

ALEXANDRINA COUNCIL

NOTICE OF MEETING

Notice is hereby given to the Members that a meeting of the
Development Assessment Panel 2006 will be held in the
Community Chambers "Wal Yuntu Warrin"
on 17 July 2006 commencing at 1:00 pm

Your attendance is requested.

1:00 p.m. Development Assessment Panel commencement

4:00 p.m. Conclusion of meeting.

JOHN COOMBE
CHIEF EXECUTIVE

ALEXANDRINA COUNCIL

AGENDA FOR THE DEVELOPMENT ASSESSMENT PANEL 2006 MEETING TO BE HELD ON 17 JULY 2006 AT 1:00 PM IN COMMUNITY CHAMBERS "WAL YUNTU WARRIN"

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**Development Assessment Panel 2006
Report and Agenda
on 17 JULY 2006 commencing at 1:00 pm
in the Community Chambers "Wal Yuntu Warrin"**

PRESENT

APOLOGIES

IN ATTENDANCE

1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 19th June 2006.

RECOMMENDATION

That the minutes of the Alexandrina Council Development Assessment Panel held on 19th June 2006 as circulated to members be received as a true and accurate record.

2. DEVELOPMENT APPLICATIONS

3. DEVELOPMENT APPLICATIONS - NON COMPLYING

3.1 455/426/06 - Pruszinski Architects

SUMMARY TABLE

Date of Application	13.04.06
Subject Land	23 Goolwa Channel Drive, Hindmarsh Island
Applicant	Alexandrina Council
Owner	Vicki Niehus
Assessment No.	A9320
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	N/A
Representations to be heard	N/A
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, increases in services required in isolated location.

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:

455/426/06 - Pruszinski Architects (continued)

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 stabilization 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 single storey detached dwelling on the subject site. 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.

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 the 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 3.1 (page 1)

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.

.../cont.

455/426/06 - Pruszinski Architects (continued)

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.

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 single storey Detached Dwelling at 23 (lot 6) Goolwa Channel Drive, Hindmarsh Island.

3.2 455/911/05 - Peter Weeks

SUMMARY TABLE

Date of Application	05.08.05
Subject Land	Lot 3 Randell Road, Hindmarsh Island
Applicant	Peter Weeks
Owner	PRW Nominees Pty Ltd
Assessment No.	A6340
Relevant Authority	Alexandrina Council
Planning Zone	Rural Waterfront (Hindmarsh Island)
Nature of Development	Excavation of Boating Facility with Associated Boardwalks Decking and Beach
Type of Development	Non-Complying
Public Notice	Category Three
Referrals	DWLBC (River Murray Minister)
Representations Received	1
Representations to be heard	Nil
Date last inspected	19 October 2005
Recommendation	Approval subject to Development Assessment Commission concurrence.
Originating Officer	Jo Nightingale/Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental Potential impact on watercourse and bird life, or may lead to improvement of waterfront area that is currently degraded and grassed.
- Social Potential reduction in waterfront amenity from the water.
- Economic Increased value for land owner.

BACKGROUND

The Development Assessment Panel, at its meeting of 21 November 2005, resolved to proceed with an assessment of the Development Application. Since the meeting, the Application has undergone Category 3 Public Notification and has been referred to the River Murray Minister (DWLBC) and EPA.

455/911/05 - Peter Weeks (Continued)

THE PROPOSAL

Nature of Development

The application is for the excavation of a boat mooring facility with associated boardwalks, decking and beach. The Rural Waterfront (Hindmarsh Island) Zone in the Alexandrina Council Development Plan lists *Excavation of the waterway and land adjacent the foreshore requiring the removal of native vegetation for the purpose of irrigating or the mooring of a boat or boats* as non-complying.

Detailed Description

The proposal involves the establishment of a private boat mooring facility by extending an existing channel (and putting the other existing channel to disuse) together with associated site works and re-vegetation, as set out in the various existing and proposed site plans and explanatory plans of Nolan Rumsby Planners (dated variously 18 May 2005 and 17 November 2005), as amended by the KBR site plan and technical detail plan. The re-vegetation proposals are as prescribed in the Environmental and Biodiversity Services (EBS), Hindmarsh Island Riverfront Assessment report dated March 2005. The Applicant also confirms that a construction management plan will be prepared in accordance with sound environmental management practices, prepared in consultation with the Environment Protection Agency. In this respect, fabric filter will be applied across the channel opening in the course of the dredging and enlarging of the existing channel, and all edge treatment of the mooring facility will be completed and settled out prior to opening of the widened channel to the Lower Murray. The Applicant will also use suction/cutter devices to minimize the potential for siltation from widening the channel itself. The Applicant also agrees to ensure that the works are overseen by suitably qualified marine engineer.

REFER ATTACHMENT 3.2(a) (page 9)

SITE & LOCALITY

The subject land is Lot 3 Randell Road, Hindmarsh Island, Volume 5279 Folio 513 in the Hundred of Nangkita. The allotment extends from the riverfront in the Rural Waterfront (Hindmarsh Island) zone, through to Randell Road in the General Farming (Hindmarsh Island) zone. The property is 8.9 hectares, the bulk of which is covered in Aleppo Pines and is severely degraded due to previous quarrying toward the Randell Road end of the property. The riverfront section of the property is cleared and grassed. It contains two dwellings on a slight mound overlooking the river. It appears that some filling to the riverfront area has occurred and all of the frontage has been grassed. Two existing channels have been excavated in this frontage but have become overgrown with reeds and grass.

.../cont.

455/911/05 - Peter Weeks (Continued)

The locality is quite similar in nature with five properties of similar size, configuration and use. Three of these lots exist to the west and one to the east. To both the east and the west, residential size allotments exist along the northern shore of the island, with farm land to the south of these lots.

PUBLIC NOTIFICATION

The application was put on Category 3 Public Notification pursuant to Section 38(5) of the Development Act 1993 between 8 December 2005 and 22 December 2005.

One representation was received within the prescribed timeframe. This representor has no objections to the proposed development.

REFER ATTACHMENT 3.2(b) (page 40)

REFERRALS

The Development Application was formally referred to the River Murray Minister (DWLBC) pursuant to Schedule 8, 19 (g) of the Development Act 1993 in October 2005.

DWLBC have advised that they have no objections to the proposed development subject to three conditions and four notes.

Also, pursuant to Schedule 8, 11 and Schedule 22, 7, (4) of the Development Act 1993, the application was referred to the Environmental Protection Agency (EPA) for Direction as dredging constitutes an activity of Environmental Significance.

