

**DEVELOPMENT ASSESSMENT PANEL  
MINUTES OF MEETING HELD ON 26 MARCH 2007  
COMMENCING AT 2:00 PM  
IN THE COMMUNITY CHAMBERS "WAL YUNTU WARRIN"**

**PRESENT** Ron Danvers (Chair), Madeleine Walker, Mike Galea, Cr G Gartrell.

**APOLOGIES** Cr R Medlyn.

**IN ATTENDANCE** Des Commerford (Director Environment & Lifestyle Services), Vanessa Harvey (Personal Assistant), Keziah Lindschau (Acting Personal Assistant), Cherry Getsom, Tom Gregory, Matt Atkinson, Andrew Sladden (Planners).

**ITEM 1 PROCEDURES FOR ADOPTION**

Formally adopt the Code of Conduct – Section 21A of the Development Act 1993

Moved Cr Gartrell seconded M Walker that the Development Assessment Panel adopts the Code of Conduct – Section 21 A of the Development Act 1993 which formed part of the agenda attachments.

**CARRIED**

**Election of Deputy Presiding Member.**

Proposed that Madeleine Walker be nominated for the position of Deputy Presiding Member.

Moved Cr Gartrell seconded M Galea that the Deputy Presiding Member be Madeleine Walker.

**CARRIED**

Meetings will be held when items are required to be heard, maybe monthly, more frequently or less frequently. No specific dates.

**ITEM 2. DEVELOPMENT APPLICATIONS**

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

The Development Assessment Panel deferred Item 4.1 to allow time for the representor, Mr Storr, to arrive from Strathalbyn for the item. The Panel moved onto Item 4.2 at 2:10 p.m.

The Development Assessment Panel returned to Item 4.1 at 3:54 p.m.

Mr Danvers, Chair, welcomed Mr Don Storr (representor) to the meeting who gave a brief summary of his representation, 3:55 p.m. to 4:00 p.m.

Mr Danvers, Chair, welcomed Anna Pullen and Dean Knobbs (applicant) to the meeting who gave an overview of the application and addressed issues raised by the representor, 4:02 p.m. to 4:23 p.m.

4.1 455/813/06 - GHD

SUMMARY TABLE

Date of Application	14 <sup>th</sup> July 2006
Subject Land	15a Langhorne Creek Road Strathalbyn
Assessment No.	A15446
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	50 bed residential aged care facility including one 2.5 metre retaining wall and one 1.5 metre retaining wall and associated earthworks, two 1.5m entrance walls and demolition of existing dwelling.
Type of Development	Consent on Merit
Public Notice	Category 3
Referrals	Dept Water Land & Biodiversity Conservation Heritage SA
Representations Received	8

.../cont.

## 4.1 455/813/06 – GHD (Continued)

Representations to be heard	2
Date last inspected	6 <sup>th</sup> March 2007
Recommendation	Approve with conditions
Originating Officer	Cherry Getsom

### ESD IMPACT/BENEFIT

- Environmental Possible impact upon Angas River and stormwater issues, however applicant required to put in place measures to minimise any possible impacts. DWLBC have advised no impacts on water quality.
- Social Benefits for the aged and their families in the local area.
- Economic Benefit for property owner and employment opportunities for local residents.

### THE PROPOSAL

#### **Nature of Development**

The application is described as a 50 bed residential aged care facility including one 2.5metre retaining wall and one 1.5 metre retaining wall and associated earthworks, two 1.5m entrance walls and demolition of existing detached dwelling and outbuilding on allotment 242. Residential aged care is defined in the Commonwealth Aged Care Act (1987) as personal care and/ or nursing care.

The subject site is located within the Residential (Strathalbyn) Zone of the Alexandrina Development.

#### **Detailed Description**

The proposed aged care facility consists of one single storey building approximately 3000m<sup>2</sup> in area. The building is to be constructed in red colonial brick with grey roof tiles. Bedrooms are clustered around courtyards at the eastern and western ends of the complex, with the main administrative and community areas centrally located, adjacent the principle entrance. The administrative and community uses include nurses stations, two dining areas, a private dining area, kitchen, laundry, consulting rooms, a gym, a cinema, café, reception area and meeting and staff rooms.

.../cont.

## 4.1 455/813/06 – GHD (Continued)

A number of lounge areas, seven in total, separate these bedroom clusters. A deck and ramp are proposed at the rear of the complex to allow access to the grounds.

The complex is expected to employ a maximum of fifteen staff; seven carers, three administrative staff and five staff involved in cleaning, cooking and laundry duties. Management functions will occur off site. It is expected that three to four deliveries per week will be required for kitchen supplies, with the laundry being serviced on site and waste being collected weekly by a contractor.

