

**DEVELOPMENT ASSESSMENT PANEL
MINUTES OF MEETING HELD ON 20 MARCH 2006
COMMENCING AT 11:00 AM
IN THE LARGE MEETING ROOM (OLD GOOLWA COUNCIL CHAMBERS)**

PRESENT

Cr A Woolford (Presiding member), Cr M Beckett,
Cr R Potter, Cr P Reedman, Cr A Oliver, Cr G
Connor.

APOLOGIES

IN ATTENDANCE

Sally Roberts (Policy Planner), Cherry Getsom
(Planner – Team Leader), Andrew Sladden
(Planner), Vanessa Harvey (Personal Assistant).

ITEM 1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 20th
February 2006.

Moved Cr Oliver seconded Cr Connor that the minutes of the Alexandrina
Council Development Assessment Panel held on 20th February 2006 as
circulated to members be received as a true and accurate record.

CARRIED

ITEM 2. DEVELOPMENT APPLICATIONS

2.1 455/1284/05 - Carlo Ferraro Pty Ltd

Cr Woolford, Presiding Member, welcomed Julie Bedford (representor) to the meeting who gave a brief overview of the representation, 11:33 a.m. to 11:35 a.m.

Cr Woolford Presiding Member, welcomed Geoff Bone (MasterPlan) and Noel Allen (on behalf of the applicants) who gave reasons for the application, from 11:36 a.m. to 11:46 a.m.

SUMMARY TABLE

Date of Application	31 st October 2005
Subject Land	Foodland/33 Hutchinson St Goolwa
Applicant	Carlo Ferraro Pty Ltd
Owner	Carlo Ferraro Pty Ltd
Assessment No.	A 5752
Relevant Authority	Alexandrina Council
Planning Zone	District Centre Goolwa (Goolwa Village Policy Area 3)
Nature of Development	Temporary Chemist Dispensary
Type of Development	Consent on Merit
Public Notice	Category 2
Referrals	N/A
Representations Received	1
Representations to be heard	1
Date last inspected	8 th March 2006
Recommendation	Approve with conditions
Originating Officer	Cherry Getsom

ESD IMPACT/BENEFIT

- Environmental Minimal
- Social Ability of the Chemist to provide dispensary services for existing and/or new customers
- Economic Advantages for the Dispensary Owner and Tenancy owner.

.../cont.

2.1 455/1284/05 – Carlo Ferraro Pty Ltd (Continued)

THE PROPOSAL

Nature of Development

The application is for a temporary Ausco Transportable building to be utilised as a temporary Chemist Dispensary within the existing Woolworths complex at Lot 30 Hutchinson Street, Goolwa.

Detailed Description

The proposal involves a temporary Ausco Transportable building located adjacent the existing 'Browse and Save' store. This is a stand alone store which forms part of the existing shopping complex, known locally as the Woolies complex. This complex is located within the District Centre Zone (Goolwa Village Policy Area 3) of the Alexandrina Development Plan. The building has a total floor area of approximately 57.6m² and is to be painted cream to match the walls of the adjacent tenancy. It is to be utilised as a dispensary for the existing chemist located nearby within the mall of the shopping complex. The dispensary is to be staffed by one person whose primary function will be to prepare prescriptions. These prescriptions will be collected by the Chemist for provision to customers at the shopping mall tenancy. The Chemist currently fills these prescriptions at premises on Beach Road. The location of pharmacies is regulated by the National Health Act, 1953. The location of existing dispensary does not allow for it to be relocated to within the existing chemist store at a later date. The temporary pharmacy will meet the requirements of the National Health Act, 1953 in terms of locality and subsequently will be able to be relocated and combined with the existing chemist at a later date. The dispensary will be able to be accessed by the public however there will be no need for customers to attend the premises.

A temporary approval for a period of five (5) years was originally sought to allow sufficient time for the Chemist to relocate into the existing shopping centre and still meet the requirements of the National Health Act, 1953. However a change in ownership of the Beach Road tenancy has altered the original approach and a reduced period of one year has been requested.

