

**DEVELOPMENT ASSESSMENT PANEL
MINUTES OF MEETING HELD ON 19 JUNE 2006
COMMENCING AT 11:00 AM
IN THE LARGE MEETING ROOM (OLD GOOLWA COUNCIL CHAMBERS)**

PRESENT

Councillors M Beckett, P Reedman, G Connor, A Oliver, R Potter & B Featherston (Proxy for Cr Woolford).

APOLOGIES

Cr A Woolford

IN ATTENDANCE

Cherry Getsom, Andrew Sladden, Tom Gregory, Andrew Burley (Planners) & Vanessa Harvey (Personal Assistant).

ITEM 1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 15th May 2006.

Moved Cr Connor seconded Cr Potter that the minutes of the Alexandrina Council Development Assessment Panel held on 15th May 2006 as circulated to members be received as a true and accurate record.

CARRIED

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

3.1 455/464/06 & 455/D029/06 - Stuart Burford

SUMMARY TABLE

Date of Application	19 th April 2006
Subject Land	16 Mundoo Channel Drive, Hindmarsh Island
Applicant	Stuart Burford
Owner	Gregory Holbrook Turner
Assessment No.	A7202
Relevant Authority	Alexandrina Council
Planning Zone	Holiday House (Hindmarsh Island)
Nature of Development	Single storey detached dwelling and land division by lease
Type of Development	Non-complying
Public Notice	N/A
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	5 June 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.

.../cont.

3.1 455/464/06 & 455/D029/06 – Stuart Burford (Continued)

THE PROPOSAL

Nature of Development

The development proposal involves two Development Applications, both of which are Non-Complying. Development Application 455/464/06 involves the construction of a detached dwelling which is proposed to be used as a holiday house by the owners. Principle of Development Control 18 for the Holiday House (Hindmarsh Island) Zone states that dwellings which are not additions, replacements or associated with the Government exchange program are considered to be a non-complying form of Development. As this proposal does not fit within the abovementioned exceptions, being a new dwelling on an existing vacant allotment, the Application (455/464/06) is a non-complying form of development.

Development Application 455/D029/06 involves a Land Division by lease to allow for the Applicant to enter into an under-lease for lot 92 until 30 December 2060. Principle of Development Control 18 for the Holiday House (Hindmarsh Island) Zone states that Land Divisions which are not for the purpose of transferring land into public ownership are a non-complying form of development. Therefore this Development Application is also considered to be a non-complying form of Development.

Detailed Description

The proposed dwelling is a rectangular pole frame dwelling with a colorbond light grey roof at a 10 degree pitch and colorbond light grey cladding. The floor level of the dwelling is 2.1m above the natural ground level in order to comply with Principle of Development Control 4 for the Holiday House (Hindmarsh Island) Zone which provides for a minimum Finished Floor Level of 2.1 Australian Height Datum (AHD). The total height of the dwelling is 6.2m above the existing ground level. The dwelling is proposed to be located in the centre of the allotment, 19m from the front boundary, 15m from the rear (waterfront) boundary and 2.6m from both side boundaries. This location is consistent with the setbacks of adjoining dwellings.

- 14 Moved Cr Connor seconded Cr Oliver that the Development Assessment Panel determine to proceed with an assessment of Development Applications 455/464/06 and 455/D029/06 for a single storey detached dwelling and land division by lease.

CARRIED

3.2 455/D083/05 - Community Corporation No. 21499 Inc

SUMMARY TABLE

Date of Application	26 TH September 2005
Subject Land	Pcs 1+2 Murray Street, Strathalbyn
Applicant	Community Corporation No. 21499 Inc
Owner	Community Corporation No. 21499 Inc
Assessment No.	A 10614
Relevant Authority	Alexandrina Council
Planning Zone	Residential (Strathalbyn)
Nature of Development	Land division creating two allotments
Type of Development	Non-complying
Public Notice	Category One
Referrals	Dept of Water Land & Biodiversity Conservation
Representations Received	Nil
Representations to be heard	N/A
Date last inspected	
Recommendation	Approve subject to concurrence from Development Assessment Commission
Originating Officer	Cherry Getsom

ESD IMPACT/BENEFIT

- Environmental Minimal environmental impact is envisaged.
- Social Positives for the Community Corporation, as the property will formally become part of their title.
- Economic Positives for the existing land owners.

THE PROPOSAL

Nature of Development

The proposed land division seeks to create two allotments within the Residential Strathalbyn zone that are less than 450m² in size. The creation of allotments less than 450m² is a non complying form of development within this zone.

