

ALEXANDRINA COUNCIL

NOTICE OF MEETING

Notice is hereby given to the Members that a meeting of the
Development Assessment Panel will be held in the
Corporate / Finance Meeting Room
on 9 May 2007 commencing at 10:30 am

Your attendance is requested.

10:30 a.m. Development Assessment Panel commencement

1:00 p.m. Conclusion of meeting.

JOHN COOMBE
CHIEF EXECUTIVE

ALEXANDRINA COUNCIL

AGENDA FOR THE DEVELOPMENT ASSESSMENT PANEL MEETING
TO BE HELD ON 9 MAY 2007 AT 10:30 AM
IN THE CORPORATE / FINANCE MEETING ROOM

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**Development Assessment Panel
Report and Agenda
on 9 MAY 2007 commencing at 10:30 am
in the Corporate / Finance Meeting Room**

PRESENT

APOLOGIES

IN ATTENDANCE

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 18th April 2007.

RECOMMENDATION

That the minutes of the Alexandrina Council Development Assessment Panel held on 18th April 2007 as circulated to members be received as a true and accurate record.

ITEM 2. DEVELOPMENT APPLICATIONS

2.1 455/1122/06 STRATEGY URBAN PROJECTS

SUMMARY TABLE

Date of Application	29 th September 2006
Subject Land	138a Liverpool Road Goolwa North
Assessment No.	A4009
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Group dwellings – Single Storey x 3 and a single storey residential flat building containing two dwellings.
Type of Development	Consent / Merit
Public Notice	Category 1
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	April 2007
Recommendation	Refusal
Originating Officer	Andrew Sladden

BACKGROUND

This particular Development Application would not normally require a decision to be made by the Development Assessment Panel as it is a Consent/Merit form of Development and subject to Category 1 Public Notification, allowing the Development Assessment Officers delegation to make and issue a decision.

However, at the request of the Applicant, the Application is being presented to the Development Assessment Panel for a decision.

The subject site is an existing irregular shaped allotment of 3628m² with frontage to Liverpool Road and access to Riverdell Court at the rear of the subject site. There is an existing two storey dwelling facing Liverpool road with a swimming pool at the rear in the middle of the subject site. There is also extensive vegetation covering the allotment.

There are currently three Development Applications relevant to the subject site as follows:

.../cont.

2.1 455/1122/06 STRATEGY URBAN PROJECTS (Continued)

455/D050/06 – Land Division creating one additional allotment. This Application was granted Development Approval in March 2007. This Application creates two allotments of 1455m² (Lot 2, containing the existing dwelling) and 2173m² (Lot 1) respectively. However, an amended plan of division has recently been lodged with Council amending the allotment areas to provide a lot of 1378m² (Lot 2) and 2250m² (lot 1).

455/C051/06 – Community Title Land Division creating 5 additional allotments (Lots 10 to 14) ranging in area from 259m² to 339m² and common property from proposed Lot 1. This application is currently on-hold awaiting the outcome of the decision for this application.

455/1122/07 – Three group dwellings and a Residential Flat Building comprising two dwellings.

THE PROPOSAL

Nature of Development

The proposal involves the construction of three single storey detached dwellings and a semi-detached single storey dwelling on the subject site. None of these dwellings have a frontage to a road and are all proposed to access Riverdell Court via community roadway. The three detached dwellings are considered to be “group dwellings” pursuant to the following definition from Schedule 1 of the Development Act 1993.

“group dwelling” means one or more of a group of two or more detached buildings, each of which is used as a dwelling and one or more of which has a site without frontage to a public road or to a road proposed in a plan of division that is the subject of a current development authorisation.”

The semi-detached dwelling cannot be defined as such as it does not have a frontage to a public road pursuant to the following definition from Schedule 1 of the Development Act 1993:

“semi-detached dwelling” means a dwelling occupying a site which is held exclusively with that dwelling and has a frontage to a public road or to a road proposed in a plan of division that is the subject of a current planning authorisation; and comprising one of two dwellings erected side by side, joined together and forming, by themselves, a single building;

.../cont.

