

**MINUTES OF A MEETING OF DEVELOPMENT ASSESSMENT PANEL 2013
HELD IN THE ALEXANDRINA COUNCIL OFFICE & LIBRARY, STRATHALBYN
ON 18 APRIL 2013 AT 11:00 AM**

PRESENT

Mr Don Donaldson (Chair), Ms Rosemary Sage,
Cr Grant Gartrell.

APOLOGIES

Mr Stephen Nicholson & Cr Anne Woolford.

IN ATTENDANCE

Andrew Sladden (Senior Town Planner)
David Zanker (Town Planner), Rebecca Panuccio
(Administration Officer).

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 March 2013.

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

Alexandrina Council

ITEM 2. DEVELOPMENT APPLICATIONS

ITEM 2.1 455/D054/12 - Land Division Creating (1) Additional Allotment

SUMMARY TABLE

Date Of Application	28 November 2012
Subject Land	LOT 20 MOUNT BARKER – WELLINGTON ROAD, HIGHLAND VALLEY
Relevant Authority	Alexandrina Council
Planning Zone	Rural Living – Highland Valley Rural Living Policy Area 10
Nature Of Development	Land Division Creating (1) Additional Allotment
Type Of Development	Consent on Merit
Public Notice	Category 1
Referrals	Development Assessment Commission & SA Water
Representations Received	NIL
Representations To Be Heard	NIL
Date Last Inspected	22 January 2013
Recommendation	Resolve to Refuse
Originating Officer	David Zanker

- 13 Moved D Donaldson seconded R Sage that the Development Assessment Panel resolves to Approve Development Application 455/D054/12 for a Land Division creating 1 additional allotment at Lot 20 Mount Barker - Wellington Road, Highland Valley and that administration be delegated the authority to impose standard conditions.

CARRIED

Alexandrina Council

ITEM 3. DEVELOPMENT APPLICATIONS - NON COMPLYING

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying)

SUMMARY TABLE

Date of Application	20.09.2012
Subject Land	Lot 15 Mundoo Channel Drive Hindmarsh Island
Assessment No.	A7187
Relevant Authority	Alexandrina Council
Planning Zone	Coastal Settlement Zone
Nature of Development	Detached Dwelling - Single Storey and Demolition of the Existing Detached Dwelling (Non-complying)
Type of Development	Non-complying
Public Notice	Category 3
Referrals	Department of Environment, Water and Natural Resources – Water Planning Unit
Representations Received	Nil
Representations to be heard	Nil
Date last inspected	April 2013
Recommendation	Development plan consent subject to Development Assessment Commission concurrence
Originating Officer	Andrew Sladden

- 12 Moved R Sage Seconded Cr G Gartrell 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 455/773/12 for a Detached Dwelling - Single Storey and Demolition of the Existing Detached Dwelling (Non-Complying) at No.6 (lot 15) Mundoo Channel Drive Hindmarsh Island, subject to the following conditions and notes and subject to Development Assessment Commission concurrence.**

Council Conditions

- 1. The development here in approved shall be undertaken and maintained with the stamped approved plans, drawings, specifications and other documents submitted to the Council, except where varied by the following conditions.**

Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.

- 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.**

Reason: To maintain and enhance the visual amenity of the locality in which the subject land is situated.

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Alexandrina Council

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying) (continued)

3. All scarring or physical disturbances of the land surface during any excavation work shall be restricted to only that which is shown on the approved plan as required for building work and/or access purposes. All exposed faces around such scarred areas and spoil shall be screened with trees and shrubs and covered with suitable ground cover to the reasonable satisfaction of Council.

Reason: To ensure that excavations and filled land is stable and will not result in any adverse impact on adjoining properties.

4. All storm water drainage shall discharge so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.

Reason: To ensure storm water is disposed of in a controlled manner.

5. The bushfire fighting water tank and internal access tracks as shown on the amended plans received by Council on 30 October 2012, shall comply with the requirements of the 'Ministers Code, Undertaking development in Bushfire Protection Areas - February 2009 (as amended October 2012)' for Medium risk areas and shall be installed prior to occupation of the dwelling herein approved.

Reason: To ensure Compliance with the Ministers Code.

6. Temporary debris and sediment control measures must be installed to ensure debris, soil, soil sediments, and litter are maintained within the construction site. Debris, soil, soil sediments, and litter from the construction site must not enter Council's drainage system, Council's road network, or neighbouring properties.

NOTE: Pollution prevention measures must be in accordance with the Environmental Protection Authority's 'Storm water Pollution Prevention Codes of Practice';

- ' For the Community
- ' For Local, State and Federal Government
- ' For the Building and Construction Industry

Reason: To inform owners, developers, builders etc of their obligation in regard to the environment and to the appropriate measures of storm water disposal from building sites.