.../cont.

3.2 455/D083/05 – Community Corporation No. 21499 Inc (Continued)

The existing allotment in its current form is only 220m². The history of how this allotment was originally created is unknown.

Detailed Description

The subject land is located within the Murray St, North Parade and East Terrace section of the Strathalbyn township. It currently exists as one allotment comprising two pieces. Both these pieces of land are comprised in Limited Certificate of Title Volume 5700 Folio 781 with the registered proprietor, Lloyd Herbert of Strathalbyn presumed dead.

Piece 1 (proposed Allotment 101) currently exists at 41m² and is located between 1 East Terrace, 2 Murray St (Strathalbyn Tennis Club), and 4 North Parade and has no street frontage. It is not clear which one of these properties utilises the existing Piece however aerial photographs indicate that it is the adjoining land owner at 1 East Terrace.

Piece 2 (proposed Allotment 102) currently exists at 179m² located behind two Community Title allotments at Units 1 and 2, 8 Murray Street and 5 East Terrace. This piece also has no street frontage and is occupied as rear yards of the Community Title development.

The Community Corporation (Community Corporation No 21499 Inc) which manages the community title allotments at 8 Murray Street, have been using the land at Piece 2 (proposed Allotment 102) for a number of years (as had previous owners of the land). The corporation are in the process of applying for a 'possessory title' for this piece of land which will give them formal ownership of land which they have informally 'possessed' for some time. This piece of land will then be amalgamated into Units 1 and 2 Murray St.

As the existing title shows Piece 1 and Piece 2 as forming one allotment the two pieces must first be subdivided to allow for the future amalgamation to occur. The allotments created by this sub division are below 450m² and are required to be assessed as a non-complying form of development.

- 15 **Moved Cr Connor seconded Cr Reedman that Item 3.2 be deferred to the end of the Development Assessment Panel meeting to allow the Planner (Cherry Getsom) to consult with the applicant.**

CARRIED

The Development Assessment Panel moved to Item 4.1 at 11:25 a.m.

.../cont.

3.2 455/D083/05 – Community Corporation No. 21499 Inc (Continued)

The Development Assessment Panel returned to Item 3.2 at 11:40 a.m.

Moved Cr Connor seconded Cr Oliver that the Development Assessment Panel approve Development Application 455/D083/05 for land division of Pieces 1 & 2 Lot 1 Murray St, Strathalbyn subject to concurrence from the Development Assessment Commission and the following conditions:

Payment of \$1985 shall be made into the Planning and Development Fund (1 allotment at \$1985 per allotment).

Cheques shall be made payable and marked Not Negotiable to the Development Assessment Commission and payment made at Level 5, 136 North Terrace, Adelaide, or sent to GPO Box 1815 Adelaide, 5001, or via the internet at www.planning.sa.gov.au.

Plans shall be in accordance with the requirements for plans under the Real Property Act (Land Division) Regulations 1982

CARRIED

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

4.1 455/34/06 - Donato Pilla

SUMMARY TABLE

Date of Application	11 th January 2006
Subject Land	Lot 1 Dodd Road Pages Flat
Applicant	Donato Pilla
Owner	Donato Pilla
Assessment No.	A9781
Relevant Authority	Alexandrina Council
Planning Zone	Watershed Protection
Nature of Development	Plantation of olives and roses (Horticulture)
Type of Development	Consent on Merit
Public Notice	Category 3
Referrals	CFS Dept Water Land & Biodiversity Conservation
Representations Received	1
Representations to be heard	Nil
Date last inspected	19 th May 2006
Recommendation	Approval subject to conditions
Originating Officer	Tom Gregory

ESD IMPACT/BENEFIT

- Environmental Improved management of land with limited risk of pollution or contamination to the Mount Lofty Ranges Watershed. The potential risk of olives spreading is minimised with strict conditions of approval.
- Social Minimal social impacts expected.
- Economic Economic benefit to owner from the sale of goods. Potential increased land value.

.../cont.

4.1 455/34/06 – Donato Pilla (Continued)

THE PROPOSAL

The proposal includes the plantation of Olives and Roses, fenced off from the remainder of the property, and of a size comparable to the following:

- Olives – 8.0hectares - approximately 480 Olive Trees
- Roses – 2.3hectares - approximately 50,000 Bush Roses and,
- approximately 6,000 Standard Roses

The fenced off site proposed for plantation is less than one quarter of the subject land. The total area of the subject land is approximately 47 hectares, and the proposed plantation site is 10.3hectares.

