

**MINUTES OF A MEETING OF DEVELOPMENT ASSESSMENT PANEL HELD IN THE
ALEXANDRINA COUNCIL COMMUNITY CHAMBERS "WAL YUNTU WARRIN", GOOLWA,
ON 18 DECEMBER 2014 AT 11:00 AM**

PRESENT

Don Donaldson (Chair), D Dawson, Cr G Gartrell,
Cr M Walker, Cr A Woolford, M Penhall, R Sage.

APOLOGIES

IN ATTENDANCE

David Zanker (Town Planner) Rebecca 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.

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 28 November 2014.

Moved Cr A Woolford seconded Cr G Gartrell that the minutes of the Alexandrina Council Development Assessment Panel held on 28 November 2014 as circulated to members be received as a true and accurate record.

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 3.1
APPLICATION 455/440/14
PROPOSED DEV. JETTY (Non-complying)
SUBJECT LAND 15 (Lot 22) Batson Parade, Hindmarsh Island
APPLICANT Goolwa Jetty Builders
AUTHOR Andrew Sladden
LODGEMENT DATE 13 August 2014

DEVELOPMENT APPLICATION DETAILS

Zone	Conservation / Residential
Policy Area	Hindmarsh Island North Policy Area 15
Precinct	N/A
Form of Development	Non-Complying
Public Notification	Category 3 Representations received: 2 Representations to be heard: 1
Referrals – Statutory	Department Environment Water & Natural Resources (DEWNR) Environment Protection Authority (EPA)
Referrals – Internal	N/A
Development Plan	Alexandrina Council Development Plan consolidated 1 May 2014
Assessing Officer	Andrew Sladden
Date last inspected	September 2014

48 Moved Cr G Gartrell seconded Cr M Walker that the Development Assessment Panel resolves:

- 1. That the proposed development is not considered to be seriously at variance with the Alexandrina Council Development Plan consolidated 1 May 2014.**

- 2. That Development Plan Consent is GRANTED to application 455/440/14 for a jetty (non-complying) at 15 Batson Parade, Hindmarsh Island in accordance with the plans and documentation submitted with the application and subject to the following conditions and notes and concurrence of the Development Assessment Commission.**

Council Conditions

- 1. The development here in approved shall be undertaken and maintained in accordance 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.

2. **The external finishes to the structure herein approved shall be in accordance with the materials as specified in the application now approved.**

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated.

3. **The jetty shall only be used to provide access to the water and for boating and fishing purposes.**

Reason: to ensure that it is used in accordance with its intended use.

4. **Any lighting shall only be used for navigation and safety and shall not create unreasonable overspill onto any adjoining property or the waterway.**

5. **Permanent occupation of live-aboard vessels must not take place at this site.**

6. **No vegetation shall be removed without the prior consent of the Native Vegetation Council.**

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**

Department of Environment, Water and Natural Resources Conditions

1. **During any demolition and construction activities the subject land must be managed in a manner as to prevent erosion and pollution of the site and the environment, including keeping the area in a tidy state and ensuring any waste materials are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray system.**
2. **Any fill material brought to the site must be clean and not contaminated by construction or demolition debris, industrial or chemical matter, or pest plant or pathogenic material.**
3. **Any excavation or fill material surplus to the requirements of the development must be disposed of such that it will not:**
 - a. **Be located within the 1956 floodplain;**
 - b. **Adversely impact native vegetation;**
 - c. **Impede the natural flow of any surface waters;**
 - d. **Allow sediment to re-enter any water body;**
 - e. **Facilitate the spread of pest plant and pathogenic material.**

4. Any exposed areas created or exacerbated during the works must be appropriately stabilised to minimise the potential for erosion and the entry of sediment into the River Murray. Revegetation with locally indigenous species or the use of geotextile materials may assist in complying with this condition.
5. Appropriate measures must be undertaken to minimise water quality impacts during works on or near the riverbed. The use of a silt curtain, coffer dam or similar may assist in complying with this condition.

