

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 Community Chambers "wal Yuntu Warrin" on 19 September 2007 commencing at 11:00 am

Your attendance is requested.

11:00 a.m. Development Assessment Panel commencement

12:00 p.m. Conclusion of meeting.

JOHN COOMBE
CHIEF EXECUTIVE

ALEXANDRINA COUNCIL

AGENDA FOR THE DEVELOPMENT ASSESSMENT PANEL MEETING
TO BE HELD ON 19 SEPTEMBER 2007 AT 11:00 AM
IN COMMUNITY CHAMBERS "WAL YUNTU WARRIN"

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**Development Assessment Panel
Report and Agenda
on 19 SEPTEMBER 2007 commencing at 11:00 am
in the Community Chambers "Wal Yuntu Warrin"**

PRESENT

APOLOGIES

Cr R Medlyn

IN ATTENDANCE

ITEM 1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 15th August 2007.

RECOMMENDATION

That the minutes of the Alexandrina Council Development Assessment Panel held on 15th August 2007 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/D047/07 - Alice Berry

SUMMARY TABLE

Date of Application	20 th June 2007
Subject Land	Lot 6 Berry Road Mount Compass
Assessment No.	A4964
Relevant Authority	Alexandrina Council
Planning Zone	Water Protection (Mount Compass) Zone
Nature of Development	Boundary Realignment
Type of Development	Non-complying
Public Notice	Category 1
Referrals	Department of Water, Land & Biodiversity Conservation
Representations Received	Nil
Representations to be heard	N/A
Date last inspected	4 th September 2007
Recommendation	Approval with conditions subject to concurrence from Development Assessment Commission
Originating Officer	Matt Atkinson

ESD IMPACT/BENEFIT

- Environmental Improved land management and control with the introduction of a buffer area between the Mining Lease and the other two allotments.
- Social None expected.
- Economic Expected economic benefits for the land owner through improved land management and control.

THE PROPOSAL

Nature of Development:

The development incorporates the re-alignment of three (3) existing titles located on the western side of Berry Road, Mount Compass. The subject land is located in the Water Protection (Mount Compass) Zone, as identified within the Alexandrina Council Development Plan.

.../cont.

3.1 455/D047/07 – Alice Berry (Continued)

Land divisions (including boundary realignments) are listed as a non-complying form of development within the Water Protection (Mount Compass) Zone.

Detailed Description

The Applicant proposes to realign three (3) existing titles in order to create a more orderly allotment pattern, which will complement the existing land uses. All of the subject allotments are in the same ownership.

The proposed boundary realignment would result in an existing mining lease being located on one (1) allotment with sufficient area to provide the necessary buffer to the two (2) resulting smaller allotments.

All three proposed allotments would have direct access to Berry Road. The largest proposed allotment (lot 31) will accommodate the mining lease (and buffer area) and incorporates an area of approximately 21 hectares with a frontage to Berry Road of 30 metres.

Proposed Allotment 32 contains the existing dwelling and outbuildings and has an area of 3.84 hectares with a frontage to Berry Road of 217 metres. Proposed Allotment 33 incorporates an area of 4.3 hectares with a frontage to Berry Road of approximately 30 metres.

REFER ATTACHMENT 3.1(a) (page)

SITE & LOCALITY

The subject land is located on the western side of Berry Road, just outside the township of Mount Compass. A watercourse (a small creek) runs through the subject land and the majority of the land is low-lying, with some of the land subject to flooding.

The land is currently comprised of three (3) irregular shaped allotments with a combined area of approximately 29.2 hectares and a total frontage to Berry Road of 277 metres.

A single storey detached dwelling and associated outbuildings are located on the subject land. A significant portion at the rear of the subject land is occupied by a mining lease (illustrated by a broken line on the proposed plan). This mining lease presently straddles two (2) allotments.

The subject land currently includes a mixture of land uses, including rural living, mining and grazing.

.../cont.

3.1 455/D047/07 – Alice Berry (Continued)

The locality contains varying allotment sizes ranging from approximately 37.8 hectares down to 6061 square metres (to the north of the subject land). Land uses within the locality also vary with examples of rural living, grazing, general farming, horticulture and mining.

