

ALEXANDRINA COUNCIL

NOTICE OF MEETING

Notice is hereby given to the Members that a meeting of the Development Assessment Panel will be held in the Large Meeting Room (old Goolwa Council Chambers) on 21 August 2006 commencing at 12:00 pm

Your attendance is requested.

12:00 p.m. Development Assessment Panel commencement

1:00 p.m. Conclusion of meeting.

JOHN COOMBE
CHIEF EXECUTIVE

ALEXANDRINA COUNCIL

AGENDA FOR THE DEVELOPMENT ASSESSMENT PANEL MEETING
TO BE HELD ON 21 AUGUST 2006 AT 1:00 PM
IN LARGE MEETING ROOM (OLD GOOLWA COUNCIL CHAMBERS)

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**Development Assessment Panel
Report and Agenda
on 21 AUGUST 2006 commencing at 1:00 pm
in the Large Meeting Room (old Goolwa Council Chambers)**

PRESENT

APOLOGIES

IN ATTENDANCE

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 17th July 2006.

RECOMMENDATION

That the minutes of the Alexandrina Council Development Assessment Panel held on 17th July 2006 as circulated to members be received as a true and accurate record.

ITEM 2. DEVELOPMENT APPLICATIONS

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

3.1 455/161/06 - Heritage Park Woodside Pty Ltd

SUMMARY TABLE

Date of Application	7 th February 2006
Subject Land	33 North Terrace Port Elliot
Applicant	Heritage Park Woodside Pty Ltd
Owner	Balnero Pty Ltd
Assessment No.	A 2642
Relevant Authority	Alexandrina Council
Planning Zone	Historic Conservation – Centre
Nature of Development	Commercial addition involving the construction of 8 tenancies (office/retail) with associated decking and car parking.
Type of Development	Non-complying (Minor)
Public Notice	Category 3
Referrals	Heritage Advisory
Representations Received	1
Representations to be heard	Nil
Date last inspected	July 2006
Recommendation	Approval subject to concurrence of the Development Assessment Commission and approval of the encroachment upon Council's footpath.
Originating Officer	Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental Improved site conditions as contamination from previous uses will be remediated.
- Social Benefit to residents of Port Elliot through an increase in the number of retail and commercial services.
- Economic Benefit to local economy through encouragement of commercial activities.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

BACKGROUND

The subject site is located on the corner of North Terrace and The Strand at Port Elliot. There is an existing building on the site which has previously been used as a Service Station including petrol pumping facilities and workshop and more recently as a retail outlet (shop) previously known as "The Emporium".

THE PROPOSAL

Nature of Development

The proposal involves additions to the existing building in order to create eight (8) commercial tenancies, varying in area from 33.8m² to 85.8m². Proposed tenancy 8 has direct access to a proposed deck at the front of the site which is envisaged to be used for outdoor dining. The proposal also involves the creation of a car parking area at the rear of the site and service yard along the eastern side boundary. The existing building on the subject site has a total floor area of 428m² with the additions increasing this floor area by 92m² to 520m².

Principle of Development Control 22 for the Historic Conservation – Centre Zone states:

22 The following kinds of development are non-complying in the Historic (Conservation) Zone – Centre:

Shop or group of shops with gross leasable area greater than 200 square metres

The existing site and building pursuant to the above definition is already a non-complying form of development as it has a gross leasable area of 428m². As the proposal involves an addition to this existing building of 92m², it is considered to be a minor addition to the existing non-complying use. Due to the minor nature of this addition, the proposal has been assessed as a Consent/Merit form of Development, however, should DAP resolve to grant consent, the proposal will also need to obtain concurrence of the Development Assessment Commission.

Detailed Description

The proposed additions to the existing building will create eight commercial tenancies of varying size which are all proposed to be contained within the single building and all of which have direct access to the proposed car park or street. All the proposed tenancies have rear access to a corridor which leads to communal toilet facilities.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

The exterior of the building will be constructed using colorbond (Windspray) in keeping with the original garage on the site, timber finishes and large sections of glass. The final design of the development has been developed in consultation with Council's Heritage Advisor.