The EPA supports the proposed development and have directed that Council place 9 conditions and 3 notes on the consent.

It is also noted that the Application was informally referred to the Ngarrindjeri Heritage Committee for comment in December 2005. As no reply was received, it can be reasonably assumed that the Ngarrindjeri Heritage Committee has no comment to make.

REFER ATTACHMENT 3.2 (c) (page 41)

Alexandrina Council Development Plan

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

.../cont.

455/911/05 - Peter Weeks (Continued)

COUNCIL WIDE OBJECTIVES

Conservation

Objective 21: The conservation, preservation, or enhancement, of scenically attractive areas including land adjoining water and scenic routes. Landholders should be encouraged to conserve the character of all attractive areas in the region. Consideration should also be given to any disturbance which the siting of sporting activities may cause adjoining properties, particularly from noise, traffic generation, or the effect on the natural beauty of the locality. Wider-ranging activities such as dune buggy and trail bike riding can have serious consequences with regard to vegetation damage and soil erosion.

COUNCIL WIDE PRINCIPLES OF DEVELOPMENT CONTROL

Appearance of Land and Buildings

PDC 58 The appearance of land, buildings and objects should not impair the amenity or character of the locality in which they are situated.

PDC 85 Development should not be undertaken if the construction, operation and/or management of such development is likely to result in:

- (a) the pollution of surface or groundwater;
- (b) degradation of watercourses or wetlands;
- (c) unnecessary loss or damage to native vegetation;

Conservation

PDC 104 Development should be undertaken with the minimum effect on natural features, land adjoining water, scenic routes or scenically attractive areas.

PDC 107 The natural character of rivers and creeks should be preserved.

PDC 134 Development should take place in a manner which will minimize alteration to the existing land form.

PDC 135 Excavation and earthworks should take place in a manner that is not extensively visible from surrounding localities.

.../cont.

455/911/05 - Peter Weeks (Continued)

Comment

Although the proposed development is at variance with the above PDC's 104, 107 and 134 given the fact that the proposal will alter the natural character of the river, it is not envisaged that the proposal will have a detrimental impact upon the river and riverbank if constructed in accordance with the plans and details submitted.

PORT ELLIOT AND GOOLWA DISTRICT PRINCIPLES

PDC 19 No development should be undertaken which would present any risk of pollution or contamination to Lake Alexandrina, the River Murray, or adjoining bodies of water.

PDC 42 Development which is proposed to be located outside of urban and tourist zones should be sited and designed to not adversely affect:

- (a) the natural, rural or heritage character of the area;
- (b) areas of high visual or scenic value;
- (c) views from the coast, near shore waters, public reserves, tourist routes and walking trails; or
- (d) the amenity of public beaches by intruding into undeveloped areas.

Comment

Although the proposal may pose a risk of contamination of the river, appropriate measures have been incorporated into the plans and details to prevent this from occurring. This is also evidenced by the support received from DWLBC and the EPA.

RURAL WATERFRONT (HINDMARSH ISLAND) ZONE

Objective 2: The conservation of the natural character and the environment of the shoreline, wetlands and bird habitat areas.

PRINCIPLES OF DEVELOPMENT CONTROL

PDC 1 Development should primarily relate to the commercial farming of the land in the Zone, with buildings and structures located and designed in such a way that they will not detract from the rural views obtained from the mainland, the waterways or designated tourist routes/lookouts.

PDC 4 Buildings or structures should not be erected on land which is less than 0.3 metres above the 1956 flood level unless they are required for public works, passive public recreation, navigational aids or a non-commercial boat mooring for an individual landowner.

.../cont.

455/911/05 - Peter Weeks (Continued)

PDC 12 Development should not cause pollution or contamination of the River Murray.

PDC 14 Buildings and structures should be:

- (a) located and designed in such a way as to minimize their visual impact when viewed from public roads and be at least 50 metres from a public road or tourist lookout;
- (b) sited behind the coastal ridgeline so as not be prominent when viewed from the waterway;
- (c) screened by native vegetation in order to enhance the rural character of the Zone; and
- (d) located below the natural skyline when viewed from the waterways, public roads and tourist lookouts.

Comment

The application has the potential to breach many of the objectives and principles from Council Wide, through to Port Elliot Goolwa District and down to Rural Waterfront Zone. However, the applicant has provided sufficient information to satisfy both the DWLBC and EPA that the proposal will be constructed utilizing best management practices.

There is some excavation proposed, but this will be excavating previously filled land, the proposal to revegetate a large area has some really positive benefits particularly for bird life. It is also noted that the DWLBC have advised that the proposal will have little effect on existing fish species and have gained support for the removal of existing vegetation by the Native Vegetation Council provided the proposed revegetation as detailed in the application, are implemented.

RECOMMENDATION

That the Development Assessment Panel grant Provisional Development Plan Consent to Development Application 455/911/05 for Excavation of a Boating Facility with Associated Boardwalks, Decking and Beach subject to the following conditions and notes and subject to concurrence of the Development Assessment Commission.

Conditions

- The development shall proceed in strict accordance with the amended plans and details received by Council on 3 May 2006 (KBR AEJ601-C-DWG-001 and KBR AEJ601-C01-S002), subject to the following conditions:

.../cont.

455/911/05 - Peter Weeks (Continued)

DWLBC Conditions

- The rehabilitation of the westernmost existing channel on the waterfront and the revegetation surrounding the channel being carried out in accordance with the report by Environmental & Biodiversity Services dated March 2005 and the original plans submitted with the development application, received by the Alexandrina Council on 5 August 2005. The work being carried out concurrently with the development of the boating facility and being completed within 12 months of the date of planning approval for the development.
- During the construction the property being managed in a manner as to prevent erosion and pollution of the subject site and the environment, including keeping the area in a tidy state and ensuring any waste materials being placed into bins to ensure no pollutants enter the River Murray.

DWLBC Notes

- The applicant is advised of their general duty of care to take all reasonable measures to prevent any harm to the River Murray System through his or her actions or activities.
- This advice does not obviate any considerations that may apply to the Commonwealth Government's Environmental Protection and Biodiversity Conservation Act 1999 (EPBC Act).
- 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. For further information visit:
http://www.dwlbc.sa.gov.au/biodiversity/vegetation/nv_inforesources.html.
- Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8124 4744.
- All areas within 200 metres of any watercourse are considered to be of high sensitivity for Aboriginal sites. The River Murray and many of its tributaries and overflow areas, particularly have abundant evidence of Aboriginal occupation.

