

**MINUTES OF A MEETING OF DEVELOPMENT ASSESSMENT PANEL HELD IN THE
ALEXANDRINA COUNCIL COMMUNITY CHAMBERS "WAL YUNTU WARRIN", GOOLWA,
ON 19 DECEMBER 2013 AT 11:00 AM**

PRESENT D Donaldson (chair), M Penhall, R Sage, Cr G Gartrell, D Dawson

APOLOGIES Cr A Woolford & Cr M Walker

IN ATTENDANCE A Sladden (Senior Town Planner) A Houlihan
(Town Planner) R Panuccio
(Administration)

CONFLICT OF INTEREST

Alexandrina Development Assessment Panel Members are reminded of the requirements for disclosure by Members of direct or indirect personal or pecuniary interest in a matter listed for consideration on the Agenda.

Section 56A of the Development Act 1993 requires that any Member declares any interest and provide full and accurate details of the relevant interest to the Panel prior to consideration of that item on the Agenda.

Each Member of the Development Assessment Panel has a duty to vote at all meetings unless excepted by legislation.

The major exception being where a Member has a conflict of interest.

All discussion and consideration of decisions about development applications before Council's Development Assessment Panel will be made in public unless otherwise determined by the Panel in accordance with Section 56A(12) (b) of the Development Act 1993.

Cr M Walker declared a conflict of interest regarding item 4.1 however was not present at the meeting.

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 21 November 2013.

Moved R Sage seconded Cr G Gartrell that the minutes of the Alexandrina Council Development Assessment Panel held on 21 November 2013 as circulated to members be received as a true and accurate record.

CARRIED

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 4.1 455/400/13 - SIX (6) TENNIS COURT LIGHT TOWERS TO A MAXIMUM HEIGHT OF 12 METRES

SUMMARY TABLE

Date Of Application	14 May 2013
Subject Land	Lot 187 Charteris Street, Port Elliot (Augusta Square)
Relevant Authority	Alexandrina Council
Planning Zone	Historic Conservation – Tourist Accommodation Zone
Nature Of Development	Six (6) tennis court light towers to a maximum height of 12 metres
Type Of Development	Merit
Public Notice	Category 3
Referrals	Informal referral to Council Heritage Advisor
Representations Received	7
Representations To Be Heard	2
Date Last Inspected	12 November 2013
Recommendation	Development Plan Consent
Originating Officer	Andrew Houlihan

41 Moved R Sage seconded M Penhall that the Development Assessment Panel considers that the proposal is not seriously at variance with the Alexandrina Council Development Plan and resolves to grant Development Plan Consent for Development Application 455/400/13 for Six (6) tennis court light towers to a maximum height of 12 metres at Lot 187 Charteris Street, Port Elliot (Augusta Square) subject to the following conditions and notes.

Council Conditions

- 1. The development here in approved shall be undertaken and maintained with the stamped approved plans, drawings, specifications and other documents submitted to the Council, except where varied by the following conditions.**

Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.

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ITEM 4.1 455/400/13 - SIX (6) TENNIS COURT LIGHT TOWERS TO A MAXIMUM HEIGHT OF 12 METRES (continued)

2. The tennis court lights shall only be used on days and times as specified in Development Application 455/400/13 and be turned off and remain off outside these hours.

Reason: To protect the amenity of adjoining residents.

3. The Lighting shall comply with the Australian Standards AS 4282-1997 throughout the life of the development.

Reason: To maintain the amenity of the locality.

4. Lighting shall be fitted with a timer mechanism with a light timer cut off at 10pm at all times.

Reason: To maintain the amenity of the locality.

Council Notes

1. 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.
2. The Applicant is advised that the proposed development should comply with Environmental Protection (Noise) Policy 2007.

CARRIED

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION / COMMUNITY TITLE

ITEM 6. MATTERS REFERRED FOR FOLLOW-UP

ITEM 7. GENERAL ITEMS FOR DISCUSSIONS

ITEM 7.1 455/538/13 Three Storey Dwelling – Update for Appeal process

The applicant has withdrawn their appeal with the Environment Resources & Development court and as such the refusal as determined by the Development Assessment Panel still stands.

ITEM 7.2 455/289/13 Regional Aquatic Centre

At its September 2013 meeting, the independent members of Council's Development Assessment Panel resolved to grant Development Plan Consent subject to a number of conditions to application 455/289/13.

As this application had Category 3 Representations, appeal rights exist for any representor in relation to the determination of the DAP. Two parties exercised their right to appeal and have since lodged appeals with the Environment Resources and Development Court.

These cases being:

Peter Semple v Alexandrina Council and City of Victor Harbor (ERD No 252/2013)

Edwin Ashby Nominees v Alexandrina Council and City of Victor Harbor (ERD No 263/2013)

A series of ERD Court conferences have been held since the determination by the DAP with the last being Tuesday 10 December 2013, at which Mr Mike Canny on behalf of Edwin Ashby Nominee withdrew their appeal. The other appeal remains.

The conference of 10 December 2013 was spent trying to ascertain the principal concerns of Mr Semple and how, if at all, they might be addressed. Despite a full explanation of how the Alexandrina Council remained as the relevant authority, Mr Semple maintains his concerns in this regard.

The conference was adjourned until Tuesday 18 March 2014 and Commissioner Hamnett ordered that Mr Semple provide Council with particulars of his case on or before 31 January 2014.

ITEM 8. NEXT MEETING

Next meeting scheduled for Thursday 16th January 2014 commencing at 11am.

D Dawson advised he will be an apology for the January meeting.

MEETING CLOSED AT 11.10 am

MINUTES CONFIRMED.....

CHAIR

DATED:.....