

**DEVELOPMENT ASSESSMENT PANEL  
MINUTES OF MEETING HELD ON 25 AUGUST 2003  
COMMENCING AT 3:30 PM  
IN THE GOOLWA COUNCIL CHAMBERS, CADELL STREET, GOOLWA**

**PRESENT**

Councillors A Woolford, R Potter, M Beckett, G Connor, J Davis (Proxy for Cr P Reedman), D Banks (Director Technical Services), D Commerford (Director Environmental Services).

**APOLOGIES**

Councillor P Reedman.

**IN ATTENDANCE**

G West, M Dancis (Planners), V Harvey (Personal Assistant Environmental Services).

**ITEM 1      CONFIRMATION OF MINUTES**

Minutes of the Alexandrina Council Development Assessment Panel held on Monday 21<sup>st</sup> July 2003.

**Moved Cr Connor seconded D Commerford that the minutes of the Alexandrina Council Development Assessment Panel held on Monday 21<sup>st</sup> July 2003 as circulated to members be received as a true and accurate record.**

**CARRIED**

## ITEM 2. DEVELOPMENT APPLICATIONS

### 2.1 **GW & CW Wylie - 455/872/03**

Cr Woolford, the Presiding Member, welcomed Mr Pilkington and Mr Wylie at 3:35 p.m. who gave a brief overview of the proposal to the panel on the proposal.

Cr Woolford, the Presiding Member, also welcomed Mr Briggs, on behalf of Mr Hill and the adjoining neighbour.

#### SUMMARY TABLE

Date of Application	7 <sup>th</sup> July 2003
Subject Land	13 (Lot 51) Seagull Avenue, Hayborough
Assessment No.	A 17753
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Detached two storey dwelling
Type of Development	Consent on Merit
Public Notice	Category 1
Referrals	Informal Category 2
Representations Received	1
Representations to be heard	2
Date last inspected	6 <sup>th</sup> August 2003
Recommendation	Approve with condition
Originating Officer	Mikelis Dancis

#### ESD IMPACT/BENEFIT

- Environmental Additional movement of vehicles and people in and around remnant coastal vegetation located between the proposed dwelling and beach. Waste control system has been approved to service the development, be it marginal and at variance with the norm, based on the soil types and percolation qualities of the subject land.
- Social Incremental increase in population in the locality. Impact on adjoining owner, as a result of land division, that is not common to the locality having regard to the existing sub-division pattern.

.../cont.

2.1 GW & CW Wylie – 455/872/03 (Continued)

- Economic Benefit to owner to develop in a coastal residential zone and value add to the property. The development is at variance with the normal development character in the locality and the intent of the Development Plan.

**Nature of Development:**

Similar designed dwelling to the one approved previously, located on the eastern boundary, creating the concerns raised by Mr. Hill and the reason for the report put to the Panel for consideration and resolution.

The subject land is located within the Residential Zone , where a range of dwellings, together with appropriate community uses, complementing the permanent and the holiday accommodation requirements of the urban coastal area. The allotment is accessed only from Seagull Avenue at the rear, having an unmade road at the front. The proposed dwelling will be setback 8m from that boundary. The unmade road is part of the sand dune, covered with remnant vegetation.

101 **It was agreed by consensus that the Development Assessment Panel grant Provisional Development Plan Consent to DA 455/872/03, lodged by Phillips / Pilkington on behalf of GW & CW Wylie, to erect a detached dwelling at 13 (Lot 51) Seagull Avenue, Hayborough, subject to the following conditions:**

1. **The approved development shall be carried out in accordance with the plans and documentation forming part of the application, unless varied by condition below:**
2. **There shall not be any vehicular access to the subject land (Lot 51) via Sixth Avenue or The Esplanade to ensure that the remnant coastal vegetation and sand dunes are not damaged or removed during construction and retained in their present form.**
3. **The building footprint shall be located on the line of the western side boundary adjoining Lot 50 and 900mm from the eastern boundary, to provide for natural light to existing windows located on the western wall of adjoining dwelling at 11 (Lot 463) Seagull Avenue.**

**NOTE: No damage to be caused to the Road Reserve by vehicular or foot traffic during or after the construction process.**

**AGREED BY CONSENSUS**

Councillor Woolford, Presiding Member, thanked Messrs Pilkington, Wylie and Briggs at 3:45 p.m. for their attendance.