...cont.

455/911/05 - Peter Weeks (Continued)

- Under section 20 of the Aboriginal Heritage Act 1998 (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 for Aboriginal Affairs and Reconciliation, as soon as practicable, giving the particulars of the nature and location of the Aboriginal sites, objects or remains. Penalties may apply for failure to comply with the Act.

EPA Conditions

- The proposed development must be undertaken in accordance with the plans and proposals contained in development application 455/911/05 including further information received prepared by KBR dated 29 April 2006, except to the extent that the proposed development is varied by any conditions that follow
- A floating sediment curtain must be positioned across the mouth of the channel for the duration of the dredging. This must remain in place until the water clarity in the disturbed area is the same as that within the Lower River Murray.
- Paint, plaster, cement, chemical additives, cleaning liquids and any other waste or leftover material, including ALL clean-up and wash waters from sources such as concrete mixing equipment (including wheelbarrows or chutes from concrete trucks), must not be disposed of on the site or allowed to enter any water resource.

Note: Under the Environmental Protection (Water Quality) Policy 2003, the pollution of waters is an offence. For further information, refer to the EPA Handbook for Pollution Avoidance on Building Sites, which is available at the following web address: <http://www.epa.sa.gov.au/pdfs/bccop1.pdf>

Note: Empty paper bags (eg: plaster and cement bags) and plastic (eg: wrapping, container etc..) may be temporarily secured with a heavy object. However, before the end of each working day, they must be collected and placed into a covered rubbish skip or be removed from the site. Reference: EPA Handbook for Pollution Avoidance on Building Sites, web address: <http://www.epa.sa.gov.au/pdfs/bccop1.pdf>

- Dust generation must be managed at all times during construction on the site in a manner such that it does not result in nuisance impact off site.

.../cont.

455/911/05 - Peter Weeks (Continued)

- Temporary stock piles of excavated material must be in a location or banded to prevent drainage water re-entering the river.
- No permanent occupation of vessels can occur if moored within the facility.
- Appropriate domestic waste facilities must be provided for all users of the facility.
- Appropriate domestic waste facilities must be provided for all users of the facility. Appropriate domestic waste facilities must be provided for all users of the facility.
- Vessel(s) washing and maintenance must not be undertaken whilst the vessel(s) are in the water.

EPA Notes

- The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to undertake 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 causes or may cause environmental harm.
- An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environmental Protection Authority before acting on this approval to ascertain licencing requirements.
- Any information sheets, guidelines, documents, codes of practice, technical bulletins etc... that are referenced in this response can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>

3.3 455/541/06 - Wendy Bell

SUMMARY TABLE

Date of Application	09.05.06
Subject Land	12 Goolwa Road, Middleton
Applicant	Alexandrina Council
Owner	Warren George Surfield
Assessment No.	A15836
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living (Policy Area 18)Rural Living
Nature of Development	Storage Shed
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	6 th June 2006
Recommendation	Proceed with Assessment
Originating Officer	Andrew Burley

ESD IMPACT/BENEFIT

- Environmental Minor impact from construction and increased stormwater discharges.
- Social Minimal impact expected. Adjoining land owners may be affected by noise.
- Economic Potential to increase land value for owner and may enhance owners business through storage of associated vehicles.

BACKGROUND

The land is currently vacant and has been used occasionally for grazing and the parking of several vehicles some of which are associated with the owner's adjoining business, Middleton Pergolas, Sand and Metal. This business was granted consent by way of an appeal to the Environment, Development and Resources Court in 2001.

.../cont.

455/541/06 - Wendy Bell (continued)

Previous to this application, on the 20th October 2005 an application of a similar nature was lodged with Council by the owner of Middleton Pergolas, Sand and Metal, to extend the existing service trade premises onto the subject land. This application was deemed to constitute a 'non-complying' development and was subsequently withdrawn on the 11th May 2005.

THE PROPOSAL

Nature of Development

The development proposal involves the construction of a large storage shed which will store private vehicles and other vehicles associated with the adjoining business, which are currently being parked on the subject site. After seeking legal advice from Council's lawyers, Council is of the opinion that the nature of the proposal constitutes a change of land use to that of which can be defined as a 'store'. This land use is listed as a non-complying use within the Rural Living Zone. The land use has been defined as this due to the fact that there is no dwelling on the allotment and therefore the proposal cannot be considered as an 'outbuilding' as no residential use exists on the property.

Detailed Description

The proposal involves the construction of storage shed which will store: a private boat and trailer, pneumatic and 4 wheel trolley associated with the private use of draft horses grazed on the site; and vehicles associated with the adjoining Sand and Metal premises which include; a 3.5 ton small excavator, vibrating roller, and 4 wheel tipper trailer.

The proposed shed has dimensions of 30.64m x 18m x 4.8m and will cover an area of 551.52m². The walls and roof are to be clad with 'Rivergum Green' colorbond steel. The shed is to be setback 6 metres from the southern boundary and 16 metres from the western boundary.

The allotment could be considered as a 'hammer head' shape, with a narrow access link providing access to the main road (Goolwa - Middleton Road). In addition to this access link, there is an existing gate on the western boundary which provides access through to the owners business of 18 Goolwa Road.

REFER ATTACHMENTS 3.3 (page 52)

SITE & LOCALITY

The subject site is located at 12 Goolwa Road, Middleton and is currently vacant property with an area of 1.29 hectares. The site has a slight slope in ground level from the north to the south and has several large trees scattered across the site.

.../cont.

455/541/06 - Wendy Bell (continued)

The site is located within the Port Elliot and Goolwa district and almost entirely in the Rural Living (Policy Area 18) zone; however a small portion to the south of the site is also situated within the Tourist Accommodation zone. This zone currently contains the existing business of Middleton Sand and Metal. The locality is at the edge of the Middleton Township and as a result exhibits a mixture of activities and uses, ranging from some commercial use directly abutting Goolwa Road, to more rural uses to the north and the east.

PUBLIC NOTIFICATION

Should the Development Assessment Panel resolve to proceed with the assessment of this Application, Category 3 Public Notification will be required.

COMMENTS

Pursuant to Regulation 17 (1) of the Development Regulations, the applicant provided Council with a statement of support which suggests that the proposal is of a scale and nature of land use that is consistent with other sheds serving rural living activities within the Zone and its location on the site will ensure that the future use of the site for rural living will not be prejudiced. The statement also suggests that the shed be treated as a normal outbuilding on a rural living allotment.