There is proposed to be a car park for eight cars with an option for an additional eight along the rear boundary subject to the neighbouring land owners consent to this encroachment along their boundary. The access to the car park is proposed to be obtained from The Strand and the car park is to be bituminised and line marked with a landscaped strip located along the Strand boundary which will help to screen the car park from public view.

The building is located within the northern (road) side of the subject site, with a deck proposed to be located along the corner of North Terrace and The Strand which has direct access to tenancy 8 and is proposed to be used for alfresco dining.

As the site was previously used as a petrol station and mechanical workshop, it can reasonably be assumed that the site may be contaminated. Planning SA have provided guidelines regarding contamination issues which state the following:

"When the relevant authority has a reason to suspect that the subject land is, or has the potential to be contaminated, it is essential that an applicant be requested to demonstrate to that authority that the site is suitable for the use proposed."

The applicant was asked to provide a Site Contamination Report in accordance with Planning SA's Site Contamination Guidelines which state the following:

"The Auditor issues a Site Audit Report which states, in the opinion of the Auditor, that the site is suitable for the intended use(s), or for certain stated use(s) and also states any conditions pertaining to the use(s). The Auditor provides a copy of the Site Audit Report to the relevant planning authority. For the development or continuation of an existing commercial, industrial or similar use, assessment by an experienced environmental consultant should generally be acceptable. The consultant's report however, should state that the site assessment has been carried out in accordance with Schedules A and B of the NEPM and should include definitive statements that, in regard to site contamination, the site does not pose unacceptable risks to human health and the environment taking into account the intended use(s)."

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

The Soil contamination report provided by the Applicant has provided details of a number of areas which show signs of being contaminated. The report also provides details of how these areas will be remediated. Should DAP resolve to grant provisional Development plan consent to the proposal, the undertaking of these remedial works will become a condition of approval.

The Site Auditor has advised that he cannot provide any statements stating that the site does not pose any unacceptable risk to human health until the remediation works have been undertaken. As these form part of the application, they cannot be undertaken until consent has been granted. Therefore, should DAP resolve to grant consent, the Certificate of Occupancy will not be issued until such time that the Auditor has issued a Certificate to Council stating that the remediation works have been undertaken in accordance with the report and the site no longer poses a threat to human health.

It is also noted that a section of verandah (2.2m x 13.3m) is proposed to be located over the footpath along The Strand. This placement is subject to Council consent for an encroachment. A report in relation to this will be presented at the Council Meeting this afternoon. Therefore, consent to this proposed development will be subject to Council agreeing to the encroachment. Should the Development Assessment Panel agree to grant consent to the proposed development, yet Council not agree to the encroachment, then the applicant will be requested to amend the design accordingly and the amended plans will subsequently be presented to the Panel at a later date.

REFER ATTACHMENT 3.1(a) (page 1)

SITE & LOCALITY

The subject site is a prominent allotment located on the corner of North Terrace and The Strand at Port Elliot. There is an existing large colorbond building which was previously used as a service station including petrol pumping facilities and mechanical workshop and more recently as a retail premises. The existing building has a length of approximately 8m along the North Terrace Boundary and 8m along The Strand and has an existing floor area of 428m². To the rear of the existing building is an existing level gravel area which has previously been used for car parking.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

The locality is varied and consists predominantly of retail and commercial land uses located mostly along North Terrace and The Strand. The existing built form within this locality is varied however consisting predominantly of single storey buildings (with the exception of the Royal Family Hotel) of a wide variety of designs, styles and ages ranging from the turn of the century (20th century) to the 1960's. Located directly to the east of the subject site is the Port Elliot Bakery which is built to both the front and western side boundaries, the Royal Family Hotel directly opposite the site on the northern side of North Terrace and a Real Estate office located on the western corner of The Strand. A Café is located directly the south of the subject site on The Strand. The nearest dwelling is located on the eastern side of the Port Elliot Bakery approximately 60m from the subject site.

