

DEVELOPMENT ASSESSMENT PANEL
MINUTES OF MEETING HELD ON 6 SEPTEMBER 2004
COMMENCING AT 10:00 AM
IN THE LARGE MEETING ROOM (OLD GOOLWA COUNCIL CHAMBERS)
CADELL STREET, GOOLWA

PRESENT

Councillors A Woolford (Presiding Member), R Potter, M Beckett, A Oliver (Proxy for Cr P Reedman), G Connor, D Banks (Director Technical Services), D Commerford (Acting Chief Executive).

APOLOGIES

Councillor P Reedman.

IN ATTENDANCE

B Green, J Nightingale, C Getsom (Planners), Harvey, (Personal Assistant).

ITEM 1 CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on Tuesday 17th August 2004.

Moved Cr Connor seconded Cr Potter that the minutes of the Alexandrina Council Development Assessment Panel held on Tuesday 17th August 2004 as circulated to members be received as a true and accurate record.

CARRIED

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 3. DEVELOPMENT APPLICATIONS - NON-COMPLYING

3.1 455/D045/04 - GN Field

SUMMARY TABLE

Date of Application	6 th May 2004
Subject Land	Lot 1 Pullen Road Hindmarsh Island Lot 1 Pullen Road, Hindmarsh Island 5445463
Assessment No.	A 6875A6875
Relevant Authority	Alexandrina Council
Planning Zone	Rural Waterfront (HI)
Nature of Development	Land division creating one extra lot
Type of Development	Non-complying
Public Notice	N/A
Referrals	Planning SA, River Murray Act, PIRSA, SA Water
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	27 th August 2004
Recommendation	Refuse to proceed
Originating Officer	Joanne Nightingale

ESD IMPACT/BENEFIT

- Environmental The creation of an additional allotment will allow the construction of an additional dwelling increasing pressures on the waterfront land further reducing wildlife habitat as it would be disturbed by boating activities and development. The additional frontage to the river will provide riparian rights.
- Social Increasing density in an inappropriate area in regard to services.
- Economic Further requirements for road maintenance due to additional traffic and rubbish collection, possible rate increase with increased value if dwelling erected.

.../cont.

3.1 455/D045/04 – GN Field (Continued)

Nature of Development

The application to create an additional allotment in the Rural Waterfront (Hindmarsh Island) Zone. Within this zone non-complying development is listed as being:

Land division except for:

- a) boundary adjustments where no resultant allotment is below 20 hectares;
or
- b) the creation of an allotment for a public road or reserve.

As neither of the exemptions apply, this is a non-complying development.

Detailed Description

The application proposes to divide on the northern side of Hindmarsh Island an existing waterfront allotment at the end of Pullen Road into two allotments consisting of 9.39 hectares and 14.9 hectares. This will require the creation of an additional title. The proposed boundary is to be on the eastern side of the existing north south access track. Access to the existing house is to be maintained by a right of way over the existing access track. The proposed new allotment would contain the access track and the sheds and the existing jetty.

The Development Assessment Panel agreed by consensus to defer Development Application 455/D045/04 as per the applicants request received in writing.

AGREED BY CONSENSUS

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

4.1 455/435/04 - R Siddell

Councillor Woolford, the Presiding Member, welcomed Mr Eckert at 10:05 a.m. who gave a brief outline of his representation.

Moved Cr Oliver seconded Cr Beckett to defer Development Application 455/435/04 to the end of the meeting (with the approval of the applicants and representors) to allow Mr Schubert time to attend the meeting at 10:16 a.m.

The Development Assessment Panel returned to Item 4.1 at 11: 01 a.m.

Councillor Woolford, the Presiding Member, welcomed Mr Schubert at 11:01 a.m. who gave a brief outline of his presentation.

Mr D Commerford returned to the meeting at 11:03 a.m.

Councillor Woolford, the Presiding Member, welcomed Mr S Holmes (on behalf of the Applicant) at 11:05 a.m. who gave a brief overview of the proposal.

SUMMARY TABLE

Date of Application	8 th April 2004
Subject Land	Lot 1 Bletchley Road, Bletchley
Assessment No.	A10785
Relevant Authority	Alexandrina Council
Planning Zone	Grazing
Nature of Development	Chicken Farm Expansion
Type of Development	Consent on merit
Public Notice	Category 3
Referrals	Environment Protection Authority
Representations Received	8
Representations to be heard	3
Date last inspected	4 th August 2004
Recommendation	Approval
Originating Officer	Cherry Getsom

.../cont.

