

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 14 MARCH 2018
63 MOUNT BARKER ROAD, STIRLING**

Present**Presiding Member**

Professor Stephen Hamnett

Members

Simon Bradley
Piers Brissenden
Linda Green
Rob McBryde

In Attendance

Marc Salver
Sam Clements
Karen Savage

Director Strategy & Development
Assessment Manager (Acting)
Minute Secretary

1. Commencement

The meeting commenced at 6.32pm

2. Apologies/Leave of Absence

2.1 Apologies
Nil

2.2 Leave of Absence
Nil

3. Previous Minutes

3.1 Meeting held 14 February 2018

The minutes were adopted by consensus of all members

(14)

That the minutes of the meeting held on 14 February 2018 be confirmed as an accurate record of the proceedings of that meeting.

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4. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 26 September 2017.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

Nil

8. Development Assessment Applications

8.1 Development Application 17/674/473 by Bird in Hand Pty Ltd for winery and horticultural building (tractor storage, barrel storage for wine maturation and office) in association with existing mixed use development (vineyards, winery, cellar door, restaurant and function facility) associated retaining walls (2m maximum height) and earthworks at 150 Pfeiffer Road, Woodside

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Terramin Exploration Pty Ltd	192 Pfeiffer Road Woodside	James Levinson Botten Levinson

Representation subsequently withdrawn 8 March 2018.

The applicant's representative, Garth Heynen (Heynen Planning Consultants), was invited to answer questions from the Panel.

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8.1.2 Decision of Panel

The following recommendation was adopted by consensus of all members (15)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/674/473 by Bird in Hand Pty Ltd for Winery and horticultural building (tractor storage, barrel storage for wine maturation and office) in association with existing mixed use development (vineyards, winery, cellar door, restaurant and function facility), associated retaining walls (2m maximum height) and earthworks at 150 Pfeiffer Road Woodside subject to the following conditions:

(1) Development In Accordance With The Plans

The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:

- Planning report prepared by Garth Heynen of Heynen Planning Consultants dated 1 Aug 2017
- Existing office (office A) and proposed office (office B) floor plans received by Council 3 Aug 2017
- Correspondence prepared by Garth Heynen of Heynen Planning Consultants dated 6 February 2018
- Correspondence prepared by Garth Heynen of Heynen Planning Consultants dated 7 Sept 2017
- Amended site plan (PA0401) prepared by Beyond Ink received by Council 9 Mar 2018
- Site plan enlargement, elevations and floor plans (PA0402-PA0404) prepared by Beyond Ink received by Council 6 Oct 2017
- Stormwater management report prepared by Lelio Bibbo Consulting Engineers Pty Ltd dated 5 Feb 2018
- Site and Drainage Plan (ref: 180123, issue A) prepared by Lelio Bibbo Consulting Engineers Pty Ltd dated 5 Feb 2018
- Car parking plan (Drawing 01_SH01) prepared by CIRQA received by Council 9 Mar 2018

REASON: *To ensure the proposed development is undertaken in accordance with the approved plans.*

(2) Turning Area For Articulated Vehicles

All vehicles shall enter and exit the site in a forward direction.

REASON: *For safe and convenient movement of vehicles.*

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(3) Access to be Sealed

The access shall be sealed (bitumen or similar) from the edge of the road seal to at least the front property boundary. The crossover shall be piped (pre-cast concrete of an appropriate size) to ensure stormwater run-off from the existing swale can be directed under the crossover and away from the road surface. These works are to be undertaken to the satisfaction of Council.

REASON: *For safe and convenient movement of vehicles and for efficient drainage of stormwater within the road verge.*

(4) Commercial Lighting

Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.

REASON: *Lighting shall not detrimentally affect the amenity of the locality.*

(5) External Finishes

The external finishes to the buildings herein approved shall be as follows:

WALLS:	Colorbond Woodland Grey or similar
ROLLER DOORS:	Colorbond Woodland Grey or similar
ROOF:	Colorbond Woodland Grey or similar

REASON: *The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.*

(6) All-Weather Car Parking Designed In Accordance With Australian Standard AS 2890.1:2004.

Within three (3) months of the Development Approval, all car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and delineated in accordance with Australian Standard AS 2890.1:2004. Delineation and directional signage shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of an all-weather material prior to commencement of the use and maintained in good condition at all times to the reasonable satisfaction of the Council.