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

**3.1            WSC Bagley & MM Danieli - 455/D549/03**

**SUMMARY TABLE**

Date of Application	15 <sup>th</sup> April 2003
Subject Land	Section 2838 Lake Road, Milang
Assessment No.	A 11228
Relevant Authority	Alexandrina Council
Planning Zone	Flood Zone
Nature of Development	Land division to create 5 additional allotments
Type of Development	Non-complying
Public Notice	Category 3
Referrals	DAC
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	10 <sup>th</sup> July 2003
Recommendation	Refuse to proceed with assessment.
Originating Officer	Mikelis Dancis

**ESD IMPACT/BENEFIT**

- Environmental      Creation of five additional allotments will attract future development for rural living purposes, and place pressure on the flood prone land, impede flood waters, may worsen conditions and impact on ecological systems and habitat in the locality. Any development would generate waste and effluent which would need to be disposed outside the zone.
- Social                The 'creation' of five allotments in the flood zone may endanger life and property. Development in this may require community services that may be difficult to provide in a satisfactory manner in the event of a major flood.
- Economic            Economic benefits accrue to the applicant who will have opportunity to develop the lakeside allotments contrary to the Objectives for the zone to restrict development recognising the hazards associated with flood events, in particular minimising the erection of structures and changes to existing natural ground levels.

.../cont.

### 3.1 WSC Bagley & MM Danieli – 455/D549/03 (Continued)

In April 2003, Council received the application and a report from Development Assessment Commission (DAC) advising that the proposal was non-complying kind of development.

The proposal is to create five allotments ranging from 3843sq m to 3869sq m in size at the southern end of Section 2838, HD Bremer (CT 5285/35) fronting Lake Road, Milang, located in the Flood Zone. The back boundary of the allotments is 3m from the existing power line traversing the section.

100 It was agreed by consensus that the Development Assessment Panel defer Development Application 455/D549/03 at the applicant's request.

**AGREED BY CONSENSUS**

### ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

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

5.1 **Bleeze, Neale & Associates - 455/D562/03**

**SUMMARY TABLE**

Date of Application	29 <sup>th</sup> May 2003
Subject Land	194A (lot 1 in DP 39695) Liverpool Road, Goolwa North
Assessment No.	A 9104
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Land Division – creating 1 extra title
Type of Development	Consent on Merit
Public Notice	Category 1
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	16 <sup>th</sup> July 2003
Recommendation	Refusal
Originating Officer	Mikelis Dancis

**ESD IMPACT/BENEFIT**

- Environmental      The allotment has minimal vegetation. Potential development will reduce open space, increase stormwater runoff and increase waste generated with increase in density.
- Social                Potential development will provide additional accommodation, utilizing existing infrastructure and services in the locality. The smaller allotments and design will impact on the historical layout of allotments, change the open character of Goolwa North and erode the lifestyle and amenity, low density provides.
- Economic            Benefit to the applicant in creating an allotment. Community gain in rates revenue, need to provide services and adds to urban consolidation.

**Nature of Development**

The application is for a Consent on Merit, Land Division application creating one additional allotment by dividing the existing allotment into two.

.../cont.

**5.1 Bleeze, Neale & Associates – 455/D562/03 (Continued)**

The size of the current allotment is 698m<sup>2</sup> with a frontage of 18.m. There is a dwelling currently situated in the middle of the block, which will need to be demolished, if the land division proceeds and creates two allotments 343m<sup>2</sup> and 355m<sup>2</sup> in size with 9m frontages to Liverpool Road.

**102 The motion was put and carried that the Development Assessment Panel refuse Land Division Application 455/D562/03 to create an additional allotment at 194A (Lot 1 in 39695) Liverpool Road, Goolwa North, as it does not comply with the following components of the Alexandrina Development Plan:**

**Council Wide  
Land Division Principle 9  
Residential  
Appearance of Land & Buildings  
Principle 8**

**CARRIED**

It was agreed by consensus that the Development Assessment Panel adjourn Item 5.2 at 4:00 p.m. to go to Item 5.3 at the request of the applicant for Item 5.3.

**AGREED BY CONSENSUS**

The Development Assessment Panel returned to Item 5.2 at 4:30 p.m.

