Minutes of the MEETING of the Development Assessment Panel held on WEDNESDAY 21 OCTOBER, 2009, at 10.00 am at the Mobilong Suite (Committee Room), Local Government Centre, 2 Seventh Street, Murray Bridge.

PRESENT:  
Ms Iris Iwanicki - Presiding Member  
Cr Bob England  
Cr June Phillips  
Mr Des Warner – Community Representative  
Mr Brenton Strauss – Community Representative  
Mr Barry Gleeson – Community Representative

IN ATTENDANCE:  
Mrs Gloria Booker - Executive Officer  
Mr Simon Channon – Development Assessment Officer  
Mrs Kylie Schilling – Development Assessment Officer  
Mrs Belinda Ludewigs – Planning Assistant  
Ms Sue Bell – Minute Secretary

Site inspections were conducted prior to the commencement of the meeting.

115. APOLOGIES  
An apology has been received from Cr Clem Schubert.

116. CONFIRMATION OF MINUTES  
Recommendation:  
“That the minutes of the Development Assessment Panel meeting held on Wednesday 16 September, 2009, be taken as read and confirmed.”

It was agreed that the minutes of the Development Assessment Panel meeting held on Wednesday 16 September, 2009, be taken as read and confirmed.

117. PRESIDING MEMBER’S COMMUNICATIONS  
Nil.

118. BUSINESS ARISING FROM PREVIOUS MINUTES  
Nil.

119. OUTSTANDING ITEMS  
Nil.

120. DEVELOPMENT ASSESSMENT MATTERS  
CALL-OVER ITEMS TO BE ADOPTED WITHOUT DISCUSSION  
It was the consensus of the Development Assessment Panel that, having inspected the site and considered all relevant information, the recommendations contained within report items 120.5 and 120.6 be ADOPTED.
DECISION
Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, and consideration of referrals advice the application is not considered to be seriously at variance with the relevant provisions of the Development Plan and that the Development Assessment Panel resolves to SEEK THE CONCURRENCE OF THE DEVELOPMENT ASSESSMENT COMMISSION to GRANT Development Plan Consent to Application 415/D059/09 subject to the following conditions:

DEVELOPMENT PLAN CONSENT CONDITIONS:

(1) The development may proceed in accordance with the plans and details submitted with the application and contained in Development Application 415/D059/09, except where varied by the following conditions.

DEVELOPMENT ASSESSMENT COMMISSION CONDITIONS:

(1) That the financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water 05893/98 Water/Sewer).

(2) Two copies of a certified survey plan shall be lodged for Certificate purposes.

NOTES:

(1) The development must be substantially commenced or application for certificate made to the Development Assessment Commission within 12 months of the date of this Notification, unless this period has been extended by the Council.
(2) You are also advised that the final land division certificate must be obtained from the Development Assessment commission to complete the development within 3 years of the date of the Notification unless this period is extended by the Council.
DECISION

(1) That the proposed development is at variance with Council’s Development Plan.

(2) Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, the Development Assessment Panel GRANTS Development Plan Consent to Application 415/412/09 subject to the following conditions

DEVELOPMENT PLAN CONSENT CONDITIONS:

(1) The development may proceed in accordance with the amended plans and details submitted with the application and contained in Development Application 415/412/09, except where varied by the following conditions.

(2) Landscaping of the Noel St frontage and site area shall be undertaken by planting suitable trees and shrubs, lawn and ground covers and such landscaping shall be completed within 12 months of the occupation of the structure and maintained to the satisfaction of Council.

(3) The site shall be kept in a neat and tidy manner at all times.

(4) All stormwater from roofed areas and sealed areas to be discharged to the satisfaction of Council so that no nuisance or inconvenience shall occur to neighbouring properties or other buildings on site.

(5) No unreasonable disturbance or pollution of the locality shall be created by way of dust, pollution, noise, odour, electrical interference or other means.

(6) The development shall be of a high standard of design with external appearance, quality of materials and colour coding to the satisfaction of Council.
NOTES:

(1) *This consent is valid for thirty six (36) months only. If development is not substantially commenced within twelve (12) months of the date of this consent and substantially completed within thirty six (36) months of the date of this consent, a fresh consent must be obtained prior to commencing or continuing the use of the land.*

(2) *These conditions are imposed in order to accommodate light industry, local service industry and related storage and commercial development, and to attain the Objectives of the Light Industry Zone.*
The following reports were discussed individually by the Panel.