REFER ATTACHMENT 3.1(b) (page)

PUBLIC NOTIFICATION

The proposed boundary realignment is classified as Category 1 for the purposes of public notification pursuant to Schedule 9, Part 1, (3) (c) of the Development Regulations 1993.

As such, no public notification was required.

REFERRALS

The Application was referred to the Department of Water, Land and Biodiversity Conservation (DWLBC) in accordance with Section 37 of the Development Act 1993.

The Department of Water, Land and Biodiversity Conservation has determined that the proposal warrants approval, subject to the addition of two (2) advice notes.

REFER ATTACHMENT 3.1(c) (page)

CONSULTATION

Consultation has been undertaken with Council's Environmental Health Department (EHO Luke Seidel) with regard to the effluent disposal system. The advice of the EHO is that a waste control system has been approved on Development Application 455/449/07, which is consistent with the proposed boundary realignment.

Consultation has also been undertaken with Council's Engineering & Infrastructure Department (TSO Siri Gamage). The advice of the TSO is that the proposed boundary realignment will result in a more orderly allotment configuration and there will be no additional Engineering pressures.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

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

.../cont.

3.1 455/D047/07 – Alice Berry (Continued)

Council Wide

Objectives: 1, 2, 9, 22, 23, 27, 48 & 69.

Principles of Development Control: 2, 5, 6, 7 & 9.

Port Elliot & Goolwa District

Principles of Development Control: 4, 6, 7 & 15.

Water Protection (Mount Compass) Zone

Objectives: 1.

Principles of Development Control: 1, 3, 6, 7, 8 & 9.

REFER ATTACHMENT 3.1(d) (page)

COMMENTS

Zone Objectives

The subject land is located within the Water Protection (Mount Compass) Zone. Objective 1 within the Water Protection (Mount Compass) Zone states:

“The protection of land within the zone from development which could contribute to the pollution of the surface or underground water resources.”

The Applicant proposes to realign the existing allotment boundaries to accommodate the mining lease on one (1) allotment with sufficient area to provide the necessary buffer to the two (2) resulting smaller allotments.

The resulting ‘smaller’ allotments will remain of a size (3.8 ha. & 4.3 ha) that is consistent with the open character of the locality and, importantly, the boundary realignments are not considered to contribute to any pollution of the surface or underground water resources.

The Application was referred to the Department of Water, Land & Biodiversity Conservation (DWLBC). DWLBC have advised the Council that it has assessed the Application and the proposal is deemed to comply with the Objects of the River Murray Act 2003 and its Objectives for a healthy River Murray.

.../cont.

3.1 455/D047/07 – Alice Berry (Continued)

Land Divisions & Boundary Realignments

Land divisions (including boundary realignments) are listed as a non-complying form of development within the Water Protection (Mount Compass) Zone.

In my view, land divisions are listed as non-complying within the Water Protection (Mount Compass) Zone to ensure that land within the zone is not developed beyond what is currently possible. This would ensure that no additional pressure is placed on the water resources within the area (which is the primary Objective of the Zone).

It is considered important to note that the proposed boundary realignment will not result in an opportunity for the Applicant to develop the land beyond what is currently permissible (one dwelling could occupy each existing allotment provided it could accommodate an adequate area for a waste control system).

Of the two (2) proposed smaller allotments, lot 32 is currently occupied by a detached dwelling and several outbuildings. The Applicant has demonstrated that proposed lot 33 is also able to accommodate a dwelling with an appropriate waste control system (the Applicant has forwarded a Council approved waste control application dated 2 May 2007).

I do not believe boundary realignments were anticipated when land divisions were listed as a non-complying form of development within the Zone. Land divisions, as defined in Section 4 of the Development Act 1993, include the alteration of the boundaries of an allotment.

However, boundary re-alignments generally do not result in additional development pressures and, in this instance, I believe it has been demonstrated that no adverse impacts would result from the realignment of the internal boundaries.

Native Vegetation

The Application does not include the removal of any native vegetation. The proposed boundary realignments will assist in protecting some of the native vegetation that exists on the subject land by incorporating a buffer between the mining lease area and the proposed smaller allotments.

.../cont.

3.1 455/D047/07 – Alice Berry (Continued)

Statement of Support

The Applicant has provided a Statement of Support with the application. The Statement of Support was prepared by Mr Frank McIntyre of Nolan Rumsby Planners. Mr McIntyre is an experienced Certified Practising Planner and is a corporate member of the Planning Institute of Australia.

