

KANGAROO ISLAND COUNCIL

Minutes of the Council Assessment Panel Meeting held at the Kangaroo Island Council Chambers, Dauncey Street, Kingscote on 01 July 2019 at 1:30 pm

OPENING

Chairperson Jayne Bates declared the **01 July 2019** meeting of the Council Assessment Panel open at 1:30pm.

PRESENT

Jayne Bates (Chairperson), Cr. Peter Denholm, Roger Hartley, David Ellis, Jackie Kelly, Aaron Wilksch (Manager - Development & Environmental Services)

1.0 APOLOGIES

Nil

2.0 CONFLICT OF INTEREST DECLARATION

Nil

3.0 REPRESENTATIONS

Nil

4.0 CAP MINUTES OF MEETING HELD 1 APRIL 2019 (YELLOW PAGES)

That the Minutes of the Council Assessment Panel Meeting held on **1 April 2019** be confirmed.

Moved: David Ellis
CARRIED

Seconded: Peter Denholm

5.0 BUSINESS ARISING FROM MINUTES OF 1 APRIL 2019

Nil

6.0 DEVELOPMENT SERVICES DEPARTMENT REPORTS

That the Department and Environmental Services Reports be received.

Recommendation:

That the Development & Environmental Services Department Reports be received.

Moved: Jackie Kelly
CARRIED

Seconded: Roger Hartley

7.0 **DEVELOPMENT SERVICES DEPARTMENT APPLICATIONS**
MARCH – MAY 2019

Register of planning and building applications report tabled for Council Assessment Panel information.

RECOMMENDATION

That the report detailing applications approved and / or being processed under delegated authority by the Development and Environmental Services Department be received and noted.

Moved: Peter Denholm

Seconded: Roger Hartley

CARRIED

8.0 **APPLICATIONS REQUIRING COMMITTEE DECISION**

Individual reports are attached hereabouts for committee decision.

ITEM 8.1

RECOMMENDATION

The Council Assessment Panel resolve (i) that the development application is **not at serious variance** with the Kangaroo Island Development Plan consolidated 17 September 2015, and (ii) the panel resolve to **approve** Land Division Application 520/D003/19 for realignment of 3 allotments into 3 allotments at Lot 117 FP180959 Section B HP110800 and Lot 120 FP180962 in the Hundred of Dudley by Mr. A.L. Willson c/- Weber Frankiw & Associates P/L. and to proceed to seek concurrence of the Development Assessment Commission (DAC) subject to (but not limited) to the following conditions of consent:

Kangaroo Island Council Planning & Land Division Conditions:

1. The Development herein approved must, except as varied by the conditions of consent, be carried out in accordance with the approved plans prepared by Weber Frankiw & Associates, marked 'CAD Ref:366202div' 'Amended Plan', and dated 22-05-19, and details to the satisfaction of Council.

Note -

You have a right of appeal against the conditions which have been imposed on this Development Plan consent or Development Approval.

Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.

Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, Ph.: 8204 0300.

Note -

You are further advised that Council has no objections to the Development Assessment Commission issuing the Certificate of Approval.

State Planning Commission – Land Division Conditions:

2. 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.

Moved: David Ellis
CARRIED

Seconded: Jackie Kelly

ITEM 8.2

RECOMMENDATION

The Council Assessment Panel resolve (i) that the development application is **not at serious variance** with the Kangaroo Island Development Plan consolidated 17 September 2015, and (ii) the panel resolve to **approve** Land Division Application 520/D008/18 for the division of 1 allotment comprising two pieces into 2 allotments at Section 306 HP110200 Hog Bay road in the Hundred of Dudley by Ms. L. Crago c/- Weber Frankiw & Associates P/L. and to proceed to seek concurrence of the Development Assessment Commission (DAC) subject to (but not limited) to the following conditions of consent:

Reserved matters:

Pursuant to Section 33(3) of the Development Act 1993, the following matter shall be reserved for further assessment, to the satisfaction of the Manager, Development & Environmental Services, prior to the granting of Development Approval:

The discrepancy between the proposal survey plan and the existing LTO & Government cadastre for CT5831/955, 'the land' shall be confirmed accurate in respect of the alignments of boundaries abutting Hog Bay Road, and shall be satisfactorily represented on the Final Plan prior to Council issuing CoA clearance.

Kangaroo Island Council Planning & Land Division Conditions:

1. The Development herein approved must, except as varied by the conditions of consent, be carried out in accordance with the approved plans prepared by Weber Frankiw & Associates, marked 'CAD Ref:187213div' and details to the satisfaction of Council.
2. The connection of driveways to the existing carriageway to be undertaken to the satisfaction of Council's Technical Services Department Manager, with the cost of all work being borne by the applicant.

Note -

You have a right of appeal against the conditions which have been imposed on this Development Plan consent or Development Approval.

Such an appeal must be lodged at the Environment, Resources and Development Court within two months of the day on which you receive this notice or such longer time as the Court may allow.

Please contact the Court if you wish to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide, Ph.: 8204 0300.

Note -

You are further advised that Council has no objections to the Development Assessment Commission issuing the Certificate of Approval.

Department of Planning Transport & Infrastructure (DPTI Transport) Conditions:

3. All Access shall be gained via the abutting local road network only. No direct access onto Hog Bay Road shall be permitted.
4. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of Hog Bay Road. Any alterations to the Hog Bay Road drainage infrastructure required to facilitate this shall be at the applicant's expense.

State Planning Commission – Land Division Conditions:

5. 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.

Moved: Jackie Kelly
CARRIED

Seconded: Peter Denholm

9.0 **LAND DIVISION APPLICATIONS – APPROVED UNDER DELEGATED AUTHORITY (GREEN PAGES)**

10.0 **GENERAL BUSINESS**

10.1 Professional Accreditation

- 10.2 Referrals & Responses regarding Sch. 10 SCAP assessments and assessment of /Major Developments & Projects:
Manager, Development & Environmental Services, to approach the Department of Planning, Transport & Infrastructure & SCAP to request referral of prescribed applications to Council Assessment Panel for Regard comment and procedurally to initiate discussions on same with Department PDI Act Transitions officers.

Moved: David Ellis
CARRIED

Seconded: Roger Hartley

11.0 **CONFIDENTIAL REPORTS**

NOTE – Pursuant to Section 56A (12) of the Development Act 1993 the Panel reserve the right to move proceedings ‘in camera’ for deliberations of Development Applications to be considered under Section 11.0 of this Agenda.

NIL

CLOSURE

The Chairperson Jayne Bates declared the meeting closed at 2.35pm

The minutes of the **01 July 2019** Council Assessment Panel will be confirmed at the next Council Assessment Panel meeting.

Signed.....
Chairperson Jayne Bates