

District Council of Robe  
Council Assessment Panel

Minutes of the Council Assessment Panel Meeting held 5 August, 2021 commencing at 11am at the District Council of Robe Chambers, 3 Royal Circus, Robe.

**PRESENT**

Liz Travers (Presiding Member), Cr Ned Wright (Elected Member), Meg Redman (Independent Member) and Mark Teakle (Independent Member).

**APOLOGIES**

James Holyman, Chief Executive Officer, Rob Moir, Director of Infrastructure and Michael Talanskas (Independent Member)

**IN ATTENDANCE**

Damian Dawson (Assessment Manager) and Michelle Gibbs (Development Officer)

**IN GALLERY**

David Loxton, Clint Mitchell (Empak Homes), Nik Edgerley (Zoom), Greg Bell, David Hutchison (Access Planning), Will and Judy McDonald.

**OPENING, WELCOME AND INTRODUCTIONS**

Acknowledgement of Traditional Owners.

Presiding Member welcomed members, staff and the gallery to the meeting.

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 relevant planning provisions.

The Presiding Member advised that the Representors and the Applicants would be invited to address CAP and answer any questions from Panel Members, and then there would be a closed section of the meeting, where the public is excluded, to discuss and consider the Application. The public gallery was advised that they could contact Council the next day and find out the outcome.

**CONFIRMATION OF MINUTES**

Cr N Wright moved that the minutes of the CAP meeting held on the 21 July 2021, as circulated are confirmed as an accurate record of the proceedings of the meeting.

Seconded Mr M Teakle

Carried

**BUSINESS WITH NOTICE**

Nil

## **BUSINESS WITHOUT NOTICE**

Nil

## **CONFLICT OF INTEREST**

None declared

## **DELEGATIONS**

10.1 Application No. 21001114 – 34C Lord Syleham Street, Robe

- Mr Nik Edgerley addressed the Panel in response to his representation
- Mr David Loxton addressed the Panel in support of the application.

10.2 Application No. 21001242 – 14 Lake Road, Robe

- Mr Will Macdonald addressed the Panel in response to his representation
- Mr David Hutchison, Access Planning addressed the Panel in support of the application

## **EXCLUSION OF PUBLIC**

Cr N Wright 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 by the Panel under Regulation 13 (2) (b) of the Planning, Development and Infrastructure (General) Regulations 2017, excepting for the following persons:-

- Damian Dawson (Assessment Manager)
- Michelle Gibbs (Development Officer/Minute Taker)

Seconded Mr M Teakle

Carried

*The Panel moved into "Confidence" at 11.28am and members of the gallery left the meeting.*

## **DEVELOPMENT APPLICATIONS**

**Development No.** 21001114  
**Applicant:** Empak Homes  
**Address:** 34C Lord Syleham Street, Robe  
**Nature of Development:** Two storey dwelling and garage

Moved Cr N Wright that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21001114 by Empak Homes is granted Planning Consent subject to the following conditions:

## CONDITIONS

1. Approval shall be obtained from the District Council of Robe for a new On-Site Wastewater system or alteration to an existing system prior to issue of Development Approval. An application form can be downloaded from Council's website and submitted with a wastewater engineers report (if applicable) and relevant plans. Once approval has been granted, please upload the Wastewater Approval to the PlanSA ePlanning Platform.
2. The front setback area (between the front property boundary and front of the dwelling) shall be landscaped with suitable trees, shrubs, lawn and/or ground cover and may include some paving, retaining and the like. Such landscaping shall be completed within 2 years of completion of the dwelling and shall be maintained in good condition at all times and any dead or diseased vegetation shall be promptly replaced to the reasonable satisfaction of Council.
3. The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation. Reason: To ensure the development proceeds in an orderly manner.
4. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - (a) Result in the entry of water into a building; or
  - (b) Affect the stability of a building; or
  - (c) Create unhealthy or dangerous conditions on the site or within the building; or
  - (d) Flow or discharge onto the land or an adjoining owner and not flow across property boundaries and onto the adjoining road.

## ADVISORY NOTES

### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Seconded Ms M Redman

Carried

**Development No.** 21001242  
**Applicant:** Philip Kidman  
**Address:** 14 Lake Road, Robe  
**Nature of Development:** First floor extensions to two existing residential apartments

Moved Cr N Wright that:

Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

The Assessment Panel determines to grant planning consent to Development Number 21001242, subject to the following reserved matter, conditions and general notes:

### **RESERVE MATTER**

Pursuant to Section 102(3) of the *Planning, Development and Infrastructure Act 2016*, a decision on the following matter is reserved for further assessment pending the provision of additional information (and must be resolved prior to granting of Building Consent):

1. Suitable screening to address the overlooking from the upper level balcony into 16 Lake Road, Robe.

(Note: A further Decision Notification Form will be issued when the Reserved Matter has been satisfied with the provision of further information. No work can commence until these matters have been resolved and you have received Development Approval from Council).

### **CONDITIONS**

1. The Development shall be carried out in accordance with plan/s and details as approved by Council except where required to be varied by any condition of consent or where approval is sought from and granted by Council, for any variation. Reason: To ensure the development proceeds in an orderly manner.
2. All stormwater design and construction will be in accordance with Australian Standards and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road and for this purpose stormwater drainage will not at any time:
  - a. Result in the entry of water into a building; or
  - b. Affect the stability of a building; or
  - c. Create unhealthy or dangerous conditions on the site or within the building; or
  - d. Flow or discharge onto the land or an adjoining owner and not flow across property boundaries and onto the adjoining road.
3. Approval shall be obtained from the District Council of Robe for a new On-Site

Wastewater system or alteration to an existing system prior to issue of Development Approval. An application form can be downloaded from Council's website and submitted with a wastewater engineers report (if applicable) and relevant plans. Once approval has been granted, please upload the Wastewater Approval to the PlanSA ePlanning Platform.

## ADVISORY NOTES

### General Notes

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

Seconded Ms M Redman

Carried

### **ERD Court Appeal outcome – Optus Tower decision**

### **CONCLUSION OF CLOSED MEETING**

Moved Cr Wright 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.

The Panel moved out of "In Confidence" at 12.15pm.

Seconded Ms M Redman

Carried

### **NEXT MEETING**

The date of the next CAP Meeting is yet to be determined. Notification of the meeting will be sent no less than 5 days prior to the meeting.

### **CLOSURE**

Meeting closed at 12.15pm



ASSESSMENT MANAGER

PRESIDING MEMBER