OPENING

Chairperson Jayne Bates declared the 4 May 2020 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) & Monika Matej (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 2 MARCH 2020 (YELLOW PAGES)

That the Minutes of the Council Assessment Panel Meeting held on 2 March 2020 be confirmed.

Moved: Jackie Kelly Seconded: David Ellis CARRIED

5.0 BUSINESS ARISING FROM MINUTES OF 2 MARCH 2020

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: David Ellis Seconded: Roger Hartley CARRIED

7.0 DEVELOPMENT SERVICES DEPARTMENT APPLICATIONS
   FEBRUARY – MARCH 2020

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: David Ellis  
Seconded: Jackie Kelly  
CARRIED

8.0 APPLICATIONS REQUIRING COMMITTEE DECISION

Individual reports are attached hereabouts for committee decision.

ITEM 8.1

RECOMMENDATION

The Development 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/C018/19 for division of 1 allotment into 2 Community Titled Lots at 43 DP119286, Salty Air Circuit, Emu Bay, Hundred of Menzies for Mr. C.J and Mrs G. Amadio c/- Alexander Symonds Surveying Consultants, 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 Pty. Ltd. marked ‘CAD Ref: 232107div’ and dated 12/10/2016 and details to the satisfaction of Council.

2. The connection of driveways to the existing carriageway shall be undertaken to the satisfaction of Council’s Asset 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.

Development Assessment Commission – Land Division Conditions:

1. Payment of $3058.00 into the Planning and Development Fund (1 allotment/s @ $3058.00 /allotment). Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked “Not Negotiable” and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

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: Jackie Kelly  Seconded: Jayne Bates
MOTION FAILED

Revised Motion
The application should be refused as it does not meet PDC 19 and PDC 48, and on that basis does not meet the Desired Character Statement for the Rural Living zone which calls for 'low density' development referred to the Desired Character Statement.

Moved: Roger Hartley  Seconded: Peter Denholm
MOTION CARRIED

ITEM 8.2

RECOMMENDATION

The Development 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/C017/19 for division of 1 allotment into 2 Community Titled Lots at 39 DP119286, Salty Air Circuit, Emu Bay, Hundred of Menzies for Mr. C.J and Mrs G. Amadio c/- Alexander Symonds Surveying Consultants, 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 Pty. Ltd. marked ‘CAD Ref: 232107div’ and dated 12/10/2016 and details to the satisfaction of Council.

3. The connection of driveways to the existing carriageway shall be undertaken to the satisfaction of Council’s Asset 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.

Development Assessment Commission – Land Division Conditions:

2. Payment of $3058.00 into the Planning and Development Fund (1 allotment/s @ $3058.00 /allotment). Payment may be made by credit card via the internet at [www.edala.sa.gov.au](http://www.edala.sa.gov.au) or by phone (7109 7018), by cheque payable to the State Planning Commission marked “Not Negotiable” and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

3. 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  Seconded: Jackie Kelly
MOTION CARRIED
ITEM 8.4

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/D014/19 for division of 1 allotment into 3 allotments, at Lot 791 FP180823 in the Hundred of Menzies for Mr. R. Southgate and Ms. P. Master c/- John Carter & Associates and further proceeding to seek concurrence of the State Commission Assessment Panel (SCAP) 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 John Carter marked ‘Amended Plan 17.04.20’ 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.

State Commission Assessment Panel – Land Division Conditions:

1. The financial requirements of the SA Water Corporation shall be met for the provision of water supply. (SA Water H0092902)

SA Water advises on receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries

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 State Commission Assessment Panel for Land Division Certificate purposes.

Moved: Roger Hartley  
Seconded: Peter Denholm  
MOTION CARRIED

ITEM 8.5

RECOMMENDATION
The Council Assessment Panel resolve (i) that the development application is **not seriously at variance** with the Kangaroo Island Development Plan consolidated 17 September 2015, and (ii) the panel resolve to **approve** Land Division Application 520/D001/20 for realignment of 2 allotments into 2 allotments, at Allotment 1 and 2 on DP69824 Hundred of Menzies for Tiffany Bell (Bellevista Nominees Pty Ltd), c/- Weber Frankiw & Associates P/L and to **proceed to seek concurrence of the State Commission Assessment Panel (SCAP)** subject to (but not limited) to the following conditions of consent:

**Kangaroo Island Council Planning 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 P/L. marked ‘CAD Ref: 288903div.’ 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.

**State Commission Assessment Panel – Land Division Conditions:**

2. The final requirements of the SA Water Corporation shall be met for the provision of water supply (SA Water H0095180).

   On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within boundaries.

   SA Water advises on receipt of the developer detail and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non-standard fees.

3. 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 State Commission Assessment Panel for Land Division Certificate purposes.

**DPTI – Transport Services Division – Land Division Conditions:**

4. Access to/from Allotment 11 shall be located as far as possible from the Playford Highway/Shell Track Junction.

5. Access to/from Allotment 11 shall be designed and constructed in general accordance with Figure 7.2 or 7.4 in Ausroads Guide to Road Design Part 4: Intersections and Crossings – General (depending on vehicle size).

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

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

Moved: Jackie Kelly

Seconded: Peter Denholm

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

February 2020 – March 2020

10.0  GENERAL BUSINESS

10.1  The Council Assessment Panel resolve to make Council aware of the divergent interpretations of how the zone should or should not develop in the future and that these zones planning policy be investigated further.

Moved: David Ellis  Seconded: Roger Hartley
CARRIED

10.2  The Council Assessment Panel comment on re-nominations
Final meeting of presiding member and CAP member Roger Hartley. Jayne Bates thanked panel members and planning officers.

10  CONFIDENTIAL REPORTS

NIL

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 3.19pm

The minutes of the 4 May 2020 Council Assessment Panel will be confirmed at the next Council Assessment Panel meeting.

Signed................................................
Chairperson