

## **ALEXANDRINA COUNCIL**

**MINUTES OF A MEETING OF DEVELOPMENT ASSESSMENT PANEL  
HELD IN THE COMMUNITY CHAMBERS "WAL YUNTU WARRIN",  
ON 15 JULY 2009 COMMENCING AT 11:00 AM**

**PRESENT**

Mr D Donaldson (Chair), Mr S Nicholson, Cr R Medlyn, Cr G Gartrell.

**APOLOGIES**

Mrs R Sage.

**IN ATTENDANCE**

Tom Gregory (Senior Town Planner), Andrew Houlihan (Town Planner), Vanessa Harvey (Executive Administration Coordinator).

**ITEM 1. CONFIRMATION OF MINUTES**

Minutes of the Alexandrina Council Development Assessment Panel held on 18<sup>th</sup> June 2009.

Moved Cr Medlyn seconded S Nicholson that the minutes of the Alexandrina Council Development Assessment Panel held on 18<sup>th</sup> June 2009 as circulated to members be received as a true and accurate record.

**CARRIED**

**ITEM 2. DEVELOPMENT APPLICATIONS**

ITEM 3. **DEVELOPMENT APPLICATIONS - NON COMPLYING**

The Development Assessment Panel moved to Item 3.2 at 11:01 a.m.

3.1 **455/D002/09 - Crown Castle International**

**SUMMARY TABLE**

Date of Application	6 February 2009
Subject Land	Lot 21 Lines Road, Port Elliot
Assessment No.	A 21916
Relevant Authority	Alexandrina Council
Planning Zone	Landscape (Port Elliot and Goolwa)
Nature of Development	Land Division creating one (1) additional allotment
Type of Development	Non-Complying
Public Notice	Category 3
Referrals	Planning SA, SA Water
Representations Received	1 (in support)
Representations to be heard	Nil
Date last inspected	29 June 2009
Recommendation	Approval subject to Development Assessment Commission concurrence and the endorsement of a Land Management Agreement by Council.
Originating Officer	Tom Gregory

**BACKGROUND**

Development Application 455/D002/09 was received with its accompanying Statement of Support in late February 2009. In March 2009, Council's Planning Department viewed the application internally, and formed the opinion that the proposal warranted enough merit to proceed to a full and proper assessment pursuant to Regulation 17(3)(b) of the Development Regulations 2008. This assessment has been undertaken, and the Application is now before the Development Assessment Panel in order to determine an outcome for the proposal.

.../cont.

3.1 455/D002/09 – Crown Castle International (Continued)

**THE PROPOSAL**

This proposal seeks to create a 400 square metre allotment in the Landscape (Port Elliot and Goolwa) Zone at Lot 21 Crows Nest Road, Port Elliot. The purpose of this allotment is to contain and secure existing telecommunications infrastructure including a tower and service box. The proposed division seeks to gain security by tenure by way of subdividing the existing farming allotment and creating the proposed allotment 51 with easements to protect its power supply and an unrestricted Right of Way for access. A plan of division has been attached for convenience.

The proposal involves no physical alteration to the existing land, land use, infrastructure or the telecommunications tower. This infrastructure has been in place since 1990.

The proposed allotment 50 will remain as a 62.6 hectare allotment occupying the farmer's dwelling and associated farm outbuildings.

Principle of Development Control 7 of the Landscape (Port Elliot and Goolwa) Zone, lists Land Division's that create additional allotments as a form of Development that is classified as Non Complying.

In accordance with the Development Regulations 2008, the applicant has provided a Statement of Effect, outlining the perceived merits of this application. A copy has been attached for convenience.

**SITE & LOCALITY**

The subject land is identified as allotment 21 in DP 72405 – Hundred of Goolwa, and is held in Certificate of Title Volume 6012, Folio 256. The subject land endorses two leases registered to Crown Castle International, and contains a detached dwelling and associated outbuildings in the south east corner of the allotment, with access gained via Lines Road.

The character of the locality is comprised of large individual allotments, some containing detached dwellings and outbuildings, most of which are utilised for a various array of rural uses such as grazing and primary production. Some remnant stands of vegetation are evident throughout the rolling hills of the locality, with some evident on the subject land, but not in the location of the proposed allotment.