Although the Development Application is considered to be a non-complying form of development within the Rural Living Zone, the proposal is considered to display some merit as a large shed is an appropriate structure depending on its use, within the Rural Living Zone and it will potentially reduce visual clutter from machinery and vehicles associated with the owner's adjoining business, which are currently stored on the subject land.

However, there are concerns regarding the appropriateness of the proposal, its impact and its relationship with adjoining properties. Therefore further assessment of this application is required.

RECOMMENDATION

That the Development Assessment Panel determine to proceed with an assessment of Development Application 455/541/06 for a 'store' at 12 Goolwa Road, Middleton.

4. DEVELOPMENT APPLICATIONS - CATEGORY 3

4.1 455/385/06 - Cube Architects

SUMMARY TABLE

Date of Application	28 th March 2006
Subject Land	192-4+ Liverpool Road, Goolwa
Applicant	Cube Architects
Owner	Southern Cross Care (SA) Inc
Assessment No.	A7438
Relevant Authority	Alexandrina Council
Planning Zone	Residential – Policy Area 23 Residential
Nature of Development	Retirement Village: comprising 39 detached dwellings, 8 semi-detached, 8 row dwellings and a double storey community facility.
Type of Development	Consent on merit
Public Notice	Category 3
Referrals	None required
Representations Received	1 formal – 3 late
Representations to be heard	Possibly 4
Date last inspected	28 th June 2006
Recommendation	Approve with conditions
Originating Officer	Cherry Getsom

ESD IMPACT/BENEFIT

- Environmental Increase in stormwater run-off, increase in housing density within the immediate locality. Increase in number and frequency of vehicular movements in the vicinity.
- Social Positive benefits for elderly looking to move to Retirement Village lifestyle.
- Economic Pressure on Council to provide resources and facilities for the elderly. Increase in pressure on infrastructure requirements.

455/385/06 - Cube Architects (continued)

THE PROPOSAL

Nature of Development

The proposed development involves the construction of a Retirement Village at 192- 194 Liverpool Road, Goolwa North consisting of 39 detached single storey dwellings, 8 semi-detached single storey dwellings, 8 single storey row dwellings and a double storey community facility.

The subject land is located within Policy Area 23 of the Residential Zone of the Alexandrina Council Development Plan. The application has been assessed as a Consent on Merit application.

Detailed Description

The subject land is bounded by Liverpool Road, Fenchurch Street, Clark Street and Mark Lane. The land comprises thirteen existing titles all of which are in the registered ownership of Southern Cross Care (SA) Inc. A large parcel of land runs parallel to the subject land between Liverpool Road and Fenchurch Street having immediate frontage to Mark Lane. This land is Road Reserve and is not the subject of this application.

The proposal includes 55 single storey dwellings;

- 8 detached dwellings will have individual frontage to Clark St.
- 9 detached dwellings will have individual frontage to Fenchurch St
- 2 detached dwellings will be located along Fenchurch St but have access from internal roads.
- 7 detached dwellings and one semi detached dwelling will be located parallel to Mark Lane but have access via an internal road.
- 14 detached dwellings and 6 semi- detached dwellings will have access via internal roads.
- 8 row dwellings will be accessed via internal roads.

The dwellings are designed for independent living and will include two or three bedrooms, separate laundries and combined open kitchen, living and dining areas. The external materials of the dwellings will vary to better suit the streetscape but will generally comprise colorbond or tiled roofing and render, face brick or sandstone external cladding.

A two storey reception/ community complex also forms part of the proposal. This is to be located 11.8 metres from the Liverpool Road boundary adjacent the main entrance to the complex. The structure is to be 8 metres in height and comprise a games room, kitchen, toilet facilities and a separate workshop/hobby area on the lower level. The upper level will include a general activity/dining area, a functions area kitchen and an outdoor deck with views to the river.

.../cont.

455/385/06 - Cube Architects (continued)

The external materials of the proposed community complex include colorbond roofing with cement render; the decking is to be reeded hardwood.

The total site area is 2.01ha with an average site area per dwelling of 301m².

The main access to the complex is via Liverpool Road which will be controlled by a boom gate with intercom and card access for security purposes. Dwellings that have frontages to public roads will access via these roads (Clarke St and Fenchurch St). Fifteen of the proposed dwellings will have double garages with the thirty-two others having single garages, the proposed row dwellings are to have a shared open carport. This will provide a minimum of one visitor park for each dwelling with six additional car parks located throughout the complex and 10 parks provided for the community facility.

Landscaping is to be included with further detail provided and approved prior to full development approval being issued.

The proposal is to be constructed in 4 or 5 stages. The first stage is to include display homes and involve the initial marketing phase. This initial marketing phase may result in some minor changes to external materials or dwelling type but these are expected to be suitable for assessment as minor variations to the original application. Road works and services are to be established concurrently with the stage of development to which they relate.

REFER ATTACHMENT 4.1(a) (page 55)

SITE & LOCALITY

The subject site is located within the Residential Zone of the Alexandrina Development Plan, Policy Area 23. The portion of the site that includes frontage to Liverpool Road displays a number of existing dwellings and associated outbuildings set back from the road frontage. A number of large Norfolk pines are located along this road frontage and continue along the Mark Lane boundary, located on the road reserve.

It is expected that three large Norfolk pines and three medium Norfolk pines and a number of trees scattered between the existing outbuildings will need to be removed to allow for the proposed development. These trees are located on private land and are not heritage listed. The trees located on the Mark Land Road Reserve are not to be removed.

The northern section of the subject site, bounded by Fenchurch St is predominately vacant, with the exception of a number of existing trees.

.../cont.

455/385/06 - Cube Architects (continued)

The locality displays all the characteristics of a residential locality. A number of predominately single storey dwellings on relatively large allotments are located throughout the immediate locality. However an increasing number of two storey dwellings, on smaller allotments are beginning to emerge, particularly along Liverpool Road. A number of single storey community title, unit style developments have recently been approved on Fenchurch St, within the locality of the proposed Retirement Village.

PUBLIC NOTIFICATION

Pursuant to Section 38(5) of the Development Act 1993 the application was put on Category 3 Public Notification between the 27th April and 10th May 2006.

One representation was received during this notification period and three late representations were received. The applicant has submitted a response all representations received although notes that the three late representations do not have appeal rights.

