

**MINUTES OF A MEETING OF THE COUNCIL ASSESSMENT
PANEL** held at the Council Chambers, Town Hall, Kadina on
Wednesday 10th October 2018, commencing at 5.30 p.m.

PRESENT: Presiding Member: John Brak.
Independent Members: Stephen Horsell, and Mark Weedon.
Elected Members: Mayor Roslyn Talbot.

IN ATTENDANCE:

Mr John Coombe OAM, Public Officer
Mr. Muller Mentz, Director Development Services, Assessment
Manager
Mr Matt Dineen, Coordinator Strategic Planning & Development
Mrs Wendy Stevens, Planner
Mrs. Wanita Gregory, EA/Minute Secretary

1. Opening of Meeting:

Presiding Member, John Brak welcomed all in attendance and opened the meeting.

There were 3 Members from the community in the gallery at the commencement of the meeting.

2. Apologies:

- 2.1 Apologies – Mark Weedon.
- 2.2 Leave of Absence – Nil.
- 2.3 Non-Attendance – Nil.

3. Confirmation of Minutes of previous meeting:

CAP1:0219

Moved Member Talbot

That the Minutes of the previous meeting of the Council Development Assessment Panel held on 10th October 2018, be taken as read and confirmed.

Seconded Member Horsell

Carried.

4. Business Arising from Previous Minutes: Nil

5. **Declaration of Conflict of Interest:** Nil

6. **Environmental Officer's Reports:**

6.1 **Development Applications**

6.1.1 **Public Notification Applications – Category 3**

6.1.1.1 Development No. 340/435/18 – Mark Yates, Section 1312 Mines Road, Kadina

Damien Dawson was the representative for the applicant.

The Panel asked a couple of questions of Damien for clarification purposes.

CAP2: 0219

Moved Member Horsell

That following consideration and having regard to all relevant matters concerning the proposed development at Section 1312 Mines Road, Kadina, that:

- (a) It is determined that the proposed development is not seriously at variance to Council's Development Plan; and
- (b) Development Plan Consent be APPROVED subject to the following conditions:
 1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and following plans submitted in Development Application No 340/435/18.

Project /Drawing No.	Drawn By.	Sheet Title	Revision	Date
18313 / 18313-40- 060	GPA Engineering	Site Layout	B	23/11/18
18313 / 18313-GA- 001	GPA Engineering	Electrical Equipment Elevations	n/a	20/11/18
18-041.01	Planning Chambers Pty Ltd	Solar Panel, Fencing & Landscaping Detailed Section	n/a	Nov 2018

2. Prior to the commencement of construction or delivery of building materials to site, a Traffic Management Plan (TMP) for the construction phase of the development shall be provided to Council for assessment and approval. The TMP shall address the following matters:
 - (a) The scheduling of heavy vehicle movements ensuring that vehicle platooning of incoming vehicles does not

- occur, nor the queuing of heavy vehicles on Mines Road. Busy periods shall be avoided where possible.
- (b) Heavy vehicle haul routes
 - (c) Access location, design and maintenance
 - (d) On-site management of heavy vehicles ensuring that gates are open in advance of truck arrivals, forward exit and entry occurs and in particular that left turns be undertaken without crossing the centreline of the road.
3. Prior to the commencement of construction or delivery of building materials to the site either (a) **or** (b) below shall be undertaken at the cost of the applicant / developer:
- (a) the access to the site shall be spray sealed from the edge of the Mines Road bitumen seal to the property boundary in strict accordance with Department of Planning, Transport & Infrastructure standards and to the satisfaction of the Department of Planning, Transport & Infrastructure.
 - (b) the developer shall:
 - (i) undertake a dilapidation survey and submit to the Commissioner of Highways and the Copper Coast Council.
 - (ii) ensure that Mines Road remains clear of debris on a daily basis during construction
 - (iii) rectify any damage to the road edge or road verge post construction or, if an imminent safety risk is identified during construction, under the direction of the Commissioner of Highways and/or the Copper Coast Council.
4. Any required transmission line poles shall be installed outside of the road reserve and any transmission line shall have a minimum vertical clearance of 7.5 metres over Mines Road.
5. Enclosed skip bins for general waste and recycling shall be provided on site prior to the commencement of construction. All builders' waste, hard building material and litter shall be contained and stored in the receptacle at all times in a manner satisfactory to Council. These receptacles must be on site for the duration of the construction period and shall be emptied when full at a facility licensed to accept this waste. If necessary the receptacle shall be fitted with a lid to be closed during windy conditions.
6. A water truck shall be utilised to mitigate dust nuisance during construction in addition to post construction as required.
7. Following construction of the proposed development, the land under and around the proposed panels shall be seeded with an appropriate ground cover so as to cover/bind the soil. This seeding shall be appropriately watered and the resultant