Entrance to the complex is to be via Lot 242 Langhorne Creek Rd, where the existing dwelling is to be demolished and replaced by 30 car parks (two of which are disabled). A 1.5 metre high stone face wall is proposed for either side of the driveway. A six metre landscape buffer will separate the car park from Langhorne Creek Road. The car park leads to a tear-drop shaped 'drop off zone / ambulance sweep path', providing access to the main complex. The car parks and internal roadways have been designed to comply with Australian Standard 2890.1 (2004)

A secondary access is available to Langhorne Creek Rd via a six metre wide strip. This will be for egress only

The proposal incorporates significant landscaping, principally to serve as buffers between the proposed development and adjoining residences. A large portion of the subject land will, due to its topography remain undeveloped, existing vegetation is to be retained, with supplementary vegetation to be planted.

Significant earthworks are also involved in this proposal. The topography of the site is such that a finished floor level of 60.5 AHD has been adopted for the whole building, this level takes into account expected floor levels and disability access. This has necessitated a retaining wall of approximately 2.5 metres in height to be located immediately behind an adjoining property at 5 Langhorne Crk Rd, a 1.5m high retaining wall will also be required at the southern section of the entrance road.

**Moved Cr Gartrell seconded M Galea that the Development Assessment Panel now be a closed meeting at 4:34 p.m.**

**CARRIED**

**Moved Cr Gartrell seconded M Galea that the Development Assessment Panel reopen the meeting to the public at 5:00 p.m.**

**CARRIED**

.../cont.

4.1 455/813/06 – GHD (Continued)

5 Moved M Walker seconded Cr Gartrell that Development Application 455/813/06 for a 50 bed residential aged care facility be refused for the following reasons:

Council Wide

PDC 77 Older persons accommodation (high care or low care place including nursing homes, hostels and retirement homes) and accommodation for people with disabilities should be:

(b) located where on-site movement of older persons is not unduly restricted by the slope of the land.

Strathalbyn District

PDC 4 Development should not occur on land which is unsuitable for the purpose.

PDC 44 Development liable to cause soil erosion or contribute to the silting of any watercourse should not be undertaken.

PDC 47 Development should take place in a manner which will not interfere with or obstruct watercourses.

PDC 52 Buildings should not be erected where they would require substantial earthworks which would be prominently visible from adjoining areas or be susceptible to erosion

PDC 49 Development should not take place it is may result in over exploitation of surface or underground water resources.

Residential (Strathalbyn) Zone

Objective 3 Development of the banks of the Angas River for open space purposes.

PDC 13 Housing accommodation designed specifically for the aged, disabled or retired persons should be:

(a) designed to maximise the safety, convenience and comfort of people with impaired mobility, eye sight, hearing or other disabilities.

PDC 21 To preserve the drainage and amenity function of the Angas River, buildings should not be erected closer than 50 metres to the edge of the bank of the river.

CARRIED

Mr Ron Danvers, Chair, declared an interest in Item 4.2 at 2:10 p.m.

M Walker, Deputy Presiding Member, chaired the meeting from 2:10 p.m.

M Walker, Deputy Presiding Member, welcomed Mr David Cooney (representor) to the meeting who gave a brief summary of his representation, from 2:14 p.m. to 2:25 p.m.

David Cooney tabled a statement from Mr Ian Woods (representor), who was unable to attend the meeting.

M Walker, Deputy Presiding Member, welcomed Heather Geue (representor) to the meeting who gave a brief summary of her representation, from 2:27 p.m. to 2:40 p.m.

M Walker, Deputy Presiding Member, welcomed Ivan Stone, on behalf of the Strathalbyn District Commerce Association, to the meeting who gave a brief summary of the Associations representation, from 2:42 p.m. to 2:46 p.m.

M Walker, Deputy Presiding Member, welcomed Jacqui Clarke (representor), to the meeting who gave a brief summary of her representation, from 2:46 p.m. to 2:51 p.m.

M Walker, Deputy Presiding Member, welcomed Brenton Burman from Hassell (on behalf of applicant) and Peter Cittadeni (Architect), to the meeting who gave an overview of the application and addressed issues raised by the representors, 2:51 p.m. to 3:15 p.m.

M Walker, Deputy Presiding Member, welcomed back H Geue on behalf of K Fliether, who gave a brief overview of the representation made from 3:15 p.m. to 3:18 p.m.