In summary, the issues raised and responded to include:

- Access from Liverpool Road
- Density of the proposed development
- Concerns regarding the proposed Reception/Community Complex and its height and visual impact.

REFER ATTACHMENT 4.1(b) (page 72)

REFERRALS

No formal referrals were required for the assessment of this application.

CONSULTATION

A Waste Control System needs to be submitted and approved by Council for this application. This must be formally assessed prior to any provisional planning approval being issued.

Consultation has been undertaken with Council's Engineering and Infrastructure Department (Infrastructure Co-ordinator Matt James) who advised that all site stormwater to discharge into Council's existing system and must not adversely affect its performance or efficiency. Onsite detention and treatment will be required for internal stormwater. Proposed dwellings with frontage to Clarke Street are to discharge directly to kerb and gutter.

Consultation was also undertaken with Heather Grant, from the Centre for Positive Ageing who highlighted a number of issues such as the width of doors for

.../cont.

455/385/06 - Cube Architects (continued)

wheelchair access, the height of powerpoints, steps to be kept to a minimum and doors to open outwards. Most issues are addressed through Adaptable Housing Principles undertaken by Southern Cross Care. However it was suggested that the Reception/Community Centre be included in Stage One of the Development as it will have social advantages and the ability to access transport and be able to walk to local services was highlighted.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

The following Principles of Development Control within the Alexandrina Development Plan are seen as especially relevant to this application:

Appropriateness within the Zone.

Council Wide

Objective 7: A range of dwellings that meets the needs of residents, including accommodation designed and located to meet the specific needs of the aged and people with disabilities.

Port Elliot and Goolwa District

Objective 1: Compact living and business areas ensuring residents are within reasonable distance of community facilities.

Residential Zone

Objective 1: A safe, pleasant, convenient and distinctive coastal and semi rural living environment for all residents provided by housing and local community facilities that complement the existing positive elements of the living environment.

Objective 2: A zone primarily accommodating dwellings of various types up to two storeys in height located throughout the zone.

Objective 3: A predominance of medium density residential accommodation in areas in close proximity to:
(b) enter zones or nodes of activity; or
(b) areas of public open space.

Policy Area 23

Objective 1: A policy area accommodating a range of dwellings up to two storeys in height, including detached and semi-detached dwellings, row dwellings, group dwellings and residential flat buildings, together with aged persons accommodation.

Objective 2: Provision of compact forms of dwellings to take advantage of accessibility to the adjacent District Centre Zone and the efficient use of existing public infrastructure in the policy area.
.../cont.

455/385/06 - Cube Architects (continued)

Principle of Development Control 2 Development undertaken in the Residential (Goolwa Central) Policy Area 23 should be, primarily, detached and semi-detached dwellings, row dwellings, group dwellings and residential flat buildings, with aged persons accommodation within a 500 metre radius of the District Centre Zone.

COMMENT

Clearly, the proposed retirement village fits within the Objectives of the Residential Zone, providing a range of dwelling types with a variety of designs, to a maximum height of two storeys. Additionally, Policy Area 23 has been determined by the Development Plan to be the area best suited to medium density development providing accommodation for aged persons, with the close proximity to the District Centre Zone allowing for more convenient access to the resources and services located within this zone.

Appearance, Design and Building Setback Council Wide

Objective 29: The amenity of localities not impaired by the appearance of land, buildings, and objects.

PDC 3 New housing and other urban development should:
(a) form a compact and continuous extension of an existing built up area;
(b) be located so as to achieve economy in the provision of public services; and
(c) create a safe, convenient and pleasant environment in which to live.

Residential Zone

Objective 4: Development should enhance the existing character of residential areas with buildings that create an attractive and amenable environment through a variety of designs. The built form should respect and enhance the need for amenity and privacy.

PDC 1 Residential development should comprise a range of housing types and styles up to two storeys in height, and designed to meet the diverse needs of the population.

PDC 2 Individual housing developments comprising more than 30 dwellings should contain a mix of housing types and sizes, and be designed to reduce the apparent scale of the development.

PDC 5 Dwellings should not be greater than two storeys or 8.0 metres high as measured from existing natural ground level immediately below the highest point of the building.

.../cont.

455/385/06 - Cube Architects (continued)

PDC 8 Development should be compatible with the character and amenity of the locality.

COMMENT

The single storey – low profile nature of the independent living units will compliment adjacent development with external materials of colorbond and render fitting well with the Development Plan guidelines. The variety provided by a mixture of dwelling types, with not all dwellings having direct street frontage will provide additional streetscape amenity and allow it to compliment the existing character.

The two storey element of the proposed Reception/ Community Centre is consistent with the emerging two storey character of Liverpool Road and the architectural design complementary to adjoining contemporary dwellings.

Movement of People and Goods Council Wide

Objective 18: The free flow of traffic on roads by minimizing interference from adjoining development.

PDC 24 Development and associated points of access and egress should not create conditions that cause interference with the free flow of traffic on adjoining roads.

PDC 80 Car parking associated with older persons accommodation should:

- a) be conveniently located on-site within easy walking distance to resident units;
- b) be adequate for residents, staff, service providers and visitors;
- c) include private parking spaces for independent living units;
- d) include separate and appropriately marked places for people with disabilities and spaces for small electrically powered vehicles; include covered and secure parking for residents vehicles;
- f) have slip-resistant surfaces with gradients not steeper than 1:40;
- g) allow ease of vehicle maneuverability by older motorists;
- h) be designed to allow the full opening of all vehicle doors; and
- i) minimize the impact of car parking on adjacent residences due to visual intrusion, noise and emission of fumes.

PDC 101 Development within the Port Elliot and Goolwa District as identified on [Map Alex/1 \(Overlay 1\) Enlargement G](#) should have car parking spaces on the site, or on a site nearby approved by the planning authority, at a rate not less than that prescribed in [Table Alex/3](#), unless otherwise varied by the specific zone provisions which apply.

.../cont.

455/385/06 - Cube Architects (continued)

PDC 102 Development and associated points of access and egress should not create conditions that cause interference with the free flow of traffic on adjoining roads.

COMMENT

Only one access point is to be provided to Liverpool Road, this is not only for security reasons, but as this road is known locally for its high amenity value it is considered that the creation of a number of access and egress points would have a negative impact upon this character. Dwellings with frontages to Clarke Street and Fenchurch Street will blend with the existing residential streetscapes, having 'standard' residential driveways. No access is to be provided across the Mark Lane Road Reserve, this will allow the open, tree-lined character to remain and for the area to continue to be used as an area of open space.

