



**Minutes of the Fleurieu Regional Assessment Panel meeting  
held in the Alexandrina Council Community Chambers  
"Wal Yuntu Warrin", Goolwa, on 18 October 2022 commencing at 11:00 am**

**We would like to begin by acknowledging the Kurna and Ngarrindjeri people, the traditional custodians of this land and waters and pay our respects to their elders past, present and emerging**

**PRESENT**

Michael Doherty (Presiding Member), Sue Giles, Ross Bateup, Kate Shierlaw, Peter O'Neil

**APOLOGIES**

**IN ATTENDANCE**

Cameron Gibbons (A/Assessment Manager), Kirsty Tapp (Senior Planner, Yankalilla), Julie Graham (Administration), Carol Kuszniir (Administration)

**ITEM 1. CONFIRMATION OF MINUTES**

Minutes of the Fleurieu Regional Assessment Panel held on 20 September 2022.

**RECOMMENDATION**

**Moved Sue Giles, Seconded Kate Shierlaw that the Minutes of the Fleurieu Regional Assessment Panel held on 9 September 2022 as circulated to members be received as a true and accurate record.**

**CARRIED UNANIMOUSLY**



<b>NOTIFICATION:</b>	Yes
<b>RECOMMENDING OFFICER:</b>	Kirsty Tapp Senior Planner
<b>REFERRALS STATUTORY:</b>	Nil.
<b>REFERRALS NON-STATUTORY:</b>	Nil.

The Chair invited the Applicant to speak.

Leighton Priestley from Carumag Corporation Pty Ltd answered questions of the Panel, on behalf of the Applicant, Peter Moschakis, from 11.09am to 11.21am.

### **RECOMMENDATION**

**Moved Ross Bateup, Seconded Peter O'Neil that the Fleurieu Regional Assessment Panel resolve:**

- 1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and**
- 2. Development Application Number 22017704, by Mr P. Moschakis is GRANTED Planning Consent subject to;**

### **CONDITIONS**

- 1. Development shall proceed in accordance with the plans and written documentation accompanying the application, unless varied by the following conditions.**
- 2. The external finishes to the building or structure herein approved shall be in accordance with the materials as specified in the application now approved.**
- 3. Stormwater shall be diverted away from the building and shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved stormwater drainage system.**
- 4. All scarring or physical disturbances of the land surface during any excavation work shall be restricted to only that which is shown on the approved plan as required for building work and/or access purposes. All exposed faces around such scarred areas and spoil shall be screened with trees and shrubs and covered with suitable ground cover to the reasonable satisfaction of the Assessment Manager.**

5. During construction of the development, hay bales (or other soil erosion control methods as approved by Council) shall be placed above and below the excavated/filled site to prevent soil moving off the allotment during periods of rainfall.
6. The upper level windows as identified on R.H.S. Elevation sheet 11 dated 9/9/22, L.H.S. Elevation and Rear Elevation Sheet 12 dated 9/9/22, shall be permanently fitted with fixed screen capable of minimising over-looking to a minimum height of 1500mm above the finished floor level, to the reasonable satisfaction of the Assessment Manager prior to occupation of the development.
7. Landscaping is to be established along the northern, southern and eastern boundaries as identified on Proposed Site Plan - Ground Floor - sheet 04 dated 9/9/22, which is capable of providing an effective visual screen. The landscaping is to be established prior to occupation of the dwelling and nurtured and maintained and replaced when necessary.

## **ADVISORY NOTES**

### **General Notes**

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
3. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

### **Council Notes**

1. Allotment boundaries will not be certified by Council staff. The onus of ensuring that the building is sited in the approved position on the current allotment is the responsibility of the owner. This may necessitate a survey being carried out by a licensed land surveyor.

**2. It is the builder's responsibility;**

- to ensure the Council's footpaths, roads, kerbing and drainage pits etc are protected from damage during the construction of the development
- to provide the necessary signage on the footpath and road, where hazards are created as a result of the development
- to repair any portion of Council's infrastructure damaged as a result of work undertaken on the
- allotment or associated with the construction on the allotment.

To limit damage, a single temporary access location to the frontage of the allotment (ie the future driveway location) is to be established and utilised for machinery, delivery of building materials and general vehicular access. If required, existing footpath paving can be removed during the construction period to define the access location, and relayed at the completion of construction.

Council is to be supplied with dated photos and measurements of any defects that existed prior to the commencement of work; otherwise it will be assumed that all damage was caused during construction.

Reinstatement of damaged infrastructure must be carried out to the satisfaction of the Council. Failure to do so will result in such repairs being carried out by the Council and invoiced to the builder.

**3. All work undertaken within the road verge between the property boundary and the carriageway edge requires approval from Council.**

Approval shall be obtained for the following activities;

- construction of a driveway across Council verge
- underground electrical connection
- stormwater connection from property to the road
- landscaping or earthworks including filling, retaining walls, removal and/or planting of vegetation

**4. Please be advised that where a Private Certifier is appointed to undertake the Building Rules Assessment, Council does not provide a service of advising the Private Certifier of site conditions or any matters relevant to the building assessment. It is recommended that Private Certifier undertakes his or her own investigations and inspection of the site to become acquainted with site conditions and any other relevant matter.**

**CARRIED**

**ITEM 4. CONFIDENTIAL REPORTS**

Nil

**ITEM 5. ADMINISTRATIVE REPORTS**

Nil

**ITEM 6. GENERAL ITEMS FOR DISCUSSION**

Nil

**ITEM 7. Next meeting**

Next meeting is scheduled for **Tuesday, 15 November 2022** commencing at 11:00am

**Meeting Closed: 12.03pm**

MINUTES CONFIRMED .....

**CHAIR**

DATED .....