

**DEVELOPMENT ASSESSMENT PANEL**  
**MINUTES OF MEETING HELD ON 21 NOVEMBER 2005**  
**COMMENCING AT 12:30 PM**  
**IN THE COMMUNITY CHAMBERS "WAL YUNTU WARRIN",**  
**CADELL STREET, GOOLWA**

**PRESENT**

Cr A Woolford (Presiding Member), Cr G Connor, Cr P Reedman, Cr R Potter, Cr A Oliver (Proxy for Cr M Beckett), D Commerford (Director Environment & Lifestyle Services).

**APOLOGIES**

Cr M Beckett, D Banks (Director Engineering & Infrastructure)

**IN ATTENDANCE**

Judith Urquhart (Manager Planning & Development), Joanne Nightingale (Planner), Cherry Getsom (Planner), Vanessa Harvey (Personal Assistant), Jenny Lauder (Planning Administration Assistant).

**ITEM 1.      CONFIRMATION OF MINUTES**

Minutes of the Alexandrina Council Development Assessment Panel held on 24<sup>th</sup> October 2005.

Moved Cr Connor seconded Cr Reedman that the minutes of the Alexandrina Council Development Assessment Panel held on 24<sup>th</sup> October 2005 as circulated to members be received as a true and accurate record.

**CARRIED**

**ITEM 2.      DEVELOPMENT APPLICATIONS**

ITEM 3. **DEVELOPMENT APPLICATIONS - NON COMPLYING**

3.1 455/911/05 - Peter Russell Weeks

**SUMMARY TABLE**

Date of Application	5 <sup>th</sup> August 2005
Subject Land	Lot 3 Randell Road Hindmarsh Island
Assessment No.	A 6340
Relevant Authority	Alexandrina Council
Planning Zone	Rural Waterfront (Hindmarsh Island)
Nature of Development	Excavation of boating facility
Type of Development	Non-complying
Public Notice	19 <sup>th</sup> October 2005
Referrals	Nil
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	19 <sup>th</sup> October 2005
Recommendation	To proceed
Originating Officer	Joanne Nightingale

**ESD IMPACT/BENEFIT**

- Environmental Potential impact on watercourse and bird life, or may lead to improvement of waterfront area that is currently degraded and grassed.
- Social Potential reduction in waterfront amenity from the water.
- Economic Increased value for land owner.

**BACKGROUND**

The statement of support that accompanies this application outlines that the applicant had done background research for the application with environmental scientist Dr Travis How, conferred with the Department of Environment and Heritage's Russell Seaman (regarding RAMSAR issues) and Maurice Green of Water, Land and Biodiversity Conservation (regarding River Murray Act issues).

.../cont.

3.1 455/911/05 – Peter Russell Weeks (Continued)

**THE PROPOSAL**

**Nature of Development**

The application is for the excavation of a boat mooring facility with associated boardwalks, decking and beach. The Rural Waterfront (Hindmarsh Island) Zone in the Alexandrina Council Development Plan lists *Excavation of the waterway and land adjacent the foreshore requiring the removal of native vegetation for the purpose of irrigating or the mooring of a boat or boats* as non-complying. As this report is to make a decision of whether to proceed no referrals or categories of notice have been completed as yet.

**Detailed Description**

The applicant wishes to further excavate one of two existing channels which are of long standing on the property and are largely over grown and unusable. The application is to widen the channels entrance to the river, and enlarge the inlet to accommodate boat mooring. The existing channel opening is 15 metres wide at the river narrowing to 10 metres within 5 metres of the river opening. The channel continues to narrow to a 6 metre wide boat ramp.

The proposal is to widen the channel entrance to 18 metres for a distance of 7 metres and then widening the inlet to 40 metres for a distance of 30 metres. A further 37 metres of channel will continue inland forming boat ramp access, this portion is proposed to be 8 metres wide at its widest point and 5 metres wide at its narrowest.

