggart  
   Mr Robert Veitch  
   Mr David Shannon  

   **IN ATTENDANCE**

   Mr Craig Doyle  
   Mr Darby Schultz  
   Ms Maxine Lovett  
   Mr Kynan Mann  

3. **COMMENCEMENT AND WELCOME**

   The Presiding Member, Mr Bruce Ballantyne welcomed all those in attendance.

4. **APOLOGIES**

   Nil

5. **CONFIRMATION OF PREVIOUS MINUTES**

   Moved Mr Veitch  
   Seconded Mr Shannon  

   That the minutes of the meeting of the Council Assessment Panel held on Wednesday, 7 November 2018, be confirmed as a true and correct record of that meeting.  

   **CARRIED**
6. **DISCLOSURE STATEMENTS**

A Council Assessment Panel Member declaring an interest in a matter before the Panel shall make a disclosure clearly stating the nature of that interest in writing to the Presiding Member, in accordance with Clause 7 of the Assessment Panel Code of Conduct, and then in the meeting when the relevant agenda item is reached, makes a verbal disclosure to the Panel and removes themselves from the meeting in accordance with Section 83(1)(g) of the Planning, Development and Infrastructure Act 2016.

Nil
7. **DEVELOPMENT REPORT**

7.1 Development Application Number 313/231/2018 – G Curtis

**Hearing of Representations**

A hearing of representations was held.

5.35 p.m. Stephanie and Benjamin Hough, representor, addressed the Panel in relation to this matter.

5.39 p.m. Stephanie and Benjamin Hough retired to the gallery.

5.39 p.m. Gary Curtis, applicant, addressed the Panel in relation to this matter.

5.43 p.m. Gary Curtis retired to the gallery

5.43 p.m. Anton Hochwald, representor, addressed the Panel in relation to this matter.

5.45 p.m. Anton Hochwald retired to the gallery.

5.45 p.m. Gary Curtis, applicant, addressed the Panel in relation to this matter.

5.47 p.m. Gary Curtis retired to the gallery

Moved Mr Taggart
Seconded Mr Canny

**Recommendation**

1. **Reason for Decision:**

   Having considered all the relevant planning matters in relation to the development application 313/231/2018, including due consideration being given to Section 6(2) of the Character Preservation (Barossa Valley) Act 2012, the Panel has read and considered the report prepared by the Development Officer – Planning.

2. That pursuant to section 35 (2) of the Development Act 1993, the proposal is not considered to be seriously at variance with the relevant provision of the Light Regional Council Development Plan (consolidated 8 December 2016).

3. That pursuant to Section 33 of the Development Act 1993, Development Application number 313/231/2018 be **granted** Development Plan Consent subject to the following conditions:

**Conditions**

1. The development shall proceed in accordance with the details of Development Application number 313/231/2018 and the approved plans and correspondence submitted, except when varied by the following conditions of consent.

2. Access via Sturt Highway shall be in general accordance with CIRQA Turn Path Assessment, Project # 18273, Sheet # 01_SH01, Rev. B, dated 15 October 2018.

3. All vehicles shall enter the site via the south-western access and all vehicles shall exit the site via the north-eastern access.
4. Appropriate signage shall be installed at the existing gates/fence to reinforce the desired traffic flow at the Sturt Highway access points.

5. All vehicles shall enter and exit the site in a forward direction.

6. The largest vehicle permitted to access the site shall be restricted to 19.0 metres Articulated Vehicle as per AS 2890.2:2002.

7. All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

8. All heavy vehicle manoeuvring and parking areas shall be designed in accordance with AS 2890.2-2002.

9. All heavy vehicle driveway and vehicle manoeuvring areas that are located outside of the existing building shall be sealed with an appropriate hardstand material in accordance with recognised engineering practices prior to the occupation of the building.

10. All parking spaces, driveways and vehicle manoeuvring areas shall be maintained in a good condition at all times to the reasonable satisfaction of the Council or its delegate.

11. The heavy vehicles shall only enter and exit the subject land between the hours of 6.00AM and 6.00PM.

12. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of Sturt Highway. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant’s expense.

13. A solid fence of at least 2.1 metres in height shall be constructed between the common property boundary of 3009 Sturt Highway and 3029 Sturt Highway existing steel-framed building and the northern boundary. This solid fence shall commence a maximum of 22 metres from the north-eastern corner of the allotment, adjacent Sturt Highway, and extend a minimum of 40 metres in a westward direction along the northern boundary.

14. All vehicle movements into and from the subject land shall only be permitted from the north western lane of the Sturt Highway.

**Notes**

1. The Development Plan Consent will lapse within 12 months of the date of this notice unless full Development Approval has been obtained.

2. The site shall be maintained and operated in serviceable condition and in an orderly and tidy manner at all times to the reasonable satisfaction of the Council or its delegate.

3. The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, do not pollute the environment in a way which causes or may cause harm.

4. The granting of this consent does not remove the need for the Applicant to obtain all other consents which may be required by any other legislation or regulation. The Applicant’s attention is particularly drawn to the need to consult all relevant electricity suppliers with respect to power lines.
5. The Council has not surveyed the subject land and has, for the purpose of its assessment, assumed that all dimensions and other details provided by the Applicant are correct and accurate.

6. The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless proposed clearance is subject to an exemption under the regulations of the Native Vegetation Act 1991, requires approval of the Native Vegetation Council. Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8124 4744.

7. Underground assets may exist in the area that is subject to your application. In the interests of health and safety and in order to protect damage to third party assets, please telephone 1100 before excavating or erecting structures. If alterations are required to the configuration, size, form or design of the development upon contacting the Dial Before You Dig service, an amendment to the development consent (or a new development application) may be necessary. Individuals owe asset owners a duty of care that must be observed when working in the vicinity of plant or assets. It is the individual’s responsibility to anticipate and requires the nominal location of plant or assets on the relevant property via Dial Before You Dig '1100' number in advance of any construction activities.

CARRIED
8. **NON-COMPLYING CONCURRENCES/APPEALS**

8.1 **Update on State Commission Assessment Panel Concurrences**

Moved Mr Veitch  
Seconded Mr Canny  
That the report on update on State Commission Assessment Panel concurrences be received.  
CARRIED

8.2 **Update on Appeals against Council Assessment Panel Decisions**

Moved Mr Veitch  
Seconded Mr Shannon  
That the report on appeals against Council Assessment Panel decisions be received.  
CARRIED

9. **OTHER BUSINESS**

Nil

10. **NEXT MEETING**

The next meeting of the Council Assessment Panel will be held on Wednesday, 6 February 2019 at the Council Chamber, 93 Main Street, Kapunda, commencing at 5.30 p.m.

11. **CLOSURE**

The Presiding Member thanked all those present and declared the meeting closed at 6.02 p.m.

Minutes of meeting to be confirmed at a meeting of the Council Assessment Panel held on Wednesday, 6 February 2019.

PRESIDING MEMBER …………………………………………………………………………………