

**DEVELOPMENT ASSESSMENT PANEL  
MINUTES OF MEETING HELD ON 7 APRIL 2003  
COMMENCING AT 11:35 AM  
IN THE GOOLWA CENTENARY HALL**

**PRESENT** Cr T McAnaney (Chairman), Councillors M Beckett & B Griffin, D Banks (Director Technical Services), D Commerford (Director Environmental Services).

**APOLOGIES** Councillors A Woolford, G Jarrett (Proxy for A Woolford), F Tuckwell.

**IN ATTENDANCE** V Harvey (Personal Assistant Environment Services), G West (Planner).

**ITEM 1      CONFIRMATION OF MINUTES**

Minutes of the Alexandrina Council Development Assessment Panel held on Monday 17<sup>th</sup> March 2003.

**Moved Cr Griffin seconded Cr Beckett that the minutes of the Alexandrina Council Development Assessment Panel held on Monday 17<sup>th</sup> March 2003 as circulated to members be received as a true and accurate record.**

**CARRIED**

**ITEM 2.      DEVELOPMENT APPLICATIONS**

The Chairman welcomed Mr Hancock and Mr Hunt to the Development Assessment Panel meeting at 11:36 a.m. to give a brief overview of the application.

**2.1            MJ & LJ Hancock - 455/1514/02**

Date of Application	24 <sup>th</sup> December 2002
Subject Land	43 Riverside Drive, Goolwa South
Assessment No.	A6351
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Two storey dwelling with double garage
Type of Development	Consent on Merit
Public Notice	Category 1
Referrals	N/A
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	24 <sup>th</sup> March 2003
Recommendation	Approve with conditions
Originating Officer	G West

**ESD IMPACT/BENEFIT**

- Environmental: Additional pressures on communal stormwater and waste disposal facilities in line with a single dwelling.
- Social: Localised impact of new dwelling and therefore new residents (neighbours) on a currently vacant block.
- Economic: Benefit to land owner through increase in land value, increase in rateable value of the property for Council.

.../cont.

2.1 MJ & LJ Hancock – 455/1514/02 (Continued)

**THE PROPOSAL**

The applicant proposes to construct a two storey dwelling, 8m high at its highest point, with a colourbond roof and hardies CMX external cladding. The dwelling includes 4 bedrooms, 3 bathrooms, 2 offices, 2 kitchens, 2 dining and 2 living areas, 1 laundry and a double garage.

The applicant proposes a setback of 6m from the front boundary to the front verandah and roofline of the dwelling. The front verandah is 2m deep, setting the garage and upper storey living area back 8m from the front boundary. The side setbacks are 900mm and 1200mm respectively. The dwelling covers approximately 42% of the allotment, and the proposed shed (approved) covers approximately 9% of the allotment, giving a total site coverage of 51%.

**Moved D Commerford seconded C Banks that the Development Assessment Panel issues Provisional Development Plan Consent for DA 455/1514/02 subject to the following conditions;**

1. There shall be fixed obscure glass or a raised sill to at least 1.7m above the upper floor level to all windows on the Left Elevation. This shall be provided before the dwelling is occupied.
2. There shall be a fixed obscure screen to at least 1.7m above the upper floor level to the back balcony shown on the Right Elevation and Left Elevation where it adjoins the boundaries of the adjacent allotments. This shall be provided before the dwelling is occupied.
3. The front wall of the dwelling shall be set back 9m from the front boundary, and the front balcony and roofline shall be set no closer than 7m from the front boundary.

**CARRIED**

The Chairman thanked Mr Hancock and Mr Hunt who left the meeting at 11:58 a.m.

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

The Chairman welcomed Ms J Blackmore and Mr R Shaw to the Development Assessment Panel meeting at 11:59 a.m. to give a brief overview of the application.

**3.1            Christian Centre, Middleton - 455/186/03**

Date of Application	19 <sup>th</sup> February 2003
Subject Land	Section 2245 Goolwa Road, Middleton
Assessment No.	A 2411
Relevant Authority	Alexandrina Council
Planning Zone	Rural Fringe
Nature of Development	Christian Centre including; place of worship, education, training and meeting facilities, emergency respite accommodation, caretakers dwelling, car parking and farm buildings.
Type of Development	Non-complying
Public Notice	Category 3
Referrals	Transport SA
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	24 <sup>th</sup> March 2003
Recommendation	Proceed with assessment
Originating Officer	G West

**ESD IMPACT/BENEFIT**

- Environmental:      Increase in activity on the property will bring with it an associated increase in wastes.
- Social:                Potential impact not clear at this stage.
- Economic:            Increase in value of property.