4 **It was agreed by consensus that the Development Assessment Panel approve Development Application 455/1284/05 for a temporary Chemist Dispensary for a period of one year, subject to the following conditions:**

- Any landscaping removed or affected by the temporary dispensary to be replaced to the suitable satisfaction of Council.
- The structure shall be constructed of materials and of a colour to compliment the existing shopping complex.
- Upon removal of the temporary building the area to be returned to its original condition.

AGREED BY CONSENSUS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

3.1 455/C076/05 - Weber Frankiw & Associates (For G Eastwood)

Cr Woolford, Presiding Member, welcomed Alan Rumsby (Nolan Rumsby Planners) and Geoff Eastwood (applicant) who addressed reasons (in respect of all three applications) for the applications and requesting that the Panel approve Development Applications 455/C076/05, 455/C077/05 & 455/C078/05 to have merit to proceed, from 11:49 a.m. to 12 noon.

SUMMARY TABLE

Date of Application	7 th September 2005
Subject Land	Lot 30 Airport Road Goolwa
Assessment No.	A 1363
Relevant Authority	Alexandrina Council
Planning Zone	General Farming
Nature of Development	Community Title land division creating 4 additional allotments.
Type of Development	Non-complying
Public Notice	N/A at this stage
Referrals	Development Assessment Commission SA Water PIRSA
Representations Received	N/A at this stage
Representations to be heard	N/A
Date last inspected	4 th November 2005
Recommendation	Refusal
Originating Officer	Judith Urquhart / Sally Roberts

ESD IMPACT/BENEFIT

- Environmental Increased stormwater and wastewater flows.
- Social Increased lifestyle opportunities for a few, and (possible) tourist opportunities. Potential impacts on surrounding land uses and existing lifestyle.
- Economic Possible increased viability of the airport but (future) alienation of productive farmland.

.../cont.

3.1 455/C076/05 – Weber Frankiw & Associates (for G Eastwood) (Continued)

THE PROPOSAL

Nature of Development

This application should be considered along with community title land divisions 4545/C077/05 and 455/C078/05 (the secondary schemes). This proposal is the primary land division scheme which seeks to create two community lots, three development lots and common property.

The creation of additional allotments in the general farming zone is a non-complying use. This decision is required under Section 39 of the Development Act and is effectively a decision whether or not to proceed with further assessment under Section 35 of the Act. Note that, since a recent decision in the ERD Court, appeal rights exist against a refusal under Section 39. Appeal rights do not exist for the applicant against a decision under Section 35 of the Act.

Detailed Description

This proposal seeks to establish the base for future staged development of the airport as an "Airpark" by identifying all of the common land and various (potential) residential and commercial stages. The concept involves the integration of housing with an airport providing lifestyle, business and recreational opportunities for residents. In detail it proposes:

- pieces 3 & 4, the residential component of 5.33 ha. (455/C077/05);
- pieces 1 & 2, the commercial component of 1.97ha. (455/C078/05);
- development lot 5 of 19.04 ha for future development;
- development lot 6 of 3.58 ha for future development;
- development lot 7 of 9.288 ha for long-term future development and,
- common property comprising existing common facilities and runways and taxiways.

Land division applications 455/C077/05 and 455C078 are secondary land division schemes (refer reports which follow).

Statements of Support have been provided for the two secondary schemes and are considered adequate for this proposal as well. A Scheme Description has also been provided.

5 Moved Cr Reedman seconded Cr Potter that the applications 455/C076/05, 455/C077/05 and 455/C078/05 proceed for further assessment under Section 35 of the Act.

LOST
.../cont.

3.1 455/C076/05 – Weber Frankiw & Associates (for G Eastwood) (Continued)

DIVISION CALLED BY CR REEDMAN

THOSE MEMBERS VOTING IN THE AFFIRMATIVE

Councillors Reedman & Potter.

THOSE VOTING AGAINST THE MOTION

Councillors Beckett, Connor and Oliver.