REASON: *To provide adequate, safe and efficient off-street parking for users of the development.*

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(7) Unloading And Storage Of Materials And Goods

All materials and goods shall at all times be loaded and unloaded within the confines of the subject land. Materials and goods shall not be stored on the land in areas delineated for use as car parking.

REASON: *To provide safe and efficient movement of people and goods.*

(8) Capacity of the bund

The barrel storage area must be bunded internally and the floor graded to a collection sump, with a total capacity of not less than 25% of the maximum volume of stored wine in accordance with EPA 080/16 "Liquid Storage Guidelines Bunding and Spill Management".

REASON: *To ensure the proposed development does not detrimentally impact the environment.*

(9) Management of Trade Waste

Prior to the use of the winery building, the impervious graded concrete floor, the bund and sump(s) connecting the run-off from the barrel storage area to the existing trade waste control system network must be constructed/installed and operational.

REASON: *To ensure the proposed development does not detrimentally impact the environment.*

(10) Treatment To Excavations And Fill

All exposed excavations and fill as shown on the site and drainage plan prepared by Lelio Bibbo Consulting Engineers Pty Ltd shall be:

- a) rounded off and battered to match and blend with the natural contours of the land;
- b) covered with approximately 100mm of topsoil;
- c) seeded to avoid erosion and visual concerns ; and
- d) screened with trees, shrubs and ground covers

prior to occupation of the approved development to the reasonable satisfaction of Council.

REASON: *To maintain the visual amenity of the locality in which the subject land is located.*

(11) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

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REASON: *Development should prevent erosion and stormwater pollution before, during and after construction.*

(12) Stormwater Roof Runoff To Be Dealt With On-Site

Within one (1) month of completion of the roof installation, all roof water must be directed to the 10,000L detention tank in accordance with the Site and Drainage Plan (ref: 180123, issue A) prepared by Lelio Bibbo Consulting Engineers Pty Ltd. All overflow from this detention tank shall be managed on-site to the satisfaction of Council using design techniques such as:

- Grassed swales
- Stone filled trenches
- Small infiltration basins

Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal areas. Stormwater should be managed on site with no stormwater to trespass onto adjoining properties.

REASON: *To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites.*

(13) Use of Offices

The board and meeting rooms within the existing office (office A) and proposed office (office B) as depicted on the approved site plan shall not be used for functions or as a cellar door.

REASON: *To ensure the development is undertaken in accordance with the approval documentation.*

(14) Use of Offices

The existing office (office A) shall only be used for office related storage and meeting rooms. All offices (offices A and B as depicted on the approved site plan), including the board and meeting rooms, shall only be used by Bird in Hand staff in association with the operations of the Bird in Hand winery, cellar door, restaurant, vineyard and function facility.

The offices and/or meeting rooms must not be hired or leased out to any external parties.

REASON: *To ensure the development is undertaken in accordance with the approval documentation and to ensure the offices are genuinely a subservient use.*

(15) Barrel Washing/Cleaning

No barrel washing or cleaning is to occur within the proposed winery building. Barrel washing is to continue to occur within the eastern portion of the former barrel hall.

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REASON: *To ensure the development is undertaken in accordance with the approval.*

(16) Noise Protection

Noise within the habitable rooms (windows closed) of the adjacent residential properties shall not exceed 57 dB(A) between the 'day' hours of 7.00am to 10.00pm and 50 dB(A) between the 'night' hours of 10.00pm to 7.00am.

REASON: *Noise emission that results from the development should not detrimentally affect the amenity of the adjacent residential properties and be in accordance with the Environment Protection (Noise) Policy 2007.*

NOTES

(1) Development Plan Consent Expiry

This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) Erosion Control During Construction

Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

(3) EPA Environmental Duty

The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

(4) EPA Environmental Authorisation

An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here:

http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence

(5) EPA Information Sheets

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site:

<http://www.epa.sa.gov.au>

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- 9. Policy Issues for Advice to Council**
Nil

- 10. Other Business**
Nil

- 11. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil

- 12. Confidential Item**
Nil

- 13. Next Meeting**
The next ordinary Development Assessment Panel meeting will be held on Wednesday 11 April 2018.

- 14. Close meeting**
The meeting closed at 6.59pm.