Car parking numbers for the independent living units are sufficient to meet the requirements of the Alexandrina Development Plan. The number of additional parks provided for the Reception/Community Centre falls below the required minimum for a 'Community Centre', however as the Centre forms part of the Retirement Village and is intended to be used principally by residents of the Village, the sixteen additional parks located throughout the Village are considered sufficient.

COMMENTS

The proposed development is a legitimate and desirable form of residential development within the Residential Zone. The proposal does not prejudice the character and amenity of the locality, nor does it create unsafe or undesirable traffic conditions.

The proposed development will provide for residential development in Goolwa, albeit for the accommodation of elderly residents. This is important considering the Alexandrina Council area has a high proportion of aged residents however this may place further pressure on existing health and care services. The staged nature of the proposal may reduce this impact.

It is considered that the proposal displays sufficient merit to warrant provisional development plan consent subject to conditions.

RECOMMENDATION

That the Development Assessment Panel grant Provisional Development Plan Consent for DA 455/385/06 for a Retirement Village Comprising 39 detached dwellings, 8 semi-detached, 8 row dwellings and a two storey community facility at 192-194 Liverpool Road Goolwa, subject to the following conditions:

.../cont.

455/385/06 - Cube Architects (continued)

- That the Landscaping and maintenance Plan to be provided prior to full
- Development Approval being issued, incorporate existing vegetation where practicable; complement existing attractive landscape character and take account of existing street tree planting and landscaping; improve privacy and minimise overlooking, provide a buffer between buildings (both on-site and on neighbouring properties), minimise maintenance and irrigation requirements and provide a buffer between vehicle accessways and habitable room windows of dwellings
- All site stormwater to discharge into councils existing system and must not adversely affect its performance or efficiency. Onsite detention and treatment will be required for internal stormwater. Dwellings fronting Clarke Street are to discharge directly to kerb and gutter.
- STEDs headworks charges to be paid (\$182,656) to be paid. These headworks charges include connection feeds for 55 units, 1 community facility, rising main and pump station upgrade.
- Each of the proposed allotments shall be connected to the Common Effluent Drainage Scheme, all costs being borne by the developer.
- A competent Plumber or Drain Layer Licensed to perform such work shall carry out the construction of any extension to the Common Effluent Drainage Scheme and construct all new connections to the scheme.
- 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.
- An appropriate Waste Control System be approved for the site prior to Provisional Planning Consent being issued.

4.2 455/387/06 - Hassell Pty Ltd

SUMMARY TABLE

Date of Application	29.03.06
Subject Land	42 & North Parade, Strathalbyn
Applicant	Hassel Pty Ltd
Owner	Kerbel Pty Ltd
Assessment No.	A12950 & A12949
Relevant Authority	Alexandrina Council
Planning Zone	Residential (Strathalbyn) Zone – Policy Area 21 Central Historic (Conservation)
Nature of Development	Motel – To construct a motel complex comprising 25 single storey office and caretakers flat building with associated car and bus parking and landscaping.
Type of Development	Consent/Merit
Public Notice	Category 3
Referrals	Transport SA
Representations Received	15
Representations to be heard	8
Date last inspected	June 2006
Recommendation	Approval
Originating Officer	Andrew Sladden

ESD IMPACT/BENEFIT

- Environmental Likely increase in stormwater, decrease in existing vegetation.
- Social Possible increase in noise, employment, overnight accommodation for sporting clubs competitions.
- Economic Possible employment increase, tourism increase. Greater requirement for service provision (rubbish, hospitals, etc)

BACKGROUND

Development Application 455/261/05 for a similar development was lodged with Council in 2005. The Application was presented to DAP in October 2005 with a recommendation for approval.

455/387/06 - Hassell Pty Ltd (continued)

The Panel subsequently resolved to refuse the application and the applicants appealed the refusal decision to the ERD Court.

At the compulsory court conference, a compromise was reached and the application approved with the consent of DAP. A third party appeal was subsequently lodged with the ERD Court where it was discovered that Council had made a fundamental error in the assessment of the application and the appeal was struck out.

The purpose of this application is to seek Provisional Development Plan Consent for the proposed motel which is essentially very similar to that agreed upon by DAP and the applicant at the ERD Court conference.

THE PROPOSAL

Nature of Development

The application is for a 25 unit Motel incorporating caretaker's residence, office, laundry, kitchen and associated car parking. The Alexandrina Council Development Plan Residential (Strathalbyn) Zone does not list a Motel as a non-complying form of development, therefore the application is consent on merit. The Development Plan does not describe categories of notice and accordingly, the application is considered to be a Category 3 form of Development under the Development Act 1993 as it cannot be considered to be a minor form of Development.

A Motel is defined pursuant to Schedule 1 of the Development Act 1993 as:

"A building or group of buildings providing temporary accommodation for more than five travellers, and includes an associated restaurant facility but does not include a hotel or residential flat building."

Detailed Description

The application seeks to construct five detached buildings, four of which are single storey and contain the 25 motel units. The fifth is two storeys in height with a ground floor office, kitchen and laundry and upper floor caretaker's residence.

The buildings are located in a 'semi-circle', surrounding a central car parking area with landscaping provided around the southern and eastern boundaries of the allotments.

The total site area of the proposal is approximately 4323.43m², with site coverage of approximately 1316m² and includes 1450m² of landscaping with 29 car parks internally within the site with room to park a bus.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

Two types of unit are proposed, each with decking. Type one has the beds in the main suite, type two has a separate main room and two single beds in the main suite.

The access and egress to the site is via an eight metre wide driveway crossover on the northern side of the site.

The proposed setbacks for the buildings from the boundaries are:

- 5 metres from the building alignment to East Terrace at the closest point with an average of 7 metres and 4 metres from the deck.
- 2.2 metres from the building alignment to North Parade with an average of 4.6 metres and 1.5 metres from the deck.
- The western boundary (adjoining the tennis club) has the screened refuse area on the boundary and then alternates in setback from 1.2 metres, to 1.5 metres and up to 2 metres.
- The southern boundary (adjoining a residence) has a small portion of the building alignment setback 4.5 metres from the boundary, with the bulk of the building setback 6.5 metres.

The materials proposed to be used for the construction of the motel are stone and face brickwork for the walls, windows in natural anodised aluminium, the decking in plantation hardwood and the roof in galvanised corrugated iron.