PUBLIC NOTIFICATION

The application was put on Category 3 Public Notification pursuant to Section 38(5) of the Development Act 1993 between 7 April 2006 and 21 April 2006.

One representation was received within the prescribed time frame. This representor has stated that they do not wish to be heard at the meeting.

REFER ATTACHMENT3.1(b) (page 83)

This representor has not stated that they are either in support or opposed to the proposed development and the only comments made are in relation to the small number of car parks proposed to be provided.

The applicant has submitted a response to the representation (refer to attachment 3.1(a) page 1). They have provided a justification for the shortfall of car parks on the subject site.

REFERRALS

The Development Application was informally referred to Council's Heritage Advisor for comment, given the fact that the subject site is located within the Historic Conservation – Centre Zone.

Council's Heritage advisor provided details of concerns and recommendations in relation to the proposed design of the additions, all of which have since been addressed by applicant and depicted in the amended plans submitted on 3 July 2006.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

CONSULTATION

Consultation has been undertaken with Council's Engineering Department (Matt James) who has no concerns or issues in relation to the proposed development and more particularly, the proposed car park.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

The following Objectives and Principles of Development Control are seen as especially relevant to this application:

Council Wide Objectives

Objective 1: Orderly and economic development.

Objective 10: Shopping, administrative, cultural, community, entertainment, educational, religious, and recreational, facilities located in integrated centres.

Comment

The proposal is considered to comply with the above objective given that the proposed development is located within the existing commercial / retail precinct of Port Elliot.

Heritage

Objective 37: The conservation and maintenance of the distinctive architectural and historic character of areas identified as Historic (Conservation) Policy Areas as expressed in desired future character statements.

Appearance of Land and Buildings

Objective 38: The amenity of localities not impaired by the appearance of land, buildings, and objects.

Comment

The proposed development will improve the amenity of the locality and compliment the existing character of the locality by enhancing the appearance of the existing building and establishing a more practical and economically sustainable land use.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

Country Townships

Objective 49: Development of country townships contained within defined boundaries.

Comment

The proposed development complies with the above given that the proposed development will be contained within the township boundary.

Council Wide Principles of Development Control

Centres and Shops

PDC 88 Shopping development should be located as follows:

- (a) a shop, or group of shops, with a gross leasable area of greater than 450 square metres should be located in a business, centre, or shopping zone, or area;
- (b) a shop or group of shops with a gross leasable area of 450 square metres or less should not be located on a primary arterial road unless located in a business, centre, or shopping zone, or area;
- (c) a shop or group of shops with a gross leasable area of 450 square metres or less located outside a business, centre, or shopping zone, or area, should:
 - (i) not hinder the development or function of any business, centre, or shopping zone, or area; and
 - (ii) conform to the design, access, and car parking requirements for business, centre and shopping zone, or area, set out in principles of development control numbered 89, 90 and 91 below.

PDC 90 Provision for the movement of people and goods within business, centre, and shopping, zones, or areas, should comply with the following:

- (a) development should not cause inconvenient and unsafe traffic and pedestrian movements, or be likely to result in the need for significant expenditure on transport and traffic works, or facilities within, or outside, the locality;
- (b) developments should be concentrated for pedestrian convenience and not allowed to extend unnecessarily along road frontages; (increasing the depth of development is a more desirable alternative);
- (c) the separation of pedestrian and vehicle movements within zones is most desirable to ensure safety and convenience;
- (d) access to car parking areas should be designed not to cause congestion or detract from the safety of traffic, on abutting roads;

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

- (e) adequate and convenient provision should be made for service vehicles and the storage and removal of waste goods and materials;
- (f) car parks should be orientated to facilitate direct and convenient access of pedestrians between them and the facilities they serve;
- (g) parking areas should be consolidated and coordinated into convenient groups, rather than located individually, and access points should be minimised.

PDC 93 Centres should have a minimal adverse impact on traffic movements on primary and primary arterial roads.