The applicant has asked that the nature of the development be defined as a *community centre*. Under the Development Regulations a *community centre* means *land used for the provision of social, recreational or educational facilities for the local community, but does not include a pre-school, primary school, educational establishment or indoor recreation centre.*

.../cont.

**3.1 Christian Centre, Middleton – 455/186/03 (Continued)**

If the proposal is defined as a *community centre* it will be a consent on merit type of development, as this use is exempted from the list of non-complying uses in Principle of Development Control 5 of the Rural Fringe Zone.

**Moved Cr Beckett seconded D Banks that the Development Assessment Panel consider that the development be defined as non-complying but has merit to proceed with an assessment.**

**CARRIED**

**The Chairman thanked Ms Blackmore and Mr Shaw who left the meeting at 11:30 p.m.**

3.2 **Alexandrina Council - 455/226/03**

Date of Application	26 <sup>th</sup> February 2003
Subject Land	Depot Milnes Road, Strathalbyn
Assessment No.	A12756
Relevant Authority	Alexandrina Council
Planning Zone	Landscape
Nature of Development	Waste Oil Receiving Facility
Type of Development	Non-Complying
Public Notice	Category 3
Referrals	Nil.
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	26 <sup>th</sup> March 2003
Recommendation	Proceed with assessment and approve
Originating Officer	J Nightingale

**ESD IMPACT/BENEFIT**

- Environmental: Improvement in the current practices of waste oil receiving, potentially preventing accidents and pollution.
- Social: The continued provision to the community of Strathalbyn and surrounds of a local waste oil receiving facility.
- Economic: Council revenue from users of facility.

The application to install a waste oil receiving facility has been determined as non-complying under Principle of Development control 11 of the Landscape (Strathalbyn) Zone, which lists as non-complying a land fill required to be licenced as a waste depot, of which this waste oil receiving facility is an associated use.

**Detailed Description**

The applicants' proposal is to construct a shed 3m by 6m by 2.8m high at the eaves. The structure will be open fronted, clad on three sides with colorbond in Rivergum green. The structure will have a suspended floor over three pre-cast concrete bunded units of 4,500 litre capacity. A galvanised 'webforge' grating floor with access hatches over individual bund sumps. Receiving facilities will include: a 3,000 litre waste oil storage tank; 200 litre drum storage for oil filters, coolant and oily rags; internal storage for empty 20 litre containers. This development will be setback 36.5m from Forrest Road.

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3.2 Alexandrina Council – 455/226/03 (Continued)

It was agreed by consensus that the Development Assessment Panel support DA 455/226/03 and applies to the Development Assessment Commission for its concurrence in issuing Provisional Development Plan Consent for the application.

AGREED BY CONSENSUS

3.3 **Riverside Enterprises - 455/495/02 & 455/622/02**

Date of Application	30 <sup>th</sup> April 2002
Subject Land	Section 172 Blackfellows Creek Road, Yundi
Assessment No.	A9817
Relevant Authority	Alexandrina Council
Planning Zone	Watershed Protection
Nature of Development	Horse Breeding and training complex with associated office
Type of Development	Non-Complying
Public Notice	Category 3
Referrals	Environment Protection Authority Country Fire Service Native Vegetation Council
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	29 <sup>th</sup> November 2002
Recommendation	Proceed with assessment
Originating Officer	G West

**ESD IMPACT/BENEFIT**

- Environmental: Potential impact due to increase in intensity of land use in the watershed area.
- Social: Increase in visitors to the area.
- Economic: Establishment of a new business should benefit the applicant.

The applications are linked and relate to different elements of a single proposal, and it is recommended that they be combined under DA 455/495/02 for horse keeping facilities if Council chooses to proceed with an assessment. This will simplify the referral and public notice processes and minimise the fees payable by the applicant.

Principle of Development Control 12 of the Watershed Protection Zone states that all kinds of development are non-complying, and lists the exceptions to this rule. Horse keeping, breeding and horse training, and an associated office is not listed as exceptions. If the shipping container were to be used as a dwelling it would also be classified as non-complying due to the fact that there is already a dwelling within the allotment boundaries.

.../cont.