Elements of the proposal include:

- Existing reeds to be retained or replanted along the edge of the opening.
- A beach access to be developed on the western side of the inlet, requiring and to be imported.
- A boardwalk 2 metres wide and 19 metres long on the eastern side of the inlet.
- A boardwalk 10 metres long and 2 metres wide along the north western portion of the boat channel.
- A deck 15 metres by 6 metres on the southern side of the inlet.
- A revegetation area of 40 metres by 30 metres including the second channel is proposed.

**DAP200542 It was agreed by consensus that the Development Assessment Panel agree to proceed to assess Development Application 455/911/05.**

**AGREED BY CONSENSUS**

## ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

### 4.1 455/820/05 - Allen DJ & LD

Cr Woolford, Presiding Member, welcomed Lyn Allen (applicant) to the meeting who addressed the reasons for the application, from 12:40 p.m. to 12:45 p.m.

#### SUMMARY TABLE

Date of Application	20 <sup>th</sup> July 2005
Subject Land	34 Wye Street Mount Compass
Assessment No.	A 19518
Relevant Authority	Alexandrina Council
Planning Zone	Residential (Mount Compass)
Nature of Development	Retaining wall to maximum height of 2.4 metres
Type of Development	Consent on merit.
Public Notice	Category 3
Referrals	N/A
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	13 <sup>th</sup> September 2005
Recommendation	Refusal
Originating Officer	Cherry Getsom

#### ESD IMPACT/BENEFIT

- Environmental Impacts associated with single storey detached dwelling. Visual impact of a large retaining wall on a corner allotment.
- Social Localised impact of new dwelling and therefore new residents (neighbours) on a currently vacant allotment.
- Economic Benefit to land owner through increase in land value, increase in rateable value of the property for Council.

.../cont.

4.1 455/820/05 – Allen DJ & LD (Continued)

**THE PROPOSAL**

**Nature of Development**

This proposal involves a single storey detached dwelling on a residential allotment. The siting of the proposed dwelling combined with the slope of the land has required the applicant to include a retaining wall of up to 2.4 metres in height as part of this proposal. The application currently before the Panel is for the retaining wall only. However as the dwelling is dependent upon the retaining wall it cannot be approved unless the retaining wall first receives approval.

**Detailed Description**

The applicant is proposing a single storey detached dwelling at No. 34 Lot 7 Waye Court, Mount Compass. This land is part of a recent subdivision approved in December 2003 (DA 455/D628/03).

The subject land is a corner allotment of 1001m<sup>2</sup> with a frontage of 22.09 metres to Waye Street and a 37 metres to Waye Court. It has a significant downward slope in a north easterly direction; there is a total fall of approximately three metres diagonally across the allotment. A 3.5 metre drainage easement is located along the northern (rear) boundary of this allotment.

The proposed dwelling (455/839/05) is to be single storey brick veneer with a colorbond roof. The design of the dwelling is such that it forms a reverse L shape on the allotment. The lower section of the reverse L is located along the Waye Street boundary, this is being the narrower of the two boundaries and is being utilised by the applicant as the front property boundary. The proposed dwelling is to be sited 7 metres from this boundary. The longer section of the L runs parallel to the side boundary, in this case along Waye Court and is setback 3 metres from this boundary.

The slope of this allotment combined with the siting of the dwelling has led to the proposal requiring a retaining wall made of sleepers along the western boundary. This retaining wall is to commence 1 metre from the front property boundary; where it will be at its maximum height of 2.4 metres. This retaining wall extends a distance of approximately 19 metres reducing in height further to the rear of the allotment. It will be approximately 1.45 metres at its lowest point. The proposal also involves a smaller retaining wall of 1.4 metres located at a distance of 3 metres from the rear or northern boundary. The siting of this wall 500mm inside of the easement has been agreed by Council Engineering staff. A wall of 1.4 metres in height also requires approval and forms part of the dwelling application, however was not subject to public notification. A third retaining wall extends from this along the eastern boundary but at 700mm in height does not require development approval. The proposal therefore involves approximately 2.2 metres of cut and approximately 800mm of fill.

.../cont.

4.1 455/820/05 – Allen DJ & LD (Continued)

The height of the first retaining wall at 2.4 metres can not be considered 'minor' and could be subject to reasonable objection. As such Category 3 Public Notification was required.

