DISTRICT COUNCIL OF LOWER EYRE PENINSULA

12 December 2012

TO ALL MEMBERS:

The next meeting of the Development Assessment Panel will be held on Wednesday 19 December 2012 in the Regional Development Boardroom, 89 Liverpool Street, Port Lincoln, commencing at 9.00 am.

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LEITH BLACKER
DEVELOPMENT MANAGER

A G E N D A

1  WELCOME:

2  APOLOGIES:

3  CONFIRMATION OF MINUTES:

RECOMMENDATION  DM
“That the minutes of the Development Assessment Panel meeting held 1 November 2012 as per copies supplied to members, be confirmed.”

4  BUSINESS ARISING:

5  DEVELOPMENT MANAGER’S REPORT:

RECOMMENDATION  DM
“That the Development Manager’s Report be received.”

RECOMMENDATION  DM
“That the Development Manager’s Report be adopted.”

6  LATE CORRESPONDENCE:
7 GENERAL BUSINESS:

8 NEXT MEETING:

RECOMMENDATION  DM
“That the next meeting of the Development Assessment Panel be held on 1 February 2013 in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln, commencing at 9.00 am.”
PART I - LAND DIVISION

1.1 DEVELOPMENT APPLICATION: 932/D015/12
APPLICANT: Jeff French
DEVELOPMENT TYPE: Land Division 1 into 2
SUBJECT LAND: Section 64, Range Road, Coulta, and Section 218 Range Road Coulta
ZONE: General Farming
DEVELOPMENT CLASS: Merit
BUSHFIRE PROTECTION ZONE: High

The applicant in this matter is Jeff French, who seeks approval to divide Section 64 of 770 hectares to create one additional allotment of one hectare at Range Road, Coulta, and to create a right of way through adjacent Section 218.

(REFER FOLIO: DAP12.12.01)

The application was lodged on 8 August 2012 and accordingly is assessed against the provisions of the Lower Eyre Peninsula (DC) Development Plan consolidated version dated 24 November 2011.

The subject land is located within the General Farming Zone as delineated on Map LEP/3 of the Development Plan.

Categorisation of Development

Land Division is listed as a non-complying form of development in the General Farming Zone, except where in accordance with a number of listed exceptions in Zone PDC 18 (not PDC 19 as stated in the Development Plan).

Zone PDC 18 (d) states that land division may be appropriate where an owner of a farming property of 100 hectares or more in area wishes to create one only additional allotment as from 1 October 1998, of approximately one hectare for the purpose of erecting a dwelling for a relative employed on the property, or for the owner’s retirement, and where the site chosen is on the least productive part of the farm holding.

The application documentation includes a letter from Michelle French on behalf of JB and MJ French dated 9 August 2012. The letter advises that the purpose of the land division is to create one additional allotment of one hectare from the 770 hectare allotment to accommodate a dwelling for Mr and Mrs French’s retirement, with their son Ben acquiring the main farm in accordance with a Deed of Trust. The reason stated is considered to satisfy Zone PDC 18 (d) and is therefore a consent on merit form of development.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Processing

Zone PDC 30 lists those kinds of development assigned as Category 1 for the purpose of public notification. Land division, except where non-complying, is listed under this principle. As the application has been determined to be consent on merit, it is therefore a Category 1 Development and no public notification is required.

Subject Land and Locality

The subject land is formally described as Section 64, Hundred of Warrow in Certificate of Title Volume 5834 Folio 187. An easement for electricity supply purposes runs through the property from the west, no doubt supplying power to the large shed located near the proposed smaller allotment.

The allotment is irregular in shape and has a total area of 770 hectares. Section 64 has extensive frontage to two public roads - Diamond Firetail Road to the south and an un-named public road to the east. Physical access to the subject land is via a driveway access over the adjacent property to the north (Section 218) to connect the allotment to the nearest formed public road reserve (Range Road), which is made but unsealed. The plan of division for the application states that portion of Section 218 marked ‘A’ (renumbered on the plan of division as proposed Allotment 40) is to be subject to a free and unrestricted right of way appurtenant to Allotments 41 and 42.

The north-west section of the allotment is used for agricultural purposes, with the balance (and majority) of the land substantially covered in native vegetation. It is estimated that approximately 150 to 200 hectares is either used or suitable for agricultural purposes.

It is noted from the Certificate of Title that there are two Heritage Agreements over the property. The heritage agreements apply to those areas of the property which are covered in native vegetation, of some 570 to 620 hectares. The Heritage Agreement Plans are included in the appendix of this report.

(REFER FOLIO: DAP12.12.02)

There is an existing dam and a large shed on the subject land, however there are no dwellings. The position of the shed and dam are shown on an enlargement prepared by PA Dansie and Associates.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

The locality to the north and east of the subject land consists of farm holdings located in the General Farming Zone. The small settlement of Coulta is located a short distance to the north-west of the subject land.

*Proposed Development*

It is proposed to create an additional allotment of 1 hectare (proposed Allotment 42) for the purpose of accommodating a dwelling for the owners’ retirement. The balance of the land will comprise proposed Allotment 41 and will continue to be used for farming purposes by the owners’ son. Section 218 to the north of the property (renumbered on the plan of division as Allotment 40) will have a free and unrestricted right of way created through its south western corner to facilitate access to Range Road from both proposed allotments. A title search of Section 218 shows that Section 218 is owned by another party (David and Jane Andrew as joint tenants).

Access to both of the proposed allotments will rely on a right of way driveway over the adjacent allotment to connect the allotments to the unsealed public road (Range Road). The driveway connecting Range Road to the two proposed allotments is approximately 1.3 kilometres in length.

No application for the erection of a dwelling on proposed Allotment 42 has been lodged; however it is envisaged by the applicant to construct a dwelling on the subject land for a family member’s retirement. The letter sent to Council with the application advises that a house site on the proposed 1 hectare allotment “has already been prepared with waste water disposal, water, telephone and power outlets in place.”

There will also be an easement to and around the existing dam on the site marked ‘D’ on the plan of division prepared by P.A Dansie & associates in favour of proposed Allotment 42.

*REFERRALS*

The proposed development was referred to the following State agencies and the following responses were received:

**SA Water**

SA Water has no requirements pursuant to the Development Act. 

*(continued)*
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Development Assessment Commission

A copy of a certified survey plan shall be lodged for Certificate purposes.

Native Vegetation Council

There are no objections to the proposed land division as the new boundary passes through mainly cleared land along the existing driveway. The vegetation within the proposed subdivision land appears to be planted vegetation and there is already infrastructure established for a dwelling proposed allotment 42, therefore the proposal is not considered to increase the likelihood of vegetation clearance.

Country Fire Service (CFS)

The SA Country Fire Service has no objection to the proposed land division at Range Road, Coulta. However, the Bushfire hazard adjacent to the land division has potential for significant impact on Lots 40 & 41 for any future residential development. The SA Country Fire Service seeks to comment on any subsequent development applications on the land division.

Access

Private roads and access tracks shall provide safe and convenient access/egress for bushfire fighting vehicles.

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large bushfire fighting vehicles.

- Vegetation overhanging the access road shall be pruned to achieve a minimum vertical height clearance of 4 metres.

Native Vegetation

Clearance of Native Vegetation can only occur when “Planning Approval” and “Native Vegetation Council Consent” is granted.

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.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Council’s Works Manager

The application was referred to Council’s Works Manager and the following advice was received.

- *It is noted that the subject land is in a zone of High Bushfire Risk*

- The application will be required to be subject to the provisions of the Minister’s Code for undertaking development in bushfire areas, including assessment of the suitability of the public road and private driveway access length and form.

- Both proposed allotments 41 and 42 rely on right of way access over the adjacent property to access the formed public road reserve (Range Road).

- There may be potential to explore the creation of a public road reserve link to improve accessibility to this allotment and the rural living style land division to the south and east, although this may be a complicated process involving several landowners.

*Development Plan Assessment*

The following provisions of the Development Plan have been considered in the assessment of this application. It is not an exhaustive list of all Development Plan provisions which relate to the proposed development, however the list is considered to contain the most relevant provisions and any provisions not met by the proposal.

**General Farming Zone**

Objectives: 1
Principles of Development Control: 1 and 18.

**Council-Wide:**

Objectives: 6, 13 and 32.
Principles of Development Control: 12, 16, 17, 18, 19, 30 and 31.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Land Use

The objectives of the General Farming Zone encourage agricultural and pastoral activities, with horticulture, land-based aquaculture and other forms of intensive animal keeping in suitable areas.

Zone PDC 18 (d) lists one of the circumstances under which land division may be appropriate in the General Farming Zone.

18 Land should not be divided except under the following circumstances:

(d) an owner who as the registered proprietor of a farming property of 100 hectares or more in area wishes to create one only additional allotment as from 1 October 1998, of approximately one hectare for the purpose of erecting a dwelling for a relative employed on the property, or for the owner’s retirement, and where the site chosen is on the least productive part of the farm holding.

The proposed development satisfies PDC 18(d) in that the land division will create one only additional allotment of one hectare in size for the purpose of accommodating a future dwelling for the owners’ retirement.