5.2 **WF & AM Whyntie - 455/D560/03**

**SUMMARY TABLE**

Date of Application	13 <sup>th</sup> May 2003
Subject Land	Lot 1 in FP 126048 Dance Street, Goolwa
Assessment No.	A 3942
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living (Pt Elliot-Goolwa) (0.5) Zone
Nature of Development	Land division creating one additional allotment
Type of Development	Consent on Merit
Public Notice	Category 1
Referrals	Development Assessment Commission
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	14 <sup>th</sup> July 2003
Recommendation	Refuse
Originating Officer	Mikelis Dancis

**ESD IMPACT/BENEFIT**

- Environmental      Creation of an additional allotment may intensify incrementally development in the locality, adding to waste generation and change to the amenity and character of the area. No STEDS is provided in the area.
- Social                The 'creation' of an additional allotment will provide an opportunity for its development for rural living purposes while having the size of the existing allotment and impacting on the present layout, use of the land and lifestyle in the locality.

.../cont.



5.2 **WF & AM Whyntie – 455/D560/03 (Continued)**

- Economic Benefit accrues to the owner/developer in creating an allotment for rural living purposes. Council may benefit from the additional development in the form of rates to provide services.

The subject land is located at the corner of Dance and Goode Streets, in Goolwa. The site is developed with a dwelling shed and a number of other out buildings, enclosed by reasonable mature trees and shrubs around the perimeter to screen buildings from view of the streets and adjoining neighbour. The size of the existing allotment is 8 122 sq m.

The proposal before Council seeks to create an additional allotment, L shaped , 4061 sq m in size, with 40m frontage onto Goode Street, by dividing of the existing dwelling and out buildings, located on Lot 2 of same size.

103 **Moved D Banks seconded Cr Potter that the Development Assessment Panel refuse Development Application 455/D560/03, lodged by WF & AM Whyntie, for a land division at Allotment 1 in FP 126048, Dance Street, Goolwa CT 5228/646.**

**Reasons for refusal:**

**The proposal is at variance with:**

**Rural Living (Port Elliot and Goolwa District) Zone  
Objective 1 and PDCs 1, 2, 3, 4 and 5.**

**CARRIED**

5.3 RI & PL Stewart - 455/D603/03

Cr Woolford, the Presiding Member, welcomed Mr Stewart to the meeting to give an overview of his application at 4:00 p.m.

**SUMMARY TABLE**

Date of Application	1 <sup>st</sup> July 2003
Subject Land	Allotment 15 in FP 105992 Dance Street, Goolwa
Assessment No.	A 3961
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living (Port Elliot-Goolwa (0.5) Zone
Nature of Development	Land division creating one additional allotment
Type of Development	Consent on merit
Public Notice	Category 1
Referrals	Development Assessment Commission
Representations Received	Owner's report
Representations to be heard	Nil
Date last inspected	14 <sup>th</sup> July 2003
Recommendation	Refuse
Originating Officer	Mikelis Dancis

**ESD IMPACT/BENEFIT**

- Environmental      Creation of an additional allotment may incrementally intensify development in the locality, adding to waste generation and change to the character and amenity of the area. No STEDs is provided in the area.
- Social                The 'creation' of an additional allotment will provide an opportunity for its development for rural living purposes while halving the size of the existing allotment and impacting on the present layout, use of the land and lifestyle in the locality.
- Economic            Benefit accrues to the owner/developer in creating

The subject land known as allotment 15 is located on Dance Street, in Goolwa. The site is developed with a dwelling, shed and other out buildings , enclosed by reasonable mature trees and shrubs around the perimeter to screen buildings from view of the street and adjoining neighbours. The size of the existing allotment is 8,093 sq m.

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**5.3 RI & PL STEWART – 455/D603/03 (Continued)**

The proposal before Council seeks to create an additional allotment, 4070 sq m in size, with 40m frontage onto Dance Street, by dividing of, the existing dwelling and out buildings, located on Lot 20, 4,023 sq m in size.

**It was agreed by consensus that Item 5.3 for Development Application 455/D60303 be deferred to allow the Planner (G West) to gather extra information for clarification of the Panel at 4:10 p.m.**

**AGREED BY CONSENSUS**

The Panel resumed at 4:25 p.m. to Item 5.3.