Comment

The proposed development is considered to generally comply with the above given that it is located within a Centre Zone, and is not envisaged to have a significant negative impact upon the surrounding commercial properties or the Historic Conservation – Centre Zone for that matter. Although there is a shortfall of car parking when assessed against the requirements of Table Alex /3 (Car parking Requirements), the proposal is considered to be acceptable given that the area of the existing designated car park has not been encroached upon by the proposed development and the redevelopment represents a minor addition in floor area (92m²).

Heritage

PDC 205 Development adjoining buildings, structures or sites of heritage significance should be visually compatible with that building, structure or site.

Appearance of Land and Buildings

PDC 136 The appearance of land, buildings and objects should not impair the amenity or character of the locality in which they are situated.

PDC 210 Alterations or additions to buildings should be designed and constructed to harmonise with the character of the existing building.

PDC 216 Building development should be located and designed in respect of the size, colour, form, siting, architectural style and materials of construction of buildings to harmonise with, the objectives for an area, other buildings of historical significance or heritage value or, in the absence of guidance from these, the predominant character of existing building development.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

Comment

The proposed additions have been designed to blend and compliment the existing building in terms of bulk and scale, material and colours. It is also noted that this has been designed in consultation with Council's Heritage Advisor.

Building Set-backs

PDC 220 The distance by which building development is set-back from a road should be related to the effectiveness of the screening of views of the building development from that road by existing vegetation, natural landforms or other natural features or by other existing buildings.

Comment

Given the fact that the additions are in line with the existing building (on the boundary) and comparable with the existing buildings located along North Terrace, the proposed development is considered to be acceptable.

Historic Conservation Zone – Centre Objectives

Objective 1: A zone primarily accommodating a range of small-scale retail, office, consulting rooms, community and cultural facilities appropriate to the needs of both the permanent population and holiday makers.

Objective 3: A zone in which the historic character of the streetscape is reinforced to provide a pleasant and efficient environment for pedestrians.

Comment

The proposal is considered to comply with the abovementioned Objectives given that the small floor areas of the proposed tenancies (85m² maximum) will lead to small scale commercial uses.

Historic Conservation Zone – Centre Principles of Development Control

PDC 1 Development undertaken in the Historic (Conservation) Zone – Centre should be for small-scale retailing, office, consulting rooms, community and cultural activities primarily utilising the existing historic building stock.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

- PDC 2 Development within the zone should be undertaken in a manner so as to preserve the historic development patterns as contained in Figure H(C)/1 by the siting of buildings along street frontages and the preservation of open spaces to the rear of buildings.
- PDC 3 Development within the zone should be compatible with the existing streetscape and existing building facades as shown in Figures H(C)/2, 3 and 4.
- PDC 7 Additions should form compact extensions to buildings and be in a location, form, scale and appearance which complements but does not imitate the existing historic character.
- PDC 8 Development should maintain the street frontage as the focus for commercial activity and informal social interaction.
- PDC 13 Development within the zone should be a low vehicular traffic generator and primarily be aimed at encouraging the use of the zone as a pedestrian precinct.
- PDC 18 Set-backs to front and side boundaries should be similar to the set-backs of existing historic buildings within the locality having particular regard to adjacent buildings.
- PDC 20 Car parking provisions in association with development should be provided at a ratio as detailed in [Table Alex/3](#), however, the provision of car parking facilities should not prejudice the existing historic character of the zone.

Comment

The proposed development is considered to generally comply with the abovementioned Principles of Development Control given the fact that the use of the site is compatible with the desired land uses and the design is of very similar bulk and scale to the existing building, and generally blends with the streetscape as shown in Figure H(C)/2, 3 and 4.

The alfresco dining deck at the front of the site will encourage social interaction and reinforce the locality as the commercial centre of Port Elliot. The grouping of commercial development within this locality should help to encourage pedestrian traffic. The lack of setback from the North Terrace boundary is compatible with the adjacent building (Port Elliot Bakery).