Bushfire Risk

The subject land is located in an area of ‘High’ bushfire risk. Council-wide Principle 17 under the heading ‘Bushfire Protection’ requires land divisions to be designed to minimise danger to residents and fire fighting personnel, to ensure that each allotment has a suitable building site located away from vegetation, and for vehicle access and driveways to properties and public roads created by land division to be designed and constructed to facilitate safe and effective operational use for fire fighting and other emergency vehicles and residents. Council-wide Principle 19 furthermore requires development in a Bushfire Protection Area to be in accordance with the ‘Minister’s Code: Undertaking Development in Bushfire Protection Areas’. Specifically, section 2.2.2 of the Minister’s Code states that roads and driveways created by land division should not exceed 200 metres.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Whilst the driveway configuration does not comply with this particular provision in terms of length, noting that it scales at approximately 1.3 kilometres, it has been demonstrated by the applicant in their short letter of support dated 9 September 2012 that a safe and convenient turn around area for fire fighting vehicles exists on the site. The letter addresses the concern regarding access to the site and adequate compliance with the Minister’s Code. In particular, the letter states that the applicant ran a mixed farm between 1984 and 2011, during which time the enterprise required trucks of various shapes and sizes to load and unload fertilizer, grains, wool and sheep, therefore demonstrating that fire trucks would not be prevented from traversing the area in question.

Reliance on a dead end road (Range Road) which does not have a turn-around bulb at its terminating end and is reliant on a right of way access strip over the adjacent allotment is generally not good planning practice, especially in areas of high bushfire risk. This particular issue is identified in the Minister’s Bushfire Code where at Section 2.2.2 it is recommended that allotments created by land division are connected to public roads which “provide for mainly continuous street pattern [sic] serving new allotments that eliminate the use of cul-de-sac or dead end roads”. The Code advises that where this cannot be achieved there should be a turning area with a minimum formed radius of 12.5 metres or a ‘T’ or ‘Y’ shaped turning area. The proposal does not have these access arrangements; however the applicant’s letter of support asserts that turnaround points for fire fighting appliances exist by the provision of "clearly defined roads built at regular intervals branching off the main roadway in both directions".

Council-wide PDC 30 (h) under the heading ‘Land Division’ states that land should not be divided unless each allotment resulting from the division has frontage to a public road which provides safe and convenient all weather vehicle access. As proposed Allotment 42 will not have frontage to a public road, but rather will rely on a right of way easement over the adjacent allotment through to Range Road, the proposal does not satisfy this principle.

The Country Fire Service has provided commentary on the application and has indicated that they have no objections to the proposed land division, but seek to be notified of any residential development on the subject land.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

It would be possible to provide Allotment 42 with frontage to the nearest public road abutting the southern boundary of the subject land (Diamond Firetail Road). Diamond Firetail Road does not however appear to be formed to an acceptable standard, indeed it may not be formed at all. Linking Allotment 42 to Diamond Firetail Road would also necessitate the construction of approximately 500 metres of new driveway through the property if access was to be provided to this public road, and potentially fragment the most productive part of the property. On balance therefore, the provision of a right of way through adjacent Section 218 to Range Road, although not ideal, is considered to be acceptable, given that the driveway already exists and offers a relatively safe and convenient means of providing access the nearest made public road. However some upgrading of this driveway access may be required to ensure that it provides safe and convenient all weather access for domestic and fire fighting vehicles alike.

Building Siting

Whilst the proposed development is for land division only, it is important to have regard to future development that may occur on the subject land, as the purpose of the land division is to create an allotment upon which to construct a dwelling for a family member’s retirement. In the applicant’s letter of support it is asserted that proposed Allotment 42 presents as an ideal location for the construction of a dwelling, having an adequate area of level ground as well as gently sloping land in front of the building site. It has also been stated that waste disposal, water, telephone and power outlet utilities are already in place on the subject land to service a future dwelling. An application for the construction of a dwelling on proposed Allotment 42 is yet to be lodged, however the enlargement plan and photograph supplied by PA Dansie indicates that Allotment 42 is suitable for a new dwelling, being close to the large shed and dam, close to the existing power supply, next to the access driveway and surrounded by formal landscaping.

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

Conclusion

Whilst the resultant land division will result in one allotment without frontage to a public road, on balance the application displays sufficient merit to warrant Development Plan Consent. In particular, the applicant’s letter in support asserts that safe and convenient access for fire fighting appliances would be able to be achieved and on the basis of the CFS advice this would appear to be so. It has also been stated by the applicant that proposed Allotment 42 would be able to accommodate a future dwelling on the subject land, noting there are existing waste disposal facilities, water, and telephone and power outlets in place. Again on the basis of the information provided by the applicant, this would appear to be so.

While the 1 hectare allotment will not have frontage to a public road, it is noted that the access driveway will correspond with the alignment of the existing driveway, and that it also provides the shortest and most direct route to the nearest made public road for proposed Allotment 42.

Notwithstanding the planning merits of the proposal, it would be premature to grant consent to the application until evidence has been produced which confirms that the owners of Section 218 have consented in writing to the creation of a free and unrestricted right of way through their property in favour of Allotments 41 and 42.

RECOMMENDATION: MasterPlan SA Pty Ltd

“That the Development Manager be delegated the authority to grant Development Approval to development application 932/D015/12 by J French for the division of land (1 into 2) at Section 64, Range Road, Coulta subject to the following:

- the applicant producing evidence demonstrating that the adjacent landowners of Section 218 consent to the creation of an easement over their land marked ‘A’ on the plan of division prepared by P.A. Dansie & Associates Pty Ltd which provides free and unrestricted right of way access between Range Road and Section 64; and

Subject to the receipt of satisfactory evidence being produced as per the above, the Development Manager is delegated the authority to attach the following conditions and any other reasonable conditions as deemed appropriate:

(continued)
PART I - LAND DIVISION cont’d:

1.1 DEVELOPMENT APPLICATION 932/D015/12 A/c Jeff French cont’d:

DEVELOPMENT PLAN CONSENT CONDITIONS:

1. The application hereby approved shall be carried out in accordance with the Plan of Division as uploaded through the EDALA system on 8 August 2012, except where the Plan is further amended by the following conditions;

LAND DIVISION CONSENT CONDITIONS:

1. The right of way providing driveway access through Section 218 shall be upgraded to provide satisfactory all weather access for domestic and firefighting vehicles at all times from Range Road.

Development Assessment Commission Requirements

1. A copy of a certified survey plan shall be lodged for Certificate purposes.

Advisory Notes:

Country Fire Service Requirements

The SA Country Fire Service has no objection to the proposed land division at Range Road, Coulta. However, the Bushfire hazard adjacent to the land division has potential for significant impact on Lots 40 & 41 for any future residential development. The SA Country Fire Service seeks to comment on any subsequent development applications on the land division.

Private roads and access tracks shall provide safe and convenient access/egress for bushfire fighting vehicles. Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large bushfire fighting vehicles.

Vegetation overhanging the access road shall be pruned to achieve a minimum vertical height clearance of 4 metres. Clearance of Native Vegetation can only occur when “Planning Approval” and “Native Vegetation Council Consent” is granted. 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.”
PART II - FOR PANEL APPROVAL

2.1 DEVELOPMENT APPLICATION: 932/135/12
APPLICANT: WB and L Whitlock
DEVELOPMENT TYPE: Garage and guest suite
SUBJECT LAND: Lot 10 Woolshed Drive, Mount Dutton Bay
ZONE: Coastal (Settlement) Zone
DEVELOPMENT CLASS: Merit
BUSHFIRE PROTECTION ZONE: General

The applicants in this matter are WB and L Whitlock who have applied for the erection of what is described on the Development Application Form as a ‘garage and guest suite’ at Lot 10 Woolshed Drive, Mount Dutton Bay.

(REFER FOLIO: DAP12.12.03)

The application was lodged on 17 August 2012 and accordingly is assessed against the provisions of the Lower Eyre Peninsula (DC) Development Plan, consolidated version dated 24 November 2011.

The subject land is located within the Coastal (Settlement) Zone as delineated on Map LEP/32 of the Development Plan.

Background Information

The application was deferred at the 1 November 2012 Panel meeting upon recommendation that the applicant reconsiders an amended site layout that relocates the garage and guest suite such that it is setback a minimum of 3 metres from the seaward allotment boundary. This 3 metre minimum setback was recommended on advice from the Coast Protection Board (CPB), which stated that the development site is located in an area susceptible to erosion due to sea level rise. The CPB advised they had no objection to the proposed development, provided that a condition stating that the development (including the deck/verandah) is to be setback a minimum of 3 metres from the seaward allotment boundary. Whilst the proposal had sufficient planning merit to warrant Development Plan Consent, the building configuration in its original form did not satisfy the CPB’s requirements and it was recommended that if the proposal wasn’t amended to achieve the 3 metre minimum setback then the application should be refused. A marked up plan prepared by MasterPlan showing how the building, inclusive of the front verandah, could be amended to achieve a 3 metre setback from the coast was submitted with the DAP report.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.1 DEVELOPMENT APPLICATION 932/135/12 A/c WB and L Whitlock

Whilst not adopting the recommended building design (the front verandah has been deleted), the applicant has now submitted a revised building design for the Panel’s consideration which achieves the Board’s 3.0 metre setback requirement.