**104 Moved D Commerford seconded Cr Potter that Council refuse DA 455/D603/03, lodged by Lada Veska Surveyors on behalf of RI & PL Stewart, to a Land Division at Allotment 15 in FP 105992, Dance Street, Goolwa, CT 5167/729.**

**Reasons for refusal:**

**The proposal is at variance with  
Rural Living (Port Elliot and Goolwa District) Zone  
Objective 1 and PDCs 1,2,3,4 and 5.**

**CARRIED**

Cr Woolford, Presiding Member, thanked Mr Stewart for his attendance at the meeting.

5.4 Bleeze Neale / Maronian Pty Ltd - 455/D600/03

**SUMMARY TABLE**

Date of Application	26 <sup>th</sup> June 2003
Subject Land	Lot 407 in DP 6339 Newell Avenue, Middleton
Assessment No.	A 1240
Relevant Authority	Alexandrina Council
Planning Zone	Residential Zone
Nature of Development	Land division to create one additional allotment
Type of Development	Consent on merit
Public Notice	N/A
Referrals	Development Assessment Commission
Representations Received	Environmental Health – do not support
Representations to be heard	Nil
Date last inspected	1 <sup>st</sup> August 2003
Recommendation	Refuse
Originating Officer	Mikelis Dancis

**ESD IMPACT/BENEFIT**

- Environmental      Creation of an additional allotment may incrementally intensify development and impact on coastal dunes. Additional waste generation and movement of people will affect the coastal vegetation and change the character and amenity of the area. No STEDS is provided in the area. Environmental health unit do not support the proposal.
- Social                The 'creation' of an additional allotment will introduce denser development in the area and impact on the present layout, use of the land and lifestyle in the locality.
- Economic            Benefit accrues to the owner/developer in creating an allotment for coastal residential use. Council may benefit from the additional development in the form of rates but would need to provide services.

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### 5.4 Bleeze Neale / Maronian Pty Ltd – 455/D600/03 (Continued)

The subject land, allotment 407 is located on Newell Avenue , in Middleton. The site is vacant and prone to inundation by a 10 year return flood event .Coastal vegetation, possibly remnant has established at the rear of the allotment, that is the southern end. There is a dwelling on the adjacent allotment 408, to the west. The size of the existing allotment is 770 sq m.

The proposal before Council seeks to create an additional allotment, 385 sq m in size, with 8.91m frontage onto Newell Avenue by dividing the existing allotment in to halves.

105 **Moved Cr seconded Cr It was agreed by consensus that the Development Assessment Panel defer Development Application 455/D600/03 at the applicants request.**

**AGREED BY CONSENSUS**

ITEM 6. DEVELOPMENT ASSESSMENT - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW-UP

ITEM 8. GENERAL ITEMS FOR DISCUSSION

8.1 LATE ITEM  
CL Rowe & Associates – 455/D576/03

D Commerford submitted and amended plan for the above Development Application on which the applicant was seeking direction from the Panel.

**It was agreed by consensus that a report be prepared by the Planners on the plan submitted.**

**AGREED BY CONSENSUS**

Cr Davis thanked the Development Panel for the discussion and involvement in today's meeting.

8.2 **CONFIDENTIAL ITEM**

Moved Cr Beckett seconded D Banks that in accordance with the 1999 Local Government Act, Section 90 subsection (2) and (3)(c)(g);

- (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 or 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;
  - (g) matters that must be considered in confidence in order to ensure that the council does not breach any law, order or direction of a court of tribunal constituted by law, any duty of confidence, or other legal obligation or duty.

That the Planners and Personal Assistant remain in the chamber.

CARRIED

Moved Cr Beckett seconded D Banks that the Development Assessment Panel move into camera at 4:45 p.m.

CARRIED

Moved Cr Beckett seconded D Banks that the Development Assessment Panel move out of camera at 5:10 p.m.

CARRIED

ITEM 9. **NEXT MEETING**

Monday 1<sup>st</sup> September 2003 commencing at 10:30 a.m. in the Middleton Pioneer Hall, Walker Place, Middleton.

MEETING CLOSED AT 5:10 P.M.

MINUTES CONFIRMED .....  
PRESIDING MEMBER

DATED .....