

District Council of Robe  
Council Assessment Panel

Minutes of the Council Assessment Panel Meeting held 28 July, 2020 commencing at 5.05pm at the Robe Golf Club, Morphett Street, Robe.

**PRESENT**

Mr John Petch (Presiding Member), Mr Tim Rogers (Deputy Presiding Member), Cr Ned Wright (Elected Member), Mr Ernst Jury (Independent Member) and Mr David Yates (Independent Member)

**APOLOGY**

Public – Penny Day & Tim Mort

**IN ATTENDANCE**

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

**WELCOME**

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 planning provisions contained in Council's Development Plan.

The Presiding Member advised that the Representors and Owner 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 Wright moved that the minutes of the CAP meeting held on the 15 October 2019, as circulated are confirmed as an accurate record of the proceedings of the meeting.

Seconded Mr Yates

Carried

**BUSINESS WITH NOTICE**

Nil

**CONFLICT OF INTEREST**

None declared

**LIST OF DELEGATED APPROVALS**

Mr Jury moved that the list of Development approvals for the period 1.10.19 to 30.6.20 be received.

Seconded Mr Yates

Carried

## DEVELOPMENT APPLICATION

<b>Application No.</b>	822/041/20
<b>Applicant:</b>	Optus c/- CommPlan
<b>Owner:</b>	District Council of Robe
<b>Subject Land:</b>	Section 128, 6 O'Halloran Street, Robe
<b>Zone:</b>	Open Space Zone
<b>Proposal:</b>	Telecommunication facility consisting of a 30m high monopole with attached antennas and associated equipment, shelter and fencing

### Representors

Mr Jock Main spoke to his representation

Mrs Ruth Main spoke to her representation

Mr Roland Day spoke to her representation

Mr Peter Westley spoke to his representation

### Applicant

Ms Lynette Brandwood, Huawei addressed the Panel in support of the application.

### Exclusion of Public

Mr Rogers 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 of any Development Application or any other matter that falls to be decided by the Panel under Regulation 13 (2)(b) of the Planning, Development and Infrastructure (General) Regulations 2017.

Seconded Cr Wright

Carried

The Panel moved into "In Confidence" at 5.40pm

Cr Wright moved that Development Application 822/041/20 for a telecommunications facility at 6 O'Halloran Street, Robe is not seriously at variance with the District Council of Robe Development Plan, Consolidated 15 December 2016.

That the Council Assessment Panel grant Development Plan Consent to Development Application 822/041/20 subject to the following 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. The telecommunications facility shall be painted or finished in a light grey colour and maintained to the satisfaction of Council. A sample of the proposed colour/finish shall be provided to the satisfaction of Council prior to the issue of Development Approval.

Seconded Mr Yates

Carried

## CONCLUSION OF CLOSED MEETING

Moved Mr Rogers 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 6.09pm.

Seconded Cr Wright

Carried

## LATE ITEM

### 12. Delegations

Moved Mr Rogers that:-

12.1 Resolution to Delegate Powers of an Assessment Panel as a Relevant Authority under the Planning, Development and Infrastructure Act 2016

1. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the CAP Report dated 28 July 2020, Item 12.1) are hereby delegated this 28<sup>th</sup> day of July 2020 to the District Council of Robe Assessment Manager and CEO subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. Such powers and functions may be further delegated by the District Council of Robe Assessment Manager and CEO in accordance with Section 100(2)(c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

Seconded Mr Yates

Carried

Moved Cr Wright that:-

12.2 Standing referral for CAP to delegate building consent applications to councils

- 1) The District Council of Robe Council Assessment Panel (**Panel**) determines to act under Section 99(1)(b) of the *Planning, Development and Infrastructure Act 2016 (the Act)* in relation to all development applications received by it that involve the performance of building work.
- 2) Pursuant to Section 99(1)(c) of the Act, where the Panel has determined to act under Section 99(1)(b) of the Act, the Panel refers the assessment of the development in respect of the Building Rules to the District Council of Robe.

Seconded Mr Jury

Carried

**CLOSURE**

Meeting closed at 6.31pm

\_\_\_\_\_ ASSESSMENT MANAGER

\_\_\_\_\_ PRESIDING MEMBER