Categorisation of Development

The application was treated as a Category 1 form of development and no public consultation was required.

Subject Land and Locality

The subject land is formally described as Lot 10, Hundred of Wangary in Certificate of Title Volume 5278, Folio 27.

The subject site is an irregular shaped allotment with a total area of 830 square metres. The land is flat and contains a reasonably large (for the locality) modern dwelling incorporating a double garage under the main roof. The balance of the land, including that part of the site to be developed, is substantially covered in low lying, coastal vegetation. It has a frontage of 43.58 metres to Woolshed Drive.

The subject land is located in the small coastal settlement of Mount Dutton Bay, between Woolshed Drive and the foreshore. The immediate locality is generally comprised of a strip of residential allotments and small dwellings fronting the coastal foreshore to take advantage of views across Mount Dutton Bay. Woolshed Drive is an unsealed, public road providing access to the allotments along the foreshore.

The area to the north of the subject land on the northern side of Woolshed Drive is occupied by a coastal reserve, which has also been identified as a wetland on aerial photography shown on Nature Maps.

Proposed development

The proposed building has been reduced in size and will now occupy a total floor area of 101.9 square metres, which is 35.2 square metres smaller than the original proposal. The internal building configuration has been slightly modified; with the kitchen/living area now occupying an ‘L’ shaped area, with the bathroom area remaining in the south-east corner.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.1 DEVELOPMENT APPLICATION 932/135/12 A/c WB and L Whitlock

cont’d:

The deck leading from the living room area on the coastal side of the
allotment that was included on the original plans submitted to Council
has now been eliminated from the proposal.

The proposed building now achieves a 3.0 metre setback from the
coastal allotment boundary in accordance with the CPB’s requirements.

REFERRALS

The proposal was initially submitted to the Coast Protection Board, who
provided commentary on the application. The application was amended
in accordance with the Coast Protection Board’s advice and therefore it
was not necessary to refer it back to that agency.

Development Plan Assessment

The following provisions of the Development Plan have been
considered in the assessment of this application. It is not an exhaustive
list of all Development Plan provisions which relate to the proposed
development, however it is considered to contain the most relevant
provisions and any provisions not met by the proposal.

Coastal (Settlement) Zone

Objectives: 1, 2 and 3.
Principles of Development Control: 1, 2, 6, 7, 8, 9, 11, 12, 13, 14, 15,
17, 18 and 19.

Council Wide Provisions

Objectives: 1, 2, 4, 5, 6, 8, 14, 35, 38, 40, 46, 48, 49, 50, 51, 54, 55, 56,
57, 58 and 59.
Principles of Development Control: 1, 2, 3, 5, 7, 11, 12, 13, 14, 18, 19,
20, 21, 24, 25, 41, 43, 85, 100, 101, 104, 112, 113, 114, 115, 117, 118,

Our earlier report concluded that the proposal was acceptable in
relation to the form of the development, its built form and external
appearance. It is therefore unnecessary to repeat the details of that
assessment against those topics.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.1 DEVELOPMENT APPLICATION 932/135/12 A/c WB and L Whitlock
cont’d:

The only issue requiring assessment is whether the proposal as amended sufficiently accords with the ‘Coastal Development’ provisions of the Development Plan.

Coastal Development

The CPB supports the proposal but raised concern over the position of the original building with the front deck and verandah at its closest point setback 1.835 metres from the front (coastal) boundary.

Given the potential for coastal erosion associated with sea level rise, a minimum setback distance of 3.0 metres for all building works from the seaward property boundary is required to accommodate a future seawall in the event that it may be required.

The CPB recommended that if the development is not setback a minimum of 3 metres from the seaward boundary of the allotment, the application be refused. Based upon the advice received from the CPB and the recommendation from the Panel, the applicant has amended the building configuration by removing the deck such that the building is now setback 3.0 metres from the coastal boundary, therefore satisfying the CPB’s requirements.

It is therefore considered that the proposal is now compliant with the Coastal Development principles contained within the Development Plan, as well as the CPB advisory requirements, and accordingly is unlikely to contribute to coastal erosion or prevent access to the coast in the event of coastal erosion to construct a seawall or similar barrier.

Conclusion

On balance the application, as amended, displays sufficient merit to warrant Development Plan Consent. In particular:

- The applicant has amended the building design by eliminating the deck such that is the new structure will be setback 3.0 metres from the coastal boundary, therefore complying with the CPB’s requirements;

- The proposed building is well designed and incorporates a variety of materials and finishes for visual interest;

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.1 DEVELOPMENT APPLICATION 932/135/12 A/c WB and L Whitlock cont’d:

- The proposed garage/guest suite will be an unobtrusive element on the subject land and will not have a detrimental impact on the character of the locality; and

- The proposed building would not impinge on coastal views afforded to neighbouring dwellings.

RECOMMENDATION: MasterPlan SA Pty Ltd
“The Development Assessment Panel, having considered Development Application 932/135/12 by WB and L Whitlock to construct a garage and guest suite at Lot 10 Woolshed Drive, GRANTS Development Plan Consent subject to the following conditions.

PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS:

1. The application hereby approved shall be developed in accordance with amended plans and specifications submitted, and stamped by the Council received on 23 November 2012, as contained in Development Application 932/135/12 except where the plans are further amended by the following conditions;

2. The exterior cladding of the entire building including the roof, shall be in tones which match the colours of the surrounding environment;

3. All stormwater from the building and any paved areas shall be disposed of in accordance with recognised engineering practices in a manner and with materials that does not result in the entry of water onto any adjoining property or any building, and does not affect the stability of any building.

4. A wastewater treatment and disposal system shall be installed on the site in accordance with plans submitted to and approved by the District Council of Lower Eyre Peninsula.

5. The guest suite shall not be used as a self-contained dwelling, nor shall it be used as a self-contained bed and breakfast or any similar kind of tourist accommodation.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.1 DEVELOPMENT APPLICATION 932/135/12 A/c WB and L Whitlock cont’d:

**PROVISIONAL DEVELOPMENT PLAN CONSENT CONDITIONS:** cont’d:

**Coast Protection Board Conditions**

6. For compliance with the Board’s coastal flooding risk standard, minimum building site and floor levels of 2.45 and 2.7 metres, Australian Height Datum (AHD), respectively, shall be met;

7. The structure shall be setback a minimum of 3 metres from the seaward boundary of the allotment;

8. The allotment is adjacent to a sensitive coastal reserve. Landscaping associated with the development shall use local native coastal species, avoiding the spread of exotic plants into the coastal reserve.

**Notes**

Your attention is drawn to the provisions of the Native Vegetation Act 1991 in respect to approvals required for the clearance of native vegetation. The Native Vegetation Council should be contacted should the applicant require specific species lists for landscaping.

**Disclaimer**

Based upon current knowledge and information, the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing the application.

Accordingly neither the Council nor any of its servants, agents or officers will accept any responsibility for any loss of life and property that may occur as a result of such circumstances.”
2.2 DEVELOPMENT APPLICATION: 932/162/12
APPLICANT: S Fuller
DEVELOPMENT TYPE: Construction of two storey dwelling with attached garage and freestanding shed
SUBJECT LAND: Lot 777, North Shields
ZONE: Settlement Zone
DEVELOPMENT CLASS: Merit
BUSHFIRE PROTECTION ZONE: Medium

The applicant in this matter is S Fuller who has applied for the construction of a two storey dwelling with attached garage and freestanding shed at Lot 777, North Shields.

(REFER FOLIO: DAP12.12.04)

The application was lodged on 10 October 2012 and accordingly is assessed against the provisions of the Lower Eyre Peninsula (DC) Development Plan, consolidated version dated 24 November 2011.

The subject land is located in the Residential Zone as delineated on Map LEP/39 of the Development Plan.

Categorisation of Development

Zone Principles of Development Control 18 and 19 stipulate those kinds of development that are complying and non-complying respectively within the Zone. The proposed development is neither listed as complying nor non-complying and as such, is to be assessed as an on-merit or consent application.

Public Notification

Zone PDC 20 and Table LEP/7 list those kinds of development that are categorised as Category 1 for public notification purposes. ‘Detached dwelling’ is listed under this principle, but the proposal is not a detached dwelling because the site does not have direct frontage to a public road – see below. It is therefore a dwelling. Paragraph 2 (f) of Table LEP/7 advises that “a kind of development which in the opinion of the relevant authority is of a minor nature only and is unlikely to be the subject of reasonable objection from the owners or occupiers of land in the locality” can be treated as Category 1 Development.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

Given that a two storey detached dwelling and a two storey semi detached dwelling are both Category 1 Development, it is reasonable in all the circumstances to exercise discretion and classify the proposal as Category 1 pursuant to Paragraph 2 (f) of Table LEP/7 of the Development Plan. A recommendation to this effect is included at the end of this report.

Subject Land and Locality

The subject land is unusual in that it is land locked and does not have frontage to a public road. It is formally described as Allotment 777 in Filed Plan 179999 as contained in Certificate of Title Volume 5608 Folio 322. The subject allotment is regular in size, with a width of 30.17 metres and a depth of 36.4 metres. It has a total area of 1,098 square metres. Allotment 777 is reliant on access to Dorward Street and Easton Road via a 10.0 metre wide right of way. The site is currently vacant, with what appears to be trees in three corners of the site.