**ITEM NO 120.1**  
**Date of Panel Meeting**: 21 October 2009

<table>
<thead>
<tr>
<th>LOCATION</th>
<th>39 Hawke Rd, Murray Bridge</th>
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<tbody>
<tr>
<td>DA NUMBER</td>
<td>415/405/2009</td>
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<tr>
<td>ASSESSING OFFICER</td>
<td>Kylie Schilling</td>
</tr>
<tr>
<td>PROPOSAL</td>
<td>Construction of shed (15m x 12m) &amp; verandah (10m x 12m)</td>
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<tr>
<td>APPLICANT</td>
<td>Mr B A Ireland</td>
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<tr>
<td>NATURE OF DEVELOPMENT</td>
<td>Merit</td>
</tr>
<tr>
<td>DEVELOPMENT PLAN</td>
<td>Rural City of Murray Bridge Development Plan Consolidated 5 June 2008</td>
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<tr>
<td>ZONE AND POLICY AREA</td>
<td>Residential Zone</td>
</tr>
<tr>
<td>EXISTING USE</td>
<td>Residence</td>
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<tr>
<td>REFERRALS</td>
<td>Nil</td>
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<tr>
<td>CATEGORY</td>
<td>Category 2</td>
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<td>REPRESENTATIONS</td>
<td>2</td>
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<tr>
<td>RECOMMENDATION</td>
<td>Approval</td>
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**DISCUSSION**
The representor Mr Gilgen was present at the meeting and invited to address the Panel in relation to his concerns on the proposed shed. The applicant Mr Ireland was present and asked to respond to the representatives comments.

**DECISION**
Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, and consideration of representations the Development Assessment Panel GRANTS Development Plan Consent to Application 415/405/2009 subject to the following conditions;

**DEVELOPMENT PLAN CONSENT CONDITIONS:**

1. The development may proceed in accordance with the plans and details submitted with the application and contained in Development Application 415/405/09, except where varied by the following conditions.

2. No unreasonable disturbance or pollution of the locality shall be created by way of dust, pollution, noise, odour, electrical interference or other means.

3. The site shall be kept in a neat and tidy manner at all times.

4. The shed structure shall not be used for human habitation, commercial or industrial purposes without the prior consent of Council.

5. All stormwater from roofed areas and sealed areas to be discharged to the satisfaction of Council so that no nuisance or inconvenience shall occur to neighbouring properties or other buildings on site, to meet this requirement stormwater from roofed areas shall be discharged to a rainwater tank with a minimum capacity of 2,000 litres and any overflow must be discharged to the satisfaction of Council.
(6) The development shall be of a high standard of design with external appearance, quality of materials and colour coding to the satisfaction of Council.

NOTES:

(1) These conditions are imposed in order to retain and enhance the quality and character of existing residential development and to attain the Objectives of the Residential Zone.

(2) This consent is valid for thirty six (36) months only. If development is not substantially commenced within twelve (12) months of the date of this consent and substantially completed within thirty six (36) months of the date of this consent, a fresh consent must be obtained prior to commencing or continuing the use of the land.
The Panel resolved to invite the applicants representatives Mr Lynette Brandwood and Mr John Philips to respond to some queries made by the Panel.

**DECISION**

Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, and consideration of representations the Development Assessment Panel GRANTS Development Plan Consent to Application 415/449/2009 subject to the following conditions;

**DEVELOPMENT PLAN CONSENT CONDITIONS:**

1. The development may proceed in accordance with the plans and details submitted with the application and contained in Development Application 415/449/2009, except where varied by the following conditions.

2. No unreasonable disturbance or pollution of the locality shall be created by way of dust, pollution, noise, odour, electrical interference or other means.

3. The site shall be kept in a neat and tidy manner at all times.

4. The telecommunications facility shall be maintained to high standard at all times.

**NOTES:**

1. This approval refers only to Provisional Development Plan consent. Provisional Building Rules consent must be obtained prior to commencement of work.
(2) This consent is valid for thirty six (36) months only. If development is not substantially commenced within twelve (12) months of the date of this consent and substantially completed within thirty six (36) months of the date of this consent, a fresh consent must be obtained prior to commencing or continuing the use of the land.

(3) These conditions are imposed in order to maintain the regional nature of the Town Centre of Murray Bridge and to attain the Objectives of the Town Centre Zone.
DISCUSSION
The Panel resolved to hear the applicant Mr Nottle and respond to Panel questions. A report to Council will be made by the Presiding member on behalf of the Panel to consider investigating the policies regarding minimum lot sizes in the Zone when reviewing the provisions of the Development Plan.

DECISION
Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, and consideration of referrals, that the Development Assessment Panel REFUSE Development Plan Consent to Development Application No. 415/D020/09 in that it is seriously at variance with the Development Plan being contrary to Council Wide Section PDC2, Rural Living Zone Objective 5 and PDC 15. More specifically, the proposal does not meet the intent of the Development Plan with respect to:

- Minimum allotment size of 2 hectares with a minimum frontage of 100m; and
- The proposed division is not compatible nor preferred for the locality.
DECISION

(1) Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, and consideration of referrals, that the Development Assessment Panel REFUSE Development Plan Consent to Development Application No. 415/401/2009 in that it is at variance with the Development Plan being contrary to the Council Wide Section PDC2, 5, 15, 107 & 132(d) and Residential Zone Objective 3 and PDC 9 & 10. More specifically, the proposal does not meet the intent of the Development Plan with respect to:
   o Buildings being located a minimum of 4m from the secondary road frontage
   o Development in accordance with the amenity of the locality

(2) Direct Council staff to proceed with a Section 84 Notice in order for the structure to be removed or re-constructed in accordance with the approved plans in application 415/263/2005.
DISCUSSION
The Panel noted the amendments proposed as a consequence of the deferral of this item and the comments of the Executive Officer.

