

# DISTRICT COUNCIL OF CEDUNA COUNCIL ASSESSMENT PANEL

**MINUTES OF THE COUNCIL ASSESSMENT PANEL MEETING** held at the Council Chamber, 44 O'Loughlin Terrace, Ceduna, on Tuesday 15 May 2018, commencing at 12:00pm.

## 1. PRESENT

Mr Christopher Holland (Presiding Member), Mr Michael Lowe, Mr Darren Bennett and Councillor Ken Maynard.

Ms Jennifer Brewis, Mr Geoff Moffatt and Mrs Katrina Blums

## 2. APOLOGIES

## 3. CONFIRMATION OF THE MINUTES

### 3.1 Council Assessment Panel Meeting – 27/04/2018

**1cap/52018** Moved – K Maynard    Seconded – M Lowe  
That the minutes be confirmed as a correct record.

CARRIED

## 4. CORRESPONDENCE

### 4.1 Information Correspondence

#### 4.1.1 Jennifer Brewis

File Reference:            58693 (3.14.1.1)

Resignation from the Council Assessment Panel.

## 5. OFFICERS' REPORT

### 5.1 Planning Officer's Report

#### 5.1.1 Non Complying Development – Development #782/014/2018

**2cap/52018** Moved – K Maynard    Seconded – M Lowe  
That Council Assessment Panel resolve that the proposal is not considered to be "seriously at variance" with the provisions of council's Development Plan and warrants Development Plan Consent pursuant to Section 33(1) (a) of the Development Act 1993.

#### Conditions

1. The development shall be carried out in accordance with the details and plans submitted with the application, other than where required to be varied by the following conditions.
2. The proposed building shall be clad with non-reflective materials, (factory colour coated sheet metal or equivalent), with approved colours to blend in with the character and amenity of the locality. Any painting associated with achieving this requirement shall be completed within three months of construction of the structure/building.

## Notations

### a. Expiry Date Development Approvals

Substantial work on the approved development must be commenced within twelve months of the date of Development Approval or the approval will lapse.

The approved development must be substantially completed within 36 months (3 years) of the operative date of Development Approval, or the approval will lapse and a new application must be lodged with the relevant authority.

### b. 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, including during construction, do not pollute the environment in any way which causes or may cause environmental harm

### c. The Coast Protection Board advises that, given the nature of the site, there is a risk of the development being impacted by coastal processes, such as storm surges or sand drift. However, the development is considered to be of relatively minor capital value and if considered expendable by the applicant, the Board does not object to the development.

### d. Beach-nesting and migratory shorebirds may be present along this foreshore. Prior to construction, the applicant should ensure there are no beach-nesting birds nesting within the vicinity of the proposed sites. If unsure, seek advice from a suitably qualified or experienced person to assist with detection. To minimise the likelihood of interrupting beach-nesting birds during their nesting season, consider scheduling the works between March and August.

### e. The applicant should be advised that any native vegetation on or near the site is protected under the Native Vegetation Act 1991 and Native Vegetation Regulations 2017. If clearance (for e.g. construction) is proposed to be undertaken, the applicant should seek Native Vegetation Council approval to do so, For further information visit: <http://www.nvc.sa.gov.au> , which includes an online interactive guide that helps to determine if an application to clear native vegetation is required, alternatively the Native Vegetation Council can be contacted on 8303 9777 or [nvc@sa.gov.au](mailto:nvc@sa.gov.au) .

### f. The applicant should consult with the District Council of Ceduna and the Department for Environment and Water's Crown Land Unit (contact: Barry Fryar, Port Augusta 8648 5340) prior to works being undertaken to ensure that all relevant land tenure and native title rights and interests have been addressed.

CARRIED

## 6. MEETING CLOSED: 12:30PM

DATE: \_\_\_\_\_ CONFIRMED: \_\_\_\_\_  
Chairperson