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MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held virtually via Zoom webinar on Wednesday 20 May 2020, commencing at 9.30 am.

PRESENT **(Members)** Tom Gregory, Judith Urquhart, Carol Bailey.  
**(Staff)** Manager – Planning, City Development (A Humphries), Senior Planner, City Development (R Richards), and the Minute Secretary (S Mann).

IN ATTENDANCE via audio-visual means via Zoom webinar:  
Peter Meline (Adelaide Hills Development Services),  
Tim McArthur, and Monika McArthur.

#### 1. APOLOGIES

Due to the recent passing of Mike Canny, Presiding Member, Andy Humphries opened the meeting and called for nominations for this position during this meeting.

Tom Gregory nominated  
Moved Judith Urquhart  
Seconded Carol Bailey

*CARRIED*  
*CAP20200520.01*

Mike Canny's passing was acknowledged by Panel members.

#### 2. CONFLICT OF INTEREST DECLARATION

Nil declared

#### 3. CONFIRMATION OF MINUTES

Carol Bailey moved that the minutes for the meeting held on 15 April 2020 be taken as read and confirmed.

Seconded Judith Urquhart

*CARRIED*  
*CAP20200520.02*

#### 4. REPORTS DEFERRED

Nil.

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## 5. REPORTS BY OFFICERS

**REPORT TITLE:** COUNCIL ASSESSMENT PANEL MEETING PROCEDURES

**DATE OF MEETING:** 20 MAY 2020

**FILE NUMBER:** DOC/20/61856

**ATTACHMENTS:** Temporary COVID-19 CAP Meeting Procedures – DOC/20/61903

**Key Contact** Andy Humphries, City Development Manager, Planning and Development

**Manager/Sponsor** Marc Voortman, General Manager, Planning and Development

**Mount Barker 2035 – District Strategic Plan:**

Governance and Leadership

GL2: Corporate capacity and leadership

GL2.1 Demonstrate accountability through clear, relevant and easily accessible policies and corporate reporting

**Purpose:**

To seek amendment of the Council Assessment Panel Meeting Procedures to enable the Council Assessment Panel to meet via electronic means where necessary.

**Summary – Key Issues:**

1. The outbreak of the COVID-19 pandemic has required the District Council of Mount Barker to review the Meeting Procedures and propose some changes.
2. Where electronic meeting arrangements (or similar) are possible, those arrangements should be enabled and encouraged, to maintain social distancing and to limit gatherings.
3. To enable the Council Assessment Panel to meet electronically, amendments to the Panel's Meeting Procedures are required.
4. CAP should adopt the draft meeting procedures.

**Recommendation:**

That the Council Assessment Panel:

- Amends its Meeting Procedures in accordance with the updated Attachment and that these be implemented with immediate effect.
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The Panel discussed the proposed changes to the meeting procedures and reached the following decision;

Judith Urquhart moved that the Council Assessment Panel amends its Meeting Procedures in accordance with the updated Attachment and these be implemented with immediate effect.

Seconded Carol Bailey

*CARRIED*  
*CAP20200520.03*

## **5.1 NON-COMPLYING APPLICATIONS**

Nil.

## **5.2 CATEGORY 3 APPLICATIONS**

### **5.2.1 SUMMARY DETAILS**

<b>Application No.</b>	580/71/19
<b>Applicant</b>	T McArthur
<b>Subject Land</b>	LOT: 1 DP: 42973 CT: 5286/90 940 Battunga Road MEADOWS.
<b>Ward</b>	South
<b>Proposal</b>	Function Centre
<b>Development Plan</b>	8 August 2017
<b>Zone Policy Area</b>	Primary Production Prime Agriculture Area 25 MAP MtB/23 – Mount Lofty Ranges Watershed Area 3
<b>Form of Assessment</b>	Merit
<b>Public Notification</b>	Three
<b>Representations</b>	One
<b>Persons to be heard</b>	None
<b>Agency Consultation</b>	DPTI
<b>Responsible Officer</b>	Randall Richards
<b>Main Issues</b>	Land Use Car Parking and Access Interface between Land Use Visual Impact
<b>Recommendation</b>	Resolve to grant Development Plan Consent subject to conditions and advisory notes

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0940hrs Peter Meline, Adelaide Hills Development Service, and Tim McArthur, spoke for the application responding to the questions raised by Panel members.

The Panel discussed the application and reached the following decision;

Judith Urquhart moved that the Council Assessment Panel, with amendments:

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker District Council Development Plan Consolidated 8 August 2017.

RESOLVE to GRANT Development Plan Consent to the application by T McArthur for a Function Centre at Lot 1, CT 5286/90, 940 Battunga Road, Meadows (Development Application 580/71/19) subject to the following conditions and advisory notes.