Moved Cr Oliver seconded Cr Connor that all three Development Applications for community title land division 455/C076/05, 455/C077/05 and 455/C078/05 (Items 3.1, 3.2 and 3.3) be refused on the grounds that they are not orderly development within a General Farming Zone and will have a detrimental affect on the rural character of the locality. In particular it is considered to be seriously at variance with the Development Plan having regard to the following Objectives and Principles:

Council-wide	Objective 1 Objective 32 Objective 42
Mt. Lofty Ranges Region	Objectives 49 & 51 Principle 3 (a) Principle 74 & 77 Principles 133 & 137 Principle 165 (b) Principles 167, 168, 170, 171 & 173
Port Elliot/Goolwa District General Farming Zone	Principle 25 Objectives 1 & 5

Also that the Development Assessment Panel recommend to Council that a Plan Amendment Report (PAR) be undertaken for this particular area as a matter of urgency.

CARRIED

Items 3.2 and 3.3 were dealt with in the motion for Item 3.1

3.2 455/C077/05 - Weber Frankiw & Associates (For G Eastwood)

SUMMARY TABLE

Date of Application	7 th September 2005
Subject Land	Lot 30 Airport Road Goolwa
Assessment No.	A 1363
Relevant Authority	Alexandrina Council
Planning Zone	General Farming
Nature of Development	Community Title land division creating 15 additional allotments
Type of Development	Non-complying
Public Notice	N/A at this stage
Referrals	Development Assessment Commission SA Water PIRSA DAIS Transport SA
Representations Received	N/A at this stage
Representations to be heard	N/A
Date last inspected	4 th November 2005
Recommendation	Refusal
Originating Officer	Judith Urquhart / Sally Roberts

ESD IMPACT/BENEFIT

- Environmental Increased stormwater and wastewater flows.
- Social Increased lifestyle opportunities for a few, and (possible) tourist opportunities. Potential impacts on surrounding land uses and existing lifestyle.
- Economic Possible increased viability of the airport but (future) alienation of productive farmland.

.../cont.

3.2 455/C077/05 – Weber Frankiw & Associates (for G Eastwood) (Continued)

THE PROPOSAL

Nature of Development

This application should be considered along with community title land divisions 4545/C076/05 (the primary scheme) and 455/C078/05. This proposal seeks to create an additional 15 lots essentially for residential purposes. It forms Stage 1 of the proposed Residential Airpark. A masterplan showing all intended future development can be viewed in Attachment 3.2.

The creation of additional allotments in the general farming zone is a non-complying use. This decision is required under Section 39 of the Development Act and is effectively a decision whether or not to proceed with further assessment under Section 35 of the Act. Note that, since a recent decision in the ERD Court, appeal rights exist against a refusal under Section 39. Appeal rights do not exist for the applicant against a decision under Section 35 of the Act.

Detailed Description

This proposal seeks to establish 15 community titled residential allotments ranging in size from 2145 sq m to 6435sq m. Access is by private road off Boettcher Road using an existing access point. Proposed Lot 1 has an existing dwelling and shed and proposed lot 2 has an existing hangar. All other allotments are vacant.

The land is flat and, apart from some scattered trees and shrubs along the road boundary, devoid of trees. The proposed lots are clustered in two groups of seven, sited between Boettcher Road and the existing bitumen runway. The eastern boundaries of lots 6, 7, 12 and 13 abut the runway.

The concept is that owners will establish dwellings and are also obliged (by the Scheme Description) to construct hangars/workshops.

A Statement of Support has been provided.

Items 3.2 and 3.3 were dealt with in the motion for Item 3.1

3.3 455/C078/05 - Weber Frankiw & Associates (For G Eastwood)

SUMMARY TABLE

Date of Application	7 th September 2005
Subject Land	Lot 30 Airport Road Goolwa
Assessment No.	A 1363
Relevant Authority	Alexandrina Council
Planning Zone	General Farming
Nature of Development	Community Title land division creating 5 additional allotments
Type of Development	Non-complying
Public Notice	N/A at this stage
Referrals	Development Assessment Commission SA Water PIRSA
Representations Received	N/A at this stage
Representations to be heard	Nil.
Date last inspected	4 th November 2005
Recommendation	Proceed to further assessment under Section 35 of the Development Act
Originating Officer	Judith Urquhart / Sally Roberts

ESD IMPACT/BENEFIT

- Environmental Increased stormwater and wastewater flows.
- Social Increased lifestyle opportunities for a few, and (possible) tourist opportunities. Potential impacts on surrounding land uses and existing lifestyle.
- Economic Possible increased viability of the airport but (future) alienation of productive farmland.

.../cont.