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

Of concern though is the provision of car parks. Table Alex/3 provides a requirement for 6 additional car parking spaces (92m² at 1 per 15 m² for a shop) in addition to the existing requirements for car parking. The proposal provides for 8 on site parking spaces with an option for 8 additional spaces with the consent of the adjoining land owner as these additional parks will encroach within the neighbouring allotment. For the purposes of this assessment, only 8 car parks are formally provided, given the fact that no formal arrangement has been provided for the 8 additional parks. This represents one car park per tenancy, which falls well short of the requirements provided by Table Alex/3. It is noted, however, that within the locality there is already a significant shortfall of off street car parks, and given the grouping of commercial land uses within North Terrace and The Strand, the area lends itself to pedestrian access.

CONCLUSION

The proposed development represents a small addition to the total floor area of the existing retail building, it will actually substantially increase the use of the site as an additional 7 tenancies will be created. This is envisaged to have positive economic benefits for the township of Port Elliot given the potential increase of commercial development within the existing commercial precinct. The proposed development will also encourage the use of a site which is vacant and has been vacant for some considerable time. It is noted, however, that there is a significant shortfall of car parking, both within the development site and within this commercial precinct of Port Elliot, and the proposed development will not ease these constraints.

RECOMMENDATION

That the Development Assessment Panel grant Provisional Development Plan Consent to Development Application 455/161/06 for a Commercial Addition involving the construction of 8 Tenancies (Office / Retail) with associated Decking and Car parking at 33 North Terrace, Port Elliot subject to the following conditions and notes and subject to concurrence from the Development Assessment Commission:

Conditions

- The development shall proceed in strict accordance with the amended plans received by Council on 3 July 2006, showing the amendments requested by Council's Heritage Advisor, and subject to the proposed remediation works highlighted in the Soil Contamination Report (Ref No: 060208_004) prepared by Factor Consulting Engineers P/L and submitted to Council on 20 July 2006 and 8 August 2006 subject to the following conditions:

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

- A Certificate of Occupancy shall not be issued and the subject site shall not be occupied until a Certificate indicating that the remedial works have been undertaken in accordance with the Soil Contamination Report (Ref No: 060208_004) and stating that the site does not pose an unacceptable risk to human health is submitted to and approved by Council.
- The external finishes to the building herein approved shall be in accordance with the materials and colours as specified in the application now approved.
- All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.
- All of the car parks, driveways and vehicle manoeuvring area shall be constructed and bituminised or brick paved or concreted in accordance with sound engineering practice prior to the occupation or use of the development herein approved.
- Each car parking space shall measure not less than 2.5m x 5.5m long and the manoeuvring area shall be a strip not less than 6.2m wide along the whole of the car parking area. Such car parking spaces shall be line marked with continuous white lines along the whole of each side of each car parking space prior to the use of the development herein approved and such line marking shall be maintained in good and substantial condition at all times to the reasonable satisfaction of Council.
- Before the development hereby permitted starts, three copies of a site layout plan drawn to scale and dimensioned must be submitted to and approved by Council. The plan must show the proposed landscape treatment of the site including the location of all proposed species. 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 to the reasonable satisfaction of the Council in all respects the subject land (including car parking areas, driveways and footpaths) all buildings and structures (and the external painting thereof), and all tree and shrub plantings and grassed areas.

.../cont.

3.1 455/161/06 – Heritage Park Woodside Pty Ltd (continued)

- The use and any associated processes or activities carried on shall not detrimentally affect the amenity of the locality by reason of noise, vibration, smell, fumes, smoke, soot, ash, dust or grit.
- Floodlighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such manner as to cause no light overspill nuisance to adjacent development.
- The structure herein approved is for Retail / Office purposes only, and approval must be granted by Council prior to any change of use.
- No signs are to be erected or displayed on the building without the prior consent of Council.

Notes

- Allotment boundaries will not be certified by Council staff. The onus of ensuring that the building is sited in the approved position on the current allotment is the responsibility of the owner. This may necessitate a survey being carried out by a licensed land surveyor.
- You should advise your neighbour of your intentions to build on your common boundary, prior to commencing construction.

