

**MINUTES OF A MEETING OF THE COUNCIL ASSESSMENT
PANEL** held at the Council Chambers, Town Hall, Kadina on
Wednesday 10th April 2019, commencing at 5.33 p.m.

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

IN ATTENDANCE:

Mr. Muller Mentz, Director Development Services, Assessment
Manager
Mrs. Wanita Gregory, EA/Minute Secretary

1. Opening of Meeting:

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

There was 1 Member from the press in the gallery at the commencement of the meeting.

2. Apologies:

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

3. Confirmation of Minutes of previous meeting:

CAP10:0319

Moved Member Horsell

That the Minutes of the previous meeting of the Council Development Assessment Panel held on 13th March 2019, be taken as read and confirmed.

Seconded Member Weedon

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. 340/053/19 – John & Maggie Dawkins,
Allotment 10 Plymouth Place, Moonta Bay

CAP11:0419

Moved Member Horsell

That following consideration and having regard to all relevant matters concerning the proposed development at Allotment 10 Plymouth Place, Moonta Bay, 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** subject to the following conditions and reserved matters:
 1. The onus of ensuring this development is sited in the approved position on the correct allotments as per the site plan submitted is the responsibility of the applicant.
 2. That except where minor amendments may be required by other relevant Acts, or by conditions imposed on this approval, the development shall be established in strict accordance with the following plans drawn by Magryn Engineering Consultants:

Notes, Dwg No 19071-1, Revision A
Site Plan, Dwg No 19071-2, Revision A
Section, Dwg No 19071-3, Revision A
 3. Plantings associated with this development shall consist of local native coastal species, to improve coastal biodiversity, minimise the spread of exotic plants on the coast, and for effective stabilisation of the landform to the reasonable satisfaction of the Council.
 4. The applicant/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 applicant/owner must rectify the situation at no cost to Council.
 5. The beach (outside of that area upon which the coastal protection works are proposed) shall be restored to pre-construction state at the completion of the proposed development.

6. The proposed seawall is constructed in accordance with drawing numbers 19071-2 and 19071-3. The conditions of this approval supersede the Plans where there is any variance.
7. Construction shall be carried out in a manner which minimises environmental impacts on coastal landform.
8. The removal of deleterious materials prior to filling is to occur. This must include any existing informal protection works at the base of the cliff that are within the proposed seawall alignment.
9. The proposed works are adjacent to the coast and marine environment, which can be very sensitive to disturbance. Significant care must be taken during construction and post construction. The following measures are to be implemented:
 - All machinery and rocks should be washed down and free of sediment and contamination prior to arriving on-site;
 - All vehicles and machinery should avoid intertidal area if possible
 - Any landscaping works must be designed and undertaken to prevent soil from entering into the marine environment, both during construction and from future stormwater runoff;
 - No rocks or materials for the works are to be sourced from the coastal environment.
10. Any imported substrate material or engineered fill to be used shall be free of weeds and pathogens to ensure that noxious weed or contamination sources are not introduced into the coastal environment.
11. Shorebirds are present at this location. A pair of Hooded Plovers (*Thinornis rubricollis*), have been previously observed nesting in the vicinity by Coastal Management Branch (DEWNR) staff and sign posts had been erected to advise visitors. This particular pair are monitored annually and on a weekly basis during the breeding months (August to March). The data obtained from this pair at Simms Cove is considered critical to gaining an understanding of the breeding success of Hooded Plovers on the Yorke Peninsula. To minimise the likelihood of interrupting beach-nesting birds during their nesting season and to reduce the impacts on research efforts undertaken on this particular pair of Hooded Plovers, the works must be scheduled in the non-breeding season, between April and July.

12. While low-risk, vehicle access on the beach shall occur at low speed and avoid low light and poor weather conditions to minimise the risk of striking Hooded Plovers.

Reserved Matters

13. Prior to the issuing of Full Development Approval, the owners of Allotment 4 Trelawney Street, Moonta Bay shall enter into a Land Management Agreement with Council as agreed upon by the owners. This Land Management Agreement shall amongst other detail, commit these owners (and subsequent owners), to the following:
 - Long term maintenance of that part of the rock wall directly in front of their properties (that is the part of the wall that will eventually be owned by each owner).
 - Not to carry out any development or landscaping or any other activity or action that may impact on the integrity of the wall owned by them or adjoining land owners.
 - Carry out any remedial work required to repair the damage to their own wall or the wall on the adjoining land in the event that any activities carried out by that owner caused damage to the wall on the adjoining land.
 - Ensure that any damage to the wall on their land is repaired at the cost of the owner of the land on which the damaged part of the wall is located to prevent flow-on damage to the wall on adjoining land.
 - The addressing of repair works in the event of end-effects.
14. Prior to the issuing of Full Development Approval, detail of upper cliff stability works to allotments adjoining the proposed sea wall shall be provided to Council Officers for assessment. Assessment and approval of these works shall be undertaken by Council Officers. These stability works shall be implemented within 3 months of sea wall construction and shall be maintained in good condition at all times to the satisfaction of Council.

Notes

1. Pursuant to Section 57(2e) of the Development Act 1993 it is noted that a Land Management Agreement is proposed to be entered into in connection with this application. A copy of this agreement will be available for viewing at the Kadina Council Office upon entering into the agreement

and registration of this agreement against the relevant properties.

(c) Delegation be granted to Council Officers to consider and approve minor variations to the proposed coastal protection works.

**Seconded Member Talbot
Carried.**

6.1.2 Public Notification Applications – Category 2

Nil.

6.1.3 Public Notification Applications – Category 1

Nil.

7. Matters for Panels Attention:

Nil.

8. Correspondence:

Nil.

9. Closure:

The Council Assessment Panel meeting closed at 5.43 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, 8th May 2019.

PRESIDING MEMBER:.....