A portion of the subject land forms part of the scenic backdrop to the township of Port Elliot, and is protected from 'over development' due to its Landscape Zoning within Council's Development Plan.

.../cont.

- 3.1 455/D002/09 – Crown Castle International (Continued)
- 13 Moved Cr Medlyn seconded S Nicholson that the Development Assessment Panel REFUSE Non-Complying Development Application 455/D002/09 for the creation of one additional allotment at lot 21 Crows Nest Road as the proposal is seriously at variance with the Alexandrina Development Plan, and moreover contrary to the intent of the Landscape (Port Elliot and Goolwa) Zone.

CARRIED

The Development Assessment Panel moved to Item 3.2 at 11.01 a.m.

The Gallery were asked to leave the meeting at 11:04 a.m.

The Gallery returned to the meeting at 11:05 a.m.

The Chair welcomed Mr Stokes to the meeting at 11:05 a.m. to 11:12 a.m. to answer questions of the Panel in regards to Item 3.2.

The Gallery were asked to leave the meeting at 11:12 a.m.

3.2 455/370/09 - Jonathon Henry Stokes

**SUMMARY TABLE**

Date of Application	1 May 2009
Subject Land	Lot 116 Sugars Avenue, Hindmarsh Island
Assessment No.	A 7097
Relevant Authority	Alexandrina Council
Planning Zone	Conservation (Hindmarsh Island) Zone
Nature of Development	Detached Dwelling – Single 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	27 <sup>th</sup> May 2009
Recommendation	Refuse
Originating Officer	Andrew Houlihan

**BACKGROUND**

There is an existing small detached dwelling and attached shed located on the subject allotment.

**THE PROPOSAL**

**Nature of Development**

The Development Application involves replacing an existing dwelling with a new dwelling, whilst demolishing part of the existing dwelling and converting the remaining portion into a single garage. The dwelling is proposed to be located a minimum of 25m from the waters edge.

.../cont.

3.2 455/370/09 – Jonathon Henry Stokes (Continued)

The proposed development is considered to be a non-complying form of development pursuant to PDC 21 for the Conservation (Hindmarsh Island) Zone. which states;

21 *The following kinds of development are **non-complying** in the Conservation (Hindmarsh Island) Zone:*

- *Dwelling with the exception of those meeting the needs of primary producers*

As there is no farming activity being undertaken on site, the proposed development is considered to be non-complying.

**Detailed Description**

The proposal involves the construction of a single storey detached dwelling on the subject site. From the plans provided, the dwelling is setback 25m from the high tide water mark, 1m from the eastern side boundary, 2.5m from the western side boundary and 13.44m from the northern boundary or road (Sugars Avenue), as shown on the Site Plan.

The proposed dwelling is a rectangular shape with a footprint measuring 11 x 15m (164.m<sup>2</sup>) and is proposed to be finished in colorbond cladding ("surf mist") with a 17.5 degree "Ultra Colorbond" roof.

**SITE & LOCALITY**

The subject site is an existing allotment on Sugars Avenue. It is part of a strip of existing leasehold allotments, most of which have been developed with single storey detached dwellings facing Goolwa Channel and associated garaging facing the road (Sugars Avenue). The locality displays a varied mixture of dwelling styles, colours and materials of construction.

The subject site is level and devoid of any significant vegetation. There is an existing dwelling located on the northern (road) boundary measuring 38.5sqm.

- 14 **Moved Cr Medlyn seconded Cr Gartrell that the Development Assessment Panel support Development Application 455/370/09 for a single storey detached dwelling to proceed to a full assessment.**

**CARRIED**

The Gallery returned to the meeting at 11:24 a.m.

The Development Assessment Panel returned to Item 3.1 at 11:25 a.m.

ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION / COMMUNITY TITLE

ITEM 6. MATTERS REFERED FOR FOLLOW-UP

ITEM 7. GENERAL ITEMS FOR DISCUSSIONS

ITEM 8. NEXT MEETING

Meeting closed at 11:45 a.m.

MINUTES CONFIRMED .....  
Chair

DATED: .....