3.2 455/426/06 - Pruszinski Architects

SUMMARY TABLE

Date of Application	13 th April 2006
Subject Land	23 Goolwa Channel Drive Hindmarsh Island
Applicant	Pruszinski Architects
Owner	V Niehus
Assessment No.	A 9320
Relevant Authority	Alexandrina Council
Planning Zone	Holiday House (Hindmarsh Island) Zone
Nature of Development	Detached Dwelling – double storey
Type of Development	Non-complying
Public Notice	N/A
Referrals	N/A
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	May 2006
Recommendation	Proceed with assessment
Originating Officer	Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental Increase in pollution potential and degradation of natural resources.
- Social Nil.
- Economic Increase in land value, rate increase, increase in services required in isolated location.

BACKGROUND

This application was presented to Council's Development Assessment Panel (DAP) meeting of 17 July 2006 for a resolution to proceed with the assessment as per Regulation 17 (3) of the Development Act 1993. DAP, at this meeting resolved the following:

"...that the Development Assessment Panel determine to proceed with an assessment of Development Application 455/426/06 for a double storey detached dwelling at 23 (lot 6) Goolwa Channel Drive, subject to amended plan showing a 25 metre setback from the watercourse."

.../cont.

3.2 455/426/06 – Prszinski Architects (continued)

The Applicant has advised that this is an invalid resolution as it essentially changes the nature of the application and has requested that the Application be presented to DAP with a resolution to either proceed with the assessment of the Application or refuse the application as it currently stands.

THE PROPOSAL

Nature of Development

The Development Application involves the construction of a detached dwelling on the subject site. The dwelling is proposed to be located approximately 4m from the waters edge.

Principle of Development Control 18 for the Holiday House (Hindmarsh Island) Zone states:

PDC 18 The following kinds of development are non-complying in the Holiday House (Hindmarsh Island) Zone:

Detached Dwellings with the exception of:

- (a) dwelling extensions;
- (b) dwelling replacement;
- (c) dwelling associated with the Government exchange programme

Development within 25 metres of the foreshore with the exception of jetties, landings or structures required for the stabilisation of the water's edge

The proposed development is considered to be a non-complying form of development on two grounds as it involves the erection of a detached dwelling on an existing vacant allotment and is also proposed to be located less than 25m from the foreshore.

Detailed Description

The proposal involves the construction of a double storey detached dwelling on the subject site. It is noted that the lower floor is not habitable, and its purpose is an entrance and stairwell in order to provide access to the dwelling. The proposed dwelling is elevated in order to meet the minimum finished floor level as required by the Land Management Agreement (LMA) registered on the site and Principles of Development Control for the zone.

.../cont.

3.2 455/426/06 – Prszinski Architects (continued)

Only a small part of the dwelling (entry) is located at existing ground level, with the rest of the dwelling being located approximately 2.5m above existing ground level. The proposed dwelling is a modern contemporary design with large windows taking advantage of the views and a flat roof.

It is proposed to locate the dwelling towards the front of the allotment setback approximately 4m from the waters edge. The reason for this setback is to bring the proposed dwelling in line with the adjoining dwelling.

REFER ATTACHMENT 3.2 (page 86)

SITE & LOCALITY

The subject site is one of a group of 26 residential sized allotments located along the southern side of Hindmarsh Island directly adjoining the Murray River and opposite the Murray Mouth. These allotments have rear access from Goolwa Channel Drive. The subject site is one of only four vacant allotments among the 26 allotments within this locality.

The subject site is a rectangular allotment measuring 18.3m wide with a visible length of 55m to the waters edge. The subject side rises up from the waters edge approximately 1.5m to a fairly level plateau over the majority of the subject site.

