

**MINUTES OF A MEETING OF DEVELOPMENT ASSESSMENT PANEL
HELD IN THE ALEXANDRINA COUNCIL COMMUNITY CHAMBERS
"WAL YUNTU WARRIN", GOOLWA,
ON 21 MARCH 2013 AT 11:00 AM**

PRESENT

Mr D Donaldson (Chair), Cr A Woolford,
Cr G Gartrell, Ms R Sage, Mr S Nicholson

APOLOGIES

IN ATTENDANCE

A Sladden (Senior Town Planner) R Panuccio
(Administration)

CONFLICT OF INTEREST

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

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

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

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

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

ITEM 1. CONFIRMATION OF MINUTES

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

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

CARRIED

ALEXANDRINA COUNCIL

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 3.1 455/371/10 - O'connell

SUMMARY TABLE

Date Of Application	20.04.2010
Subject Land	41 (LOT 36) BATSON PARADE HINDMARSH ISLAND
Relevant Authority	Alexandrina Council
Planning Zone	RESIDENTIAL (HINDMARSH ISLAND NORTH) POLICY AREA 35 AND CONSERVATION ZONE
Nature Of Development	JETTY & RETAINING WALL & DECK (RETROSPECTIVE) (NON-COMPLYING)
Type Of Development	NON-COMPLYING
Public Notice	CATEGORY 3
Referrals	DEPARTMENT FOR WATER (DFW), ENVIRONMENTAL PROTECTION AUTHORITY (EPA)
Representations Received	NIL
Representations To Be Heard	NIL
Date Last Inspected	JANUARY 2012
Recommendation	DEVELOPMENT PLAN CONSENT SUBJECT TO DEVELOPMENT ASSESSMENT COMMISSION CONCURRENCE
Originating Officer	ANDREW SLADDEN

- 10 **Moved R Sage and seconded Cr A Woolford that the Development Assessment Panel concur that the proposal is not considered to be seriously at variance with the Alexandrina Development Plan and resolve to grant Development Plan Consent to Development Application 455/370/10 for a JETTY & RETAINING WALL & DECK (RETROSPECTIVE) (NON-COMPLYING) at 41 (Lot 36) Batson Parade Hindmarsh Island, subject to the following conditions and notes and subject to Development Assessment Commission concurrence.**

Council Conditions

1. **All development shall be completed in accordance with the plan(s) and documentation submitted with and forming part of the Development Application (Plans and supporting documentation received by Council on the 13 April 2010 and amended plans and details received on 5 December 2011 and 2 January 2013) except where varied by the following condition(s).** *.../cont*

ITEM 3.1 455/371/10 - O'connell (continued)

2. The external finishes to the building or structure herein approved shall be in accordance with the materials as specified in the application now approved.
3. The jetty shall only be used to provide access to the water and for boating and fishing purposes.
4. Any lighting shall only be used for navigation and safety and shall not create unreasonable overspill onto any adjoining property or the waterway.

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.

Environment Protection Authority Conditions

1. The development must be undertaken in accordance with the plans and specifications supplied in Development Applications Number 455/371/10, unless otherwise varied by the conditions below.
2. The deck must be designed and constructed such that 70% of available light reaches the water surface.
3. Fuel, oil, grease, lubricants, engine coolant, solvents and other pollutants listed in Schedule 4 of the Environment Protection (Water Quality) Policy 2003 must not be stored on the jetty or deck.
4. Vessel maintenance activities such as in-water hull cleaning, abrasive blasting, pressure water blasting, fibreglassing, painting, varnishing, welding, metal fabrication, engine maintenance and repair works must not be undertaken at the jetty or deck. General cleaning and minor (non-engine) maintenance may be undertaken with due care to prevent discharges to the river.
5. Permanent occupation of live-aboard vessels must not take place at this site.

Environment Protection Authority Notes

1. The applicant is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take 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.

.../cont

ITEM 3.1 455/371/10 - O'connell (continued)

2. A spill kit containing absorbent material to contain hydrocarbon spills should be kept on-site during the use of fuel-using machinery. This is generally the responsibility of the machinery operator.
3. Due care must be taken during alteration activities to avoid sediment, wastes and other pollutants entering and/or being dispersed in the river. Where cutting or drilling is necessary over the water, drop and catchment sheets must be used to prevent wastes entering the river. Any wastes 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 to the river, prior to use or appropriate off-site disposal.
4. Further guidance can be found in the EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites http://www.epa.sa.gov.au/xstd_files/Water/Report/building_sites.pdf
5. Construction activities with adverse impacts on amenity must comply with Division 1 of the Environment Protection (Noise) Policy 2007, which is available at: http://www.epa.sa.gov.au/environmental_info/noise/environment_protect ion_noise_policy
6. 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>

Department for Water Conditions

1. The development being completed in accordance with the Amended Plans received by Alexandrina Council on 5 December 2011.
2. During construction the property must be managed in a manner so 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 are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray
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.

.../cont

ITEM 3.1 455/371/10 - O'connell (continued)

4. 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.
5. 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 geosynthetic materials may assist in complying with this condition.
6. 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 for Water Notes

1. The applicant is advised of their general duty of care 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 tree 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 located within the vicinity of the subject land. It is strongly recommended that the applicant consult with the Ngarrindjeri Heritage Committee prior to the commencement of any works. Contact Mr Tom Trevor (Chair) on telephone 8575 1557, facsimile 8575 1448, email: nlpa@bigpond.com or mail: PO Box 126, Meningie SA 5264.

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ITEM 3.1 455/371/10 - O'connell (continued)

- 4. 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 whether the proposed clearance requires formal approval under the Native Vegetation Act 1991 and its Regulations. 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, trimming or removal 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>.**

- 5. 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.com.au>.**

- 6. 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>.**

CARRIED

ALEXANDRINA COUNCIL

ITEM 3.2 455/D046/12 - Roberts - Boundary Realignment - Resolve To Proceed With Assessment

SUMMARY TABLE

Date Of Application	10.12.2012
Subject Land	2046 LANGHORNE CREEK ROAD LANGHORNE CREEK
Relevant Authority	Alexandrina Council
Planning Zone	GENERAL FARMING (STRATHALBYN) ZONE AND FLOOD ZONE
Nature Of Development	BOUNDARY REALIGNMENT (NON-COMPLYING)
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	N/A
Recommendation	RESOLVE TO PROCEED WITH ASSESSMENT
Originating Officer	ANDREW SLADDEN

- 11 **Moved Cr A Woolford and seconded S Nicholson that the Development Assessment Panel determine not to proceed with an assessment of Development Application 455/D046/12 for a Land Division - Boundary Realignment at Sections 3579 and 3340 Langhorne Creek Road, Langhorne Creek.**

CARRIED

ALEXANDRINA COUNCIL

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION / COMMUNITY TITLE

ITEM 6. MATTERS REFERRED FOR FOLLOW-UP

ITEM 7. GENERAL ITEMS FOR DISCUSSIONS

Cr A Woolford will be an apology for the meeting scheduled on the 18th April 2013.

ITEM 8. NEXT MEETING

Scheduled for 18th April 2013 commencing at 11am.

MEETING CLOSED AT 11.30 am

MINUTES CONFIRMED.....

Chair

DATED:.....