4.1 455/435/04 – R Siddell (Continued)

ESD IMPACT/BENEFIT

- Environmental The Environment Protection Authority has advised odour levels should fall within EPA guidelines. Increased traffic upon an unsealed road may also lead to additional dust, this is to be addressed through sealing of some of the road. There is the possible benefit of improved water supply should the applicant come to an agreement with SA Water.
- Social Impact upon adjoining property owners through odour issues. Positive outcomes include upgrading of existing shed ventilation, upgrade of part of Bletchley Road and upgrade of water supply.
- Economic Economic benefit to property owner and possible benefit to local community through employment opportunities.

Nature of Development

The proposal is to construct six new sheds within an existing Chicken Farm enterprise. The expansion incorporates an upgrading to tunnel ventilation on the existing seven sheds, along with landscaping for the proposed addition, three water tanks, two liquid petroleum gas tanks and three feed silos.

Detailed Description

The enterprise is currently located on Lots 1 and 2 Bletchley Road, with three existing sheds grouped together on Lot 1 and four existing sheds grouped on Lot 2. The six proposed sheds will be 152.4m x 15.24m and be located in between the existing seven sheds, they will have the capacity to hold an additional 47,500 birds in total. Each shed will have an approximate area of 2350m² and be separated by a distance of 18.3m. The proposed sheds are to be clad in off white colorbond with zincalume roofing, in order to match what is existing.

Three 55 thousand gallon water tanks are proposed, located on the northern end of the new sheds, these are approximately 2.1m high, 15m in diameter and to be constructed of zincalume, these will be utilised to provide drinking water to chicken, water for evaporative cooling pads and water for wash down procedures.

Three steel hopper bins are proposed which are to be fixed securely to concrete pad footings located between each building. These hoppers are to be constructed from sheet steel and are approximately 7.5m in height.

.../cont.

4.1 455/435/04 – R Siddell (Continued)

The existing chicken farm has the capacity for 27,000 birds in each shed, with seven (7) existing sheds a total of 189,000 birds are currently on site. The proposed extension allows for 47,500 birds per shed, with a total of six (6) sheds an additional 285,000 birds are expected to be farmed. This will allow for a total bird population of 474,000 birds. Dead birds currently are, and will continue to be disposed of in 'Bio-Bins' where dead birds are stored for a maximum of 2 months before being removed from site. This is considered acceptable practice for the disposal of dead birds.

It was agreed by consensus that the Development Assessment Panel approve Development Application 455/435/04 for an expansion of a Chicken Farm at Lot 1 and 2 Bletchley Road, Bletchley subject to the following conditions:

1. The development shall be carried out in accordance with the plans and specifications submitted with the application, except for as amended by the details contained in an email dated 25 August 2004 (from Connor Holmes consultant to the applicant) and the Tonkin Engineering report titled Additional Odour Assessment For Bletchley Road Broiler Farm, dated 17 August 2004, and except for as amended by any conditions that follow.
2. The noise attributable to the proposed activity shall not result in a noise level in excess of 5 dB(A) below the relevant maximum levels prescribed in the Environment Protection (Industrial Noise) Policy, when measured and adjusted in accordance with that policy.
3. All storm water runoff from the roofs of the sheds hereby approved, and from land immediately surrounding the sheds, shall be directed in a controlled manner to a storage facility, or to an area of vegetation that is capable of using the nutrients, without contamination of soil, surface water or ground water.
4. On clean out of the sheds litter must be loaded directly from the sheds onto the transport vehicle(s) (ie must not be stockpiled in the open on the property).
5. Litter loaded on vehicles for transport off site must be covered and secured by tarpaulins such that there is minimal potential for spillage and odour impact.

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4.1 455/435/04 – R Siddell (Continued)

6. An emergency management procedure must be formulated, and initiated as necessary, to deal with disposal of mortalities above normal mortality rates (such as in the event of a major disease outbreak). Details to be provided to the planning authority before the commencement of operation of the sheds hereby approved.
7. Burial is not an acceptable method of dead bird disposal. Acceptable methods of mortality disposal are:
 - Composting; or
 - Off-site disposal by a licensed transporter (usually to a rendering works); or
 - Temporary storage (some composting occurs during) in proprietary containers, such as the 'BioBin'.

Note: Given this condition it is recommended that the requirement for burial of mortalities be removed from the land management agreement for the existing operation.

8. The site of the proposed buildings shall be screened with native vegetation that will be of a species appropriate to the area and mature to such a height to reduce the visual impact of the buildings. The vegetation shall not be planted closer to the building(s) or power lines than the distance equivalent to their mature height.