The proposed use has been defined as 'Horticulture', Schedule 1 of the Development Regulations 1993 specifies this use to mean:

'Horticulture means the use of land for market gardening, viticulture, floriculture, orchards, wholesale plant nurseries or commercial turf growing'.

As per Principle of Development Control 12 of the Watershed Protection Zone, a proposed land use of 'Horticulture' is considered to be exempt from a non-complying form of development, and therefore must be considered on it's own merits.

The proposal inherently seeks to intensify the use of part of the subject land, which may lead to an overall better management of the land.

The applicant proposes to plant approximately 480 Olive Trees at a spacing of 5 metres over the 10 hectare area. The spraying of herbicides and pesticides is not required. The trees will mature for approximately 5 to 6 years before they are of substantial size to be utilised for the production of quality fruit.

As indicated above, the Rose plantation is to be a mix of both bush and standard roses. These plants are not permanent, and will dug out every 2-3 years as whole bushes. These plants will be relocated off the site for potting and sale at a different location. Some hand spraying is involved, and will generally be on a 3-4week cycle during the primary growing season (between September and May). Chemicals intended for use are indicated as having a 'low impact' on its surroundings. The predominant spray for fungicide is Eco-Carb (Potassium Bicarbonate), and Eco-Oil (Canola Oil) is intended for the main insecticide.

.../cont.

4.1 455/34/06 – Donato Pilla (Continued)

16 It was agreed by consensus that the Development Assessment Panel approve application 455/34/06 for the plantation of Olives and Roses at Lot 1 Dodd Road, Pages Flat subject to the following conditions and notes.

Conditions
Council

- Vegetation buffers to a width of 20metres must be established around the proposed site of plantation, and must consist of a mix of locally occurring native species (a mix of ground covers, shrubs and canopy plants), to be planted densely either via tubestock or direct seeding (or a mixture of both).
- The vegetation planting shall occur within 12months of approval.
- That all stock are to be excluded from the revegetation area.
- All species selection and plant layout is to be negotiated with Council's Natural Resource Officer - David Cooney prior to planting.

CFS

ACCESS:

- Private roads and access tracks shall provide safe and convenient access for firefighting vehicles as follows:
- Access to the Orchard shall be a minimum formed road surface width of 4 metres.
- All dead end roads shall be constructed to allow firefighting vehicles to turn around with safety by use of either:
 - (a) a turn around area with a minimum formed road surface diameter of 25 metres, OR
 - (b) a 'T' or 'Y' shaped turnaround area with minimum formed road surface leg lengths of 11 metres and minimum inside road radii of 8.5 metres.
- All road curves shall have minimum inside road radii of 8.5metres.

.../cont.

4.1 455/34/06 – Donato Pilla (Continued)

- The gradient of the access road shall not exceed 16 degrees (29%).
- Solid road crossings over watercourses shall be provided to withstand the weight of large fire appliances (GVW 21 tonnes/minimum weight).

VEGETATION:

The Plantation Management Plan and Practices shall include Bushfire protection which will prevent or inhibit the spread of Bushfire and minimize the risk of damage to property.

VIZ:

- A 6metre wide fuel reduced buffer zone shall be established around the perimeter of the plantation. The buffer zone may include adjoining a 4metre wide access track.
- The buffer zone should be grassland or similar vegetation, cleared of obstructions top allow mechanical slashing in order to reduce the vegetation to a maximum height of 10cms for the duration of the Fire Danger Season.
- Vegetation overhanging the access road and tracks shall be pruned to achieve a minimum vertical height clearance of 4metres.
- All perimeter leaf foliage shall be pruned to maintain the 4metre wide access track.
- Flammable ground fuels (grasses) within the plantation to be reduced by mowing, slashing or stock grazing.
- No interconnection of tree or tree canopies, maintain 2-3metre spacing.
- Branches on mature trees shall be pruned to provide a vertical clearance above ground of 1.5-2metres.

.../cont.

4.1 455/34/06 – Donato Pilla (Continued)

WATER SUPPLY:

- A minimum of 36,000 litre water storage supply on the property will ensure water availability for Fire Fighting purposes.
- The water supply shall be clearly identified and be accessible to firefighting vehicle at all times.

Notes
Council

- That a risk assessment and approval is also required by the Natural Resource Management Board prior to the planting of olives.

