

WAKEFIELD
DEVELOPMENT
ASSESSMENT
PANEL

10 Edith Terrace,
BALAKLAVA SA 5461

NOTICE is hereby given pursuant to the provisions of Section 56A of the Development Act, 1993, that a Meeting of the Wakefield Development Assessment Panel will be held in the Wakefield Regional Council Chambers, Balaklava on Wednesday, 22nd January 2003 commencing at the conclusion of the Ordinary Meeting of Council.

A copy of the Agenda for the above meeting is supplied as prescribed by the aforesaid Section of the Act. The relevant reports and documents relating thereto have also been supplied for the Development Assessment Panel Members' perusal.

Steve Jonas
ACTING CHIEF EXECUTIVE OFFICER

WAKEFIELD REGIONAL COUNCIL

Dated: 15th January 2003

AGENDA

1. Presiding Member
 - 1.1 Presiding Member to declare the meeting open
2. Attendance record
 - 2.1 Present
 - 2.2 Apologies
3. Confirmation and Receiving of Minutes
 - 3.1 Development Assessment Panel meeting held 11th December 2002
4. Business Arising - Nil
5. Representations - Nil
6. Development Applications
 - 6.1 Development Applications – for ratification (under delegated authority) - Nil
 - 6.2 Development Applications – for decision
 - 6.2.1 373/229/02 – Telstra – Telecommunication Base Station
 - 6.2.2 373/231/02 – G Lawrie – Verandah/Carport
 - 6.2.3 373/236/02 – Horizon Christian School – Classroom block
 - 6.2.4 373/239/02 – M Tough – Quaker Barn/Shed
 - 6.2.5 373/241/02 – C & M Dohnt – Relocate Second Hand House
 - 6.2.6 373/08/03 – Wind Prospect Pty Ltd – Temporary Wind Speed Test Mast
 - 6.2.7 49/373/D005/02 – Australian Rail Track Corporation – Land Division
 - 6.2.8 373/D013/02 – Estate Services – Land Division
 - 6.2.9 373/D014/02 – B & N Hardy – Land Division
 - 6.2.10 373/D001/01 – B Booth – Land Division
7. Other Business
 - 7.1 H Bowyer – 1 Florence Street, Port Wakefield
8. Closure

3. Confirmation and Receiving of Minutes

RECOMMENDATION

3.1 That the Minutes of the Wakefield Development Assessment Panel meeting held on Wednesday 11th December 2002, be taken as read and verified as a true and correct record.

4. Business Arising - Nil

5. Representations - Nil

6. Development Applications

6.1 Delegated Applications - for ratification

Nil

6.2 Development Applications for decision (reports by Elca McCarthy, Environmental Services Manager, unless otherwise stated)

6.2.1 Development No.: 373/229/02

Applicant: Telstra C/o Access Planning

Property Owner: J G Kain

Property Location: Lot 52 D33069,
Hundred of Alma

Certificate of Title: Volume: 5075 Folio: 727

Assessment No.: A5389 Val. Gen. No.: 3719048009

Proposed Development: Telecommunications Base Station

Estimated Cost: \$180,000

Existing Land Use: General Farming

Zone: Auth. Dev. Plan: Primary Industry

PROPOSED DEVELOPMENT

To erect a 30m high antenna tower, with colour bond equipment shed at base, enclosed within a 12m x 6m security fence (refer to attached), on leased land.

BACKGROUND

Telstra's proposal to improve the mobile telephone coverage at Hamley Bridge, and the surrounding area, is a result of the Commonwealth Government Initiative to improve telecommunication services to rural and remote communities.