**3.3 Riverside Enterprises – 455/495/02 & 455/622/02 (Continued)**

**Description**

The applicant proposes to construct extensive horse keeping and training facilities at the property. These will include 30 covered yards 3.66m x 5.8m, 2 round yards of 18m radius, eight day yards 10m x 15m, a hay shed and associated wash bay and feed shed.

The applicant also proposes to convert a shipping container to office and temporary accommodation facilities.

**It was agreed by consensus that the Development Assessment Panel proceeds with an assessment of Development Application 455/495/02 and Development Application 455/622/02 in consultation with the Southern and Hills Soils Board.**

**AGREED BY CONSENSUS**

**ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3**

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

**5.1            R Wright - 455/D514/03**

Date of Application	23 <sup>rd</sup> September 2002
Subject Land	Lot 630 Part Sec 3400 Meadows Road, Dingabledinga
Assessment No.	A9666
Relevant Authority	Alexandrina Council
Planning Zone	Watershed Protection
Nature of Development	Land division creating 1 title
Type of Development	Non-complying
Public Notice	Category 3 (Non-complying)
Referrals	Planning SA Water Corporation EPA PIRSA DHS – Health Native Vegetation Council
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	20 <sup>th</sup> February 2003
Recommendation	Refusal
Originating Officer	B Green

**ESD IMPACT/BENEFIT**

- Environmental:      May impact on land management practices due to potential sale of newly created allotment. Removal of vegetation may occur on establishment of new perimeter fencing.
- Social:                Negligible impact as existing separate living arrangements will continue with the shared use of the driveway.
- Economic:            Will benefit the existing owners and Council (rates).

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5.1 R Wright – 455/D514/03 (Continued)

**Nature of the Development**

Under the guidelines of the Watershed Protection Zone in the Alexandrina Development Plan, Land Division creating an additional Title is non-complying and requires a (Category 3) public notice under the Development Act.

**Detailed Description**

The applicants' proposal is to divide Lot 630 Meadows Road, Dingabledinga to create one additional allotment. The allotments proposed will be 2.0677ha and 13.09ha each with a habitable dwelling sited within it. The aim of the land division is to separate the dwellings onto separate Titles.

**It was agreed by consensus that the Development Assessment Panel resolve that Development Application 455/D514/02 for a land division creating one extra title at Lot 630 (Section 284) Meadows road, Dingabledinga be refused for the following reason:**

1. **Creating an extra Title in the Watershed Protection Zone under the Alexandrina Development Plan is a non-complying development and in this location and instance should not be supported.**

**AGREED BY CONSENSUS**

ITEM 6. **DEVELOPMENT ASSESSMENT - BUILDING**

ITEM 7. **MATTERS REFERRED FOR FOLLOW-UP**

**ITEM 8.      GENERAL ITEMS FOR DISCUSSION**

**8.1          Appeal - 455/209/03 - Diamanti Design**

**File Ref:**                               455/209/03  
**Officer:**                                G West  
**From:**

**REPORT**

This application to amend the balcony design was refused by the Development Assessment Panel at its meeting on the 3<sup>rd</sup> March.

The matter is currently proceeding to a full hearing of the Environment Resources and Development Court on the 22<sup>nd</sup> and 23<sup>rd</sup> of April. A fully qualified and experienced planner as well as a legal advisor will be required to represent Council in this matter.

None of Council's planning staff are prepared to represent Council as professionals in this matter as they cannot support the Panel's position.

The Development Assessment Panel will need to employ a Planning Consultant (approximate fee \$1500 - \$2000) as well as legal representation (approximate fee \$1000) if it wishes to proceed with the matter.

In light of these costs and the advice of Planning staff, the Development Assessment Panel may wish to reconsider its position and compromise rather than go to a full appeal on the matter.

**It was agreed by consensus that the Development Assessment Panel requests that a conference be held through the ERD Court in relation to the appeal, and supports the amendments to the balcony design presented in the attachment to this report, with prior consultation to the adjoining neighbour (Mr R Fails) advising him of Councils intention to the compromise.**

**AGREED BY CONSENSUS**

**9.            NEXT MEETING**

To be held Monday 5<sup>h</sup> May 2003 commencing at 10:30 a.m. at the Strathalbyn Town Hall, High Street, Strathalbyn.

**MEETING CLOSED AT 12:45 p.m.**

**MINUTES CONFIRMED** .....

CHAIRMAN

**DATED** .....