

# MINUTES

of

## Council Assessment Panel Meeting



Pursuant to the provisions of section 83 of the  
*Planning, Development and Infrastructure Act 2016*

HELD IN

**Council Chambers  
Redbanks Road,  
Mallala**

on

**Wednesday, 7 March 2018 at 5:30pm**

The Presiding Member formally declared the meeting open at 5:30pm.

**1. ATTENDANCE RECORD**

**1.1. Present**

Nathan Cunningham (Presiding Member)  
Ian O'Loan  
Chris Carrey  
Cherry Getsom

**Also in Attendance**

Brendon Schulz (Development Services Coordinator)  
Ralph Semrau (Acting Senior Planning Officer)  
Michael Woon (Compliance Officer)  
Jordan Hunt (Graduate Planner)  
Lauren Bywaters (Minute Secretary)

**1.2. Apologies**

Mel Lawrence (Council Member)

**1.3. Not Present / Leave of Absence**

Nil

**2. CONFIRMATION OF MINUTES**

**2.1.**

**Moved** Chris Carrey **Seconded** Cherry Getsom

"that the minutes of the Council Assessment Panel meeting held on Wednesday 7 February 2018, be accepted as read and confirmed."

**Agreed**

**3. DECLARATION OF INTEREST**

Nil

**4. REPORTS FOR DECISION**

**4.1. Category 1 Development**

**4.1.1. 312/249/2017 – Dante Stanuovo – Horse keeping (two horses) and the construction of an associated stable – Lot 7, 25 Dunlop Boulevard, Lewiston**

**Moved** Ian O'Loan **Seconded** Chris Carrey

1. That the Council Assessment Panel resolves that the proposal by Dante Stanuovo for horse keeping (two horses) and the construction of an associated stable at Lot 7, 25 Dunlop Boulevard, Lewiston (Development Application 312/249/2017) is not



seriously at variance with the Mallala Council Development Plan consolidated 21 April 2016.

2. That the Council Assessment Panel resolves that the proposal by Dante Stanuovo for horse keeping (two horses) and the construction of an associated stable at Lot 7, 25 Dunlop Boulevard, Lewiston (Development Application 312/249/2017) be **REFUSED** Development Plan Consent, pursuant to Section 33(1)(a) of the *Development Act, 1993*, for the following reasons:
  1. The proposal is not consistent with significant provisions under the Animal Husbandry Zone, the Animal Keeping, and Orderly and Sustainable sections of Council's Development Plan.
  2. By not providing an enclosed day yard which is suitably covered and no kick boards being proposed for the stables, the proposed development will be at odds with key Development Plan provisions for proper design of the stables and an associated day yard.
  3. By prejudicing the achievement of the provisions of the Development Plan.
  4. The proposal is considered to be at variance with the following relevant key provisions of the Mallala Council Development Plan - consolidated 16 April 2016:

In particular:

**Animal Husbandry Zone**

Objective 2, Desired Character (first sentence last paragraph) PDC 2

**Animal Keeping – Horse Keeping**

PDC 9(b) & (c)

PDC 13(a)

**Orderly and Sustainable Development**

Objective 4

**Agreed**

**4.2. Category 2 Development**

**4.2.1. Nil**

**4.3. Category 2 Development**

**4.3.1. Nil**

**4.4. Category 3 Development**

**4.4.1. 312/228/2017 – L Taglienti, Wallbridge Gilbert Aztec – Expansion of existing organic waste processing facility comprising compost tunnel structure, bunker extensions,**

amenities, associated civil works and car park – Lot 203, 327 Crabb Road, Lower Light

Hearing of representations and applicant response

Brendon Schulz read a submission on behalf of representor Peta Dickson.

Mr Robert Rodenburg (on behalf of the applicant) addressed the Panel and answered questions.