**DAP200543 Moved Cr Connor seconded Cr Reedman that Development Application 455/820/05 for a retaining wall to a maximum height of 2.4 metres at 7 Waye Street, Mount Compass, be approved.**

**CARRIED**

4.2 455/976/05 - Fairmont Homes Pty Ltd

**SUMMARY TABLE**

Date of Application	23 <sup>rd</sup> August 2005
Subject Land	3 Waye Court Mount Compass
Assessment No.	A 19521
Relevant Authority	Alexandrina Council
Planning Zone	Residential (Mount Compass)
Nature of Development	Detached dwelling – single storey + retaining wall to maximum height of 1.85 metres.
Type of Development	Consent on merit
Public Notice	Category 3
Referrals	N/A
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	13 <sup>th</sup> September 2005
Recommendation	Approval with conditions
Originating Officer	Cherry Getsom

**ESD IMPACT/BENEFIT**

- Environmental Minor impacts associated with single storey detached dwelling. Visual impact of a large retaining wall.
- Social Localised impact of new dwelling and therefore new residents (neighbours) on a currently vacant allotment.
- Economic Benefit to land owner through increase in land value, increase in rateable value of the property for Council.

**THE PROPOSAL**

**Nature of Development**

The proposal is for a single storey detached dwelling on a residential allotment at No. 3 Lot 10 Waye Court, Mount Compass. The siting of the dwelling combined with the slope of the land has required the applicant to include a retaining wall of up to 1.85 metres in height which forms part of this application.

.../cont.

4.2 455/976/05 – Fairmont Homes Pty Ltd (Continued)

**Detailed Description**

The subject land is part of a recent subdivision approved in December 2003 (DA 455/D628/03). The dwelling is to be single storey brick veneer with a colorbond roof which is to be setback 7 metres from the front property boundary. The dwelling is to be located one metre from both side boundaries. The subject land is 1002m<sup>2</sup> with a frontage of 19.73 metres and a depth of 50.75 metres. The allotment has a significant downward slope in a north easterly direction and there is a total fall of approximately four metres diagonally across the allotment.

The slope of this allotment combined with the siting of the dwelling has led the proposal to require a retaining wall along the southern boundary. This retaining wall is to commence 5 metres from the front property boundary. It will start at approximately ground level and increase in height for a distance of approximately 26 metres where it reaches its maximum height of approximately 1.85 metres. A smaller retaining wall to a height of 800mm is to be located along the northern boundary; however as this is less than a metre in height it is not defined as development and is not a subject of this report. The proposal therefore involves approximately 1.85 metres of cut and approximately 700mm of fill over the entire block.

The height of the first retaining wall at 1.85metres can not be considered minor and could be subject to reasonable objection. As such Category 3 Public Notification was required.

**DAP200544** It was agreed by consensus that the Development Assessment Panel approve Development Application 455/976/05 for a detached dwelling and retaining wall to a maximum height of 1.85 metres, subject to the following conditions:

Excavation of the site shall be kept to a minimum to preserve the natural form of the land, and be managed in such a way as to prevent erosion.

**Note:** The applicant should contact Neville Styan of Council's Engineering and Infrastructure Department prior to commencing work on the retaining wall to ensure the wall is engineered in such a manner that it will not undermine the sewer pipe on the adjoining property.

**AGREED BY CONSENSUS**



4.3 455/871/05 - Gordon John Noack

Cr Woolford, Presiding Member, welcomed Brenton Burman (from Hassell on behalf of K & M Andrews & P & B Richards), to the meeting who gave a brief summary of representations from 12:46 p.m. to 12:54 p.m.

Cr Woolford, Presiding Member, welcomed M Andrews (representor) (also on behalf of G & J Hilder & Mr & Mrs Slack), to the meeting who gave a summary of the submitted petition and her representation from 12.55 p.m. to 1.05 p.m.

Cr Woolford, Presiding Member, welcomed Mr D Williamson (representor), to the meeting who gave a brief summary of his representation from 1:05 p.m. to 1:07 p.m.