AGREED BY CONSENSUS

The Development Assessment Panel then resumed to Item 8.3 at 11:15 a.m.

The Development Assessment Panel moved onto Item 5.1 at 10:17 a.m.

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION COMMUNITY TITLE

5.1 455/D031/04 - Dr RA Burston

SUMMARY TABLE

Date of Application	6 th April 2004
Subject Land	Sec 2410 Higgins Road, Middleton
Assessment No.	A 15970
Relevant Authority	Alexandrina Council
Planning Zone	General Farming and Watershed Protection
Nature of Development	Boundary realignment
Type of Development	Consent
Public Notice	Nil
Referrals	PIRSA, SA Water, Native Vegetation Council, Transport SA, DAIS, Planning SA
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	10 th August 2004
Recommendation	Refusal
Originating Officer	Joanne Nightingale

ESD IMPACT/BENEFIT

- Environmental Additional wastewater requiring on site disposal in a concentrated location compared to developing existing titles. Increased stormwater runoff in concentrated location, requirement for water collection own water as no mains. Conversely the development being concentrated into one area means that the impact of development of the seven titles is only in the one area and not dispersed. Roadside vegetation required to be removed for access, no vegetation required to be removed from proposed allotments.

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5.1 455/D031/04 – Dr RA Burston (Continued)

- Social Provision of rural living style allotments, but this is likely to increase the opportunities for conflicts in land use. Potentially creates larger viable farming allotment.
- Economic Increased requirement to maintain Higgins Road with little rate increase as titles already exist.

Nature of Development

The proposal is for a land division realigning the boundaries of seven allotments to create seven allotments of one hectare and an allotment comprising two pieces one 53.3 hectares and one 142.9 hectares. This would create one primary production allotment of 196.2 hectares. No public notice is required for this application, under Schedule 9 of the Act it has been classified as a consent on merit application by the Development Assessment Commission.

Detailed Description

The proposed seven allotments will have frontage to an unsealed, formed public road (Higgins Road) which intersects the property through its Western portion. Six of the seven allotments will abut each other and have a road frontage of 50 metres and a depth of 200 metres. The seventh allotment is on a road corner and is detailed in the attached proposed plan of division. A further six allotments are in the same ownership as the proposed land. The area of the proposed allotments will be one hectare realigned from larger allotments with sizes in the order of 30 hectares.

It was agreed by consensus that the Development Assessment Panel refuse application 455/D031/04.

Reasons for refusal:

The proposal is not in keeping with the Development Plan aim to retain rural land in primary production, reinforced by Objective 39.

COUNCIL WIDE

Objective 39: The retention of rural areas primarily for agricultural, pastoral and forestry purposes, and the maintenance of the natural character and beauty of such areas.

Furthermore, it would be promoting rural living development outside of a rural living zone in conflict with Port Elliot and Goolwa Objective 14.

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5.1 455/D031/04 – Dr RA Burston (Continued)

Part C Port Elliot and Goolwa

Objective 14: Urban development including housing, holiday houses, tourist accommodation, and rural living, as well as land division for all such purposes. Only the zones specifically created for such developments.

Finally the proposal is to develop outside of an urban or tourist zone which may affect the rural character of the area as described in Principle 42(a).

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;

AGREED BY CONSENSUS

ITEM 6. DEVELOPMENT ASSESSMENT - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW-UP

ITEM 8. GENERAL ITEMS FOR DISCUSSION

8.1 455/37/04 - Habitable Places

File Ref: 455/37/04
Officer: Cherry Getsom

Nature of Development

The applicant is proposing to replace an existing two storey detached dwelling with a new two storey detached dwelling in a different more suitable location in regard to being further from the coast. The existing dwelling is to be demolished.

Detailed Description

The proposal is for a two storey detached dwelling upon an allotment of some 784m². The dwelling is to be sited in the north western corner of the allotment so as to have a minimal impact upon the coastal locality.

The proposed dwelling is to be setback between 10 -12 metres from the rear (southern) boundary, this is an increase of between 8 to 10 metres from that of the existing dwelling. A proposed setback of 6 metres from the eastern (Tahiti Tce) boundary is provided, this is in line with the setback of the existing dwelling.

The dwelling incorporates four bedrooms, three bathrooms, a dining area, a kitchen and a mixture of living spaces, a boat store and a garage are also provided. External cladding is to be colorbond "surfmist" and bagged brickwork murowash "aubergine", roofing is to be colorbond "deep ocean".

The dwelling is to be 7.2m high and is to have a ground floor level of 2.7m above the mean high water mark and is in excess of the 100 year flood standard (1 metre above the mean high water mark).