4.2 455/2/07 - Strath Land Holdings

**SUMMARY TABLE**

Date of Application	22/12/06
Subject Land	2 & 4 North Parade, Strathalbyn
Assessment No.	A12950
Relevant Authority	Alexandrina Council
Planning Zone	Residential (Strathalbyn) Zone – Policy Area 21 Central Historic (Conservation)
Nature of Development	Motel - six motel buildings comprising twenty-three single storey units, a two storey office and caretakers flat, car and bus parking facilities, landscaping, fencing and demolition of existing buildings.
Type of Development	Consent on merit
Public Notice	Category Three
Referrals	Transport SA Heritage SA (informal)
Representations Received	12
Representations to be heard	6
Date last inspected	06 March 2007
Recommendation	Approve with conditions
Originating Officer	Cherry Getsom

**ESD IMPACT/BENEFIT**

- Environmental      Likely increase in stormwater, decrease in existing vegetation.
- Social                Possible increase in noise, employment, overnight accommodation.
- Economic            Possible employment increase, tourism increase. Greater requirement for service provision (rubbish, Hospitals, etc)

.../cont.

## 4.2 455/2/07 – Strath Land Holdings (Continued)

### THE BACKGROUND

Development Application 455/261/05 for a similar development was lodged with Council in 2005. The Application was presented to Development Assessment Panel (DAP) in October 2005 with a recommendation for approval. The Panel subsequently resolved to refuse the application and the applicants appealed the refusal decision to the Environment Resources and Development (ERD) Court. At the compulsory court conference, a compromise was reached and the application was approved with the consent of DAP. A third party appeal was subsequently lodged with the ERD Court where it was discovered that Council had made a fundamental error in the assessment of the application and the appeal was struck out.

A second motel application (455/387/06) was lodged on 29.03.06 on the subject land. This was essentially a very similar to that agreed upon by DAP and the applicant at the ERD Court conference. This application was presented to and refused by the DAP on 17<sup>th</sup> July 2006. The reasons for refusal predominately related to the appropriateness of a commercial (tourist accommodation) use within a Residential zone, the bulk and scale of the proposed development and its subsequent impacts upon the character and amenity of the locality.

This decision was appealed to the ERD court who handed down a determination on 21 November 2006 refusing Provisional Development Plan Consent. It should be noted that in making this determination the Court resolved that the Alexandrina Development Plan does envisage tourist accommodation in several areas of the Strathalbyn Township and that the subject land is an appropriate location for a motel. The reasons for refusal were related to amenity, to the scale and bulk of the proposed development, its impact on the existing character of the locality and heritage focus.

### THE PROPOSAL

#### *Nature of Development*

The proposal involves demolition of the existing detached dwellings and outbuildings located on the subject site. Construction of six (6) motel buildings, comprising a total of twenty-three single storey units. Construction of a free standing two storey building comprising an office and caretakers flat. Associated car and bus parking facilities are proposed as part of this development.

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## 4.2 455/2/07 – Strath Land Holdings (Continued)

The Alexandrina Council Development Plan Residential (Strathalbyn) Zone does not list a Motel as a non-complying form of development, and as such the application is assessed as 'consent on merit'. The Development Plan does not describe categories of notice and accordingly, the application was determined to be a Category 3 form of development under the Development Act 1993 as it cannot be considered to be a minor form of Development.

A "Motel" is defined pursuant to Schedule 1 of the Development Act 1993 as:

*"A building or group of buildings providing temporary accommodation for more than five travellers, and includes an associated restaurant facility but does not include a hotel or residential flat building."*

It is noted however that this proposal does not include restaurant or conference facilities.

### *Detailed Description*

The built form of the proposal involves six freestanding buildings comprising a total of 23 single storey motel units ranging from single room to two room units. The buildings are located towards the outer perimeter of the site, surrounding a central car park. Each of the units with frontage to either North Parade or East Tce incorporates some form of decking. The motel units are slightly staggered and are to be set back a minimum of 4.09 metres from the deck area to the East Tce boundary and a minimum of 5.05 metres from the deck area to the North Parade boundary. Units along the southern boundary are setback 6.5m from this boundary, with a 1.5m setback distance to the western boundary.

The colours and materials of the proposed motel include brickwork and stone walls, galvanised corrugated iron roofing, natural anodised aluminium windows and plantation hardwood decking.

The subject land involves a site area of 4323 m<sup>2</sup>, with the proposed motel have a floor area of 1181m<sup>2</sup> (exclusive of covered walkways). This provides for a site coverage of 27.5 per cent.

A two storey office/ caretakers residence building is proposed for the north west portion of the site and is to be utilised for office administration purposes and as a caretakers facility. This building is to be no higher than 9 metres and includes a balcony to the upper floor facing North Parade.

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4.2 455/2/07 – Strath Land Holdings (Continued)

A canopy is proposed to join the office/caretakers residence to a section of the motel to provide a defined entry and sheltered area adjacent the reception.

On site parking is provided for twenty nine vehicles and one bus with access & egress achieved via a single eight metre wide driveway and cross over located on North Parade. This section of North Parade is closed to through traffic, due to the recent introduction of a round about at the East Tce, Adelaide Road and North Parade intersection.

