

DEVELOPMENT ASSESSMENT PANEL
MINUTES OF MEETING HELD ON 5 NOVEMBER 2003
COMMENCING AT 10:00 AM
IN THE GOOLWA CENTENARY HALL - SUPPER ROOM

PRESENT

Councillors A Woolford (Presiding Member), G Connor, M Beckett, R Medlyn (Proxy for Cr P Reedman), D Banks (Director Technical Services), D Commerford (Director Environmental Services).

APOLOGIES

Councillors R Potter, P Reedman.

IN ATTENDANCE

B Green, G Webster (Planners), V Harvey (Personal Assistant Environmental Services).

ITEM 1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 7th October 2003.

Moved Cr Connor seconded Cr Beckett that the minutes of the Alexandrina Council Development Assessment Panel held on 7th October 2003 as circulated to members be received as a true and accurate record.

CARRIED

ITEM 2. DEVELOPMENT APPLICATIONS

2.1 455/1166/03 - BD & RH Smith

SUMMARY TABLE

Date of Application	5 th September 2003
Subject Land	12 Kemp Street, Goolwa
Assessment No.	A 379
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Relocation of transportable dwelling
Type of Development	Complying
Public Notice	N/A
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	23 rd October 2003
Recommendation	Approve with condition
Originating Officer	Ben Green

ESD IMPACT/BENEFIT

- Environmental A slight increase in stormwater and effluent on the existing system and the site.
- Social Adds a diverse range of housing stock to the community.
- Economic Benefits to the applicant, local businesses and increased rating revenue for the Council.

The applicant proposes to move a transportable dwelling from its existing site at 4 Beach Rd, Goolwa to his property at 12 Kemp Street, Goolwa Beach.

In accordance with Council Policy the applicant has submitted the following information:

- The building will be moved as a whole & be completed by 30.1.04 and meet all the current BCA standards.

.../cont.

2.1 455/1166/03 – BD & RH Smith (Continued)

- The solid base infill will be constructed within 3 months of the arrival of the building on site, or before the building is occupied, whichever is the sooner.
- The agreed \$10,000 bond has been paid in full to Council.
- An Electrical Certificate of Compliance has been provided by a qualified electrician.

The transportable dwelling is to be rendered on the walls and the roof is proposed to be replaced with Colorbond. A 20m² verandah is proposed to be added to the front of the building and a 30m² rear deck is also proposed to improve the amenity of the dwelling. Thus giving the dwelling a more permanent appearance.

It was agreed by consensus that the Development Assessment Panel grant Provisional Planning Consent to Development Application 455/1166/03 subject to the following condition:

1. **The solid base perimeter as detailed in the application shall be completed prior to occupation of the building or within three months after the arrival of the building on site, whichever is the lesser time .**

AGREED BY CONSENSUS

2.2 455/1346/03 - IF & R Edgley

Cr Woolford, the Presiding Member, welcomed Mrs Edgley who gave a brief overview on the application at 10:10 a.m.

SUMMARY TABLE

Date of Application	20 th November 2002
Subject Land	39 Hewett Street, Goolwa
Assessment No.	A 8140
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Two detached dwellings
Type of Development	Category 1
Public Notice	N/A
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	23 rd October 2003
Recommendation	Refusal
Originating Officer	Ben Green

ESD IMPACT/BENEFIT

- Environmental A large increase in stormwater and effluent to be treated on the site. Removal of fragile sand dune and Dunal Vegetation and close proximity to Aboriginal 'middens' site, which is potentially a place of Aboriginal significance.
- Social Adds a diverse range of housing stock to the community but will be a dominant development in a prominent visual location.
- Economic Benefits to the applicant, local businesses and increased rating revenue for the Council.

It is proposed to construct two detached dwellings on the subject land. Dwelling 1 is proposed to have 3 stories in total and will face Hewitt Road. Dwelling 2 is comprised of 2 stories and fronts Beach Road.

.../cont.

2.2 **455/1346/03 – IF & R Edgley (Continued)**

Dwelling 1 will have a 45m² undercroft garage, a ground floor of 106m² and an upper floor of 109m² to have a total area of 273.48m². Dwelling 2 will have a ground floor & garage area of 94m² and the upper floor will have an area of 96m² to make a total area of 210m². The total area of the two dwellings is 484.5m².

However the total site coverage is 295m² on a site of 700m², which means the site coverage is 42%, therefore under the 50% requirement. The buildings are setback 15.5 metres from Hewett Road and 2.416 metres from Beach Road.

Dwelling 1 at its highest point from the natural ground level to the top of the roof pitch is 9.7m high and Dwelling 2 at its highest point is 7.5m high. The dwellings will be constructed of timber frame and lightweight cladding, colorbond roof sheeting and aluminium window frames.