2.1 455/1122/06 STRATEGY URBAN PROJECTS (Continued)

Even though the subject building comprises two buildings erected side by side and forming a single building, it cannot be defined as a semi-detached dwelling. Therefore by default the semi-detached building has been assessed as a "residential flat building" pursuant to the following definition from Schedule 1 of the Development Act 1993:

"residential flat building" means a single building in which there are two or more dwellings, but does not include a semi-detached dwelling, a row dwelling or a group dwelling;

Therefore the Development Application involves the erection of three group dwellings and a residential flat building comprising two dwellings.

Detailed Description

The proposal involves the construction of three single storey dwellings and a residential flat building comprising two dwellings joined by a common wall on proposed allotment 1 resulting from Land Division 455/D050/06. All of the dwellings are proposed to be contained within their own allotments.

All of the proposed dwellings are single storey, of similar design, materials and colours. All of the dwellings front the community driveway and have provision for two car parking spaces each.

REFER ATTACHMENT 2.1 (a) (page 1)

SITE & LOCALITY

The subject site is located at the cul-de-sac end of Riverdell Court and has a 6.95m frontage to this road. There is a 15m long access strip leading to the subject site. The land slopes upwards to the centre of the allotment approximately 1m above the Riverdell Court road frontage. The subject site is covered with vegetation.

The locality consists predominantly of single storey detached dwellings of varying styles, materials and colours on large allotments of greater than 700m². All the surrounding allotments have frontages to a public road.

PUBLIC NOTIFICATION

The Development Application is the subject of Category 1 Public Notification pursuant to Schedule 9, Part 1, 2 (1) (a) (i) and(ii) of the Development Act 1993.

.../cont.

2.1 STRATEGY URBAN PROJECTS (Continued)

CONSULTATION

At the time of writing the Applicant has yet to submit a Waste Control System Application. Should the Development Assessment Panel resolve to grant Provisional Development Plan Consent, the decision will be placed on hold and consent withheld until Waste Control Approval has been granted.

Consultation has been undertaken with Council's Technical Services Department (TSO Matt James) on the issues of access and car parking. The advice of the TSO is that he does not support the common driveway in its current format and recommends a minimum 5m width and has questioned how stormwater is proposed to be disposed from proposed dwellings 4 and 5.

Alexandrina Council Development Plan

Given the fact that the proposed development is not required to be presented to the Development Assessment Panel pursuant to Council Officer's delegations, a written assessment of the Application has not been provided. Instead, a verbal assessment and discussion will be undertaken at the meeting.

RECOMMENDATION

That the Development Assessment Panel Refuse Development Application 455/1122/07 for group dwellings x 3 and a residential flat building comprising 2 dwellings at 138 Liverpool Road, Goolwa on the grounds that it is at variance with the existing character and amenity of the locality.

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 5. DEVELOPMENT APPLICATIONS LAND DIVISION COMMUNITY TITLE

ITEM 6. DEVELOPMENT APPLICATIONS – BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW-UP

ITEM 8. GENERAL ITEMS FOR DISCUSSION

ITEM 9. CONFIDENTIAL ITEM

9.1 455/391/06 ROGER HAYSMAN

That in accordance with the 1999 Local Government Act, Section 90 subsection (2) and (3) (c) (h):

- (2) A Council or Council Committee may order that the public be excluded from attendance at so much of a meeting as is necessary to receive, discuss, consider in confidence any information or matter listed in subsection (3)
- (3) The following information and matters are listed for the purposes of subsection (2):
 - (c) information that would, if disclosed, confer a commercial advantage on a person with whom the council is conducting (or proposes to conduct) business, or prejudice the commercial position of the council.
 - (h) legal advice.

That the Manager of Planning & Development and the Personal Assistant remain in the Meeting.

NEXT MEETING