REFER ATTACHMENT 3.1(e) (page)

RECOMMENDATION

The Development Assessment Panel approve Development Application No. 455/D047/07 for a Boundary Realignment at Lot 6 Berry Road, Mount Compass, subject to the concurrence of the Development Assessment Commission, and the following conditions:

DAC Requirements:

1. That two copies of a certified survey plan shall be lodged for Certificate purposes.

Advice Notes:

1. This advice does not obviate any considerations that may apply to the Commonwealth Government's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).
2. The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8124 4744.

3.2 455/D041/07 - Ian Johnston

SUMMARY TABLE

Date of Application	29 th June 2007
Subject Land	Lot 8 Signal Flat Road, Ashbourne
Assessment No.	A16728
Relevant Authority	Alexandrina Council
Planning Zone	Country Township Zone, Grazing Zone & Horticulture (Strathalbyn District) Zone
Nature of Development	Boundary Realignment
Type of Development	Non-complying
Public Notice	Category 1
Referrals	Department of Water, Land & Biodiversity Conservation
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	4 th September 2007
Recommendation	Approval with conditions subject to concurrence from DAC
Originating Officer	Matt Atkinson

ESD IMPACT/BENEFIT

- Environmental Negligible impact.
- Social The boundary realignment will provide more area for the Eastern Fleurieu Primary School, which should result in positive flow on effects for education within the district.
- Economic Negligible impact.

THE PROPOSAL

Nature of Development

The development incorporates the re-alignment of two (2) existing titles located on the southern side of Strathalbyn Road, Ashbourne. The Eastern Fleurieu Primary School's Ashbourne Campus currently occupies all of one allotment and a small portion of a much larger allotment. This boundary realignment would result in the School being located on its own allotment.

.../cont.

3.2 455/D041/07 – Ian Johnston (Continued)

Detailed Description

The Eastern Fleurieu Primary School's Ashbourne Campus is currently situated on two (2) titles; this Application is for a boundary realignment that would result in the School being on one (1) allotment. The proposed allotment (lot 200) would incorporate a total area of 8691 square metres with a frontage to Strathalbyn Road of 104.63 metres. The School's soccer pitch is currently situated on the separate allotment.

The boundary realignment would result in the larger allotment being left with 55.69 hectares. This equates to an approximately 1% change from the existing land areas.

The subject land incorporates land within three zones, the Country Township Zone, the Grazing Zone and the Horticulture (Strathalbyn District) Zone, as identified within the Alexandrina Council Development Plan, although the location of the boundary realignment is entirely within the Country Township Zone.

Whilst land divisions (including boundary realignments) are a merit based assessment within the Country Township Zone, the fact that the resulting larger allotment also includes areas within the Grazing Zone and the Horticulture (Strathalbyn District) Zone (where land divisions are listed as non-complying) means that this Application must be assessed as a non-complying development.

REFER ATTACHMENT 3.2(a) (page)

SITE & LOCALITY

The subject land is a large irregular shaped allotment located on the eastern edge of the Ashbourne township. The allotment is bound by a hotel (The Greenman Inn) and Country Living allotments to the north-west, the Meadows to Goolwa Road to the west, a rural property and Green Road to the south, Signal Flat Road to the east and Strathalbyn Road to the north. The total land area is approximately 56.56 hectares.

The land is undulating and is presently occupied by the Ashbourne Golf Course, a portion of the Eastern Fleurieu Primary School and grazing land. There are many mature gum trees located on the subject land.

The land is currently comprised of two (2) allotments including the allotment occupied by the majority of the School which is approximately 3093 square metres and the larger allotment of 56.25 hectares. The site of the boundary realignment incorporates a frontage to Strathalbyn Road of 104.63 metres.

.../cont.

3.2 455/D041/07 – Ian Johnston (Continued)

The locality contains varying allotment sizes ranging from approximately 91 hectares down to 2000 square metres. Land uses within the locality also vary with examples of residential, rural living, a school, a hotel, a church, grazing, general farming and horticulture.

REFER ATTACHMENT 3.2(b) (page)

PUBLIC NOTIFICATION

The proposed boundary realignment is classified as Category 1 for the purposes of public notification pursuant to Schedule 9, Part 1, (3) (c) of the Development Regulations 1993.