ASSESSMENT AGAINST THE DEVELOPMENT PLAN

Council Wide Objectives

74 Telecommunications facilities provided to meet the needs of the community.

75 Telecommunications facilities located and designed to minimise visual impact on the amenity of the local environment.

Council Wide Principles of Development Control

205. Telecommunications facilities should:
- (a) be located and designed to meet the communication needs of the community;
 - (b) utilise materials and finishes that minimise visual impact;
 - (c) have antennae located as close as practical to the support structure;
 - (d) primarily be located in industrial, commercial, business, office, centre, and rural zones;
 - (e) incorporated landscaping to screen the development, in particular equipment shelters and huts; and
 - (f) be designed and sited to minimise the visual impact on the character and amenity of the local environment, in particular visually prominent areas, main focal points or significant vistas.
206. Where technically feasible, co-location of telecommunications facilities should primarily occur in industrial, commercial, business, office, centre and rural zones.
207. Telecommunications facilities in areas of high visitation and community use should utilise, where possible, innovative design techniques, such as sculpture and art, where the facilities would contribute to the character of the area.
208. Telecommunications facilities should only be located in residential zones if sited and designed so as to minimise visual impact by:
- (a) utilising screening by existing buildings and vegetation;
 - (b) where possible being incorporated into, and designed to suit the characteristics of an existing structure that may serve another purpose; and
 - (c) taking into account existing size, scale, context and characteristics of existing structures, land forms and vegetation so as to complement the local environment.
209. Telecommunications facilities should not detrimentally affect the character or amenity of Historic Conservation Zones or Policy Areas, Local Heritage Places, State Heritage Places, or State Heritage Areas.

Primary Industry Zone

Objectives

- Objective 2: Reinforcement and enhancement of the rural character of the area.
- Objective 7: Conservation of native vegetation and features of scenic or environmental significance.

Principles of Development Control

1. All forms of development should satisfy the intent of the requirements specified in Tables WakR/1, 2 and 3 in addition to the principles of development control of the district as may be relevant, and be primarily for agricultural production and livestock grazing on large land holdings.
6. All buildings, pens, yards, runs, holding yards, waste management facilities and other ancillary structures should be located, designed, sited as unobtrusively as possible, screened where necessary with suitable trees and shrubs, particularly when near to any primary or secondary arterial roads and scenic vantage points, to conserve the scenic amenity and character of the rural landscape and not detract from the overall character of the locality.

Public Notification

27. Those kinds of development listed in Table WakR/5 are assigned as Category 1 Development in the Primary Industry Zone, except where the site of the proposed development is adjacent to a Residential or Country Township zone boundary, in which case it is assigned as Category 2 Development.

TABLE WakR/2

Building Set-Backs

Column 1	Column 2
All roads outside townships and settlements, including primary and secondary arterials, except where buildings exceed ten metres in height, in which case an additional set-back of a further five metres for every additional metre in excess of ten metres in height is required.	25 metres

The proposal meets with Council Wide Objectives and Principles of Development Control while the proposed site, out of the township of Hamley Bridge, may be determined to be of minimal visual impact.

Consideration should be given to the Primary Industry Zone Objectives and Principles of Development Control. Members may consider it appropriate to reduce the visual impact by requiring a 25m setback from the property boundary and a 3m wide native vegetation, shrub, plantation around the parameter of the proposal.

While power is directly available to the site, due to the isolation of the proposal, water supply may be unattainable.

A Category 2 public notification has been undertaken, to adjoining owners.

CONCLUSION

Presently mobile communications in the Hamley Bridge area are minimal, therefore the installation of the new facility would appear to be of benefit to the community, providing improved coverage for individuals and service providers.

At the time of writing this report, the response time for representations has not lapsed. Therefore if negative representations are received a further report will be presented to the panel at the meeting.

RECOMMENDATION

That the Panel, subject to no objections from adjoining owners, grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. All work being carried out in accordance with plans and specifications submitted with and forming part of the application.
2. All building work refuse to be contained within a bin and removed from the site by the developer, and the site to be maintained to the reasonable satisfaction of the Council at all times.
3. The onus of ensuring that this building is sited in the approved position on the correct boundary as per the site plan submitted is the responsibility of the owner.
4. All materials used to be of high quality and maintained at all times in good repair and condition to the satisfaction of Council.

and/or

5. Structure to be set back a minimum of 25m from the road boundary; plans to be resubmitted prior to granting development approval.

Reason:

To comply with Council's Development Plan.

6.2.2 Development No.: 373/231/02

 Applicant: G Lawrie

 Property Owner: G T & S D Lawrie

 Property Location: Section 406
 Hundred of Hall

 Certificate of Title: Volume: 5799 Folio: 823

 Assessment No.: A14627 Val. Gen. No.: 3717342001

 Proposed Development: Verandah/Carport

 Building Classification: 10a

 Existing Land Use: House

 Zone: Auth. Dev. Plan: Primary Industry

PROPOSED DEVELOPMENT

New verandah/carport to side of existing garage on road boundary (refer to attached).