growth shall be maintained in good condition at all times so as to ensure appropriate binding of the soil. Should any such seeding fail to result in appropriate ground cover, additional seeding shall be undertaken until as such time as appropriate ground cover is achieved.

8. The proposed solar panels shall include an anti-reflective coating so as to reduce any potential glare.
9. The developer/owner must ensure that the proposed development does not impact on any Council infrastructure in any way. In the event that Council infrastructure is affected by the proposed development the developer/owner must rectify all damage at no cost to Council.
10. All vehicles entering and leaving the site must do so in a forward gear
11. The developer/owner shall ensure that adequate onsite toilet facilities are provided for the duration of the construction of the approved development for use of workers involved with the development. All such facilities must comply with the applicable health legislation in place at the time of the construction of the development.
12. Landscaping shall be implemented in accordance with the approved Landscape Plan within 3 months of commencement of construction. The approved landscaping shall be maintained so that it is in good condition at all times. Dead or diseased plants must be replaced with similar species or with plants that will have the same effect as the dead/diseased plants.
13. Should glare issues become apparent, the applicant shall erect alternative screening to the satisfaction of the Commissioner of Highways and/or the Copper Coast Council.
14. Nothing less than semi-matured plants will be used in any landscaping planted in accordance with the approved Landscape Plan.
15. At the cessation of the land use, the solar panel structures shall be removed from the site and disposed of to an appropriate facility by the applicant or operator of the facility.

Notes

Please submit a permit application to Council for consideration should any existing roadside vegetation require removal at the existing property access point to ensure adequate line of sight to vehicles entering and exiting the site.

The subject approval does not include the use of the land for horse keeping.

- (c) Delegation be granted to Council Officers to consider and approve minor variations to the proposed development.

**Seconded Member Talbot
Carried.**

6.1.2 Public Notification Applications – Category 2

- 6.1.2.1 Development No. 340/422/18 – JE & JH Davies Pty Ltd,
Lot 198 & 199 Roach Street, Kadina

CAP3:0219

Moved Member Horsell

That following consideration and having regard to all relevant matters concerning the proposed change of use to *Road Transport Terminal and associated signage*, at Allotment 198 and 199 Roach Street, Kadina that:

- (a) It is determined that the proposed development is not seriously at variance to Council's Development Plan; and
- (b) Development Plan Consent be GRANTED for the proposed development on the development site identified as proposed Allotment 11 on the approved Site Plan No K18230DR1.1 dated 22 November 2018 subject to the following conditions:

Plan of Development

1. The applicant/developer shall proceed strictly in accordance with the approved plans and other information submitted in support of the development and conditions imposed by this consent, except where otherwise specified by any condition of this approval or where minor changes are required to comply with the Building Code of Australia or any other relevant act. Where there is a conflict between the Plan of Development and a written condition, the written condition shall apply. No part of the proposed development (or any vehicle maneuvering, parking or any storage associated with the development) shall extend beyond the boundaries of the development site identified as proposed Allotment 11 on the approved Site Plan No K18230DR1.1 dated 22 November 2018

Carparking and Vehicle Manoeuvring

2. Within 3 months of full Development Approval being issued all driveways, car parking spaces and manoeuvring areas must be sealed as follows:
 - a) driveway accesses must be bitumen sealed from the edge of the road extending 10 metres into the property; and
 - b) all other areas with the exception of the landscaped areas must be gravel sealed from the front of the site to the rear boundary.
 - c) All sealed areas must be maintained in good condition at all times to ensure that:

- dust does not cause a nuisance at any time to any adjoining land.
 - No mud is transferred from the site onto Roach Street.
3. All vehicles entering and leaving the site must do so in a forward gear.

Lighting

4. All security lights and floodlights associated with the proposed development shall be shielded and adjusted so it does not create nuisance to adjacent or nearby properties and road users as a result of the light it emits either directly or by reflection. Lighting to comply with the Australian Standard for the control of the obtrusive effects of outdoor lighting (AS 4282).