The walls of the motel are predominately 4.2 metres high with the top of the gabled roof at approximately 7.5 metres. The two storey component is a maximum of 9 metres above natural ground level.

The applicants have also provided a very basic details of landscaping which includes extensive landscaping around the eastern and southern boundaries of the subject site.

REFER ATTACHMENT 4.2 (a) (page 87)

SITE & LOCALITY

The subject site is located on the corner of North Parade and East Terrace in Strathalbyn. The land comprises two existing allotments both with existing dwellings and vegetation which would require demolition and removal to allow the motel to be built. There is little vegetation on the allotment directly adjoining the tennis club, however the corner allotment has many large trees presenting a canopy to the street of vegetation, thick enough to effectively screen the dwelling.

This site is mainly flat with a slight slope towards the rear of both allotments.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

The locality is primarily residential, although the site is directly adjacent to the Strathalbyn Tennis Club, a recreational use, which includes floodlit night tennis competitions. To the North and East large road reserves lie between the subject land and the currently vacant land on the western side of Adelaide Road. To the east there are single storey detached dwellings. To the north currently is vacant land, however a land division is approved for residential development which will be set well back from the road frontage. The southern side of the subject land abuts a single storey dwelling and dwellings continue uninterrupted into the township. South of the Tennis Courts a unit development currently exists. The locality extends to include the entire block bounded by Murray Street, Grey Street, East Terrace and North Parade. The land facing East Terrace and North Parade is included in the locality. The locality reflects a predominately low density character providing for large trees to dominate streetscapes with the setbacks along East Terrace all exceeding 8 metres with the exception of the existing dwelling on the subject site, which fronts North Parade with East Terrace its secondary frontage, and the dwelling on the corner of East Terrace and Marchant Road, which has a front setback of roughly 5.5 metres.

REFER ATTACHMENT 4.2 (b) (page 121)

PUBLIC NOTIFICATION

The Development Application was subject to Category 3 Public Notification pursuant to Section 38(5) of the Development act 1993, between 19 May 2006 and 2 June 2006.

Fifteen representations were received within this prescribed timeframe. Eight of these representors have stated that they wish to be heard at the DAP meeting.

Nine of the representations are opposed to the proposed development. The concerns raised include the inappropriateness of a commercial development within a residential zone, the potential devaluation of surrounding properties, noise, light spill, liquor licence, security, density, design not blending with surrounding locality etc...

Five of the representations are in favour of the proposed development citing reasons such as the benefit of the proposed development on tourism for the town and local economy as the main reasons for support.

REFER ATTACHMENT 4.2 (c) (page 122)

The applicant has submitted a comprehensive response to the representations. The applicant has addressed the issues raised by the representors in the following order:

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

- Land use appropriateness
- Appearance, bulk and scale
- Setbacks
- Heritage
- Movement, access and car parking
- Liquor licence
- Security
- Demolition of existing dwellings
- Density
- Affect on property values
- Tennis club.

REFER ATTACHMENT 4.2 (d) (page 163)

REFERRALS

The application has been referred to Transport SA pursuant to Schedule 8, 3 (c) of the Development Act 1993. Transport SA has provided the following comments.

- As all proposed access is to be gained via North Parade, a local road under the care and control of Council, this department raises no objection to the proposed development.
- Council should ensure that the proposed development provides sufficient on-site parking and manoeuvring space, designed in accordance with Australian/New Zealand Standard 2890.1:2004, to ensure all vehicles (including the largest vehicles expected on-site) can enter and exit the site in a forward direction.
- Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjoining road/s.

It is noted that the Car parking area meets the numerical requirements for the proposed land use pursuant to Table Alex/3 – Car Parking Requirements of the Alexandrina Development Plan.

CONSULTATION

Consultation has been undertaken with Council's Technical Services Department (Infrastructure Coordinator Matt James) on the issues of effluent disposal and car parking. The advice is that the proposal is satisfactory in its current format.

ALEXANDRINA COUNCIL DEVELOPMENT PLAN

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

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

COUNCIL WIDE

Objectives

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

PRINCIPLES OF DEVELOPMENT CONTROL

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 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.

Comments

As evidenced by the number of character and amenity Objectives Principles listed above from the Alexandrina Development Plan, the design and appearance of development within this area is a primary concern. The proposed development has been designed in accordance with the Objectives and Principles of the Alexandrina Development Plan and is considered to blend with the surrounding area in terms of design (roof pitch, setbacks, materials and colours, landscaping etc....)

It is noted that this design has previously been supported by Council (455/261/06) which, although in its self is not a reason to support this Application, highlights the fact that the design has previously been considered to be appropriate for this locality.

As the subject site is now located within the Central Historic (Conservation) Policy area (since 24 November 2005), the design is considered appropriate given that the original design for the motel has been consented to by Council's Heritage Advisor. As the only real changes to the design from that of Development Application 455/261/06 are a reduction on height and slightly increased setbacks, the design is considered to be appropriate within this policy area.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

Setbacks

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.

Tourism Development

PDC 221 Tourism developments should:

- (a) enhance the character of the locality in which they are to be located;
- (b) be compatible with the cultural and heritage values of the locality and the Region;
- (c) be small in scale and designed and sited to be compatible with the local environment;
- (d) enhance the visual amenity of the locality;
- (e) utilize, where possible, existing buildings, and particularly heritage buildings.

PDC 222 Major tourism developments should preferably be located within existing townships, settlements, urban areas or designated zones.

PDC 227 Tourism developments should:

- (a) not exceed the capacity of the infrastructure or facilities required to service them;
- (b) use external materials of construction that are in keeping with traditional building styles, incorporating by way of example; stone, masonry or weatherboard walls, timber framed windows, pitched corrugated steel roofs in either naturally weathered galvanized iron or similar, verandahs where appropriate and outbuildings, fences and other structures to complement the major buildings;
- (c) provide vehicle parking and access ways which are surfaced with materials appropriate to maintaining the character of the locality;
- (d) be designed and sited to prevent overshadowing and overlooking;
- (e) provide safe and convenient vehicle access that is compatible with the surrounding uses.

Comments

Tourist accommodation is considered to an appropriate activity within townships as is evidenced by Council Wide Principle of Development Control 222. It is also noted that the proposal is considered to comply with the other relevant Principles regarding Tourist Accommodation (Council Wide Principle of Development Control 227 and Principle of Development Control 55 for the Strathalbyn District) given that

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

its design will blend with the locality and minimise the impact upon the surrounding locality.