Department of Environment, Water and Natural Resources Notes

1. The applicant is advised of their general duty of care under the River Murray Act 2003 to take all reasonable measures to prevent any harm to the River Murray through his or her actions or activities.
2. The River Murray and many of its tributaries and overflow areas have abundant evidence of Aboriginal occupation and Aboriginal sites, objects or artefacts may be present on the subject land (eg. Scarred trees, campsites, burial sites, middens, etc). Under section 20 of the Aboriginal Heritage Act 1988 (the Act), an owner or occupier of private land, or an employee or agent of such an owner or occupier, must report the discovery on the land of any Aboriginal sites, objects and remains to the Minister responsible for the administration of the Act, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. It is an offence to damage, disturb or interfere with any Aboriginal site or damage any Aboriginal object (registered or not) without the authority of the Minister for Aboriginal Affairs and Reconciliation (the Minister). If the planned activity is likely to damage, disturb or interfere with a site or object, authorisation of the activity must be first obtained from the Minister under Section 23 of the Act. Penalties may apply for failure to comply with the Act.
3. The applicant is advised that there is an Aboriginal site (an archaeological/anthropology site known as the "Meeting of the Waters" site) located within close proximity of the subject land. It is strongly recommended that the applicant consult with the Ngarrindjeri Regional Authority prior to the commencement of any works. Contact Mr Luke Trevorow, Heritage Manager on telephone 0488 183 318, or mail c/-, PO Box 126 Meningie SA 5264.
4. The applicant is advised that in order to mitigate the adverse effects of wash caused by river traffic, any vessels moored to the jetty structure should where possible, be aligned perpendicular to the riverbank, or be protected by fenders secured to the structure. This will also avoid the potential for other vessel operators to commit an offence under Regulation 168 of the Harbors and Navigation Regulations 2009, which requires vessel operators to not exceed a speed of 4 knots within 30 metres of any vessel that may be adversely affected by the wash of the vessel.

5. **If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the Native Vegetation Act 1991 and its Regulations, which may include the provision of a Significant Environmental Benefit. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9741 or visit: <http://www.nvc.sa.gov.au>.**
6. **The applicant is strongly encouraged to incorporate locally indigenous plant species into any landscaping, screen planting or revegetation activities at the site to enhance the natural character of the locality, stabilise soils and provide habitat for native species. For information on appropriate species to be planted, please contact State Flora at Bremer Road, Murray Bridge on telephone 8539 2105, or within Belair National Park on telephone 8278 7777 or visit: <http://www.stateflora.sa.gov.au>.**
7. **This approval does not obviate any considerations that may apply to the Environment Protection and Biodiversity Conservation Act 1999 (Cth). For further information visit: <http://www.environment.gov.au/epbc>.**

Environment Protection Authority Conditions

1. **Prior to off-site disposal, any construction wastes that are temporarily stored on site must be contained, covered or set back as far from the water's edge as is practicable so as to prevent them being carried by stormwater or wind into the Lower River Murray (Goolwa Channel).**
2. **Any concrete mixing must be conducted well away from the water's edge and within an area that is bunded or screened to effectively protect against the dry ingredients from blowing into the Lower River Murray (Goolwa Channel).**
3. **The cutting and drilling of the timber joists and bearers must be done on land prior to the assembly of the jetty over the water.**
4. **Any wood sawdust, shavings, offcuts or bi products must be collected and placed in a heavy plastic bag and placed in a rubbish bin for disposal at an EPA licensed waste depot.**
5. **A silt curtain or similar sediment control device must be put in place to contain the area prior to construction of the jetty where it is likely that sediment may become resuspended in the water (eg. During the piling of the posts into the river bed). The curtain must remain in place until the turbidity within the curtain returns to normal.**