It was agreed by consensus that the Development Assessment Panel resolves that Development Application 455/1346/02 be refused on the grounds that it is significantly at variance with the Development Plan and more specifically Principles of Development Control 8 and 9 of the Residential Zone and Principles of Development Control 2, 6 and 78 of the Council Wide - Port Elliot and Goolwa provisions.

AGREED BY CONSENSUS

Cr Woolford thanked Mrs Edgley who spoke on the above application at 10:17 a.m.

ITEM 3. DEVELOPMENT APPLICATIONS - NON-COMPLYING

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

4.1 455/1114/03 - Mccardle Motors Pty Ltd

SUMMARY TABLE

Date of Application	28 th August 2003
Subject Land	25 Hutchinson Street, Goolwa
Assessment No.	A 18031
Relevant Authority	Alexandrina Council
Planning Zone	District Centre (Goolwa) Zone Policy Area 4
Nature of Development	Automatic Car Wash Facility
Type of Development	Consent on Merit
Public Notice	Category 3
Referrals	Environmental Protection Agency
Representations Received	One
Representations to be heard	Nil
Date last inspected	N/A
Recommendation	Approve subject to conditions
Originating Officer	Graham Webster

ESD IMPACT/BENEFIT

- Environmental Additional movement of vehicles and people in and around Hutchinson Street and Tiverton Lane.
Some increase in noise levels from machinery which may cause disturbance if operated before 7:00 a.m. or after 9:00 p.m.
Waste control system – both wash bays will be connected to a water recycling system and sludge will be disposed of to a dedicated waste control system.
- Social Some impact on locality from increase in traffic and noise as mentioned above.
- Economic Benefits to owner in expanding services offered to residents and visitors.
Benefits to region from satisfying increased demand for a vehicle wash facility.

Application for new automatic car wash facility with water recycling system requiring the construction of new shed and concrete slab which complements the existing vehicle servicing and sales business.

.../cont.

4.1 455/1114/03 – McCardle Motors Pty Ltd (Continued)

Conditions have been laid down by Council as requested by the Environmental Protection Authority ensuring the management of emissions/pollutants and hours of operation.

It was agreed by consensus that the Development Assessment Panel grant Provisional Development Plan Consent to Development Application 455/1114/03, lodged by McCardle Motors Pty Ltd on behalf of Michael Thomas McCardle, to erect a shed and open concrete slab to house an automatic wash down facility for vehicles and boats, subject to the following conditions:

1. All sludges/waste liquids associated with the wash bay must be collected and directed into a blind tank. This tank is to be pumped out regularly by a licensed liquid waste contractor.
2. The blind tank must be fitted with a visual and or audible alarm to provide adequate warning of, and therefore prevent, overflow or alternatively, the plumbing must be designed to ensure that any surplus water from the tank is directed back to the bunded washbay so the need for pump out is obvious.
3. Stormwater from roof areas must be collected for on-site use with overflow discharged via underground pipes directly off site to the council stormwater system.
4. All stormwater run off from hard surfaced areas associated with the facility should be directed into a stormwater treatment device capable of removing litter, sediment and oil products. The treatment device shall direct flow on site to a grassed swale/vegetated garden strip.

Furthermore on recommendation from the EPA in the interests of keeping noise disturbance from operating machinery to a minimum this Council places the following condition on hours of operation:

5. Machinery on site must not be operated before 7.00am or after 9.00pm.

AGREED BY CONSENSUS

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION COMMUNITY TITLE

5.1 455/D619/03 - Weber, Frankiw & Associates

Cr Woolford, the Presiding Member, welcomed Mr Alpers to the meeting at 10:19 a.m.

SUMMARY TABLE

Date of Application	1 st August 2003
Subject Land	Lot 96 Alexander Court, Mt Compass
Assessment No.	A5128
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living (Port Elliot – Goolwa) (1.0) Zone
Nature of Development	Land division – to create four extra allotments
Type of Development	Merit
Public Notice	N/A
Referrals	Native Vegetation Council
Representations Received	N/A
Representations to be heard	Nil
Date last inspected	17 th September 2003
Recommendation	Refusal
Originating Officer	Joanne Nightingale

ESD IMPACT/BENEFIT

- Environmental Creation of additional allotment will result in the loss of remnant native vegetation that has been designated as significant. An increase in environmental pressure due to density.
- Social The “creation’ of additional residential allotments to assist in the provision of affordable housing. Loss of significant native vegetation for future generations. Erosion of the influence of the Development Plan.
- Economic Benefit accrues to the owner/developer in creating four extra allotments for residential living purposes. Council may benefit from the additional development in the form of rates to provide services.

.../cont.