3.3 455/C078/05 – Weber Frankiw & Associates (for G Eastwood) (Continued)

THE PROPOSAL

Nature of Development

This application should be considered along with community title land divisions 4545/C076/05 (the primary scheme) and 455/C077/05 (secondary residential scheme). This proposal seeks to create 5 additional community title lots over existing and yet to be built hangars/workshops (DA NO.455/489/05) in pieces 1 and 2 to be created in land division 455/C076/05. It forms Stage 1A of the proposed Residential Airpark. A masterplan showing all intended future development can be viewed in attachment 3.3(a).

The creation of additional allotments in the general farming zone is a non-complying use. This decision is required under Section 39 of the Development Act and is effectively a decision whether or not to proceed with further assessment under Section 35 of the Act. Note that, since a recent decision in the ERD Court, appeal rights exist against a refusal under Section 39. Appeal rights do not exist for the applicant against a decision under Section 35 of the Act.

Detailed Description

This proposal seeks to establish 5 additional community titled commercial allotments ranging in size from 945 sq m to 3360sq m, reflecting existing hangar/workshop buildings on proposed Lots 20, 21 and 23, two vacant lots and Lot 25 containing thirteen hangars/workshops yet to be built. Access is existing off Boetcher Road.

The land is flat and, apart from some scattered trees and shrubs along the road boundary, devoid of trees. The proposed lots are clustered in and around existing hangars/workshops and in the area of the recently approved additional hangars immediately south.

A Statement of Support has been provided.

3.4 455/D031/05 - Bill Scutchings

Cr Woolford, Presiding Member, welcomed Mr Scutchings (applicant) and Mr Geoff Van Senden (Olden & Van Senden, Surveyors) to the meeting who addressed reasons for the application, from 12:20 p.m. to 12:25 p.m.

SUMMARY TABLE

Date of Application	6 th April 2005
Subject Land	Lots 444,1+3 Mt Barker Rd Langhorne Creek
Applicant	Bill Scutchings
Owner	As above
Assessment No.	A 11570
Relevant Authority	Alexandrina Council
Planning Zone	Flood Zone and Country Township Zone (Langhorne Creek)
Nature of Development	Boundary realignment
Type of Development	Non-complying
Public Notice	Category 1
Referrals	Department Water Land Biodiversity & Conservation (River Murray Act 2003)
Representations Received	Nil
Representations to be heard	N/A
Date last inspected	13 th October 2005
Recommendation	Approval with conditions subject to concurrence from Development Assessment Commission
Originating Officer	Cherry Getsom

ESD IMPACT/BENEFIT

- Environmental Probable environmental positives through improved land management and control.
- Social None expected.

.../cont.

3.4 455/D031/05 – Bill Scutchings (Continued)

- Economic Expected economic benefits to land owner through improved land management and control.

BACKGROUND

This application was originally presented to the Development Assessment Panel at their meeting of 24th October 2005. However a decision was deferred as concerns were raised regarding the size of one of the proposed allotments (Allotment 17) and its ability to be utilised solely for water supply management purposes. The applicant has now provided amended plans increasing the size of proposed allotment 17 to allow for a more suitable parcel size (originally proposed at 413m², now to e 626m²). Easement rights over this allotment are to be controlled under the Real Property Act. Discussions have taken place with Councils Engineering and Infrastructure Department who confirms that water can be properly managed under the proposed plan of division

The application is now re-presented with minimal change to the previous report. With the recommendation that the application be approved subject to concurrence from the Development Assessment Commission remaining.

THE PROPOSAL

Nature of Development:

The development involves the re-alignment of seven (7) existing titles along either side of the Mount Barker Road, Langhorne Creek. The site is located in the Flood Zone and the Country Township Zones of the Alexandrina Development Plan. The subject land is located between Kent Road and Scott Road.

Boundary realignments creating no additional allotments are not in themselves a non-complying form of development within the Flood zone. However, a section of this proposal falls within Area A, identified in Figure FI/1 of this zone, which removes it from the list of exclusions to non-complying development. The proposal has therefore been classified as non-complying.

Detailed Description

The proposal intends to realign seven existing titles in order to better suit the existing land uses. All allotments are currently in the same ownership and worked as one property.