7. External lighting and security lighting shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.

Reason: To ensure that floodlighting does not cause nuisance or danger to adjoining occupiers or road users thereby reducing the amenity of the locality and/or making road use unsafe.

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Alexandrina Council

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying) (continued)

8. The proposed demolition shall be carried out in accordance with the following:
- ' Access to and in the vicinity of the site by the public before, during and after demolition, until the site is cleared; is to be restricted and as such the area must be secured by an approved barrier;
 - ' Any dust or similar products arising from the demolition must be controlled and kept within the site as far as is reasonable;
 - ' All demolition materials are to be removed from the site, and the site is to be left in a clean and tidy condition;
 - ' The demolition, transport and disposal of asbestos products, is subject to legislative control and must be handled in accordance with those requirements. Contact the Department for Administrative and Information Services, Industrial Affairs - Mineral Fibres Branch (asbestos enquiries) on 8303 0400 for further information and relevant approvals. Australian Standard AS2601 Demolition of Structures should be referred to for demolition procedures.
 - ' Adjoining owners shall be advised of the proposed demolition at least 24 hours before the work commences.

Note: Disconnection of services and the undertaking of public liability insurance is the responsibility of the person supervising the works.

Reason: To limit the effect of the development on the amenity of the locality.

Council notes

1. A wall retaining a difference in ground levels of more than 1 metre requires Development Approval.
2. 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.
3. The applicant is advised to contact the individual service providers regarding the location of street lighting, electricity supply and storm water drainage pits. It is the responsibility of the applicant/owner to ensure that the location of the vehicle crossover and driveway does not conflict with the services. Should the need arise to relocate any infrastructure or services all costs and charges associated with the works shall be at the applicant/owners expense.

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Alexandrina Council

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying) (continued)

4. Building Site Management

Upon granting of Development Approval, any person undertaking the development shall be required to conform to the following guidelines:

Construction Hours: That construction shall take place between 7am and 7pm Monday to Saturday and between 9am and 6pm on Sundays and public holidays. All such work shall be undertaken in such a manner so as not to cause any nuisance or annoyance to any of the occupiers of buildings within the locality.

Dust Emissions: That dust emissions from the site shall be controlled by a dust suppressant or by watering regularly.

Waste Receptacle: That the builder shall at all times provide and maintain a waste receptacle on the site for the storage of builder's waste. This receptacle shall be located on site for the duration of the construction period and be emptied as required.

Storm water Runoff: That all runoff and storm water from the subject site during the construction period must be either contained on site or directed through a temporary sediment trap, prior to discharge to the storm water system.

Hard Waste Litter Storage: That all hard building materials be stored in a manner that secures it on site during the construction works.

Site Security: That the site shall be secured at all times to prevent unauthorised access and that adjoining properties are secure at all times during the period of construction works where fences have been removed.

Public Realm: That any work in the public realm requiring street occupation or hoardings requires Council consent, which must be granted prior to the commencement of the construction works.

Damage to Council's Footpath/Kerbing/Road Pavement/Verge: Section 779 of the Local Government Act provides that where damage to Council footpath/kerbing/road pavement/verge occurs as a result of the construction, the owner/Applicant shall be responsible for the cost of Council repairing the damage.

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Alexandrina Council

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying) (continued)

Department of Environment, Water and Natural Resources Conditions

1. During demolition and construction activities the property must be 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 are appropriately contained to ensure no pollutants (including excavation or fill material) enter the River Murray system.
2. 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.
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.
4. Stormwater run-off from any new roofed areas must be managed to prevent erosion or pollution of the site and the environment, and diverted away from wastewater disposal areas, such as septic tanks and aerobic systems. Connection to a water storage tank would assist in complying with this condition.

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Alexandrina Council

ITEM 3.1 455/773/12 - Detached Dwelling - Single Storey And Demolition Of The Existing Detached Dwelling (Non-Complying) (continued)

Department of Environment, Water and Natural Resources Notes

1. The applicant is advised of their general duty of care under the River Murray Act 2003 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 trees, 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 (an archaeological/anthropology site known as the 'Meeting of the Waters' site) located within close proximity 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 Trevorrow (Chair) on telephone 8575 1557, facsimile 8575 1448, email: nlpa@bigpond.com or mail PO Box 126, Meningie SA 5264.
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 relevant requirements under the Native Vegetation Act 1991 and its Regulations, which may include the provision of a Significant Environmental Benefit. 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, removal or trimming 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 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

Andrew Sladden informed the Development Assessment Panel that the Council has resolved to form a 7 member panel and positions will be advertised shortly.

Cr G Gartrell will be an apology for the 16th May 2013 meeting.

ITEM 8. NEXT MEETING

Scheduled for Thursday 16th May 2013 at 11am.

MEETING CLOSED AT: 11.19 am

MINUTES CONFIRMED.....

Chair

DATED:.....