As such, no public notification was required.

REFERRALS

The Application was referred to the Department of Water, Land and Biodiversity Conservation (DWLBC) in accordance with Section 37 of the Development Act 1993.

The Department of Water, Land and Biodiversity Conservation has determined that the proposal warrants approval, subject to the addition of one (1) advice note.

REFER ATTACHMENT 3.2(c) (page)

CONSULTATION

No consultation with Council's Environmental Health Department or Engineering & Infrastructure Services Department was required as the boundary realignment does not affect any built form or area required for waste control. The area concerned is occupied by the School's soccer pitch.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

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

Council Wide

Objectives: 1, 2, 9, 27, 48, 49 & 69.

Principles of Development Control: 2, 6, 7 & 9.

.../cont.

3.2 455/D041/07 – Ian Johnston (Continued)

Strathalbyn District

Objectives: 3, 7 & 9.

Principles of Development Control: 1 & 10.

Country Township Zone

Objectives: 1.

Principles of Development Control: 6.

Grazing Zone

Objectives: 1 & 2.

Principles of Development Control: 7 & 10.

Horticulture (Strathalbyn District) Zone

Objectives: 2.

Principles of Development Control: 6.

REFER ATTACHMENT 3.2(d) (page)

COMMENTS

Non-complying?

Within the Country Township Zone, land divisions (including boundary realignments) are to be assessed on merit. Land divisions are only listed as non-complying within the Grazing Zone and the Horticulture (Strathalbyn District) Zone. This boundary realignment will not impact on the use or function of land within either of these zones.

Notwithstanding, as the subject land includes areas within Zones that list land division (including boundary realignments) as non-complying, the Application must be dealt with as non-complying.

.../cont.

3.2 455/D041/07 – Ian Johnston (Continued)

Zone Objectives

The subject land is located within three zones, the Country Township Zone, the Grazing Zone and the Horticulture (Strathalbyn District) Zone. However, the location of the proposed boundary realignment is entirely within the Country Township Zone. I have, therefore, placed greater weight and importance to the provisions of the Country Township Zone.

Objective 1 within the Country Township Zone states:

“A zone mainly accommodating a range of urban development and facilities serving the surrounding district.”

The boundary realignment is proposed to formalise the existing boundary of the Eastern Fleurieu Primary School's Ashbourne Campus. The primary school provides an essential service to the surrounding district, which is consistent with Objective 1 of the Country Township Zone.

Department of Water, Land & Biodiversity Conservation

The Application was referred to the Department of Water, Land & Biodiversity Conservation (DWLBC). DWLBC have advised the Council that it has assessed the Application and the proposal is deemed to comply with the Objects of the River Murray Act 2003 and its Objectives for a healthy River Murray.

Native Vegetation

The Application does not include the removal of any native vegetation. As the boundary realignment will formalise an existing use (the primary school), there is not expected to be any removal of native vegetation as a result of this realignment.

Conclusion

The proposed boundary realignment is considered to be an orderly form of development as it results in the Eastern Fleurieu Primary School's Ashbourne Campus being located on its own allotment. The boundary realignment does not compromise the objectives or principles of any of the affected zones.

Therefore, approval is recommended.

.../cont.

3.2 455/D041/07 – Ian Johnston (Continued)

RECOMMENDATION

The Development Assessment Panel approve Development Application No. 455/D041/07 for a Boundary Realignment at Lot 8 Signal Flat Road, Ashbourne, subject to the concurrence of the Development Assessment Commission, and the following conditions:

DAC Requirements:

1. That two copies of a certified survey plan shall be lodged for Certificate purposes.

Advice Notes:

1. This advice does not obviate any considerations that may apply to the Commonwealth Government's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

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

ITEM 5. DEVELOPMENT APPLICATIONS LAND DIVISION COMMUNITY TITLE

5.1 455/D018/07 - AV Jennings Ltd

SUMMARY TABLE

Date of Application	21 st March 2007
Subject Land	Lot 328 Boston Street, Goolwa North
Assessment No.	A4095
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Land division creating 51 additional allotments
Type of Development	Consent on Merit
Public Notice	Category 2
Referrals	EPA DWLBC Transport SA
Representations Received	3
Representations to be heard	Nil
Date last inspected	20 th August 2007
Recommendation	Delegate authority to planning staff
Originating Officer	Cherry Getsom