BACKGROUND

Applicant is aware of Council's Development Plan requirement, but request the Panel to consider a variation to the requirements (refer to attached).

ASSESSMENT

Council's Development Plan Table Wak R/2 Building Setbacks - stipulates a minimum of 25m setback from road boundaries in the Zone and in a Residential Zone a 4m setback for a corner setback.

CONCLUSION

Members may consider the proposal, adjacent to an existing structure, at the property location, to result in a minimal impact and consider the proposal on merit as a variation of minimal impact, to Council's Development Plan.

RECOMMENDATION

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. All work being carried out in accordance with plans and specifications submitted with and forming part of the application.
2. All building work refuse to be contained within a bin and removed from the site by the developer, and the site to be maintained to the reasonable satisfaction of the Council at all times.
3. The garage (Class 10 structure) shall not be used at any time for human habitation, for commercial or industrial purposes, nor let or otherwise rented out for commercial gain, either temporarily or permanently without written consent of the Council being obtained first.

Reason:

To comply with Council's Development Plan.

3. All materials used to be of high quality and maintained at all times in good repair and condition to the satisfaction of Council.
4. Building finishes and all external painted surfaces of the building to be of a non-reflective nature and subdued colours (eg olive green, beige, fawn or similar) which visually blend and harmonise with the features and appearance of the landscape to the reasonable satisfaction of the Council.
5. The site generally, but around the building specifically being appropriately landscaped by the planting of ground covers, trees and shrubs to the reasonable satisfaction of Council, such planting to be maintained and nurtured thereafter for all time by the person making use of the land.

6.2.4 Development No.: 373/239/02

 Applicant: M Tough

 Property Owner: M Tough

 Property Location: Section 482, Hundred of Dalkey

 Assessment No.: A11847 Val. Gen. No.: 3719677008

 Proposed Development: Quaker Barn/Shed

 Building Classification: 10a

 Estimated Cost: \$13,000

 Existing Land Use: Vacant

 Zone: Auth. Dev. Plan: Country Township

PROPOSED DEVELOPMENT

To erect a 75m² Quakers Barn, 2.4m eaves height and 5.98m to Apex; with a grey roof and wheat coloured external cladding (refer to attached).

BACKGROUND

The application is to erect the Quakers Barn, with a mezzanine floor, for storage purposes and possibly a music studio (to be sound proofed).

This is an overall concept plan for development of car shed, house and future land division.

ASSESSMENT AGAINST THE DEVELOPMENT PLAN

COUNTRY TOWNSHIP ZONE

Objectives

Objective 1: Preservation of the township character, scale and residential amenity for its population and to provide an attractive residential environment.

Objective 3: The retention of the pleasant, quiet, low-density settlement, infill development and a quiet residential amenity.

Principles of Development Control

1. All forms of development should satisfy the intent of the requirements specified in Tables WakR/1, 2 and 3 in addition to the principles of development control of the district as may be relevant.

4. The design, siting, bulk, appearance, and siting of new buildings, and alterations to the existing buildings, should have regard to the composition and form of the township, maintain the residential nature and scale of the locality in which it is located, be sympathetic to its small-scale character, and the density of development should be able to dispose of domestic effluent within the confines of its site.

8. Development should be of a high standard of design with regard to external appearance, colours, siting and landscaping so as to enhance the amenity of the locality.

11. The division of land for dwellings, whether connected or capable of being connected to a common effluent drainage scheme, or not, should conform to the dwelling requirements of Table WakR/1.

An outbuilding is complying development.

RECOMMENDATION

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. All work being carried out in accordance with plans and specifications submitted with and forming part of the application.

2. All building work refuse to be contained within a bin and removed from the site by the developer, and the site to be maintained to the reasonable satisfaction of the Council at all times.

3. The onus of ensuring that this building is sited in the approved position on the correct boundary as per the site plan submitted is the responsibility of the owner.