.../cont.

3.4 455/D031/05 – Bill Scutchings (Continued)

Proposed Lots 11 and 12 are located along the eastern side of Mount Barker Road. They are utilised as a vineyard and vacant land (with the exception of a shed and existing vegetation). The boundary between these allotments separates the vineyard in two. The proposal involves altering this boundary so that the vineyard (Lot 11) and the vacant allotment (Lot 12) will be on separate titles.

The other five allotments are located along the western side of Mount Barker Road. They currently bear no resemblance to land uses which exist on the ground, with one title boundary splitting an existing dwelling. They are to be re-aligned so that proposed Lot 13 and 15 will contain vineyards, each currently growing a different grape variety. Proposed Lot 16 is to contain the existing dwelling and surrounding gardens and vegetation. Proposed Lot 14 is to remain vacant, with the exception of an existing shed. Proposed Lot 17, is to be a smaller than the other allotments at 626m² but is to contain only a water pump and filter system and be utilised solely for water supply management purposes.

All of the proposed allotments with the exception of the south eastern corner of proposed allotment 16 are located within the Flood Zone. This portion of allotment 16 is zoned Country Township (Langhorne Creek). The current alignment has the majority of titles located within the Flood Zone, however two existing titles are located across both zones.

Included with this report are copies of aerial photographs showing the existing boundary alignment and the proposed alterations which clearly demonstrate the relationship between the use of the land and the proposed realignment.

- 6 It was agreed by consensus that the Development Assessment Panel approves Development Application 455/D031/05 subject to concurrence from the Development Assessment Commission, with the following conditions and notes:

DAC Condition:

Two copies of a certified survey plan shall be lodged for Certificate purposes.

Note:

Any clearance of native vegetation for the development will require approval from the Native Vegetation Council.

AGREED BY CONSENSUS

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

4.1 455/907/04 - Finniss Lodge

Cr Woolford, Presiding Member, welcomed Mr Arney (representor) to the meeting, who spoke regarding his representation and consultation received with regard to the application, from 12:28 p.m. to 12:37 p.m.

Cr Woolford, Presiding Member, welcomed Mr Jeff Smith (Planning Chambers Pty Ltd) to the meeting on behalf of the applicant, who addressed reasons for the application, from 12:25 p.m. to 12:27 p.m.

SUMMARY TABLE

Date of Application	2 nd August 2004
Subject Land	Lot102 Strath-Goolwa Road Finniss
Applicant	Finniss Lodge
Owner	WF & JA Francis
Assessment No.	A 16050
Relevant Authority	Alexandrina Council
Planning Zone	General Farming (Strathalbyn)
Nature of Development	Tourist Accommodation 19 self contained units and ancillary uses
Type of Development	Consent on merit
Public Notice	Category 3
Referrals	Transport SA
Representations Received	11
Representations to be heard	Nil – already heard at 21 st June 2005 meeting
Date last inspected	8 th February 2006
Recommendation	Approval
Originating Officer	Joanne Nightingale / Sally Roberts

.../cont.

4.1 455/907/04 – Finniss Lodge (Continued)

ESD IMPACT/BENEFIT

- Environmental The development may through an intensification of land use increase pollution, it will certainly require an increased use of resources such as water.
- Social Tourist Accommodation in a rural area may result in conflicts in land use between farming and more recreational uses. However it will provide benefits for those who come to enjoy the property and the rural atmosphere.
- Economic The development may provide the region with greater tourist revenue; however the site will be set up to be quite insulated and self sufficient without the need for tourists to leave the site.

BACKGROUND

The Development Assessment Panel considered this application at its meeting held on 21 June 2005 at which time the representors and the applicant were heard. The panel decided to defer the application in order for the applicant to meet with the representors to try and resolve some of the concerns raised and to prepare a management plan that would address the concerns. This has now been done and the representors provided with a copy of the management plan. The application is now being re-presented for the panel to make a decision.

THE PROPOSAL

The site has been and still is used for grazing purposes. A boundary realignment in 2004 increased the site to include the land fronting the Strathalbyn to Goolwa Road. This application was put on hold on the 12th October 2004 while water availability issues and road investigations were carried out. A response to representations was received on the 10th January 2005 with a water licence still pending, due to the notice of prohibition slowing the application for ground water. A water licence for the taking of 33 700 kilolitres per annum has been issued as Council was notified on the 30th May 2005.