The locality consists of the 26 allotments located along Goolwa Channel Drive. Within this locality consists a very wide variety of detached dwellings of varying scales setbacks and designs. Adjoining the subject site to the immediate east is a reserve which is approximately twice the size of the subject allotment. This reserve is naturally vegetated with small scale shrubs and bushes which are highly salt tolerant. Located to the immediate west of the subject allotment is an existing two storey besa brick and fibro cement shack which is located close to the waters edge.

PUBLIC NOTIFICATION

Should the Development Assessment Panel resolve to proceed with an assessment of the proposed development, Category 3 Public Notification will be required to be undertaken.

REFERRALS

Should the Development Assessment Panel resolve to proceed with the assessment of this Development Application, it will be formally referred to the River Murray Minister pursuant to Schedule 8, 19 (g) of the Development Act 1993.

.../cont.

3.2 455/426/06 – Prszinski Architects (continued)

COMMENTS

Although the Development Application is considered to be non-complying form of development pursuant to the Alexandrina Development Plan, the proposal is considered to display some merit in the fact that there are many other examples of detached dwellings within the locality. Therefore, the proposed development warrants further assessment.

RECOMMENDATION

That the Development Assessment Panel determine to proceed with an assessment of Development Application 455/426/06 for a double storey detached dwelling at 23 (lot 6) Goolwa Channel Drive, Hindmarsh Island.

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

4.1 455/220/06 - Wegener Constructions

SUMMARY TABLE

Date of Application	22 nd February 2006
Subject Land	Lt 10 Trainers Way Strathalbyn
Applicant	Wegener Constructions
Owner	Peter Day
Assessment No.	A 20063
Relevant Authority	Alexandrina Council
Planning Zone	Agistment
Nature of Development	Shed – machinery
Type of Development	Consent/Merit
Public Notice	Category 3
Referrals	N/A
Representations Received	1
Representations to be heard	1
Date last inspected	April 2006
Recommendation	Approve with conditions
Originating Officer	Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental Minimal.
- Social Nil.
- Economic Increased site value.

BACKGROUND

The subject site is one of a number of newly created allotments located within the Agistment Zone on Trainers Way at Strathalbyn. The subject site is a triangular shaped allotment with a total area of 2.02ha. A single storey detached dwelling (455/264/06) has been approved on this allotment.

.../cont.

4.1 455/220/06 – Wegener Constructions (continued)

THE PROPOSAL

Nature of Development

The development Application involves the construction of a 30.4m x 10.7m (325.28m²) x 6m high shed which is proposed to be used for general farming purposes and the storage of farm machinery.

Detailed Description

The proposed shed is to be located in the north western corner of the allotment, 10.6m from the western (rear) boundary and 14m from the northern (side) boundary. Cut and fill will result in the proposed shed being located 1m below the existing natural ground level.

It is noted that the applicants originally lodged their plans with the proposed shed being located 4m from the northern side boundary, however have amended the location (14m from this boundary) as a result of the issues raised by the representation received from category 3 public notification.

REFER ATTACHMENT 4.1(a) (page 96)

SITE & LOCALITY

The subject site is an existing triangular allotment of 2.02ha with a 30m frontage to Trainers Way. The allotment is fairly level with a slight slope towards the rear of the allotment. There is no vegetation as the site was previously used for cropping. Trainers Way and the resulting allotments were created in 2005 (455/D143/04). A single storey detached dwelling (455/264/06) has been approved near the centre of the allotment.

The locality takes in the whole of Trainers Way and surrounding land to the west up to Dry Plains Road. The locality is fairly level and devoid of vegetation as the area was previously used for grazing and cropping. There is very little development located on Trainers Way as the allotments have only been recently created. There are a couple of dwellings which are partly constructed and a couple of large sheds (comparable in size and scale to this proposal) which have been constructed within the locality.

PUBLIC NOTIFICATION

The application was placed on Category 3 Public Notification pursuant to section 38(5) of the Development Act 1993 between 3 May and 17 May 2006.

.../cont.

4.1 455/220/06 – Wegener Constructions (continued)

One representation was received within the prescribed time frame. This representor has stated that they wish to be heard at the meeting.