Google Earth and Street View show the right of way to be little more than a dirt track. The image also indicates that the subject land itself is clear of the drainage ponds located a short distance to the north.

The surrounding area contains a number of smaller allotments, the majority of which contain dwellings, situated within the small settlement of North Shields. The surrounding area is characterised by a mix of reasonably new single storey and two storey dwellings.

The subject land is located approximately 1.9 kilometres to the south of the main runway of Port Lincoln airport.

Stormwater Drainage Study – Tonkin Consulting

The subject land is located within Catchment Area 1 of the North Shields to Point Boston catchment area as shown on the Stormwater Drainage Study prepared for Council by Tonkin Consulting in August 2004. We understand the findings of this study have been endorsed by Council. A map showing the extent of inundation and the wetland boundaries is included in the study, and it shows that a portion of the subject land may be subject to inundation and is located within the boundary for Catchment Area 1, described as the Pond Boundary on Figure 5.2. It indicates that approximately 40 per cent of the site is located within the Pond Boundary.

(continued)
2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

Tonkin Consulting recommended, among other things, that future development should not involve fill being placed within the bounds of the wetland.

A marked up map depicting the extent of inundation and the pond boundaries in relation to the proposed development on the subject land has been included in the appendix of this Agenda Item.

(REFER FOLIO: DAP12.12.05)

Proposed Development

It is proposed to construct a two storey dwelling with attached garage on the subject land. Also shown on the Site Plan is the outline of a shed on the north western corner of the site and two rainwater tanks next to the shed. However no details of these structures have been submitted with the application.

The proposed dwelling will have a total floor area of 335.45 square metres and a maximum overall height of approximately 7.35 metres. The building footprint of the dwelling and attached garage has been calculated at approximately 184.95 square metres. Site coverage is therefore a low 29 per cent.

The proposed development will be setback as follows from its site boundaries:

- 3.0 metres from the southern (front right of way) boundary;
- 2.5 metres from the eastern side boundary;
- 18.0 metres from the northern (rear drainage pond) boundary and
- 10.5 metres from the western side boundary.

The dwelling will be constructed with smooth Hardiplank sheeting to the external walls and the roof will be clad with Colorbond custom orb sheeting, with the roof pitch ranging between 20 and 25 degrees.

Access to the allotment will be from a driveway leading off the right of way access located on the southern allotment boundary and into the garage, which will have an electronic panel lift door.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

It should be noted that the proposal plans did not contain written dimensions pertaining to the height of the dwelling or to the setbacks to the allotment boundaries. Approximate figures as detailed above were obtained by enlarging the document to a measurable scale to determine the abovementioned figures.

The application documentation includes an unscaled, undated and untitled plan depicting the position of the septic tank and sewer and stormwater drainage lines. This plan also shows a shed located in the north-western corner of the subject allotment. There are no elevation details provided for the shed, only that it is ‘9 x 6 metres’. A review of the most recent aerial photography provided by DENWR does not indicate that this structure exists on site. It is therefore assumed that this building may be proposed as part of the application.

This plan also shows two tanks located adjacent to the shed. There are no details pertaining to the storage capacity of these tanks.

REFERRALS

The application was referred to the Environment Protection Agency (EPA) due to the subject land being within a 3 kilometre radius of the runway of Port Lincoln Airport (Development Regulations, Schedule 21 Item 5 (f)). The EPA considered issues such as airport noise, air quality, construction noise, stormwater and wastewater management. The EPA has no objection to the construction of the proposed dwelling, but requests the inclusion of the EPA’s advisory notes to any development consent granted to the application.

Development Plan Assessment

The following provisions of the Development Plan have been considered in the assessment of this application. It is not an exhaustive list of all Development Plan provisions which relate to the proposed development, however the list is considered to contain the most relevant provisions and any provisions not met by the proposal.

Settlement Zone

Objectives: 1 and 2.
Principles of Development Control: 1, 2, 5, 6, 7, 8, 9, 10, 11 and 12.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

Council Wide Provisions

Objectives: 1, 2, 4, 5, 6, 14, 46, 48, 49, 50, 51, 52, 54, 55 and 56.

Principles of Development Control: 1, 2, 3, 4, 5, 6, 7, 8, 11, 12, 19, 20, 21, 22, 24, 25, 41, 42, 43, 54, 101, 102, 105, 106, 113, 114, 115, 116, 118, 119, 125, 127, 129, 131, 144, 161 and 162.

Form of Development

Although it is not a detached dwelling, it is reasonable to assess the dwelling against those provisions of the Development Plan relating to detached dwellings.

The objectives of the Settlement Zone encourage a zone primarily for detached dwellings on individual allotments while protecting the natural character and scenic beauty of the coastline. Principle of Development Control 1 of the Zone similarly seeks a zone primarily accommodating detached dwellings at low densities on individual allotments. The introductory section of the zone recognises that the township of North Shields abuts the Coastal Zone and as such some of the land is low-lying and may be affected by both coastal flooding and erosion.

Zone PDC 5 below gives guidance as to the design requirements for detached dwellings:

5 Detached dwellings should:

(a) have a bulk and floor space appropriate to the character and amenity of the locality;
(b) not cover more than 50 percent of the allotment with buildings, carports and garages; and
(c) provide on the same site as the dwelling at least two parking spaces.

The proposed dwelling is low density residential development. It also exhibits a bulk, scale and floor space appropriate to the character and amenity of the locality, noting that there are several examples of two storey residential development in the area. The built form furthermore has a low site coverage of 29 percent, which is well below the 50 percent specified in Principle 5 (b). There is furthermore provision for two undercover parking spaces in the proposed garage attached to the dwelling, consistent with Principle 5(c).

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

Built Form and Appearance of Land and Buildings

Zone PDC 7 stipulates that dwellings should not exceed a building height of two storeys or 8 metres (whichever is the lesser). As the two-storey dwelling proposes a maximum height of 7.35 metres, the requirements of this principle are met.

In terms of scale and impact on adjoining development, the dwelling has been designed with variations in wall and roof lines and has incorporated eaves and decking areas to create shadowed areas and therefore reduce the overall bulk and appearance of the proposed dwelling. Whilst the second storey component of the dwelling is likely to be visible from Dorward Street and Easton Road, the visual impact of the dwelling from these roads is not considered to be detrimental to the character of the locality.

The applicant has not nominated any colours for the roof or external walls and therefore an appropriate condition of approval is recommended if the Panel is minded to approve the application.

Zone PDC 6 (a) states that dwellings, carports, garages and other outbuildings should be setback a minimum 8.0 metres from the road boundary. At its closest point, the main face of the dwelling (i.e excluding the front deck) is setback approximately 6.5 metres from the front allotment boundary, but this is not a road, it is a right of way. There are few nearby dwellings which can be used to determine an appropriate setback distance, although on the opposite side of the right of way there is a double garage which appears to be set back approximately 6.5 metres from the right of way. Given the 10 metre width of the right of way and the two storey scale of the dwelling, the 6.5 metre set back distance is considered acceptable.

Coastal Views

Zone Principle 9 is relevant and reads:

9 Development should be designed and oriented to maximise coastal views and vistas whilst minimising interference with the views and outlook obtained from existing residential development.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

The proposed development has not been oriented to directly face the coast, however coastal views will be able to be obtained from the upper level living area and the deck.

In terms of surrounding residential development, the proposed development is not considered to affect the views which other land owners enjoy to a significant extent. An assessment of the position and orientation of surrounding dwellings indicates that the adjacent allotments to the west of the subject land both contain single storey dwellings that are oriented to face west towards Dorward Street and are not afforded significant coastal views that the proposed dwelling may impinge on.

Rainwater

Zone PDC 12(a) prescribes a minimum of 15 000 litres of rainwater per bedroom to be incorporated into all new dwellings to reduce dependence on existing groundwater resources. As the proposed dwelling incorporates three bedrooms, a minimum 45,000 litres is required. The plan depicting stormwater and sewer drainage lines shows one tank connected to the stormwater drainage lines leading to the proposed dwelling; however the storage capacity of the three tanks shown on the plans has not been stated. It is therefore unknown whether the proposed development conforms to this principle. If the application is approved, a condition will be required which specifies a minimum storage capacity of 45,000 litres, and that the tanks are installed and plumbed into the dwelling before it is occupied.

Bushfire Protection

Council-wide Principle 12 states:

12 Residential, tourist accommodation and other habitable buildings should:

(a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;

(b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation;

(continued)
2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

(c) have a dedicated water supply available at all times for fire fighting which:

(i) is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles,

(ii) comprises a minimum of 10 000 litres in areas shown as General or Medium Bushfire Risk on Bushfire Protection Area figures; or

(iii) comprises a minimum of 22 000 litres in areas shown as High Bushfire Risk on Bushfire Protection Area figures.