5.1 **455/D619/03 – Weber, Frankiw & Associates (Continued)**

The applicant proposes to divide the subject land which is a corner allotment into five rectangular allotments from a single 5078m² allotment. Four of the proposed allotments would be 1000m² with 20 metre frontages. The corner allotment would be 1078m² with a 16.82 metre frontage.

It was agreed by consensus that Council refuse DA 455/D619/03, lodged by Weber, Frankiw and Associates Surveyors on behalf of J and E Alpers and J McKenzie, for Land Division at Allotment 96 in DP 33387, Alexander Court, Mount Compass, CT 5063/613.

Reasons for refusal:

The proposal does not meet zoning guidelines for allotment size and will have an unacceptable impact on the existing native vegetation. The proposal is at variance with

**Council Wide
Objectives 1, 25 and 27
PDC 1, 2 and 52**

**Rural Living (Port Elliot and Goolwa District) Zone
PDCs 1,2,3 and 4.**

AGREED BY CONSENSUS

Cr Woolford thanked Mr Alpers for his presentation at 10:30 a.m.

ITEM 6. DEVELOPMENT ASSESSMENT - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW-UP

7.1 455/D576/03 – W Barton & Others

Further to the Development Assessment Panel meeting held 21st July 2003 in which the Panel refused Item 3.2 for a land division to re-align boundaries, the applicants then submitted an amended plan for direction from the Panel at the meeting held 25th August 2003.

At the Development Assessment Panel meeting held 7th October 2003 Development Application 455/D576/03 was put to the Panel again with the motion reading:

“It was agreed by consensus that the Development Assessment Panel reconsider Development Application 455/D576/03 due to the additional information prepared.”

Due to Development Application 455/D576/03 being refused at the meeting held 21st July 2003 the Development Assessment Panel it is not possible to reconsider the application.

The wording for the motion should read as follows:

It was agreed by consensus that the Development Assessment Panel would consider a new Development Application by the applicants if lodged with the amended plans as proposed.

AGREED BY CONSENSUS

7.2 Ramoth Gilead Ministries – 455/186/03

At a hearing of the ER & D Court on Wednesday 29th November 2003 a decision was handed down that Development Application 455/186/03 should have been considered as a merit application and not a Category 3 Non-Complying application.

Notification of the Courts decision will be sent to all representors advising them of the determination, including all Councillors. The next scheduled conference of the Appeal is set for Monday 17th November 2003 and Georgia West will be attending with Councils solicitor.

7.3 455/900/03, 455/901/03, 455/902/03, 455/903/03, 455/904/03 – McCracken Homes Pty Ltd.

Notification has been received from the Environment, Resources and Development Court advising that an appeal has been lodged against the Development Assessment Panel decision of 7th October 2003 to refuse five group dwellings at 17 Chrystal Street, Goolwa.

7.4 455/D603/03 – RI & PL Stewart

A compulsory conference for Development Application 455/D603/03 was held at the Environment, Resources & Development Court on 27th October 2003 regarding the Development Assessment Panel decision from 25th August 2003.

Information has been requested from Council as to previous applications that were approved in the area back in the 1990's.

ITEM 8. GENERAL ITEMS FOR DISCUSSION

8.1 Signage – Hindmarsh Island

At a previous inspection by the Panel two signs erected along the road to the Murray Mouth were sited with regard to required planning applications. The signs were erected by the Grundy family to conduct Coorong Tours and Coorong Cruises by Jock Veenstra.

Signage is delegated to Officers to undertake the consideration of the development and some direction should be given to Officers to enable assessment of the Planning Applications to proceed by the Panel members. This is not normally done as each sign is considered on its merits in accordance to the provisions of the Development Plan.

The sign indicating Coorong Cruises is located on the road verge and is considered by the applicant to be of a temporary nature to enable cruises from the landing at Hindmarsh Island while issues are dealt with regarding dredging at the Murray Mouth. The applicant indicates that once this is completed cruises would generally occur from Goolwa Wharf and the sign will not be required. Under the Provisions of the Development Act it is difficult to give development approval of a temporary nature because Planning generally deals with a permanent change of land use. In this case if directed by the Panel the applicant has agreed that an Approval is acceptable for a 12 month period and the appropriate permit could be given for this sign.

The other sign erected on private land does comply with the Provisions of the Development Act being located within the property boundary from where the land use does occur and approval would be given for this sign.

8.1 Signage – Hindmarsh Island (Continued)

It was agreed by consensus that the Development Assessment Panel advise Council that a permit for temporary erection of a sign erected on the road verge requires consideration under Section 221 Division 6 of the Local Government Act as the Development Act addresses permanent change of a land use.

AGREED BY CONSENSUS

ITEM 9. NEXT MEETING

MINUTES CONFIRMED
PRESIDING MEMBER

DATED