Proposed landscaping includes informal street frontages with a three to six metre uninterrupted landscape buffer along both the North Parade and East Tce frontages. Landscaping has also been included between each of the six motel buildings and as a buffer to the car parking area.

Moved M Galea seconded Cr Gartrell that the Development Assessment Panel now be a closed meeting at 3:18 p.m.

CARRIED

Moved Cr Gartrell seconded M Galea that the Development Assessment Panel reopen the meeting to the public at 3:46 p.m.

CARRIED

6 Moved M Galea seconded Cr Gartrell that the Development Assessment Panel grant Provisional Development Plan Consent to Development Application 455/2/07 for a Motel- six motel buildings comprising twenty three single storey units, a two storey office and caretakers flat, car and bus parking facilities, landscaping, fencing and demolition of existing buildings subject to the following conditions:

- The external finishes to the building or structure herein approved shall be in accordance with the materials as specified in the application now approved.
- No additional signs are to be erected or displayed on or about the buildings without the prior consent of Council.

.../cont.

4.2 455/2/07 – Strath Land Holdings (Continued)

- All of the carparks, driveways, and vehicle manoeuvring areas shall be constructed and bituminised, brick paved or concreted in accordance with sound engineering practice prior to the occupation of the development herein approved.
- Before the development hereby permitted starts, three copies of a site layout plan drawn to scale and dimensioned must be submitted prior to Development Approval. The plan must show the proposed landscape treatment and maintenance of the site including details of appropriate semi matured trees and species suitable to the locality. When approved, the plan will be endorsed and will then form part of the approval.
- The applicant or other approved persons for the time being making use of the subject land now approved shall at all times maintain in good and substantial condition in all respects the subject land (including carparking areas, driveways and footpaths) all buildings and structures and all landscaped and open space areas.
- Floodlighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to cause no light overspill to adjacent residential development.
- Site stormwater to be detained on site and reused where possible. overflow from site is to be controlled and restricted to a maximum of 5 litres per second
- Approval for an appropriate Waste Control System be obtained prior to full Development Approval being granted.
- The fence proposed for the southern boundary be a minimum of 2.4 metres in height.
- Free standing solar panels be removed from the application and an alternative design in keeping with the form of the building be provided prior to full Development Approval.

CARRIED

Item 4.3 commenced at 5:02 p.m.

4.3 455/1486/06 - Southern Cross Care

## SUMMARY TABLE

Date of Application	22.12.06
Subject Land	2a Goyder Street Goolwa
Assessment No.	A6326
Relevant Authority	Alexandrina Council
Planning Zone	Tourist Accommodation - GoolwaResidential
Nature of Development	Change of Use
Type of Development	Non-Complying
Public Notice	N/A
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	14 <sup>th</sup> March 2007
Recommendation	Proceed with full assessment
Originating Officer	Tom Gregory

## BACKGROUND

The subject land is located at 2A Goyder Street, Goolwa. It is also known as Certificate of Title – Volume 5965 Folio 248. The allotment has an approximate area of 510square meters, with a frontage to Goyder Street of 11.6metres and a frontage to Hay Street of 27.69metres.

The subject land is located with the Tourist Accommodation (Goolwa) Zone, of the Alexandrina Council Development Plan. Principle of Development Control 23 of this zone list's an 'office' as being a form of 'non-complying' development.

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4.3 455/1486/06 – Southern Cross (Continued)

**THE PROPOSAL**

The proposed development involves the change in land use from a single storey detached dwelling to small scale 'office accommodation' together with associated car parking, landscaping and signage. The proposed use is to accommodate an area for offices, rather than creating offices with an accommodation component. Internal alterations are required, and the proposed plans can be seen on the following attachment.

On site parking will be provided, and will be fully assessed, should the Development Assessment Panel resolve to proceed with a full and proper assessment of this application.

The proposed offices are intended to accommodate the regional offices for Southern Cross Cares' Southern Fleurieu outreach program. Southern Cross Care operates a number of aged care facilities as well providing a range of community service programs. The office will operate as a base for five staff members, including one administration officer, and provide for the storage of equipment and client files.

7 **Moved M Walker seconded Cr Gartrell that the Development Assessment Panel determine to proceed with an assessment of Development Application 455/1486/06 for a change of use to office accommodation.**

**CARRIED**

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

The next Development Assessment Panel will be held on Wednesday 18<sup>th</sup> April 2007 with the time to be advised. Inspections will depart from the Council office at Goolwa at 9:00 a.m.

**MEETING CLOSED AT 5:16 P.M.**

MINUTES CONFIRMED .....  
CHAIR

DATED: .....