**Moved** Chris Carrey **Seconded** Ian O'Loan

1. That the Council Assessment Panel resolves that the proposal by L Taglienti, Wallbridge Gilbert Aztec for the expansion of existing organic waste processing facility comprising compost tunnel structure, bunker extensions, amenities, associated civil works and car park at Lot 203, 327 Crabb Road, Lower Light (Development Application 312/228/2017) is not seriously at variance with the Mallala Council Development Plan consolidated 21 April 2016.
2. That the Council Assessment Panel resolves to authorise the Assessment Manager to GRANT Development Plan Consent, pursuant to Section 33(1)(a) of the *Development Act 1993*, to the proposal by L Taglienti, Wallbridge Gilbert Aztec for the expansion of existing organic waste processing facility comprising compost tunnel structure, bunker extensions, amenities, associated civil works and car park at Lot 203, 327 Crabb Road, Lower Light (Development Application 312/228/2017), subject to the below conditions :
  1. The development must be undertaken, completed and maintained in accordance with the details, plans, specifications and correspondence submitted with and forming part of Development Application (312/228/2017), except where varied by any conditions listed below.
  2. All stormwater from the development must be retained on-site to the reasonable satisfaction of Council.
  3. The external walls of the proposed development and associated features must be maintained in good appearance and condition to the reasonable satisfaction of Council.
  4. The internal road network and car park must be properly prepared with a suitable road base, so that it is free from dust and mud.
  5. The organic composting facility together with all associated infrastructure must be maintained in a good condition.
  6. The external surrounds of the facility and built form approved herein must be maintained in good condition at all times and must be kept tidy around all fencing and structures.

**Development Plan Condition directed by the EPA**

1. Prior to commencing the expanded operations, the six 45kL tanks must be installed and the 300mm bank on top of the existing 460kL HDPE-lined stormwater/wastewater lagoon must be constructed to capture the additional wastewater generated.

**Notes:**

*The applicant is reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.*

*An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: [http://www.epa.sa.gov.au/business\\_and\\_industry/applying\\_for\\_a\\_licence](http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence)*

*A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.*

*The applicant is reminded that noise from construction, demolition and site preparation activities should meet the mandatory provision of Part 6 Division 1 of the Environment Protection (Noise) Policy 2007.*

*EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>*

*This is not a building consent, and a Building Rules Consent is required to be submitted to Council before a Development Approval can be issued. The approved plans have been stamped 'Development Plan Consent' and should be forwarded to any Private Certifier engaged for the Building Rules Assessment of this application.*

*The development must maintain safe and convenient vehicle access to and from Crabb Road, designed and constructed to the satisfaction of Council.*

*As a result of the development expansion and an increase in vehicular movements, in particular during the construction period, Crabb Road may be required to be upgraded at a later date. The upgrade will be dependent on the results of a Dilapidation Survey, carried out pre-construction and post-construction by the developer, and will involve the developer and Council entering into a formal Infrastructure Agreement.*

**Agreed**

**4.5. Other**

**4.5.1.312/4/2018 – C F Hall – Double garage with carport – Lot 125, 7 Gannet Court, Thompson Beach (Non-Complying)**

**Moved** Cherry Getsom **Seconded** Chris Carrey

That pursuant to Section 39(4)(d) of the *Development Act, 1993*, and Regulation 17(3)(a) of the *Development Regulations, 2008*, the Adelaide Plains Council Assessment Panel resolves not to proceed with an assessment of the application by C F Hall to construct a double garage with carport (Non-Complying) at Lot 125, 7 Gannet Court, Thompson Beach, (312/4/2018), for the following reasons :-

The proposal is consistent with PDC 2 of the Coastal Settlement Zone regarding inappropriate development.

The proposal is contrary to PDC 1 and PDC 5 of the Coastal Settlement Zone and PDC 18 of the Residential Development General Section provisions of the Development Plan.

**Agreed**

**5. REPORTS FOR INFORMATION**

**5.1. Development Plan Amendment Update**

**Moved** Ian O'Loan **Seconded** Chris Carrey

"that the Council Assessment Panel, having considered Item 5.1 *Development Plan Amendment Update*, dated 7 March 2018, receives and notes the report."

**Agreed**

**6. OTHER BUSINESS**

Nil

**7. CONFIDENTIAL ITEMS**

Nil

**8. NEXT MEETING**

Wednesday 4 April 2018 (To be confirmed)

**9. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 6:11pm.

Confirmed as a true record.

Presiding Member: .....

Date: 6 / 6 / 18