The subject site is situated on a flat piece of land and is devoid of any substantial vegetation that may pose an unacceptable bushfire risk. It is also located within a Medium Bushfire Risk area, therefore requiring a minimum of 10,000 litres of dedicated water for fire-fighting purposes to be located on the subject land. The plans depicting the stormwater and sewer lines show two tanks located adjacent to the proposed shed in the north-western corner of the allotment. It has not been indicated what the storage capacity of this tanks is, whether they are to be located above or below ground and whether they are to be used for domestic purposes to service the proposed dwelling or as a dedicated fire water supply. It is therefore recommended that if the Panel is minded to approve the application, a condition of consent be included stating that a minimum of 10,000 litres of dedicated water for fire-fighting purposes is to be available at all times.

Whilst the subject land does not have direct frontage to a public road, it is noted that safe and convenient access for vehicles and firefighting appliances exists via the rubble surface right of way that abuts the southern allotment boundary and connects onto Dorward Street and Easton Road.

Site Levels and Finished Floor Levels

The introductory section of the Zone states that some development in the township may be subject to flooding and this hazard will be countered by applying specific site and floor levels to development. Zone PDC 2 states that new buildings should be constructed at a minimum site level of 2.50 metres Australian Height Datum and at a minimum floor level of 2.75 metres Australian Height Datum.
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

The applicant has not submitted details pertaining to the site and floor levels. If the Panel is minded to approve the application it will be necessary to impose a condition which specifies these minimum site and floor levels.

Conclusion

The proposal has been assessed and found to be sufficiently in accordance with the Development Plan. The main dwelling and attached garage is considered to be of an appropriate bulk and scale when compared to other development in the locality and would not unreasonably impact on coastal views afforded to adjacent landowners.

However, the building labeled 'Shed' on the plan showing the stormwater and sewer drainage lines is of concern because it is located in the area of the storm water lagoons identified by Tonkin Consulting. Under no circumstances should any development occur in that area identified in Tonkin’s study as ‘Pond Boundary’ or ‘Inundation Extent’. Moreover no details of this structure have been submitted so it could not be approved in any event.

Furthermore, the applicant has indicated that two tanks will be installed on the subject land but has not indicated the storage capacity of these tanks. The applicant has therefore not demonstrated that a minimum of 45,000 litres of rainwater for domestic purposes will be available, or that a minimum 10,000 litres of dedicated water for fire-fighting purposes is available. The position of these tanks within the Pond Boundary is also inappropriate.

Whilst on balance the proposed dwelling and garage is considered to be deserving of Development Plan Consent, the shed and tanks should not be approved until elevation details have been submitted and the structures are relocated so as not to fall within any part of the site which is shown as ‘Pond Boundary’.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.2 DEVELOPMENT APPLICATION 932/162/12 A/c S Fuller cont’d:

RECOMMENDATION: MasterPlan SA Pty Ltd
“The Development Assessment Panel, having considered Development Application 932/162/12 by S Fuller for the construction of a two storey dwelling and attached garage be GRANTED Development Plan Consent subject to the following conditions:

1. The development hereby approved shall be undertaken in accordance with the details shown on the plans submitted with the application and stamped by Council as having been received on 10 October 2012, unless varied by the conditions which follow;

2. An external materials and finishes schedule shall be submitted with the application for Building Rules Consent;

3. The development hereby approved shall have a minimum site level of not less than 2.50 metres AHD and a minimum finished floor level of 2.70 metres AHD;

4. The site level of that part of the site which is located in the area marked as ‘Pond Boundary’ on the plan annexed to this approval shall not be excavated or filled so as to alter the drainage pattern of the nearby storm water ponds;

5. On site rainwater tanks of not less than 45,000 litres storage capacity shall be installed and connected to the dwelling prior to occupation.

6. At least 10,000 litres of rainwater in the tanks specified in Condition 5 shall be available at all times for dedicated fire fighting purposes.

7. A separate development application shall be submitted for the Shed, including the provision of elevation drawings and the shed being relocated so that it is not located within the area marked on the plan annexed to this approval as ‘Pond Boundary’.

8. The main face of the dwelling shall be set back from the right of way not less than 6.5 metres.”

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12
APPLICANT: B and L Mickan
DEVELOPMENT TYPE: Construction of Single Storey Detached Dwelling and Garage
SUBJECT LAND: 6 Pelican Court, Coffin Bay
ZONE: Coastal (Coffin Bay) Zone
DEVELOPMENT CLASS: Merit
BUSHFIRE PROTECTION ZONE: Medium

The applicants in this matter are B and L Mickan who have applied to construct a single storey detached dwelling and a free standing garage on a foreshore allotment at Coffin Bay in the Coastal (Coffin Bay) Zone.

(REFER FOLIO: DAP12.12.06)

The application was lodged on 15 October 2012 and accordingly is assessed against the provisions of the Lower Eyre Peninsula (DC) Development Plan, consolidated version dated 24 November 2011.

The subject land is located in the Coastal (Coffin Bay) Zone as delineated on Map LEP/36 of the Development Plan.

Categorisation of Development

Zone Principles of Development Control 27 and 28 stipulate those kinds of development that are complying and non-complying respectively within the Coastal (Coffin Bay) Zone. ‘Dwelling’ is listed as a non-complying form of development under two circumstances, as follows:

_Dwelling, except alterations of, additions to, or replacement of a dwelling existing as at 12 December 1994, on Crown land, or land owned by the Crown, unless the requirements of Principle of Development Control numbered 12 are in place or provided for in the development application_

_Dwelling:_

(i) occupying a floor area, inclusive of carports and outbuildings, of more than 190 square metres; and
(ii) where the height of any part of the dwelling exceeds 5.0 metres, measured to the highest point of the building from the lowest finished floor level.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan
cont’d:

Zone Principle 12 requires that the South Australian Health Commission’s requirements are met for wastewater and effluent disposal. It is assumed that the requirements of Principle 12 either have been or will be satisfied.

The internal floor area of the proposed dwelling is 187.2 square metres, but when the floor area of the rear verandah (8.8 sq m) and front deck (46.7 sq m) is included, the proposal has a total floor area of 242.5 square metres. However in addition to these components, the 21.5 square metre floor area of the garage must be included, which increases the building footprint to 264.1 square metres, which is well in excess of 190 square metres.

However no part of the dwelling will exceed 5.0 metres measured from the highest point of the roof to the lowest finished floor level. In other words, the proposal satisfies the height requirement of the non comply trigger but not the floor area requirement. The second circumstance for a dwelling to be non-complying in this zone reads:

*Dwelling:*

(i) occupying a floor area, inclusive of carports and outbuildings, of more than 190 square metres; and
(ii) where the height of any part of the dwelling exceeds 5.0 metres, measured to the highest point of the building from the lowest finished floor level.

We have emphasised the conjunctive term ‘and’ because it is central to determining whether the proposed dwelling is non-complying or for consent on merit. On our reading of the clause in its entirety, the use of the conjunctive term ‘and’ means that both criteria must be met in order for a dwelling to be non-complying. Or to put it in the reverse, if only one criterion is met, the proposal falls for consideration on merit.

Accordingly we are of the opinion that the application is not non-complying and must be assessed on its merits as a consent on merit form of development.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan
cont’d:

Public Notification

Zone Principle 29 lists those kinds of developments that are assigned as Category 1 for the purpose of public consultation, and the list includes the construction of a detached dwelling, except where non-complying. As the application has been determined to be not non-complying, it is therefore a Category 1 Development and no public notification is required.

Subject Land and Locality

The subject land is formally described as Allotment 47 in Deposited Plan 54186, Hundred of Wangary in Certificate of Title Volume 5923 Folio 630. The allotment is slightly irregular in shape in that the eastern side allotment boundary is slightly longer than the western side allotment boundary. The allotment has a frontage of 23.74 metres to Pelican Court and a total site area of 588 square metres.

The subject land contains a small single storey ‘shack’ style dwelling. The shack is located between the coastal foreshore reserve and Pelican Court, with Oyster Walk situated at the front. The subject land has a gentle slope from a high point at the Pelican Court road frontage down to the coastal boundary.

The locality contains a mixture of residential, recreational, tourist accommodation and convenience facilities all at a relatively low scale. Built form along the foreshore consists primarily of single storey dwellings.

The site is reasonably well elevated and enjoys coastal views across Kellidie Bay.

Proposed development

It is proposed to demolish the small shack and construct a single storey detached dwelling. The proposed dwelling will have a floor area of 242.5 square metres inclusive of the verandah and front deck. The free standing single garage will contribute a further 21.6 square metres to the footprint. The new dwelling is oriented to provide coastal views in a general north easterly direction across Kellidie Bay.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan
cont’d:

The dwelling will be setback as follows from its site boundaries:

- 1.2 metres from the northern (coastal) boundary;
- 1.2 metres from the eastern side boundary;
- 4.020 metres from the southern (Pelican Court) boundary.
- 5.050 metres from the western side boundary.

The free standing garage will be built onto the site’s western boundary.

The proposed dwelling will have a height of 4.8 metres with a roof pitch of 18 degrees to be clad with corrugated Colorbond sheeting.

The external walls will be rendered and the windows and door panels will be aluminum framed and the outdoor deck will be constructed with timber panels with a stainless steel wire balustrade. Due to the gentle slope of the land, approximately 800 millimetres (mm) of excavation is required to accommodate the dwelling. Whilst the amount of excavation proposed exceeds the 600mm maximum required by Zone PDC 3(b), this is not considered to be fatal to the application, given that the earthworks primarily involve cut rather than fill. A 1.0 metre high rendered concrete block retaining wall will be constructed around the eastern, southern and western perimeter of the proposed dwelling.