Rainwater Tanks

5. The development site shall have a rainwater tank of at least 22000 litres for the on-site storage and reuse of rainwater at all times. The tank must be connected to the irrigation system and/or plumbed to the building.

Damage to Council Infrastructure

6. The developer/owner must ensure that the proposed development does not impact on any Council infrastructure in any way. In the event that Council infrastructure is affected by the proposed development the developer/owner must rectify all damage at no cost to Council.

Landscaping

7. The landscaping shown on the approved Site Plan must be completed within 6 months from the date of issue of full Development Approval.
8. The landscaping located along the rear boundary as per the approved site plan must consist of trees and shrubs capable of growing to a minimum total height of 4 metres.
9. Nothing less than semi-matured plants will be used in any landscaping planted in accordance with the approved Site Plan.
10. All landscaping shall be maintained so that it is in a good condition at all times and dead or diseased plants must be replaced with similar species or with plants that will have the same effect as the dead/diseased plants.
11. Where practicable, stormwater shall be captured and used for irrigation of the landscaped areas.

Loading of Goods

12. All materials and goods shall be loaded and unloaded entirely within the boundaries of the subject land.

Advertisements and Signage

13. No signs that are not shown on the approved Plan of Development are to be erected or displayed on or around the building without the prior consent of Council.
14. The sign shall not be changed in form or size without written approval from Council.
- (a) Delegation be granted to Council Officers to consider and approve minor variations to the proposed development.

**Seconded Member Talbot
Carried.**

6.1.3 Public Notification Applications – Category 1

Nil.

7. Matters for Panels Attention:

7.1 CAP Meeting Dates for 2019

CAP4:0219

Moved Member Talbot

That the CAP meeting dates for 2019 be adopted and/or amended at discretion.

CAP Meeting Dates 2019 Wednesday's	
January 16 th	July 10 th
February 13 th	August 14 th
March 13 th	September 11 th
April 10 th	October 9 th
May 8 th	November 13 th
June 12 th	December 11 th

**Seconded Member Horsell
Carried.**

7.2 Terms of Reference and Procedures of CAP

CAP5:0219

Moved Member Talbot

That the Terms of Reference and Procedures of CAP be adopted, subject to the following minor amendments:

- Deletion of existing Condition No 9 of the Conditions of Membership.
- The rewording of existing Condition No 10 of the Conditions of Membership as follows:
The Council representative can be any Elected Member of Council.

**Seconded Member Horsell
Carried.**

8. Correspondence:

8.1 Resignation of Dean Rodda

CAP6:0219**Moved Member Talbot**

That the resignation of Dean Rodda as Independent Member be received.

Seconded Member Horsell**Carried.****9. Confidential Items**

9.1 Development No. 340/264/18 – Skinner Family Funerals Pty Ltd

CAP7:0219**Moved Member**

That the Council Assessment Panel, having formed the view on principle that meetings of the Council Assessment Panel should be conducted in a place open to the public is outweighed by the need to keep the information and/or discussion of the next item of business confidential, hereby order pursuant to Section 56A (12) of the Development Act 1993, that:

- the public be excluded from the meeting in order to consider, in confidence, the next item;
- the Presiding Member John Peter Brak, Council Member Cr Talbot, Independent Members Stephen Horsell & Mark Weedon, Director Development Services Muller Mentz, Coordinator Strategic Planning and Development Matt Dineen, Planning Officer Wendy Stevens and Executive Assistant/Minute Secretary Wanita Gregory remain in attendance; and
- the grounds for exclusion be recorded pursuant to Section 56A(12)(a):
 - (a) information the disclosure of which would involve the unreasonable disclosure of information concerning the personal affairs of any person (living or dead);
 - (b) information relating to actual litigation, or litigation that the panel believes on reasonable grounds will take place;

Seconded Member**Carried.**

The public vacated the meeting and the room was secured at 5.37 pm.

The ordinary meeting resumed at 5.44 p.m.

10. Closure:

The Council Assessment Panel meeting closed at 5.44 p.m.

The foregoing Minutes of a Meeting of the Development Assessment Panel were read and confirmed at a Meeting of Development Assessment Panel held on Wednesday, 13th March 2019.

PRESIDING MEMBER:.....