6. **Any structure (boardwalk, gangway, ramp) covering the first two metres of water (from normal pool level) must be designed so 70% of available light reaches the water's surface.**

Environment Protection Authority Notes

1. **The applicant is reminded of its general environmental duty, as required by Section 25 of the Environmental Protection Act, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.**
2. **The owner, operator and / or users of the jetty and pontoon are reminded of the need to comply with the EPA's Code of Practice for Vessel and Facility Management: Marine and Inland Waters including not refuelling or undertaking major vessel maintenance activities (including engine maintenance and in-water hull cleaning) at the jetty. Refuelling and maintenance must be undertaken at designated facilities with the appropriate pollution controls. If refuelling by hand cannot be avoided, then due care must be taken to ensure no fuel is spilt in the water. General cleaning and minor (non-engine) maintenance may be undertaken with due care to prevent discharges to the river. The Code of Practice is available at:
https://www.sa.gov.au/_data/assets/pdf_file/0015/17601/code_of_practice_authority_vessels**
3. **A spill kit containing absorbent material to contain hydrocarbon spills (eg. oil or diesel) should be available on site during all construction works to prevent materials entering Goolwa Channel.**
4. **EPA information sheets, guidelines documents, codes of practice, technical bulleting etc. can be accessed on the following web site:
<http://www.epa.sa.gov.au>**

CARRIED UNANIMOUSLY

ITEM 3.2
APPLICATION 455/965/14
PROPOSED DEV. AGRICULTURAL INDUSTRY (INCORPORATING RETAIL COMPONENT, SIGNAGE AND CARPARKING) IN ASSOCIATION WITH PRIMARY PRODUCTION (NON-COMPLYING)
SUBJECT LAND 7 (Lot 50) LANACOONA ROAD, MOUNT COMPASS & LOT 186 VICTOR HARBOR ROAD, MOUNT COMPASS
APPLICANT Brenness P/L
AUTHOR Andrew Sladden
LODGEMENT DATE 21/10/14

DEVELOPMENT APPLICATION DETAILS

Zone	Water Protection
Policy Area	N/A
Precinct	N/A
Form of Development	Non-Complying
Public Notification	N/A
Referrals – Statutory	N/A
Referrals – Internal	N/A
Development Plan	Alexandrina Council Development Plan consolidated 1 May 2014
Assessing Officer	Andrew Sladden
Date last inspected	N/A

49 Moved Cr G Gartrell seconded M Penhall that the Development Assessment Panel resolve to proceed to a full assessment of development application 455/965/14 for an AGRICULTURAL INDUSTRY (INCORPORATING RETAIL COMPONENT, SIGNAGE AND CARPARKING) IN ASSOCIATION WITH PRIMARY PRODUCTION (NON-COMPLYING) at 7 (Lot 50) LANACOONA ROAD, MOUNT COMPASS & LOT 186 VICTOR HARBOR ROAD, MOUNT COMPASS.

CARRIED UNANIMOUSLY

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION/COMMUNITY TITLE

ITEM 6. MATTERS REFERRED FOR FOLLOW-UP

ITEM 6.1 455/24/14 – 6 DETACHED SINGLE STOREY BUILDINGS (EACH CONTAINING 2 SELF CONTAINED UNITS) USED IN ASSOCIATION WITH THE FLEURIEU GOLF CLUB FOR TOURIST ACCOMMODATION PURPOSES AND CAR PARKING

Council, the applicant and the appellant attended a directions hearing at the ERD Court on 16 December 2014. The appellant advised the courts that they no longer wish to proceed with the appeal. Subsequently, the application has been dismissed and the decision of Approval made by the Development Assessment Panel stands.

ITEM 7. GENERAL ITEMS FOR DISCUSSIONS

ITEM 8. NEXT MEETING

Next meeting scheduled for Friday 23rd January 2014 commencing at 11am.

MEETING CLOSED AT 11.08am

MINUTES CONFIRMED.....
CHAIR

DATED:.....