Provision has been made for one undercover parking space in the garage. The garage will be built on the western allotment boundary and will have a length of 6.0 metres and a wall height of 2.7 metres. Access to the garage will be gained via the proposed new paved driveway leading from the Pelican Court crossover.

The front covered deck has an area of 46.7 square metres and extends for a distance of 3.0 metres from the front of the dwelling. The deck will be 1.2 metres from the front coastal boundary.

Two 5,000 gallon (22,700 litres) fibreglass rainwater tanks will be installed near the eastern allotment boundary and are to be part buried to a depth of 600mm to reduce their visual impact. The tanks will have a combined storage capacity of approximately 45,400 litres.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

REFERRALS

The application was referred to the Coast Protection Board. The Board considered issues affecting the site such as flooding, erosion, native vegetation and protection of the coastal reserve. The Board advises that it has no objections to the proposed development providing that the following condition and notes are applied to any approval:

Condition:

- Any landscaping associated with this development should use native coastal species, avoiding the spread of exotic plants in the coastal zone. The Native Vegetation Council should be contacted should the applicant require specific species lists.

Notes:

- No encroachment of private land uses or building work (i.e. protection works, access, fencing) should occur on the adjacent coastal reserve without consent.

Disclaimer:

The Board attaches the following disclaimer to the above advice:

Based upon current knowledge and information the development and development site is at some risk of coastal erosion and inundation due to extreme tides notwithstanding any recommendations or advice herein, or may be at future risk. Neither erosion nor the effect of sea level change on this can be predicted with certainty. Also, mean sea level may rise by more than the 0.3 metres assumed in assessing this application.

Accordingly neither the South Australian Coast Protection Board nor any of its servants, agents or officers accept any responsibility for any loss of life and property that may occur as a result of such circumstances.

(REFER FOLIO: DAP12.12.07) (continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

**Development Plan Assessment**

The following provisions of the Development Plan have been considered in the assessment of this application. It is not an exhaustive list of all Development Plan provisions which relate to the proposed development, however the list is considered to contain the most relevant provisions and any provisions not met by the proposal.

**Coastal (Coffin Bay) Zone**

Objectives: 1, 2, 3, 4, 5, 6, 7, and 8.
Principles of Development Control: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 16 and 17.

**Council Wide Provisions**

Objectives: 1, 2, 4, 5, 6, 7, 8, 14, 35, 38, 46, 47, 48, 49, 50, 51, 52, 54, 55, 56 and 57.

**Form of Development**

The objectives of the Coastal (Coffin Bay) Zone primarily seek to accommodate single-storey detached dwellings fronting the coastline which are small-scale and low in profile. The proposal is a single storey detached dwelling with a total floor area of approximately 264.1 square metres, which exceeds the 190 square metre maximum for this zone as expressed in the non complying provisions discussed above, but also in Zone Principle 4 which requires new buildings to be contained within a building footprint, inclusive of carports and outbuildings, of 190 square metres. The building footprint inclusive of the garage, front covered deck and rear verandah is 264.1 square metres or 39% above the prescribed building footprint for the zone.

The proposed dwelling will not exceed a height of 5.0 metres in accordance with Zone PDC 3(a) and has a roof pitch of 18 degrees, which is within the 10 to 20 degree range as outlined by Zone PDC 3(c). As the proposed dwelling will be set down from the Pelican Court road frontage, this will further assist in reducing the vertical profile of the dwelling.

(continued)
2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

While the new building generally satisfies a number of the relevant requirements for the Zone, the overall size of the building footprint is of most concern.

Built Form and Appearance of Land and Buildings

In terms of scale and streetscape impact, the proposed dwelling will have a contemporary appearance when viewed from both Pelican Court and the foreshore, with an attempt to break up the ‘rear wall’ appearance by the inclusion of a verandah, thereby satisfying Zone Principle 2 which requires the opposite sides of dwellings to have an aesthetically pleasing appearance from the Esplanade.

The application plans do not contain an indicative colour scheme for the proposed dwelling, therefore an appropriately worded condition of consent is recommended (if the Panel is minded to approve the application) to ensure that the dwelling and associated garage are finished in a tone that is complementary of the coastal nature of the locality.

It is also noted that there is considerable vegetation between the Esplanade and the site already, which will ensure that the dwelling is well screened from this direction. However the size of the building footprint is such that most of the site’s vegetation will need to be removed, which is not consistent with the zone’s intent to retain existing vegetation (Zone Objective 6 and Principle 9).

Zone PDC 6 states that new buildings should make provision for the parking of vehicles and the storage of goods. The proposed dwelling incorporates a garage for the under-cover parking of one vehicle, therefore conforming to this principle.

Zone PDC 15 below gives guidance where garages ancillary to the residential use of land are proposed.

(continued)
2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

15 Sheds, garages, workshops and other freestanding outbuildings used for purposes ancillary to the residential use of land should:

(a) not exceed a maximum floor area of 36 square metres contained within the maximum building footprint identified in Principle 4;

(b) have a maximum wall height not exceeding 2.7 metres;
(c) not be sited between the dwelling and the foreshore;
(d) not obstruct views between the dwellings from the public road to the foreshore; and
(e) should be designed and constructed using materials and finishes that compliment the seaside character derived from:
   (i) low pitched roofs constructed from metal roof sheeting;
   (ii) combination of materials used in wall construction, with the use of face brick finish considered inappropriate; and
   (iii) natural colours that are evident in the seaside setting, including white sands, blue water, dark rocky shoreline and the grey green vegetation.

The garage has a floor area of 21.6 square metres, which is less than the 36 square metre maximum listed above. However the garage must be included in the building footprint calculation, resulting in its 21.6 square metres floor area being added to the building footprint calculation.

The garage has a wall height of 2.3 metres and therefore satisfies the 2.7 metre wall height in Zone Principle 15 (b). However its siting on the western boundary is likely to obstruct views between Pelican Court and the foreshore, contrary to Zone Principle 15 (d) and Council-wide Principle 25. The garage’s location on the boundary is also not typical of other structures in the zone, and is therefore inconsistent with the spacious character of the zone which is characterised by spaces which allow for view corridors between buildings. The application plans do not specify a colour scheme for the proposed garage, however being Colorbond the colour range is likely to be acceptable.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

Landscaping

A review of aerial photography on Nature Maps has indicated there is existing vegetation on the subject site surrounding the existing dwelling. Overlay data on Nature Maps has not identified this vegetation as native, although it is likely to be. As noted above the very large building footprint will inevitably require most of this vegetation to be cleared, contrary to Zone Objective 6 and Zone Principle 9.

Moreover it is noted that the applicants have not submitted a landscaping scheme as part of the application.

Views

Zone PDC 11 states that dwellings should be sited and designed to minimise obstruction to, or loss of views from, other dwellings.

The subject site is adjacent to two dwellings, one to the east and the other to the west. The location of these dwellings and others in Pelican Court can be seen in Figure 1.

The proposed dwelling is set back 1.2 metres from the eastern boundary. Given the position of the adjacent dwelling set back considerably further than the proposed dwelling, the development is likely to have a minor effect on views for the occupants of the neighbouring dwelling, but not to the extent that the neighbour’s views would be obstructed or lost. However it should be noted that the proposed dwelling will maintain the same set back of 1.2 metres from the northern (coastal) boundary as the existing shack which occupies the subject land and as such, is unlikely to unreasonably impair the views enjoyed by the eastern neighbour.

The proposed dwelling is set back 5.050 metres from the western boundary. Given the orientation of the dwelling on the adjacent allotment, its existing position well forward of the proposed dwelling, the position of the garage well back from the coastal reserve and the separation provided by the coastal reserve between the two allotments, the proposed development is unlikely to impair views enjoyed by the occupants of this dwelling.

It is therefore concluded that the proposal satisfies Zone Principle 11.

(continued)
2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan cont’d:

Coastal Development

The proposed development was referred to the Coast Protection Board. The CPB after assessing the application against flooding, erosion and risk to the coastal reserve concluded that it has no objection to the proposal.

In terms of compliance with the Coast Protection Board’s coastal flooding risk standard, the proposed dwelling achieves the minimum site level of 2.45 metres AHD and minimum floor level of 2.7 metres AHD as stated in Principle 5 and confirmed by the CPB.

It is therefore reasonable to assume that the proposal will not have any detrimental impact on the existing coastal environment nor is it at risk from erosion or flooding. However if the Panel decides to approve the proposal it would be appropriate that the CPB’s disclaimer be added as a note to the approval.

Bushfire Protection

12 Residential, tourist accommodation and other habitable buildings should:

(a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect;
(b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation;
(c) have a dedicated water supply available at all times for fire fighting which:

(i) is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles,
(ii) comprises a minimum of 10 000 litres in areas shown as General or Medium Bushfire Risk on Bushfire Protection Area figures; or
(iii) comprises a minimum of 22 000 litres in areas shown as High Bushfire Risk on Bushfire Protection Area figures.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan
cont’d:

The subject site contains a relatively modest slope towards the coast and is located in close proximity to vegetation. It is also located within a Medium Bushfire Risk area. A minimum of 10,000 litres of water is therefore required for fire-fighting purposes in such areas. If the Panel resolves to approve the proposed development, a condition of consent is recommended to ensure at least 10,000 litres of rainwater is available at all times for firefighting purposes. With 45,700 litres of rainwater storage capacity in the on-site tanks, compliance with this requirement would be able to be achieved.