1. The development herein approved to be carried out in strict accordance with the stamped plans and details accompanying this application, including (but not limited to):
    - Planning Report by Peter Meline & Associates Town & Country Planners, 580/71/19 for Monika and Tim McArthur;
    - Hurren Architects Drawing numbers PHTM 1217 1/W2A - PHTM 1217 1/W1C, Drawn by MD – received by Council 24 January 2019;
    - Atkins Farm Driveway – 940 Battunga Road Meadows;
    - Carpark Drainage Assessment by Ron Selth & Associates PTY LTD, Consulting Engineers, Job Number: W2439, dated 18/06/19;
    - Response to Representations 580/71/19 by Peter Meline & Associates Town & Country Planners, dated 03/04/20.
  2. Functions are to:
    - a) Be limited to a maximum of 12 functions/events per calendar year;
    - b) Be limited to the following hours:
      - Fridays: 10:00am to 10:00pm;
      - Saturdays: 10:00am to 11:00pm;
      - Sundays: 10:00am to 9:00pm and
      - 10:00am to 10:00pm, the day before a public holiday.
    - c) Have patronage limited to the following number:
      - Not exceed 75 guests.

A record of functions held is to be kept on the premises and available for inspection.
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3. All music shall be limited to inside the proposed Function Centre and shall be acoustic (with no amplification) and/or background music which is played within the venue space only. Noise impact to adjoining land users is to be mitigated so as to achieve the requirements of the Environmental Protection (Noise) Policy 2007.
  4. Lighting shall be designed so as to not create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user, to the reasonable satisfaction of Council.
  5. Landscaping as detailed in the application (Response to Representations 580/71/19 by Peter Meline & Associates Town & Country Planners, dated 03/04/20) for development shall be planted within three (3) months of the date of completion of the building and shall be maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased.
  6. The external roof sheeting and wall cladding shall be new unpainted Corrugated Galvanized Iron of sound undamaged materials of uniform colour and appearance to the reasonable satisfaction of Council.
  7. Traffic management, parking and construction of vehicle manoeuvring and car parking areas is to be in accordance with the submitted plans and achieve the following:
    - a) The parking of vehicles for patrons, staff and other entities shall, at all times, be restricted to the confines of the subject land.
    - b) Off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
    - c) The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with AS 2890.2:2018.
    - d) The driveway and car parking areas shall be hard-surfaced, drained and marked to accepted engineering standards and shall be maintained in good condition at all times.
    - e) All vehicular access to/egress from the land is to occur from Battunga Road, and in a forward direction only.
    - f) The access to Battunga Road shall be:
      - Constructed in general accordance with Ron Selth & Associates PTY LTD, Consulting Engineers – Job Number W2439 and Figure 7.2 in Austroads Guide to Road Design Part 4.
      - Designed to accommodate the simultaneous two-way movements of a bus and B99 passenger car.
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- g) For any works that might encroach into the Tree Protection Zone of native vegetation (e.g. remnant gum trees - outside of the single tree to be removed to maintain sightlines) design that demonstrates tree-sensitive construction is to be submitted to approval by Council's Urban Forest Officer prior to construction commencing.
  - h) All access, driveway and car parking requirements outlined above are to be completed prior to the commencement of operation of the development.
8. Effective measures are to be implemented during the construction of the development in accordance with this consent to:
- a) prevent silt run-off from the land to the environment;
  - b) control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
  - c) ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
  - d) ensure that all litter and building waste is contained on the subject site in a suitable bin
  - e) or enclosure; and
  - f) ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land and within the locality.
9. Stormwater management is to occur in accordance with the approved documentation to mitigate adverse impacts to the environment.
10. A Bushfire and Emergency Management Plan must be prepared by a suitably qualified person/s in conjunction with the SA Country Fire Service (CFS) and must be implemented prior to commencement of the use. The Plan must address (but not be limited to) the following:
- a) Management of the site on declared Catastrophic Fire Day;
  - b) Access and Egress for emergency vehicles and guests; and
  - c) Management of smoking areas.

**Notes:**

- 1. If through the Building Rules assessment, it is determined that there is a requirement for a change in form or materials to satisfy the BCA, Council is required to be notified to determine if an amendment to the Development Plan Consent may require authorisation.
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2. To satisfy requirements of the Public Health Act, no food processing should be conducted on site unless a Catering Business can demonstrate compliance with the Australian/New Zealand Food Standards Code i.e. provide appropriate hand washing facilities; methods for containing liquid wastes; temperature control of potentially hazardous food etc.
3. No signage is included as part of this authorisation. A separate development application will be required to be lodged for assessment for this.
4. A Wastewater Works Application is to be lodged and approved prior to any civil works commencing.

Seconded Carol Bailey

*CARRIED*  
*CAP20200520.04*

### **5.3 CATEGORY 2 APPLICATIONS**

Nil.

### **5.4 CATEGORY 1 APPLICATIONS**

Nil.

## **6. INFORMATION REPORTS**

Andy Humphries advised he is preparing report to Council in relation to filling the vacant Presiding Member position.

## **7. CONFIDENTIAL REPORTS**

Nil.

## **8. POLICY MATTERS ARISING FROM THIS AGENDA**

Nil.

## **9. OTHER BUSINESS**

Nil.

## **10. CLOSURE**

Meeting declared closed at 1014hrs



CHAIRMAN

17/06/2020

DATE