4. The garage (Class 10 structure) shall not be used at any time for human habitation, for commercial or industrial purposes, nor let or otherwise rented out for commercial gain, either temporarily or permanently without written consent of the Council being obtained first.

5. The site generally, but around the building specifically being appropriately landscaped by the planting of ground covers, trees and shrubs to the reasonable satisfaction of Council, such planting to be maintained and nurtured thereafter for all time by the person making use of the land.

Note:

This approval is for the “Barn” only, any variance to the layout or provision of ablution facilities requires Council consideration.

Reason:

To comply with Council’s Development Plan.

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. All materials used to be of high quality and maintained at all times in good repair and condition to the satisfaction of Council.
2. Section between ground and floor level to be enclosed preferably with brick or first grade timber, the latter to be painted to blend with surroundings to the satisfaction of Council within 3 months of completion of building work or sitting.
3. Building finishes and all external painted surfaces of the building to be of a non-reflective nature and subdued colours (eg olive green, beige, fawn or similar) which visually blend and harmonise with the features and appearance of the landscape to the reasonable satisfaction of the Council.
4. The site generally, but around the building specifically being appropriately landscaped by the planting of ground covers, trees and shrubs to the reasonable satisfaction of Council, such planting to be maintained and nurtured thereafter for all time by the person making use of the land.
5. Application for Provisional Building Rules consent is required and the appropriate fees are to be paid / not required.

Reason:

To comply with Council's Development Plan.

6.2.6 Development No.: 373/08/03

 Applicant: Wind Prospect Pty Ltd

 Property Owner: D & L Hansen

 Property Location: Lot 12 F48696, Hundred of Barunga

 Certificate of Title: Volume: 5668 Folio: 981

 Assessment No.: A36869 Val. Gen. No.: 3004084700

 Proposed Development: 12 months Temporary Wind Speed Test Mast

 Building Classification: 10a

 Estimated Cost: \$4,500.00

 Existing Land Use: Grazing/Cropping

 Zone: Auth. Dev. Plan: Primary Industry

PROPOSED DEVELOPMENT

To erect a 50m high wind speed test mast, for a twelve (12) month period (refer to attached).

BACKGROUND

Applicant anticipates wind testing results may determine the area favourable for future power sites. This would require Panel consideration.

ASSESSMENT AGAINST THE DEVELOPMENT PLAN

Proposal difficult to assess therefore I have determined, as it is not a non-complying development, to process it as a Category 2 public notification i.e. to adjoining owners.

CONCLUSION

Category 2 consultation is in progress, if there are representations as a result of the consultation the application will be re-submitted to the Panel in February.

RECOMMENDATION

That further to no representations being received as a result of Category 2 notification the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. Twelve (12) months from the date of this approval the structure is to be removed within 10 working days.

6.2.7 Development No.: 49/373/D005/02

 Applicant: Australian Rail Track Corporation

 Property Owner: SA Railways Commissioner

 Property Location: Sections 250, 253, 254 & 255
 Hundred of Goyder

 Certificate of Title: Volume: 1282 Folio: 91

 Assessment No.: A50514 Val. Gen. No.: 3719890001

 Proposed Development: Land Division

 Existing Land Use: Railways/Silos

 Zone: Auth. Dev. Plan: Primary Industry

PROPOSED DEVELOPMENT

Realignment of boundaries and road closure over railway crossing (on minor road) at the Nantawarra railway siding reserve location (refer to attached).

BACKGROUND

Under Section 49 this is a Crown development by State Agency, for Council comment only, the Development Assessment Commission is the approving authority.

COMMENT

The proposal has been discussed with Council's Infrastructure Manager Mr Chris Fels, and the proposal is considered to be inconsequential.

RECOMMENDATION

Panel resolves to advise the Development Assessment Commission that it does not object to the proposal and has no comment to make.

- (a) no additional allotments are created and the shape and boundaries of the allotments resulting from the land division will permit the more efficient use of the land for agriculture purposes than currently exists; or
- (b) an owner of land wishes to create a separate allotment of approximately one hectare in area to contain a second habitable dwelling existing on an existing allotment as of 18 November 1999.

The Development Assessment Commission have assessed the proposal and I have requested a re-evaluation of the assessment, to allow for the house and outbuildings. If the letter is not forthcoming the application will be re-submitted to the Panel.