DWLBC

- In respect to the Notice of Prohibition on Taking Water from Wells in the Western Mount Lofty Ranges Area, authorization has been given to the taking of underground water from well unit #6627-9452 and well unit #6627-1421 for the irrigation of 8ha of olives and 2.3ha of roses, A volumetric limit of 44,800 kilolitres has been endorsed on the authorization.
- If it is proposed to irrigate an area of olives/roses at variance to the authorized use, this must be requested in writing to the Department.

AGREED BY CONSENSUS

4.2 455/63/06 - Peter Cannon

SUMMARY TABLE

Date of Application	19 th January 2006
Subject Land	1B Goyder Street, Goolwa
Applicant	Peter Cannon
Owner	Peter Cannon
Assessment No.	A 20141
Relevant Authority	Alexandrina Council
Planning Zone	Historic Waterfront Zone
Nature of Development	Dwelling – double storey
Type of Development	Non-complying
Public Notice	Category 3
Referrals	Heritage SA
Representations Received	1
Representations to be heard	1
Date last inspected	5 June 2006
Recommendation	Approval subject to Development Assessment Commission concurrence
Originating Officer	Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental An increase in stormwater runoff and service requirements.
- Social Nil.
- Economic Increased site value.

Nature of Development

The Development application involves the proposed construction of a two storey detached dwelling on the subject site which is located within the Historic Waterfront Zone. Principle of Development Control 25 for the Historic Waterfront Zone specifically lists a Detached Dwelling as a non-complying form of development.

.../cont.

4.2 455/63/06 – Peter Cannon (Continued)

Detailed Description

It is proposed to construct a two storey detached dwelling on the subject site. The dwelling is proposed to be "L" shaped orientated towards the front of the allotment. The majority of the dwelling consists of a single storey component with an attic area located within the south western wing of the proposed structure. The total height of the proposed building is 6.7m above the finished floor level. The proposed building is a replication of a late 19th Century symmetrical cottage, which was the predominant dwelling style of this period in South Australia. The subject dwelling is proposed to be setback 2m from the Goolwa Terrace Street boundary with a front verandah protruding from the front of the dwelling to the front boundary. The side of the proposed dwelling is also proposed to be located on the Goyder Street boundary for a length of 7m. This will allow for sufficient private open space at the rear of the subject site. The materials and colours have been carefully chosen to replicate the appearance of an historical building which will help to blend with the locality.

It is also proposed to construct appropriate hardwood timber panel and corrugated iron fencing to a height of 1.8m around the remainder of the site.

- 17 It was agreed by consensus that the Development Assessment Panel approve Development Application 455/63/06 for a Two Storey Detached Dwelling at 1B (Lot 102) Goyder Street, Goolwa subject to the following conditions and notes and subject to concurrence from the Development Assessment Commission.

Conditions

- 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.
- Fencing depicted in the application shall be erected to a height of not less than 1.8m prior to the occupation of any dwelling herein approved.

.../cont.

4.2 455/63/06 – Peter Cannon (Continued)

- That a feature or ventilator be incorporated in the northeaster boundary wall in consultation with Council's Heritage Advisor and the applicant.

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.
- Advisory Note - Note that you should advise your neighbour of your intentions to build on your common boundary, prior to commencing construction.

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 Saint Lukes land at Port Elliot

Council Beckett has requested an update on what is happening with this land. The Planners will give a report to the meeting in July.

8.2 Goolwa Airport – Commercial & Residential Airpark

Councillor Beckett was questioning an item going to the Council meeting later in the day. It was advised that any questions relating to this item should be directed to the officer at the Council meeting.

8.3 455/D575/03 – Weber Frankiw & Associates

C Getsom updated the Development Assessment Panel on details regarding the above land division for 28 additional allotments at 98 Mundoo Channel Drive, Hindmarsh Island that was approved by the Development Assessment Panel on 20th February 2006 (Item 3.1). The Development Assessment Commission have advised Council that they do not concur with the Development Assessment Panels decision.

8.4 Commercial Forestry 455/1454/05, 455/1455/05 and 455/1456/05

Further to the Development Assessment Panel decision to refuse the above applications on 15th May 2006, advice has been received that appeals to the Environment Resources and Development Court have been lodged.

These appeals have been referred to Council's solicitors.

The Development Assessment Panel then returned to Item 3.2 at 11:40 a.m.

ITEM 9. NEXT MEETING

Monday 17th July 2006 with the time to be advised.

MEETING CLOSED AT 11:52 A.M.

MINUTES CONFIRMED:
PRESIDING OFFICER

DATED: