

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

<b><u>PRESENT</u></b>	D Donaldson (chair), M Penhall, R Sage, Cr M Walker, Cr A Woolford, Cr G Gartrell
<b><u>APOLOGIES</u></b>	D Dawson
<b><u>IN ATTENDANCE</u></b>	D Zanker (Town Planner) A Houlihan (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 17 October 2013

**Moved R Sage seconded Cr M Walker that the minutes of the Alexandrina Council Development Assessment Panel held on 17 October 2013 as circulated to members be received as a true and accurate record.**

**CARRIED**

**ITEM 2. DEVELOPMENT APPLICATIONS**

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

**ITEM 3.1 455/D033/13 LAND DIVISION AMALGAMATING EIGHTEEN (18) ALLOTMENTS INTO THREE (3) ALLOTMENTS**

**REF NO: 455/D033/13**

**APPLICANT: Don Galpin**

**SUMMARY TABLE:**

Date Of Application	9 July 2013
Subject Land	Allotment comprising of pieces 91 and 92, Allotment comprising of pieces 93 and 94, Allotment comprising of pieces 95 and 96, Allotment comprising of pieces 97 and 98 and Allotments 694, 698, 699, 700, and Allotments 726 – 733, inclusive of Allotment 743 in the Town of Currency Creek
Relevant Authority	Alexandrina Council
Planning Zone	Rural (Currency Creek) Zone & Rural Living Zone – Currency Creek Policy Area 44
Nature Of Development	Land Division Amalgamating Eighteen (18) Allotments into Three (3) Allotments & Realignment of Boundaries
Type Of Development	Non-complying
Public Notice	N/A
Referrals	Development Assessment Commission, S.A. Water, Department of Planning Transport and Infrastructure
Date Last Inspected	5 August 2013
Recommendation	Development Approval & Land Division Approval subject to Development Assessment Commission concurrence
Originating Officer	Andrew Houlihan

**37 Moved R Sage seconded Cr Anne Woolford that The Development Assessment Panel considers that the proposal is not seriously at variance with the Development Plan and resolves to grant Development Approval and Land Division Approval for Development Application 455/D033/13 for a Land Division Amalgamating Eighteen (18) allotments into Three (3) Allotments and realignment of boundaries at Allotment comprising of pieces 91 and 92, Allotment comprising of pieces 93 and 94, Allotment comprising of pieces 95 and 96, Allotment comprising of pieces 97 and 98 and Allotments 694, 698, 699, 700, and Allotments 726 – 733, inclusive of allotment 743 in the Town of Currency Creek. .../cont**

**ITEM 3.1 455/D033/13 LAND DIVISION AMALGAMATING EIGHTEEN (18)  
ALLOTMENTS INTO THREE (3) ALLOTMENTS (continued)**

**COUNCIL CONDITIONS**

1. That except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development shall be established in strict accordance with the details and plans prepared by Weber Frankiw & Associates Pty. Ltd dated 9/7/13 and marked reference number 553004div as submitted in development application number 455/D033/13.

Reason: To ensure the proposal is established in accordance with the submitted and approved plans.

2. Provide a 9.56m x 9.56m corner cutoff on the south-east corner of lot 3 at the intersection of Montifiore Street and Alexandrina Road to vest in Council for road purposes.
3. Provide a 7m x 7m corner cutoff on the north-east corner of lot 5 at the intersection of O'Halloran Street and Sturt Street to vest in Council for road purposes.
4. Provide a 0.1m wide reserve strip along the frontage to Montifiore Street of lot 4 on the lot boundary dimensioned 13.55.

**COUNCIL NOTES**

1. 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.

**DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS**

1. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.