This representor does not support the proposal for the reason that it will ruin the views from the proposed location of the representors dwelling and interfere with their backyard.

REFER ATTACHMENT 4.1(b) (page 99)

The applicant has also submitted a response to the representation.

They have amended the location of the proposed shed by setting it 10m further back from the boundary shared by the applicant and representor. Also, the applicant is proposing to set the shed a metre below natural ground level in order to reduce its visual appearance.

REFER ATTACHMENT 4.1(c) (page 101)

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

The following Principles of Development Control are seen as especially relevant to this application:

Council Wide Objectives

Appearance of Land and Buildings

Objective 38: The amenity of localities not impaired by the appearance of land, buildings, and objects.

Comment

As the locality is essentially a rural living area as is evidenced by the large allotments, the erection of sheds of this size are considered to be appropriate within the locality as is evidenced by the few examples of existing large sheds within the locality. The cut and fill, location and use of screening vegetation will also help to achieve this objective.

Council Wide Principles of Development Control

PDC 81 Free-standing residential outbuildings should not unreasonably:
(a) detract from the visual appearance of the site as viewed from neighbouring properties due to their size and location relative to property boundaries;

.../cont.

4.1 455/220/06 – Wegener Constructions (continued)

- (b) result in unreasonable overshadowing or visual impact on habitable room windows of adjacent dwellings;
- (c) result in a significant loss of private open space;
- (d) be used for a purpose which is likely to cause significant nuisance to neighbours; and
- (e) be established for human occupation.

Comment

The proposal is considered to comply given the fact that the applicant has amended the location of the proposed outbuilding to set it back a significant distance from boundaries in order to reduce the impact upon neighbouring properties.

Agistment Zone – Principles of Development Control

PDC 1 Development should not be undertaken unless associated with farming or keeping, breeding, training, exercising or stabling of horses.

Comment

As the proposed development is a farm building proposed to be used for the storage of farm machinery, the proposed development is considered to comply with the above.

PDC 5 New buildings should have a maximum height of 8.0 metres and harmonise with the existing rural character of the zone.

Comment

As the total height of the proposed shed is 6m, the proposal is considered to comply.

RECOMMENDATION

That the Development Assessment Panel approve Development Application 455/220/06 for a shed at lot 10 Trainers Way, Strathalbyn subject to the following conditions and notes:

Conditions

- The building shall be clad with steel, pre-coated in a dark range grey, green, or brown colour to blend with the surrounding natural landscape.

.../cont.

4.1 455/220/06 – Wegener Constructions (continued)

- The structure is not to be used for any other purpose i.e. for 'living' purposes without first gaining approval from the Council for a 'change of use' under the Development Act.

NOTE - that 'living' includes temporary staying overnight or at weekends.

The 'change of use' of a structure without the approval of Council can result in legal action being taken under the Development Act 1993, and can incur substantial fines

- The development shall proceed in strict accordance with the amended plans received by Council on 5 July 2006, 18 July 2006 and 3 August 2006, showing an amended setback from the northern side boundary of 14m and 10.6m from the western boundary and cut and fill, subject to the following conditions:
 - The site of the proposed building shall be screened with native vegetation that will be of a species appropriate to the area and mature to such a height to reduce the visual impact of the building. The vegetation shall not be planted closer to the building(s) or powerlines than the distance equivalent to their mature height and be maintained in a healthy condition at all times.
 - All stormwater drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.

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

8.1 455/1454/05, 455/1455/05, 455/1456/05, 455/1457/05 - Adelaide Blue Gums Pty Ltd

File Ref: 455/1454/05
Officer: Cherry Getsom
From: Phil Broderick

REPORT

A verbal report to be given at the Development Assessment Panel meeting.

8.2 455/387/06 – Hassell Pty Ltd – 42 North Parade, Strathalbyn

File Ref: 455/387/06
Officer: Cherry Getsom

A verbal report will be given at the Development Assessment Panel meeting.

ITEM 9. NEXT MEETING

Monday 18th September 2006 – time to be advised.

Meeting closed at