With such measures in place, and noting that Pelican Court is an all-weather public road, the proposal does not pose any unreasonable threat from bush fires.

Land Management Agreement

The site is subject to a Land Management Agreement (LMA) between the Owner and the Minister for Urban Development and Planning. The Council is not a party to that Agreement.

There is no concept plan annexed to the LMA indicating a Development Line and therefore it is assumed that no Development Line affects the site behind which a building must be sited.

However the LMA requires that new dwellings are designed and sited so as not to protrude any closer to the coastal boundary than any dwelling which it is replacing. The dashed outline of the existing dwelling as depicted on the site plan shows that it is setback 1.2 metres from the coastal boundary. The proposed dwelling is also set back 1.2 metres back from the coastal boundary, therefore meeting the requirements of the LMA.

Conclusion

The proposal has been assessed and found to be sufficiently in accordance with the Development Plan in relation to the following:

- It will improve the appearance of the subject land by replacing an older style ‘shack’ dwelling with a contemporary styled dwelling;

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.3 DEVELOPMENT APPLICATION: 932/168/12 A/c B and L Mickan
cont’d:

- will retain the same 1.2 metre setback from the coastal boundary as the existing dwelling on the site;

- it is adequately sited and elevated from the coastline in accordance with the requirements of the Coast Protection Board;

- will not impair coastal views afforded to the occupants of the adjoining dwellings; and

- it is not likely to be at risk from bushfire attack.

However the proposal has a total building footprint of 264.1 square metres, significantly in excess of the 190 square metre building footprint requirement for this zone. The front covered deck is also excessive in relation to its depth. Some Panel Members may recall that the 190 square metre limit was introduced in 2005 when the General PAR was authorized. Prior to that the floor area limit for this zone was 135 square metres inclusive of carports and verandahs, and where vehicle parking was required to be provided under the main roof of the dwelling.

On balance it is concluded that the building footprint is excessive and contrary to the relevant provisions of the Development Plan, and is not deserving of Development Plan consent in its current form. Rather than refusing the application, it is recommended that it be deferred to enable the applicants to consider a revised building design that reduces the building footprint to not more than 190 square metres.

RECOMMENDATION: MasterPlan SA Pty Ltd
“The Development Assessment Panel, having considered Development Application 932/142/12 by B and L Mickan for the Construction of a single storey dwelling at 6 Pelican Court, Coffin Bay be DEFERRED to enable the applicants to consider a revised building design so that the total building footprint on the site does not exceed 190 square metres, inclusive of the garage, verandah and deck, in order to conform to Zone PDC 4.”

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.4 DEVELOPMENT APPLICATION: 932/178/12
APPLICANT: Leon Murray
DEVELOPMENT TYPE: Vary Development Plan
Consent by Deleting Condition 2 in DA 932/C015/04
SUBJECT LAND: 1109-1123 Lincoln Highway, North Shields
ZONE: Settlement
DEVELOPMENT CLASS: Consent on Merit
BUSHFIRE PROTECTION ZONE: Medium

DAP Meeting 13 October 2012

The Panel at its meeting held on 13 October 2012 resolved that Mr Murray be advised that it was unable to accede to his request to remove Condition 2 from the approval in DA 932/C015/04 until such time as a fresh ‘Application to Vary’ had been formally lodged.

By application dated 12 November 2012, Mr Murray formally applied to vary the approval to his Community Title plan of division in DA 932/C015/04 by deleting Condition 2. In accompanying notes prepared and signed by Mr Murray, the variation request has been made because “the Development Plan does not require such a condition”. Mr Murray further asserts that the relevant Development Plan for assessment purposes “will be that on the date of lodgement in 2004”.

Relevant Development Plan

The variation application must be treated as a new application in accordance with Section 39 of the Development Act 1993. Accordingly the relevant Development Plan is the version which was in existence on the date that the development application was made. As the variation application was dated by the Council as having been received on 12 November 2012, the relevant Development Plan for assessment purposes is the version dated 24 November 2011.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.4 DEVELOPMENT APPLICATION 932/178/12 A/c Leon Murray cont’d:

Authority for this approach is prescribed in Section 39 of the Development Act, 1993 and more particularly sub-sections (6) and (7) which state:

(6) Subject to this section, a person may seek the variation of a development authorisation previously given under this Act (including by seeking the variation of a condition imposed with respect to the development authorisation).

(7) An application to which subsection (6) applies:

(a) may only be made if the relevant authorisation is still operative; and
(b) will, for the purposes of this part, but subject to any exclusion or modification prescribed by the regulations to the extent of the proposed variation (and not so as to provide for the consideration of other elements or aspects of the development or the authorisation) be treated as a new application for development authorisation;
(c) [not relevant];
(d) [not relevant].

It is clear from Section 39 that Mr Murray’s application must be dealt with as a new application, and that it must be assessed against the consolidated version of the Development Plan dated 24 November 2011, being the version which was in existence when the application was made.

Background

Mr Murray received development approval to divide his property at Lincoln Highway North Shields into five community lots and common property (DA 932/C015/04). The approval was granted on 1 September 2006 subject to nine conditions, following an appeal to the ERD Court by Mr Murray. Mr Murray subsequently applied to vary some of these conditions with two further development applications. One of those applications (Development Application 932/12/08) sought to delete Condition 2.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.4 DEVELOPMENT APPLICATION 932/178/12 A/c Leon Murray cont’d:

Condition 2 states:

“2. The Community Scheme Description is to be amended to restrict the use of Allotments 4 and 5 for small-scale commercial and/or retail uses to cater for the needs of the community only, and not allow them to be used for sensitive uses such as any kind of residential, childcare centre, kindergarten, etc."

Both applications were refused and Mr Murray appealed to the ERD Court in September 2008. The ERD Court handed down its decision on 15 July 2009, where at Paragraph 38 it refused Mr Murray’s appeal seeking the deletion of Condition 2.

The ERD Court found that Condition 2 was validly imposed. Specifically the Court noted:

“It is prudent to limit the use of Lots 4 and 5 so that residential uses, or uses such as childcare centres or kindergartens, where children may come into very close contact with the soil on the land frequently are not established unless or until soil samples have been taken and analysed. Should that process show that there is no contamination which could be potentially injurious to human health, then the condition could be reconsidered. Should contamination be present, then a decontamination process may have to be undertaken should any of the sensitive land uses be proposed.”

Site Contamination Investigations

Mr Murray engaged Coffey Environments Australia Pty Ltd to conduct a shallow soil Environmental Site Assessment (ESA) over proposed Lots 4 and 5 in the approved plan of division (Coffey Environments letter dated 13 June 2012). The ESA was prepared following the preparation of a site history report by Maunsell in 2006.

(continued)
2.4 DEVELOPMENT APPLICATION 932/178/12 A/c Leon Murray cont’d:

Coffey’s ESA included soil testing and analysis from three targeted and nine grid-based test pits. Because contaminated material was detected from the investigations and soil sampling, Coffey recommended that:

- the pathway to the fill beneath the former CFS storage shed should be excavated and removed from the site;
- the excavation material is to be disposed of to an appropriate licensed landfill activity and replaced with validated virgin excavated natural material;
- alternatively and subject to future development requirements, potentially keeping this impacted fill on-site beneath sealed hardstand areas (ie concrete) so that there is no contact possible with this fill material.

Coffey’s recommendation also noted that a Site Contamination Auditor should be engaged if there is to be a change in land use to a more sensitive use. The EPA in its letter to Mr Murray dated 24 July 2012 also confirmed the need for a Site Contamination Auditor in such circumstances.

It is understood that Mr Murray has not undertaken any of the remediation works recommended by Coffey, nor has he engaged a Site Contamination Auditor.

Development Plan Assessment

As noted above, the relevant Development Plan for assessment purposes is the consolidated version dated 24 November 2011, that being the version of the Development Plan that was in existence when Mr Murray submitted the development application to vary the approval in DA 932/C015/04. The provisions of the Development Plan which are most relevant to the application are in the Council-wide section under the sub-heading “Land Contamination” and comprise two explanatory paragraphs followed by Principle 155. These provisions were introduced in October 2005 as part of the General Plan Amendment Report. For convenience the relevant provisions are reproduced below:

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.4 DEVELOPMENT APPLICATION 932/178/12 A/c Leon Murray cont’d:

Land Contamination

For the purposes of this Development Plan, the term ‘contaminated land’ means land (including the land surface, subsoil and groundwater) which is in a condition or state which represents an adverse health or environmental impact because of the presence of potential hazardous substances.

For the purposes of this Development Plan, the term ‘potentially contaminated’ means land (including the land surface, subsoil and groundwater) which is not known to be contaminated land but which, due to the previous known uses of, known activities carried out on, or known incidents of the land or adjoining land, is likely to be contaminated land.

The term ‘land contamination’ has a corresponding meaning.