DECISION
Following a detailed assessment of the proposal against the provisions of the Rural City of Murray Bridge Development Plan, the Development Assessment Panel GRANTS Development Plan Consent to Application 415/415/2009 subject to the following conditions:

DEVELOPMENT PLAN CONSENT CONDITIONS:

(1) The development shall proceed in accordance with the plans and details submitted in association with the application and contained in Development Application 415/415/2009 and amended plans SK14 P-2, Sk17 P-2 & SK19 P-2, subject to the following conditions:

(2) Landscaping of the Uplands Drive frontage and site area shall be undertaken by planting suitable trees, shrubs, lawn and ground covers and such landscaping shall be completed prior to occupation of the structures and maintained at all times to the satisfaction of Council.

(3) The development shall be connected to the SA Water sewer and reticulated water mains.

(4) The site shall be kept in a neat and tidy manner at all times.

(5) All stormwater from roofed areas and sealed areas to be discharged to the satisfaction of Council so that no nuisance or inconvenience shall occur to neighbouring properties or other buildings on site, to meet this requirement stormwater from roofed areas shall be discharged to a rainwater tank with a minimum capacity of 3,000 litres and any overflow must be discharged to the satisfaction of Council.
(6) The development shall not impair the amenity of nearby areas by way of nuisance or inconvenience to neighbouring properties.

(7) The development shall be of a high standard of design with external common areas, appearance, quality of materials and colour coding to the satisfaction of Council.

(8) A concrete or other all weather sealed surface driveways and concrete crossover shall be constructed at the total cost of the developer.

NOTES:

(1) These conditions are imposed in order to retain and enhance the quality and character of existing residential development and to attain the Objectives of the Residential (Narooma) Zone-Policy Area 12.

(2) No work shall be carried out outside the site boundary on Council’s road reserve until the Applicant has completed and submitted for approval the required form “Application for Authorisation to Alter Road” and has obtained the Council approved permit to do so. The form and permit are to be obtained from the Council’s Work Depot at 21 Hindmarsh Road (phone 8539 1160).

(3) This approval refers only to Provisional Development Plan consent Provisional Building Rules consent must be obtained prior to commencement of work.

(4) This consent is valid for thirty six (36) months only. If development is not substantially commenced within twelve (12) months of the date of this consent and substantially completed with thirty six (36) months of the date of this consent, a fresh consent must be obtained prior to commencing or continuing the use of the land.
121. **EXECUTIVE OFFICERS REPORT**

121.1 **DA 415/D011/09 - BOLTON**
A preliminary hearing was held on Tuesday 6 October, 2009, in relation to land division 415/D011/09. Discussions were held in relation to possible alternative options that meet the concerns raised by the Panel members.

An amended plan with conventional shaped allotments is proposed with all of the allotments being in the vicinity of 500m² or larger. The applicant is seeking support of the Panel to negotiate an outcome for three regular shaped allotments all with public road frontage.

*The Panel supported the proposed amendment.*

122. **CORRESPONDENCE**

Nil.

123. **FUTURE APPLICATIONS**

123.1 **DA 415/486/09 – EDGE & FINLAY**
An application has been received by Council for three proposed chicken farms (12 sheds for each farm) on Kepa Road, adjacent to an existing piggery.

The application is currently on public notification with one representation being received.

*Noted.*

124. **GENERAL BUSINESS**

124.1 **DA 415/D023/09 – ANTONIDES**
The Executive Officer advised the Panel that the applicant would appeal the Panel’s decision to refuse land division 415/D023/09, and was proposing to amend the application by reducing the number of proposed allotments and also preventing direct access onto Cypress Terrace to the allotments fronting this road.

124.2 **UPDATE ON DPA’s**
The Executive Officer gave the Panel an update on the DPA’s currently with the Minister.

*Cr Bob England tendered an apology for the November meeting.*

125. **NEXT MEETING**
The next meeting of the Development Assessment Panel will be held on **WEDNESDAY 18 NOVEMBER, 2009**, in the Mobilong Suite (Committee Room), Local Government Centre, 2 Seventh Street, Murray Bridge.
Meeting closed at 11.17 am.

Minutes taken as read and confirmed this day of 2009.

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PRESIDING MEMBER