Moved D Commerford seconded Cr Beckett that the Development Assessment Panel support the amended plans lodged for discussion at the Environment, Resources and Development Court Conference.

CARRIED

D Commerford declared a conflict of interest in Item 8.2 and left the meeting at 10:30 a.m.

8.2 455/D653/03 - B Treloar

File Ref: 455/9653/03
Officer: Ben Green

Cr Woolford , the Presiding Member, welcomed Mr B Treloar and Mr M Wilkin (Applicant) at 10:31 a.m.

This land division application (Lot 8 Wells Road, Goolwa North – B Treloar) was originally refused by the Director of Environmental Services, Mr Des Commerford under delegation from Council on the 23rd March 2004.

THE PROPOSAL

Nature of Development

This application is a 'consent on merit' application because land division is not listed as a complying or non-complying form of development in the Residential Zone in the Alexandrina Development Plan.

The land division application was treated as a Category 1 form of development under Schedule 9 of the Development Act 1993.

There were some ten letters received by Council from surrounding landowners who all expressed concerns regarding the proposed land division and the associated land use that will be built thereafter. However as the application is a Category 1 form of development these representors do not have appeal rights under the Development Act. Although their objections have been noted when they were relevant in regard to the Development Plan.

Detailed Description

The proposed land division will create an additional allotment in the Residential Zone of Goolwa North. The applicants original and amended land division plans are attached that show the internal boundary being changed. The amended plan is what the Panel will be making a decision on at this meeting.

The existing dwelling and one of the existing sheds will be retained on proposed Lot B and have an area of 484.11m² and a frontage to Wells Road of 13.16m. The proposed central boundary line will be staggered towards the rear third of the allotment to create additional area for proposed Lot A. I am not sure how this will work exactly and I believe the existing shed will be required to be moved or reduced in size to accommodate this change.

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8.2 455/D653/03 – B Treloar (Continued)

Proposed Lot A will have an area of 495.15m² and have a frontage of 9.7m to Wells Road. In contrast to Lot B, proposed Lot A will increase in size through the back third of the Title.

The applicant has also put a land use proposal to the Panel although this proposal has not been formally lodged as a Development Application. The applicant has lodged a two storey and a single storey dwelling proposal to Council. I advised the applicant that I would only put one option to Council and the applicant opted for the single storey dwelling proposal with a garage.

The single storey dwelling has been located to the rear of the proposed Lot B and will be constructed of Hardiplank wall cladding and a Colorbond roof. The proposed garage has been located in front of the dwelling addressing Wells Road at a similar setback to the existing residence. The site coverage requirement of 50% has been addressed and there will be no overlooking or overshadowing concerns with this proposal as it is only 3m high.

Moved Cr Connor seconded Cr Oliver that the Development Assessment Panel move into Camera at 10:43 a.m.

CARRIED

Moved Cr Potter seconded Cr Oliver that the Development Assessment Panel move out of Camera at 11:00 a.m.

CARRIED

The Gallery were welcomed back to the meeting and the following decision was read out:

“That the Development Assessment Panel does not compromise on the amended plans provided at 10 Wells Road, Goolwa North and upholds the original decision to refuse the land division 455/D653/03.”

The Development Assessment Panel then resumed to Item 4.1 at 11:03 a.m.

8.3 Development Assessment Panel Workshop

File Ref: 4.14.1(A)
Officer: Des Commerford
From: Local Government Association

To be conducted by Mr Stewart Henry, Solicitor.
The Local Government Association have agreed to make Mr Henry available to Alexandrina Council to conduct a workshop. Time and place to be agreed by the Development Assessment Panel. Other Council members may wish to attend, likewise neighbouring members.

The cost is yet to be determined.

It was agreed by consensus that the Development Assessment Panel agree to host a Development Assessment Panel Workshop with the time and date to be advised.

AGREED BY CONSENSUS

Discussion was held and it was agreed that invitations be issued to City of Victor Harbor, District Council of Yankalilla and Kangaroo Island Council.

LATE ITEM

Councillor Beckett discussed the matter of general discussion/consultation with Indigenous groups.

D Commerford advised that Mayor Kym McHugh is in the process of contacting Mr Tom Trevor regarding general protocols. This matter will also be mentioned at the Council meeting.

ITEM 9. NEXT MEETING

Monday 27th September commencing at 11:00 a.m. in the Alexandrina Council, Old Mayor's Parlour, Colman Terrace, Strathalbyn.

MEETING CLOSED AT 11:20 A.M.

MINUTES CONFIRMED
PRESIDING MEMBER

DATED