CONCLUSION

While the proposed second allotment of 10ha is much larger than the approximate one hectare in “area” as per the development plan, Panel members may consider that it is a minor variation of no detriment.

RECOMMENDATION

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. A favourable response from the Development Assessment Commission and any requirements requested by the Development Assessment Commission.

Reason:

To comply with Statutory requirements.

The Development Assessment Commission have assessed the proposal and advised Council to include requirements as conditions of approval on Councils Decision Notification as follows:-

1. The financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, being met.
2. Two copies of a certified survey plan being lodged with the Development Assessment Commission for Certificate purposes.

CONCLUSION

While there is a smaller parcel of land created for the house block, the remaining land is consolidated for farming purposes.

The proposal complies with Council Development Plan.

RECOMMENDATION

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. The financial, easement and internal drain requirements for water and sewerage services of the SA Water Corporation, if any, being met.
2. Two copies of a certified survey plan being lodged with the Development Assessment Commission for Certificate purposes.

Reason:

To comply with the Development Assessment Commission requirements.

6.2.10 Development No.: 373/D001/01 – Amended Plan

Applicant: B Booth C/- Symonds, Ryan & Cornish

Property Owner: Dongquon Pty Ltd

Property Location: Lot 100 FP35274
Hundred of Goyder & Inkerman

Certificate of Title: Volume: 5723 Folio: 281

Assessment No.: A32069 Val. Gen. No.: 3720361000

Proposed Development: Land Division

Existing Land Use: Vacant

Zone: Auth. Dev. Plan: Primary Industry & Light Industry

PROPOSED AMENDED PLAN

To create two allotments from existing one 41.1ha allotment, along Council's Development Plans Light Industry and Primary Industry Zone boundary (refer to attached).

BACKGROUND

The Panel assessed this application at its meeting on the 25th July 2001, and resolved to process as a non complying development (refer to attached). Further to request for the applicant to provide Council with a Statement of Effect and various telephone conversations an amended plan has been lodged for re-assessment.

ASSESSMENT AGAINST THE DEVELOPMENT PLAN

Light Industry Zone

Objective

Objective 1: The zone developed for a range of light industrial, bulk grain handling facilities and transport related activities.

Principles of Development Control

5. New allotments should have a range of sizes to suit small-scale and large-scale industrial enterprises.

Primary Industry Zone

Objective

Objective 1: Development primarily for farming with a diversified rural-based industry which enhances the viability of the agricultural sector.

Principles of Development Control

4. Land within the Primary Industry Zone should not be divided unless:-
 - (a) no additional allotments are created and the shape and boundaries of the allotments resulting from the land division will permit the more efficient use of the land for agriculture purposes than currently exists; or
 - (b) an owner of land wishes to create a separate allotment of approximately one hectare in area to contain a second habitable dwelling existing on an existing allotment as of 18 November 1999.

The Development Assessment Commission have not advised Council of its requirements at the time of writing this report. If the Development Assessment Commission have an objection to the proposal it will be re-submitted to the Panel.

CONCLUSION

The amended proposal provides for the division of land into the two Zones, hence no new allotments are created in the Primary Industry Zone and the remaining land in the Light Industrial Zone will allow for orderly development within the Zone in the future.

RECOMMENDATION

That the Panel grant Provisional Plan Consent pursuant to Section 30 of the Development Act, 1993, subject to the following conditions:-

1. Subject to the Development Assessment Commission assessment of the proposal and favourable report, that approval be granted subject to inclusion of Development Assessment Commission requirements.

Reason:

To comply with Statutory requirements.

7. **OTHER BUSINESS**

7.1 **H Bowyer – 1 Florence Street, Port Wakefield – Front Verandah**

Mr Bowyer has written to Council with regard to a front verandah to his private dwelling which will result in the structure being 4m in from the front boundary hence not complying with Council's Development Plan (refer to attached).

Due to the location of the site, and as the proposal will not be of detriment to adjoining owners the proposal could be determined to be of a minor variation to Council's Development Plan.

RECOMMENDATION

That the Panel resolve to advise Mr Bowyer that a Development Application for the proposed front verandah would be considered favourably.