The design of the proposed motel is considered to be appropriate for the locality and car parking and access is considered to be adequate as indicated by Councils Technical Services Officer and Transport SA.

STRATHALBYN DISTRICT

Objectives

Objective 7: Satisfaction of the social, cultural and economic needs of the local community.

Appearance of Land and Buildings

Objective 15: Attractive appearance of towns and their main road approaches.

Comments

The proposed development is considered to comply with the above as it will provide a positive benefit to the tourist industry and economy of the township. As the site of the proposed development is located on the main road into Strathalbyn, it is considered to comply with Objective 15, above given the attractive design and landscaping.

Objective 16: Urban development designed and constructed to retain and enhance the amenity of the area and blend with existing development in the locality.

Principles of Development Control

PDC 5 Development which is incompatible with other uses within the locality should not be undertaken.

Comment

Although it could be argued that the proposed development may be incompatible with the surrounding residential land uses, given the fact that there is no restaurant, bar or conference centre component to the proposal, it will essentially be comparable to a residential land use given the fact that the only activity being undertaken is temporary accommodation for tourists.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

Movement of People and Goods

PDC 23 Car parking areas should be designed, constructed and landscaped to facilitate the efficient movement and parking of vehicles, ensure long term stability and ease of maintenance and screen the areas from adjoining roads.

Appearance of Land and Buildings

PDC 53 The external walls of any building should be principally composed of masonry, brick, stone, rendered masonry, timber or painted fibrous cement planking or boarding or visually similar fibrous cement panelling, except for:

- (a) a farm building or outbuilding; or
- (b) buildings used for industrial, commercial storage or warehouse purposes.

Tourist Facilities

PDC 55 Development of a hotel, motel or related tourist accommodation facilities should only be undertaken where:

- (a) the total floor area of existing development, including outbuildings but excluding driveways and car parking areas, would not exceed 30 percent of the site;
- (b) the development is limited to a height of one storey where the proposed development is located within 6.0 metres of the boundary of any abutting site;
- (c) car parking, service and storage areas of rubbish are to be sited and screened suitably with fencing or landscaping;
- (d) the development is designed, having regard to orientation and siting of buildings, the provision of car parking and maneuvering areas, and the allocation of landscaped buffer areas to minimize disturbance to adjoining land through noise, lighting spill and intrusion on privacy; and
- (e) the development is to be sited within a built-up urban area or an area proposed for urban development and adjacent to a secondary arterial or local road shown on Maps.

It can be argued that the proposed development is at variance with (b) above as there are small sections of the proposed building located 4.5m from the rear (southern) boundary. However, compliance with (b) above has been achieved for the most part as the majority of the southern wall of the building is located 6.5m from the adjoining boundary. Also, it is noted that a 2m high fence will be constructed along this southern boundary which will assist the privacy of the adjoining property. It is also noted that only a small part of the building, in the

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

north – western corner is two storeys, (mostly) 2 metres from the western boundary. This is considered acceptable as the tennis club is adjoining this boundary and the proposal is not envisaged to have any adverse impact.

RESIDENTIAL (STRATHALBYN) ZONE

Objectives

- Objective 1:** A zone primarily accommodating detached dwellings and other types of low density residential development, with medium-density residential development and supportive community, educational and recreational facilities in appropriate locations.
- Objective 5:** Development having a high standard of design and appearance to complement the traditional building styles and design elements typical in the town before the 1950's.
- Objective 8:** Preservation of the attractive streetscapes along East, South and West Terraces, North Parade, Commercial Road and elsewhere within Historic (Conservation) Policy Areas and their visually important features including, building facades, rooflines, walls, fences, trees and gardens.

PRINCIPLES OF DEVELOPMENT CONTROL

Form of Development

- PDC 1** Development other than for residential purposes or the provision of community, educational or recreational facilities should not be undertaken.
- PDC 23** Development fronting East, West and South Terraces and Coronation, Ashbourne and Commercial Roads should not impair the appearance or visibility of existing buildings of traditional style first constructed prior to 1950.
- PDC 24** Development should not impair the attractive landscape character and appearance of land adjacent to Adelaide Road.
- PDC 25** Buildings and structures should be designated with regard to scale, height and proportions, as well as external appearance, materials, colours, siting and landscaping to complement and enhance the positive characteristics of the locality.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

COMMENTS

Although the use is strictly at variance with Objective 1 for the Residential (Strathalbyn) Zone given that it is not a residential, community or recreational land use, the proposed motel is considered to be appropriate within the locality as it is essentially similar to a medium density residential land use. As there is no restaurant, bar or conference component to the proposal, it can be argued that overnight accommodation will have a similar impact upon the locality to a medium residential development particularly given that the design will keep the noise generating activities (car park, access to rooms etc) within the centre of the site, with the buildings and landscaping buffering these potential noise generating activities from the surrounding residential activities.

On balance the proposal displays enough merit to warrant the granting of consent due to the design internalising traffic movement, light and noise, blending with the historic character while remaining a modern building, and the structure providing an entrance to the township on a prominent site.

RECOMMENDATION

That the Development Assessment Panel grant Provisional Development Plan Consent to Development Application 455/387/06 for a Motel comprising 25 single storey units and a two storey caretakers flat building with associated car and bus parking and landscaping subject to the following conditions:

Conditions

- The external finishes to the building or structure herein approved shall be in accordance with the materials as specified in the application now approved.
- No additional signs are to be erected or displayed on or about the buildings without the prior consent of Council.
- All of the carparks, driveways, and vehicle manoeuvring areas shall be constructed and bituminised, brick paved or concreted in accordance with sound engineering practice prior to the occupation of the development herein approved.
- 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 and maintenance of the site including details of species and their mature height. When approved, the plan will be endorsed and will then form part of the approval.

.../cont.

455/387/06 - Hassell Pty Ltd (continued)

- 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 in all respects the subject land (including carparking areas, driveways and footpaths) all buildings and structures and all landscaped and open space areas.
- Floodlighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to cause no light overspill to adjacent residential development.

5. DEVELOPMENT APPLICATIONS - LAND DIVISION COMMUNITY TITLE
6. DEVELOPMENT ASSESSMENT - BUILDING
7. MATTERS REFERRED FOR FOLLOW UP
8. GENERAL ITEMS FOR DISCUSSION
9. NEXT MEETING
10. CLOSURE