Cr Woolford, Presiding Member, welcomed Mr J Kearvell (representor), to the meeting who gave a summary of his representation from 1:07 p.m. to 1:11 p.m.

Cr Woolford, Presiding Member, welcomed G & B Noack (applicants), to the meeting, who addressed issues in relation to representations received from 1:13 p.m. to 1:34 p.m.

**SUMMARY TABLE**

Date of Application	27 <sup>th</sup> July 2005
Subject Land	4 Graham Court, Strathalbyn
Assessment No.	A 10171
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living Policy Area 8
Nature of Development	Change of use – parking truck
Type of Development	Merit
Public Notice	Category 3
Referrals	Nil
Representations Received	11
Representations to be heard	8
Date last inspected	9 <sup>th</sup> November 2005
Recommendation	Refusal
Originating Officer	Joanne Nightingale

.../cont.

4.3 455/871/05 – Gordon John Noack (Continued)

**ESD IMPACT/BENEFIT**

- Environmental Increased possibility of pollution, noise increase.
- Social Decreased amenity due to noise.
- Economic May increase property value of applicant and may decrease value of adjacent properties.

**THE PROPOSAL**

**Nature of Development**

The application is to park a truck over three tonne tare in weight. The Alexandrina Council Development Plan Rural Living Policy Area 8 Zone does not list Parking a truck as a non-complying form of development, therefore the application is consent on merit. The Development Plan does not describe categories of notice therefore the application under the Development Act 1993 is a Category three level of public notice as under Schedule 9 it is not defined as Category one or two and is not minor.

**Detailed Description**

The application seeks to house a semi-trailer for restoration before being used as a business with the garaging address for registration being 4 Graham Court, Strathalbyn. The expected use of the vehicle is one Adelaide to Melbourne trip per week with the possibilities of more. The majority of the work is intended to be interstate and not local therefore the truck is not expected to return to the site every day but rather once a week.

It was further outlined at a later date that a contract had been gained with Star Track Parcel Freight as a tow-haulier, moving goods between their depots in different capital cities. No handling of goods is to be done on site, the doors are security sealed once loaded.

DAP200545 Moved Cr Potter seconded Cr Reedman that the Development Assessment Panel approve Development Application 455/871/05 for a change of use - truck parking at 4 Graham Court, Strathalbyn, subject to the following conditions:

1. The truck shall not access or leave the site on a Sunday.
2. The truck shall access and leave the site only once a week.
3. The truck shall not access or leave the site before 8 am or after 8 pm.
4. Only one truck shall be at the site at any time.

.../cont.

- 4.3            455/871/05 – Gordon John Noack (Continued)
5.    No loading or unloading of the truck shall occur on the site.
  6.    The applicants to keep a log of all truck entry and exit visits from the property and that the log be available for Council inspection at all times.

CARRIED

ITEM 5. **DEVELOPMENT APPLICATIONS - LAND DIVISION**

5.1 455/D156/04 - RL Wood Pty Ltd

**SUMMARY TABLE**

Date of Application	10 <sup>th</sup> January 2005
Subject Land	7 Kingdon Place Goolwa South
Assessment No.	A 5492
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Land division creating one extra lot
Type of Development	Merit
Public Notice	N/A
Referrals	Planning SA SA Water
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	2 <sup>nd</sup> August 2005
Recommendation	Refusal
Originating Officer	Joanne Nightingale

**ESD IMPACT/BENEFIT**

- Environmental Increased in density and therefore use of services, stormwater, pollution, decrease in vegetation.
- Social Greater availability of housing on smaller allotment close to centre of town.
- Economic Possible increase in rate base, financial benefit to owner and wider community.

**THE PROPOSAL**

**Nature of Development**

The proposal is a Torrens Title Land Division creating one additional allotment. It is a consent on merit decision under the Residential Zone of the Alexandrina Council Development Plan as land division is not listed as complying or non-complying. It is a category one form of development both in the Development Plan and the Development Act 1993, not requiring public notice.

.../cont.