ESD IMPACT/BENEFIT

- Environmental Increase in stormwater, reduction in open space.
- Social Potential to increase population size and social mix within the Goolwa township.
- Economic Economic benefits for land owner and developers, increased rate revenue for Council, possible benefits for local business due to potential increase in number of residents.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

BACKGROUND

This application (455/D018/07) forms part of a larger proposal to sub-divide a large previously rural area of Goolwa North into residential allotments. The whole proposal consists of four separate applications creating a total of 126 allotments. The three additional applications (455/D008/07, 455/D017/07 and 455/D019/07) are currently being assessed under delegation as no public notification was required for these applications.

This locality of Goolwa North has long been recognised by Council as a suitable area for orderly expansion of the town. This expansion has however been constrained by the lack of available infrastructure to service residential allotments. In 2005, the gazettal of the Residential Plan Amendment Report allowed for this area to be re-zoned residential, with stringent controls placed on any development so that it occurs as part of a comprehensive plan with any new allotments required to be connected to a packaged effluent facility or sewer system. It is expected that such a facility would need significant input from the private sector. In order to assure that development proceeds in an orderly manner the minimum area for division of 4 hectares is also required.

THE PROPOSAL

Nature of Development.

The proposal is a consent on merit application which involves the subdivision of 5 existing titles to allow for an additional 51 allotments, making 56 allotments in total.

Detailed Description

The subject land is located within the Residential Zone of the Alexandrina Development Plan, Policy Area 24. It consists of five titles which are bounded by Banfield Rd, New Orleans Rd, Fenchurch St and an unnamed public road, with Boston St running diagonally in a north south direction through the subdivided site. Banfield Road and portions of Boston Street are currently unmade roads.

The proposal involves creating 34 allotments and two reserves in the triangular section bounded by Banfield Road, the public road and the unmade portion of Banfield Road. This will include the creation of two additional roads to provide both access and linkages. Fourteen allotments are proposed in the south-western triangle bounded by Boston St and New Orleans Rd, with an additional access road. Nine allotments are proposed in the area located between Boston St and Fenchurch Street.

Allotment sizes vary from 385m² to 2569m² with most allotments being between 500 and 600m². The proposal incorporates three reserves, all located in the northern section and a .3 metre buffer reserve along Banfield Road.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

The principle access to the subdivision is provided by Boston Street which will be widened at the southern end. Whilst the existing access will remain a new access will be provided approximately 30 metres to the east of this. The existing access will provide access for properties not involved in the proposed land division,

REFER ATTACHMENT 5.1(a) (page)

SITE & LOCALITY

The site is approximately 2 kms from the town centre and approximately 300m north of the river and covers some 13.58 hectares. The subject land is located at what until recently has been the buffer zone between residential and rural living uses of the Goolwa township. As such it displays smaller well established residential allotments to the south, with an average size of approximately 700m². To the north the allotments are more rural in character averaging approximately 1 hectare in size. The site is predominately vacant and relatively flat with a small number of existing dwellings and outbuildings on rural allotments which will be separated onto smaller titles as part of this proposal.

Fenchurch St provides the southern boundary of the proposal site and is a bituminised road, whilst New Orleans and the made portion of Boston Street are both gravel roads, reflecting the recent rural character of the locality.

The locality therefore displays a mixture of rural and residential dwellings, on allotment sizes and uses that equate to their previous zoning of either Rural Fringe or Residential.

PUBLIC NOTIFICATION

Schedule 9 of the Development Regulations generally prescribes most land division applications to Category One for public notification purposes. However Schedule 9, (17) allows for “the division of land where the applicant proposes to use the land for a purpose which is, in the opinion of the relevant authority, consistent with the zone or area under the Development Plan and where the division will, in the opinion of the relevant authority, change the nature or function of an existing road” to be assessed as a Category 2 application.

As such, the proposal was placed on Category 2 public notification between the dates of 24th July 07 and 6th August 07 inclusive. Three representations were received during this period.