155 Where there is reasonable cause to suspect that land may have been contaminated or there is evidence of potentially contaminating activity, development of land should not proceed until an appropriate process of decontamination, applicable and appropriate to the proposed use of the allotment or site, have been undertaken.

Council’s suspicions that the land may be contaminated have been subsequently validated by Coffey’s findings. Accordingly, until or unless the site has been remediated in accordance with Coffey’s recommendations and a Site Contamination Audit has been conducted to confirm that the site is fit to be used for more sensitive purposes, it would be inappropriate and premature to delete Condition 2 from the Development Approval. Support for this approach is provided by Council-wide Principle 155.

Conclusion

The application must be assessed against the Development Plan that was in operation when the application was made. The relevant Development Plan is therefore the consolidated version dated 24 November 2011.

(continued)
PART II - FOR PANEL APPROVAL cont’d:

2.4 DEVELOPMENT APPLICATION 932/178/12 A/c Leon Murray cont’d:

There is no basis to support the application submitted by Mr Murray that Development Approval in DA 932/D015/04 should be varied by the removal of Condition 2. Accordingly, the application should be refused having particular regard to Council-wide Principle 155.

RECOMMENDATION:
“That the Development Assessment Panel resolves to REFUSE Development Plan Consent for DA 932/118/12 by Mr Leon Murray to vary DA 932/D015/04 by deleting Condition 2, for the following reasons:

(i) the remediation measures identified by Coffey Environments Australia Pty Ltd in its report dated 13 June 2012 have not been carried out;
(ii) a Site Contamination Auditor has not been engaged to confirm that the site is suitable for more sensitive uses; and
(iii) the application does not satisfy the requirements of Council-wide Principle 155 in that there is reasonable cause to suspect that the land has been contaminated and there is no evidence that an appropriate process of decontamination appropriate to the intended use of the site has been carried out.”

PART - III - CORRESPONDENCE

Nil.
PART - IV - PLANNING APPROVALS UNDER DELEGATED AUTHORITY

932/039/12
A Boylan
Dwelling
Clad: Brick
Roof: Colorbond
Date: 13/11/12

CLASS 1a & 10a
Lot 11 Hidden Valley Lane, Boston
Probable Cost of: $320,000
Zone: Rural Living
Area: 487.0 sqm

932/120/12
B Satchell
Garage
Clad: Colorbond
Roof: Colorbond
Date: 22/11/12

CLASS 10a
Lot 50 Sabine St, Coulta
Probable Cost of: $12,000
Zone: Settlement
Builder: Owner
Area: 96 sqm

932/140/12
N & N Bell
Verandah
Roof: Colorbond
Builder: B Plevin
Date: 13/11/12

CLASS 10a
Lot 4 Richardson Road, Boston
Probable Cost of: $10,000
Zone: Rural Living
Area: 32 sqm

932/147/12
A & H Ward
Dwelling & Shed
Clad: Brick
Roof: Colorbond
Date: 22/11/12

CLASS 1a & 10a
Lot 22 Church St, Cummins
Probable Cost of: $350,000
Zone: Residential
Builder: P Elson
Area: 414.2 sqm

932/151/12
V Habner
Used Transportable Dwelling
Clad: Hardiplank
Roof: Colorbond
Date: 19/11/12

CLASS 1a
Lot 70 Flinders Ave, Edillilie
Probable Cost of: $30,000
Zone: Settlement
Builder: Owner
Area: 112 sqm

932/157/12
I Andrew
Shields
Extensions to Two (2) sheds
Clad: Colorbond
Roof: Colorbond
Date: 13/11/12

CLASS 10a
Sec 209 Lincoln Highway, North
Probable Cost of: $3100
Zone: Airfield
Builder: Owner
Area: 83.2 sqm

(continued)
PART - IV - PLANNING APPROVALS UNDER DELEGATED AUTHORITY
cont’d:

**932/159/12**
M Taylor & L McCuspie
Dwelling
Clad: Brick
Roof: Colorbond
Date: 28/11/12

**932/163/12**
T Halliday & J Palmer
Dwelling
Clad: Hardiplank
Roof: Colorbond
Construction
Date: 15/11/12

**932/164/12**
M & L Christian
Pergola
Roof: Colorbond
Builder: Coast to Coast
Date: 13/11/12

**932/165/12**
K Maughan
Extension to Existing Shed
Clad: Colorbond
Roof: Colorbond
Date: 23/11/12

**932/169/12**
T Pedler
Pergola
Roof: Colorbond
Builder: Kym Clarke Construction
Date: 13/11/12

**932/173/12**
D & J Clayfield
Dwelling
Clad: Rendered Eco Panels
Roof: Colorbond
Date: 21/11/12

**CLASS 1a & 10a**
Lot 26 Benjamin Rd, Poonindie
Probable Cost of: $214,737
Zone: Settlement
Builder: Keith Daniels Homes
Area: 213.6 sq m

**CLASS 1a & 10a**
Lot 112 Cockatoo Rd, Boston
Probable Cost of: $340,000
Zone: Rural Living
Builder: Owen Pole Frame
Area: 316 sq m

**CLASS 10a**
Lot 14 Shepperd Ave, Coffin Bay
Probable Cost of: $10,000
Zone: Residential
Area: 85.99 sq m

**CLASS 10a**
Lot 1 Kapinnie Rd, Cummins
Probable Cost of: $4000
Zone: Residential
Builder: Owner
Area: 36 sq m

**CLASS 10a**
Lot 111 Tulka Esplanade, Tulka
Probable Cost of: $12,082
Zone: Coastal Settlement
Area: 55 sq m

**CLASS 1a & 10a**
Lot 142 Swallow Dve, Boston
Probable Cost of: $256,372
Zone: Rural Living
Builder: Heath Home Building
Area: 276 sq m

*(continued)*
### PART - IV - PLANNING APPROVALS UNDER DELEGATED AUTHORITY

cont’d:

<table>
<thead>
<tr>
<th>Approval No.</th>
<th>Class</th>
<th>Details</th>
</tr>
</thead>
<tbody>
<tr>
<td>932/174/12</td>
<td>10a</td>
<td>V Crowhurst Garage, Clad: Colorbond, Roof: Colorbond, Date: 3/12/12, Probable Cost of: $8750, Zone: General Farming, Area: 84 sqm</td>
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<tr>
<td>932/176/12</td>
<td>10a</td>
<td>G &amp; F Dahlitz Bay Verandah, Clad: Colorbond, Roof: Colorbond, Builder: Eyre Sheds &amp; Roofing, Date: 29/11/12, Probable Cost of: $8600, Zone: Coastal Settlement, Area: 35.76 sqm</td>
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<td>932/179/12</td>
<td>1a &amp; 10a</td>
<td>N &amp; J Myers Additions to Existing Dwelling, Clad: Brick, Roof: Colorbond, Date: 20/11/12, Probable Cost of: $75,000, Zone: Residential, Area: 82.5 sqm</td>
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<td>932/182/12</td>
<td>1a</td>
<td>S Miller &amp; B Watherston Fire Damage Repairs to Dwelling, Roof: Colorbond, Date: 16/11/12, Probable Cost of: $24,000, Zone: General Farming, Builder: L Cunningham</td>
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<tr>
<td>932/183/12</td>
<td>10a</td>
<td>Port Lincoln Golf Club Inc Extension to Existing Buggy Shed, Clad: Colorbond, Roof: Colorbond, Date: 19/11/12, Probable Cost of: $12,000, Zone: Water Protection, Builder: Gavin Cheriton, Area: 55 sqm</td>
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<td>932/185/12</td>
<td>1a &amp; 10a</td>
<td>J &amp; K Kidney Dwelling &amp; Shed, Clad: Hardiplank, Roof: Colorbond, Date: 20/11/12, Probable Cost of: $150,000, Zone: Rural Living, Area: 338.10 sqm</td>
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(continued)
DEVELOPMENT MANAGER’S REPORT TO DEVELOPMENT ASSESSMENT PANEL

19 DECEMBER 2012

PART - IV - PLANNING APPROVALS UNDER DELEGATED AUTHORITY
cont’d:

932/186/12
D & B Modra
Dwelling & Shed
Clad: Brick
Roof: Colorbond
Date: 28/11/12

CLASS 1a & 10a
Lot 54 Light Rd, Cummins
Probable Cost of: $600,000
Zone: Residential
Area: 508.5 sqm

932/187/12
L & M Bauer
Additions to Existing Dwelling
Builder: P Elson
Date: 19/11/12

CLASS 10a
Lot 134 Cockatoo Rd, Boston
Probable Cost of: $45,000
Zone: Rural Living

932/189/12
Bendigo Bank
Alterations & Additions to Existing
Clad: Brick
Roof: Colorbond
Date: 21/11/12

CLASS 5
Lot 99 Railway Tce, Cummins
Probable Cost of: $98,000
Zone: Town Centre
Builder: Stotty’s Building
Area: 53.5 sqm

932/181/12
R Roads
Garage
Clad: Colorbond
Roof: Colorbond
Date: 21/11/12

CLASS 10a
Lot 3 Victoria Ave, Coffin Bay
Probable Cost of: $15,000
Zone: Residential
Area: 120.6 sqm

RECOMMENDATION:  DM
“Noted”