5.1 455/D156/04 – RL Wood Pty Ltd (Continued)

**Detailed Description**

The applicant seeks to create one additional allotment from a corner lot just south of the Goolwa (Residential) zone commonly known as Little Scotland. The site area of the existing allotment is 720 square metres. The land division if approved will create one allotment of 391 square metres and the second lot of 329 square metres. The larger lot will contain the existing dwelling and the second lot has had proposed dwelling plans submitted in order to show the viability of the allotment.

**DAP200546** Moved D Commerford seconded Cr A Oliver that the Development Assessment Panel approve Land Division Development Application 455/D156/04 for the creation of one additional allotment at 7 Kingdon Place, Goolwa South in accordance with the plans submitted with the application and the appropriate Government charges incurred by the applicant.

**NOTE:** That a Development Application for a dwelling be lodged within 6 months of this approval date that reflects the built form as submitted by the applicant.

**CARRIED**

ITEM 6. DEVELOPMENT ASSESSMENT - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW UP

**ITEM 8.      GENERAL ITEMS FOR DISCUSSION**

**8.1           455/D031/05 - Bill Scutchings - Boundary Realignment, Langhorne Creek**

**File Ref:**                           455/9031/05  
**Officer:**                           Cherry Getsom  
**From:**                               Olden & Van Senden

**REPORT**

This application to re-align seven existing titles was deferred at the last Panel meeting of the 24<sup>th</sup> October. The proposal involved the re-alignment of seven (7) existing titles along either side of the Mount Barker Road, Langhorne Creek, with the subject land located between Kent Road and Scott Roads. The majority of the site is located in the Flood Zone of the Alexandrina Development Plan with a small section of one of the existing allotments being split between the Flood Zone and the Country Township Zone

As a section of the land included in the proposal falls within Area A, identified in Figure FI/1 of the Flood Zone, it is removed from the list of exclusions to non-complying development in that zone. The proposal was therefore classified as non-complying.

Proposed allotment 17 is to be a considerably smaller than the other allotments at 413m<sup>2</sup> and is to contain only a water pump and filter system and be utilised solely for water supply management purposes. A number of private easements have been created leading too this allotment and the purpose of this allotment is to create a legal means to effect an orderly and equitable distribution of the water supply to the property as a participant in the Langhorne Creek Water Supply Company.

Concerns were raised regarding this allotment and its ability to be on sold with the new owner obtaining control over easement rights and therefore water access for adjoining land owners.

Additionally, existing allotment 105 is located within the township boundary of Langhorne Creek and is of uniform size and shape to those within the township. The re-alignment proposal involves amalgamating this allotment into proposed allotment 16, this also allowed for the additional title to assist in creating proposed allotment 17. Although noted in the report, I don't believe I made it clear during the Panel meeting that although allotment 105 is within the township boundary, and adjacent the Country Township Zone it is actually located within the Flood Zone.

**DAP200547 Moved Cr Oliver seconded D Commerford that the Development Assessment Panel defer Development Application 455/D031/05 at the request of the applicant.**

**CARRIED**

**8.2 M Payne & R Schliebs V K Jungfer**

Cr Connor requested an update on where this ongoing situation is at, as regards Ombudsman.

**8.3 Strath Motel – 455/261/05**

**Judith Urquhart advised the Development Assessment Panel that an appeal has been lodged regarding the above development and the Compulsory Conference is set for early December 2005.**

**8.4 Telstra Tower – Middleton – 455/1408/04**

Des Commerford advised that he will be the expert witness at this appeal, with an on site inspection taking place Wednesday 23<sup>rd</sup> November 2005 and the hearing being held on Monday 28<sup>th</sup> November 2005

**Councillor Woolford thanked Brian Hill for attending the inspections and Panel meeting and also welcomed Jenny Lauder to the meeting.**

**ITEM 9. NEXT MEETING**

Monday 19<sup>th</sup> December 2005 with the time to be advised.

**MEETING CLOSED AT 1:50 p.m.**

**MINUTES CONFIRMED .....**  
**PRESIDING MEMBER**

**DATED: .....**