REFER ATTACHMENT 5.1(b) (page)

The applicant has also submitted a response to the representation.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

REFER ATTACHMENT 5.1(c) (page)

The main issues raised and responded to included; the relocation of Franklin St, the removal of trees and additional traffic, impact on the intersection between Fenchurch and Boston Streets and infrastructure requirements. It should be noted that issues associated with Franklin Street, whilst part of the development site as a whole, do not relate to this particular application.

REFERRALS

Referrals were undertaken with Department of Administrative and Information Services and the Department of Education and Childrens Services who chose to make no comment on the application.

SA Water indicated that their financial and augmentation requirements be met, and that 'approach and 'duplicate' water mains will be required.

Transport SA noted that investigation into the drainage of Goolwa North is currently being undertaken and that Council should be aware that an overall drainage strategy is yet to be finalised.

EPA were satisfied that the development could proceed in accordance with an appropriate Soil Erosion and Drainage Management Plan and a Construction Management Plan and provided a number of conditions should the application be approved.

The Department of Water Land and Biodiversity Conservation were satisfied the application could be approved and provided a number of notes to place on any Decision Notification.

REFER ATTACHMENT 5.1(d) (page)

CONSULTATION

Consultation has been undertaken with Council's Environmental Health Department who are satisfied with the proposal.

Consultation has been undertaken with Council's Engineering and Infrastructure Services Department who have held ongoing discussions with the applicant regarding this proposal and the other three related application. An infrastructure agreement is currently being established between the two parties which will allow for an effluent facility to be established that meets the Councils requirements.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

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

Council Wide Objectives 1, 5, 6 and 17, Principles of Development Control 6,-11, 13,14,15,16. 17, 18, 19, 21, 23- 27, 30-32

Port Elliot and Goolwa District Objective 1, Principle of Development Control 63.

Residential Zone (Policy Area 24) Objective 2, Principles of Development Control 5 and 6 and the Desired Future Character Statement.

REFER ATTACHMENT 5.1(e) (page)

Land Division

The proposal involves a residential development within a residential zone, and includes a variety of allotment sizes suitable for a mixture of dwelling types. It is essentially an infill development designed to meet the objectives of the Desired Future Character statement for Policy Area 24.

A number of reserves are also included in the proposal, along with a landscaped buffer reserve along Banfield Rd, which are expect to have a positive impact upon the amenity value. The design is not expected to have a detrimental impact upon residential character or amenity.

The four separate applications, which will be utilised by the applicant as four stages allow for the introduction of a STEDs scheme (controlled by the infrastructure agreement currently being negotiated between Council and the applicant) and for the orderly expansion of the town, in a manner that not only meets the requirements of the Development Plan but also the State Governments Strategic Development Policies.

Movement of People and Goods

The application was placed on Category 2 public notification due to the proposed changes to the public road (Boston St). Boston Street is to be widened and its connection with Fenchurch St is to be moved approximately 30 metres to the east. The existing access is to remain in its gravel form and the landscaped road reserve along the new section of Boston St will essentially provide a "dead end", leaving only the two existing property owners on either side of this gravel road as likely road users.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

This access road may be 'closed' at a later date through the roads opening and closing process. The majority of traffic will be directed to the new junction between Boston Street and Fenchurch Street, this is expected to reduce the traffic impact on the existing intersection. Council's Engineering and Infrastructure Department are satisfied with this proposed configuration and the Department of Transport chose not to comment on this particular element during their referral.

The proposal involves a number of roads, all of which will be 18m wide, with the exception of the new junction between Boston St and Fenchurch St which is to be 26 metres wide. These will provide suitable access and linkages throughout the development as a whole. The road width is sufficient to allow for safe vehicle movements and passing of vehicles.

The proposed allotments are of sufficient size to provide on site car parking if required

Effluent Disposal and Stormwater.

Of principle importance to the development of land within Policy Area 24 is the ability to provide a suitable effluent disposal scheme to meet the needs of any new development and allow for progressive development of the town. The applicant has been working with Councils Engineering staff to provide an appropriate effluent disposal scheme. This scheme is expected to involve a vacuum pump station and should have the capacity to allow for local residents to connect and for the potential growth of the township as envisioned in the Desired Future Character Statement. The effluent scheme will provide for not only this application but for the three additional applications which form part of the overall proposal.