**CARRIED**

**ITEM 3.2 455/138/13 Dwelling - Detached Single Storey With Associated Shed And Rainwater Tanks And Decommissioning Of The Existing Detached Dwelling (Non-Complying)**

**SUMMARY TABLE**

Date Of Application	21 FEBRUARY 2013
Subject Land	674 Crows Nest Road Mount Jagged
Relevant Authority	Alexandrina Council
Planning Zone	WATERSHED PROTECTION 2 ZONE
Nature Of Development	Dwelling - Detached Single Storey With Associated Shed And Rainwater Tanks And Decommissioning Of The Existing Detached Dwelling (Non-Complying)
Type Of Development	NON-COMPLYING
Public Notice	CATEGORY 3
Referrals	COUNTRY FIRE SERVICE AND ENVIRONMENTAL PROTECTION AUTHORITY
Representations Received	N/A
Representations To Be Heard	N/A
Date Last Inspected	30 OCTOBER 2013
Recommendation	DEVELOPMENT PLAN CONSENT AND SUBJECT TO THE CONCURRENCE OF THE DEVELOPMENT ASSESSMENT COMMISSION
Originating Officer	David Zanker

**38 Moved Cr G Gartrell seconded M Penhall that the Development Assessment Panel resolves that the proposal is considered not to be seriously at variance with Alexandrina Council Development Plan Consolidated on the 29 November 2012 and to issue Development Plan Consent and subsequent concurrence from the Development Assessment Commission for a Dwelling - Detached Single Storey With Associated Shed And Rainwater Tanks And Decommissioning Of The Existing Detached Dwelling (Non-Complying), subject to the following conditions and notes and Reserved matter:**

**RESERVED MATTER**

**That pursuant to Section 33 (3) of the Development Act 1993, Council as the relevant authority Reserves its rights to make comment on the following matters and the applicant shall satisfactorily address the following reserve matters for further assessment by the prior to Development Approval being granted:**

- a. The applicant shall provide evidence of an approved Waste Water Management system.**

.../cont

**ITEM 3.2 455/138/13 DWELLING - DETACHED SINGLE STOREY WITH ASSOCIATED SHED AND RAINWATER TANKS AND DECOMMISSIONING OF THE EXISTING DETACHED DWELLING (NON-COMPLYING) (continued)**

**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. 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.

3. That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:

- prevent silt run-off from the land to adjoining properties, roads and drains;
- control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
- ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
- ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; or
- ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

**Reason:** To minimise potential adverse off site environmental impacts.

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.

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**ITEM 3.2 455/138/13 DWELLING - DETACHED SINGLE STOREY WITH ASSOCIATED SHED AND RAINWATER TANKS AND DECOMMISSIONING OF THE EXISTING DETACHED DWELLING (NON-COMPLYING) (continued)**

5. Where cut and/or fill in excess of 300mm is required as a result of the proposed development, retaining walls or other suitable soil retention devices shall be employed.

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

6. Any additional excavated material not required as fill for the site shall be removed immediately after excavation to prevent bogging and soil washing away.

Reason: To minimise potential adverse off site environmental impacts.

**COUNCIL NOTES**

1. 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. 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>.
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. Encumbrances, although not administered by Council, may apply to your property. You are therefore advised to check for Encumbrances on your Certificate of Title prior to commencing work.

**EPA CONDITIONS**

1. The decommissioning of the existing dwelling must take place within six months of the new dwelling being occupied. There must be no concurrent occupancy of the dwellings.
2. Certification from both a waste cartage operator and a plumber must be provided to the Alexandrina Council stating that the wet areas and on-site waste disposal system have been decommissioned. Note: Decommissioning of the on site waste disposal system involves the emptying and appropriate disposal by a licenced cartage operator of the contents of the septic tank, a hole being made in the bottom of the septic tank, the lids being dropped into the tank (broken if necessary) and the tank being filled with sand or similar material such that no/few voids are created.

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**ITEM 3.2 455/138/13 DWELLING - DETACHED SINGLE STOREY WITH ASSOCIATED SHED AND RAINWATER TANKS AND DECOMMISSIONING OF THE EXISTING DETACHED DWELLING (NON-COMPLYING) (continued)**

**EPA NOTES**

1. The applicant is reminded of their general environmental duty, as required by Section 25 of the Environmental Protection Act, to take all reasonable and practical measures to ensure that any activities on the site do not pollute the environment.
2. Any information sheets, guidelines documents, codes of practice, technical bulletins etc. that are referenced in this response can be accessed in the following web site: <http://www.epa.sa.gov.au/pub.html>

**CFS CONDITIONS**

1. **ACCESS**

Private roads and access tracks shall provide safe and convenient access/egress for bushfire fighting vehicles. The Ministers [Bushfire] Code Part 2.3.3.1 describes the mandatory provision for 'Private' roads and driveways to buildings, where the furthest point to the building from the nearest public road is more than 30 metres, shall provide safe and convenient access/egress for large Bushfire fighting vehicles. Access to the building site shall be of all weather construction, with a minimum formed road surface width of 3metres and must allow forward entry and exit for large bushfire fighting vehicles.

  - The all weather road is to be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water run off to appropriate drains, at one or both sides of the traffic surface. The accumulated volumes of water shall be directed via: open drains, or culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.
  - All dead end roads shall be constructed to allow large bushfire fighting vehicles to turn around with safety by use of either: - a turn around area with a minimum formed road surface diameter of 25metres OR
    - a 'T' or 'Y' shaped turn around area with minimum formed road surface leg lengths of 10metres and minimum inside road radii of 9.5metres
  - All road curves shall have minimum inside road radii of 9.5metres
  - Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVW 21 tonnes).
  - All single carriageway roads shall have passing bays, with a minimum formed road surface width of 3metres and a minimum length of 17metres, constructed as near as practicable to 200metre intervals.

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**ITEM 3.2 455/138/13 DWELLING - DETACHED SINGLE STOREY WITH ASSOCIATED SHED AND RAINWATER TANKS AND DECOMMISSIONING OF THE EXISTING DETACHED DWELLING (NON-COMPLYING) (continued)**

**2. VEGETATION**

Landscaping shall include Bushfire protection features that will prevent or inhibit the spread of bushfire and minimise the risk of life and/or damage to buildings and property.

- Trees and shrubs shall not be planted closer to the building(s) or powerlines than the distance equivalent to their mature height.
- Grasses within 20metres of the dwelling or to the property boundaries, whichever comes first, shall be reduced to a height of 10cms during the Fire Danger Season.

**3. WATER SUPPLY**

A supply of water shall be available at all times for fire-fighting purposes. The Ministers [Bushfire] Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting. Ministers Specification SA78 prescribes a dedicated water supply for bushfire fighting for the bushfire zone:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78.
- CFS notes the development plan proposes a 46,800 non-combustible water tank inclusive of 22,000 litres dedicated for bushfire fighting.
- The development plan indicates the provision of a remote start bushfire pump adjacent to the water tank and two bushfire hose reels; one positioned at the dwelling and one at the shed.
- CFS has no additional requirements.

**4. BUILDING CONSIDERATIONS**

Refer to Building Code of Australia for construction requirements. Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a 'measure of protection' from the approach, impact and passing of a bushfire.

**CARRIED**

**ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3**

**ITEM 5. DEVELOPMENT APPLICATIONS - LAND DIVISION / COMMUNITY TITLE**



**ITEM 6.     MATTERS REFERRED FOR FOLLOW-UP**

**ITEM 6.1     455/544/13 Dwelling - Detached Three Storey**

**SUMMARY TABLE**

Date Of Application	21 JUNE 2012
Subject Land	1 SIR GEORGE RITCHIE AVENUE, GOOLWA SOUTH
Relevant Authority	ALEXANDRINA COUNCIL
Planning Zone	RESIDENTIAL ZONE POLICY AREA 22 (SOUTH LAKES)
Nature Of Development	DETACHED     DWELLING     -THREE STOREY
Type Of Development	CONSENT ON MERIT
Public Notice	CATEGORY 1
Decision by DAP	REFUSAL
Originating Officer	DAVID ZANKER

**39           Moved Cr A Woolford & seconded M Penhall that the Development Assessment Panel resolves not to compromise and to notify the courts accordingly as it is considered that the amended plans are still at variance with Alexandrina Council Development Plan Consolidated on the 29 November 2012.**

**CARRIED**

**ITEM 7.     GENERAL ITEMS FOR DISCUSSIONS**

**ITEM 8.     NEXT MEETING**

Next meeting scheduled for Thursday 19<sup>th</sup> December 2013 commencing at 11am.

**MEETING CLOSED AT 11.30am**

**MINUTES CONFIRMED.....**

**CHAIR**

**DATED:.....**