

**WATTLE RANGE COUNCIL**  
**COUNCIL ASSESSMENT PANEL**

Minutes of the Ordinary Meeting of Wattle Range Council Assessment Panel held in the Council Chambers, George Street, Millicent on Tuesday 17 September 2019, commencing at 10.01am

[Cr P. Dunnicliff arrived at the meeting at 10.02am]

**1. OPENING OF THE MEETING**

1.1. The Presiding Member welcomed the Panel and members of public.

**2. PRESENT:** LM Travers (Presiding Member), MRB Teakle, ME Redman, Cr P Dunnicliff, SW Chapple (Director Development Services), CR Tully (Public Officer), PJ Whiting (Planning Officer) MM Phillips (Minutes)

**3. APOLOGIES:** ME Talanskas

**4. CONFIRMATION OF MINUTES:**

4.1 Ordinary minutes of Council Assessment Panel; 6 March 2019; (Folios 619-624).

MRB Teakle moved that the minutes be taken as presented and confirmed.

ME Redman Seconded

**CARRIED**

**5. REPRESENTORS**

5.1 DA: 894/D004/19, Planning Officer, Pete Whiting

**Applicant: David and Chris Bellinger**

5.1.1 Frank Brennan from Frank Brennan Consulting Services made a presentation to the panel in support of the application and was questioned by the panel.

[Mr Frank Brennan left the meeting at 10.06am and did not return]

**6. PETITIONS**

NIL

**7. OFFICERS REPORTS:**

7.1 DA: 894/D004/19, Bellinger, Land Division 17 Geltwood Drive Beachport,  
Planning Officer, Pete Whiting

ME Redman moved that:

- A. The proposed development is not considered to be seriously at variance with the Wattle Range Council Development Plan – Consolidated 7<sup>th</sup> February 2013.
- B. Pursuant to *Section 33 of the Development Act 1993*, Development Plan Consent is GRANTED to application number 894/D004/19 subject to concurrence from the State Commission Assessment Panel (SCAP) and subject to the following conditions:

**Development Plan Consent Conditions**

- 1. Approval is granted in strict accordance with plans and details submitted for 894/D004/19.
- 2. No outbuildings, sheds or storage facilities on the newly created allotments can be used for habitation or other purposes not approved by council.
- 3. Allotments to be kept neat and tidy at all times to council satisfaction.
- 4. The new land allotments are only to be used for envisioned land uses as stipulated under 'Rural Living Zone' in the Wattle range Council Development Plan Consolidated February 7 2013.

MBR Teakle Seconded

**CARRIED**

7.2 DA 894/170/19, Penley Estate, Installation of two Frost Fans, McClean Road Coonawarra, Hundred of Comaum, Planning Officer, Pete Whiting

The panel suggested a pop-up file note be added to the assessment file detailing conditions of the Frost Fan. This is to ensure new potential buyers are aware if the property is ever sold.

MBR Teakle moved that:

- A. The proposed development is not considered to be seriously at variance with the Wattle Range Council Development Plan – Consolidated 7<sup>th</sup> February 2013.
- B. Pursuant to *Section 33 of the Development Act 1993*, Development Plan Consent is GRANTED to application number 894/170/19 subject to the following conditions:

**Development Plan Consent Conditions**

- 1. That the development is undertaken in strict accordance with DA 894/170/19 - the approved plans, details and conditions.
- 2. At all times during operation of the frost fans, the resultant noise levels at any residential premises in the locality not associated with the development shall comply with the following criteria:

- a) Equivalent noise level (LAeq – average) shall not exceed 35 dB(A) indoor noise level when measured over a complete cycle (360° rotation); OR
  - b) Equivalent noise level (LAeq) not to exceed 55 dB(A) outdoor noise level when measured over a complete cycle (360° rotation).
3. At all times during operation of the frost fans, the resultant noise levels at the dwelling located at 148 McLeans Road shall comply with the following criteria:
- a) Equivalent noise level (LAeq – average) shall not exceed 40 dB(A) indoor noise level when measured over a complete cycle (360° rotation) as per agreement between Penley Estate and the land owner
4. The approved frost fans shall be activated only when the temperature, measured at foliage height within 20 metres of the respective frost fan, falls to 1.0°C or less and shall be stopped at 4.0°C
5. The approved frost fans must only operate at the 'low' and 'normal' fan mode.
6. Once frost fans are erected and operational (but prior to permanent commencement), the applicant is to provide to Council an acoustic report from an accredited acoustics engineer showing the frost fans meet the EPA (Noise) Policy 2007, for frost fan noise and also meets the agreement between 148 MacLean's Road and Penley Estate in regards to the maximum noise of 40 dBA inside the dwelling.

Cr P. Dunnicliff Seconded

**CARRIED**

**8. ITEMS FOR CONSIDERATION IN CONFIDENCE**

NIL

**9. OTHER BUSINESS:**

Director Development Services, Steve Chapple provided the Panel with an update on staff changes in the Development Services Team. *The new Planning, Development and Infrastructure Act 2016* and the Accredited Professional Scheme was also discussed.

Meeting closed at 10.41am

Taken as presented and confirmed

.....  
PRESIDING MEMBER

.....  
DATE