Council and the applicant are currently investigating stormwater issues, utilising advice provided in the Kinhill Engineering report and a more tailored study being undertaken by Kellogg, Brown and Root, Consulting Engineers. The two options currently being considered include stormwater detention ponds on Lot 312 with a culvert on the adjacent allotment and a drainage swale to the north west of Byrnes Rd over private land.

Once these issues are finalised they will be managed through an infrastructure agreement between both Council and the applicant which will form a binding part of this application.

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

FINAL COMMENTS

The application is for a residential subdivision within a residential zone, and forms part of a larger proposal which is intended to meet the requirement of Policy Area 24 and allow for the future growth of Goolwa North as envisaged in both Council's Development Plan and the State Strategic Plan.

The Infrastructure Agreement which will underpin the development is currently being finalised and once this is in place the application will be ready for a final decision. As time lines play an important role in this process it is recommended that planning staff be given delegated authority to determine this application concurrently with the Infrastructure Agreement and the other applications related to this proposal which are currently under consideration.

Listed below are the proposed conditions and notes to be placed on the decision notification should the application be approved:

1. Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the plans and details and additional information submitted with and forming part of development application 455/D018/07.
2. The developer shall be responsible for the provision of all necessary infrastructure within and abutting the development in accordance with Council's "Guidelines for the Provision of Infrastructure in Major Land Developments" ("Guidelines") and as detailed in the following conditions.
3. The financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, shall be met.
4. Suitable as-constructed drawings showing drain lengths, offsets from property boundaries, drain and connection depths and drain grades of any extensions and/or new connections to the Common Effluent Drainage Scheme shall be provided to Council within 30 days of the completion of such work and before final clearance is issued. The drawings shall be in both hard copy and electronic format (Autocad DXF or DWG, or Microstation DGN)
5. Where swale drainage or vertical-face kerb is used, a vehicular crossover to each allotment must be provided by the applicant.
6. Each allotment shall be connected to Electricity and Telecommunications supply services underground in a common service trench generally in accordance with the PUACC Code for the Placement of Infrastructure Services in Streets

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

7. Any area within the Development designated as Reserve, Drainage Reserve or Open Space shall be cleared of any pest plants and long grass, and shall be graded where necessary such that the area is suitable for mowing or slashing, prior to acceptance by Council
8. Any areas of significant vegetation shall be identified on the Engineering plans and shall be protected from damage during the site works.
9. A Soil Erosion and Drainage Management Plan (SEDMP) prepared in accordance with the "Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry" issued by the Environment Protection Authority shall be prepared and put in place prior to the commencement of site works. These measures shall be maintained in good condition for the duration of the site works and shall remain in place until such time as all disturbed surfaces have become stable or revegetated and erosion is prevented.

EPA Conditions

10. An appropriate Construction Management Plan must be developed prior to construction commencing, which addresses the mitigation or minimisation of impacts (especially from noise, dust and waste) during the construction stage. The plan must be prepared to the satisfaction of the Council.
11. The old car bodies, wire and any other waste on the subject land must be removed from the site for disposal to an EPA licenced waste facility.
12. Any material requiring special consideration (e.g. asbestos, perma pine posts and the like) must be managed in an approved manner and all material that can be salvaged must be separated and directed to an appropriate recycle outlet.

DAC Conditions

13. The financial and augmentation requirements of the SA Water Corporation shall be met for the provision of water supply (SA Water 90054/07)
14. A certified survey plan being lodged with the Development Assessment Commission for Certificate purposes.

NOTES:

DWLBC

This advise does not obviate any considerations that may apply to the Commonwealth Government's Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act).

.../cont.

5.1 455/D018/07 – AV Jennings Ltd (Continued)

EPA

The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which cause or may cause environmental harm. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in the EPA response can be accessed on the following website: <http://www.epa.sa.gov.au/pub.html>

RECOMMENDATION

That the Development Assessment Panel grant Alexandrina Council Planning staff delegated authority to determine Development Application 455/D018/07 for a land division creating 56 additional allotments at Lot 328 Boston Street, Goolwa North.

ITEM 6. **DEVELOPMENT APPLICATIONS - BUILDING**

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

ITEM 8. **GENERAL ITEMS FOR DISCUSSION**

Next meeting Wednesday 17th October 2007 time to be advised.

Meeting closed at: