

**DEVELOPMENT ASSESSMENT PANEL
MINUTES OF MEETING HELD ON 9 MAY 2007
COMMENCING AT 10:30 AM
IN THE CORPORATE / FINANCE MEETING ROOM**

PRESENT

Ron Danvers (Presiding Member), Cr Rick Medlyn, Cr Grant Gartrell, Mike Galea, Madeleine Walker

APOLOGIES

IN ATTENDANCE

Cherry Getsom (Planner), Andrew Sladden (Planner), Keziah Lindschau (Acting Personal assistant), Des Commerford (Director Environment & lifestyle Services)

ITEM 1. CONFIRMATION OF MINUTES

Minutes of the Alexandrina Council Development Assessment Panel held on 18th April 2007.

Moved M Walker seconded Cr Gartrell that the minutes of the Alexandrina Council Development Assessment Panel held on 18th April 2007 as circulated to members be received as a true and accurate record.

ITEM 2. DEVELOPMENT APPLICATIONS

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2.1 455/1122/06 STRATEGY URBAN PROJECTS

SUMMARY TABLE

Date of Application	29 th September 2006
Subject Land	138a Liverpool Road Goolwa North
Assessment No.	A4009
Relevant Authority	Alexandrina Council
Planning Zone	Residential
Nature of Development	Group dwellings – Single Storey x 3 and a single storey residential flat building containing two dwellings.
Type of Development	Consent / Merit
Public Notice	Category 1
Referrals	N/A
Representations Received	N/A
Representations to be heard	N/A
Date last inspected	April 2007
Recommendation	Refusal
Originating Officer	Andrew Sladden

BACKGROUND

This particular Development Application would not normally require a decision to be made by the Development Assessment Panel as it is a Consent/Merit form of Development and subject to Category 1 Public Notification, allowing the Development Assessment Officers delegation to make and issue a decision.

However, at the request of the Applicant, the Application is being presented to the Development Assessment Panel for a decision.

The subject site is an existing irregular shaped allotment of 3628m² with frontage to Liverpool Road and access to Riverdell Court at the rear of the subject site. There is an existing two storey dwelling facing Liverpool road with a swimming pool at the rear in the middle of the subject site. There is also extensive vegetation covering the allotment.

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2.1 455/1122/06 STRATEGY URBAN PROJECTS (Continued)

There are currently three Development Applications relevant to the subject site as follows:

- 455/D050/06 – Land Division creating one additional allotment. This Application was granted Development Approval in March 2007. This Application creates two allotments of 1455m² (Lot 2, containing the existing dwelling) and 2173m² (Lot 1) respectively. However, an amended plan of division has recently been lodged with Council amending the allotment areas to provide a lot of 1378m² (Lot 2) and 2250m² (lot 1).
- 455/C051/06 – Community Title Land Division creating 5 additional allotments (Lots 10 to 14) ranging in area from 259m² to 339m² and common property from proposed Lot 1. This application is currently on-hold awaiting the outcome of the decision for this application.
- 455/1122/06 – Three group dwellings and a Residential Flat Building comprising two dwellings.

THE PROPOSAL

Nature of Development

The proposal involves the construction of three single storey detached dwellings and a semi-detached single storey dwelling on the subject site. None of these dwellings have a frontage to a road and are all proposed to access Riverdell Court via community roadway. The three detached dwellings are considered to be “group dwellings” pursuant to the following definition from Schedule 1 of the Development Act 1993.

“**group dwelling**” means one or more of a group of two or more detached buildings, each of which is used as a dwelling and one or more of which has a site without frontage to a public road or to a road proposed in a plan of division that is the subject of a current development authorisation.”

The semi-detached dwelling cannot be defined as such as it does not have a frontage to a public road pursuant to the following definition from Schedule 1 of the Development Act 1993:

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2.1 455/1122/06 STRATEGY URBAN PROJECTS (Continued)

“semi-detached dwelling” means a dwelling –
occupying a site which is held exclusively with that dwelling and has a frontage to a public road or to a road proposed in a plan of division that is the subject of a current planning authorisation; and
comprising one of two dwellings erected side by side, joined together and forming, by themselves, a single building;

Even though the subject building comprises two buildings erected side by side and forming a single building, it cannot be defined as a semi-detached dwelling. Therefore by default the semi-detached building has been assessed as a “residential flat building” pursuant to the following definition from Schedule 1 of the Development Act 1993:

“residential flat building” means a single building in which there are two or more dwellings, but does not include a semi-detached dwelling, a row dwelling or a group dwelling;

Therefore the Development Application involves the erection of three group dwellings and a residential flat building comprising two dwellings.

Detailed Description

The proposal involves the construction of three single storey dwellings and a residential flat building comprising two dwellings joined by a common wall on proposed allotment 1 resulting from Land Division 455/D050/06. All of the dwellings are proposed to be contained within their own allotments.

All of the proposed dwellings are single storey, of similar design, materials and colours. All of the dwellings front the community driveway and have provision for two car parking spaces each.

12 **Application 455/1122/06 was withdrawn from the Development Assessment Panel Agenda.**

WITHDRAWN

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

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ITEM 4. DEVELOPMENT APPLICATIONS - CATEGORY 3

ITEM 5. DEVELOPMENT APPLICATIONS LAND DIVISION COMMUNITY TITLE

ITEM 6. DEVELOPMENT APPLICATIONS - BUILDING

ITEM 7. MATTERS REFERRED FOR FOLLOW-UP

The Panel moved to Item 9 at 10:40a.m.

The Panel returned to Item 8 at 11:37a.m.

ITEM 8. GENERAL ITEMS FOR DISCUSSION

A general discussion was held regarding Development Application 455/1353/06 (The Mill, Middleton).

Moved Cr Gartrell seconded R Medlyn that Council support the approval by the Development Assessment Panel and that approval can be issued by the planning staff subject to 16 on site car parks to the satisfaction of Council or alternatively a traffic study should be provided by a qualified engineer justifying alternative car parking arrangements.

CARRIED

C Getsom – Advised that the decision made on the Strathalbyn Motel has been appealed by one of the third party representatives. This appeal was adjourned on Wednesday the 2nd May 2007 until Friday the 11th May 2007.

The decision made on the Padman Aged Care Facility has also been appealed with a Conference to be held on Wednesday the 23rd May 2007.

Des Commerford - Councillors raised concerns about "Confidence" within the Development Assessment Panel. The Development Assessment Panel should be advised in writing that Council has concerns on the Panel going into camera. Council asks the Development Assessment Panel only to move into camera if it is an issue of controversy or of a legal matter.

ITEM 8. GENERAL ITEMS FOR DISCUSSION (Continued)

The planners will advise the members of the Development Assessment Panel when the next meeting will be held. It is noted that Wednesday mornings are preferred.

Cr Gartrell advised he will be in Queensland for 2 weeks from the 26th May 2007.

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ITEM 9. CONFIDENTIAL ITEM

9.1 455/391/06 ROGER HAYSMAN

Moved Cr R Medlyn seconded M Walker that Des Commerford be invited to attend the meeting for this confidential item.

Moved Cr R Medlyn seconded M Walker that the Development Assessment Panel move into Confidence at 10:35a.m.

CARRIED

Moved Cr R Medlyn seconded M Galea that the Development Assessment Panel move out of Confidence at 10:56a.m.

CARRIED

The next Development Assessment Panel meeting will be confirmed by the Planners and members will be advised accordingly.

MEETING CLOSED AT 12:13p.m.

MINUTES CONFIRMED.....

CHAIRMAN

DATED:.....