.../cont.

4.1 455/907/04 – Finnis Lodge (Continued)

Nature of Development

The application is for a Tourist Accommodation Facility comprising:

- 19 self contained units
- a management/administration/lodge building
- landscaping
- recreation facilities; including tennis courts and swimming pool
- associated car parking

A brief description of the proposal is therefore Tourist Accommodation – 19 self contained units and ancillary uses.

Detailed Description

The proposal is for 19 self-contained units with the capacity to accommodate up to 46 people. Each accommodation unit will contain a kitchen, bathroom, bedroom and living areas. The accommodation will feature open plan living, opening onto a covered deck area. Uncovered car parking is to be provided alongside each unit. One car park will be provided for the single units, with two provided for the 2 and 3 bedroom units. The units will be self-contained and operate as bed and breakfast units. Each unit will have a rainwater tank for toilet and garden use.

The accommodation units will be arranged around a circular access road. A single entry and exit point will be provided for the access road from the Strathalbyn-Goolwa Road.

The access road will also service the administration/lodge building. The lodge building will contain the administration and reception area, as well as a lounge area, local produce tasting area, bar and breakfast/dining area. An open deck area will be located along the north-western façade adjoining the building and dining areas. The deck will overlook the landscaped area to the northwest, to the northeast a picnic area is proposed.

Tennis courts, a swimming pool and car parking are proposed to be located to the south of the northern most group of units.

Trees are proposed to be retained where possible with additional landscaping to be introduced along the access road, tennis courts, swimming pool, units and lodge building. The bulk of the site is proposed to retain its open rural character.

.../cont.

4.1 455/907/04 – Finniss Lodge (Continued)

The proposal has been presented for a tourist facility and the consultants planning report reinforces that the proposal is for a self-contained tourist facility and that:

“it is not proposed as part of this application, to provide meals or other services to passers-by, or local residents.”

7 It was agreed by consensus that the Development Assessment Panel approve Development Application 455/907/04 with the following conditions:

1. The access to the Strathalbyn-Goolwa Road shall be designed and constructed to the satisfaction of the Department of Transport as outlined in their advice.
2. A waste control system approval shall be sought upon provisional development plan consent being granted and no work will commence before waste control system approvals are granted.
3. All electricity connection shall be underground in accordance with information supplied as part of the application.
4. The constructed access shall be a minimum of six metres wide and be constructed to the satisfaction of Council's Engineering & Infrastructure department
5. A landscape buffer shall be maintained until established along the southern boundary, 10 metres wide, consisting of a triple row of SA Blue Gum, Pink Gum and Messmate Stringybark.
6. Any signage will require approval through the lodgement of a separate Development Application.
7. All site stormwater to be retained and disposed of on site.
8. Water supply is from an independent on site source as indicated in Department Water Land & Biodiversity Conservation letter dated 11th May 2005. The Council managed supply is not available for this development.
9. The proposed facilities within the development are for the exclusive use of those staying within the development site and not for the general public.
10. The management plan prepared by the applicant and dated 25 October 2005 shall form part of the application and be implemented accordingly.

AGREED BY CONSENSUS

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION COMMUNITY TITLE

ITEM 6. DEVELOPMENT ASSESSMENT - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW UP

ITEM 8. GENERAL ITEMS FOR DISCUSSION

8.1 Land commonly referred to as St Lukes, Port Elliot

Cr Beckett talked about the advertised land for sale by owners on a plan not approved by Council. Is there any action Council can take regarding this advertising?

Council to do a press release advising that a Development Application has been received and will go through the due process with regard to referrals and assessment. To date no decision has been made on the application.

8.2 Land commonly referred to as Crowhurst land, Corner Liverpool Road and Mark Lane, Goolwa

Des Commerford advised that information has been received regarding a possible retirement village application for this piece of land.

ITEM 9. NEXT MEETING

To be confirmed for Tuesday 18th April 2006 with a time to be advised.

MEETING CLOSED AT 12:43 p.m.

MINUTES CONFIRMED

PRESIDING MEMBER

DATED