

COUNCIL ASSESSMENT PANEL MEETING

11 April 2018

AGENDA

Applicant: Mill Hill Capital Pty Ltd	Landowner: Woodside (SA) Pty Ltd
Agent: Fyfe Pty Ltd	Ward: Onkaparinga Valley
Development Application: 17/1123/473 (SCAP: 473/D058/17)	Originating Officer: Jonathan Luke
Application Description: Land division (1 into 139) (Non-complying) SCAP relevant authority	
Subject Land: Lot:1 Sec: P5311 DP:111478 CT:6174/409	General Location: 298 Nairne Road, Woodside SA 5244 Attachment – Locality Plans
Development Plan Consolidated : 24 October 2017 Map AdHi/3 &42	Zone/Policy Area: Watershed (Primary Production) Zone &Onkaparinga Valley Policy Area
Form of Development: Non-Complying	Site Area: 22.61 hectares
Public Notice Category: 3 (undertaken by DPTI)	Representations Received: N/A Representations to be Heard: N/A

1. EXECUTIVE SUMMARY

The purpose of this application is to subdivide one allotment into 139 allotments. The current land use has the characteristics of a small residential subdivision albeit that it is within a single allotment within rural surroundings. The allotment contains 81 existing detached dwellings, numerous vacant allotments interspersed between these, with a central vegetated open space area. The existing allotment also contains an internal road network with kerb, gutter and footpaths, and other street furniture. Also located on the site are a community hall, day-care facility, gym and office/storage building, none of which are currently being used as such. A number of these buildings are situated on a 'super-lot' that adjoins Nairne Road.

The subject land is located within the Watershed (Primary Production) Zone and Onkaparinga Valley Policy Area. The proposal is a Category 3 Non-Complying form of development. The State Commission Assessment Panel (SCAP) is the relevant authority in accordance with Clause 7 of Schedule 10 of the *Development Regulations 2008*, as the division will create additional allotments within the Mount Lofty Ranges Watershed Area.

As per the CAP delegations, the CAP is the relevant authority to make comment to the SCAP in this instance, as the proposal is for a non-complying land division and is to create 10 or more additional allotments.

The main issues relating to the proposal are stormwater management, water quality impacts, wastewater management, native vegetation, bushfire protection, infrastructure and assets, roads and transport, waste collection and open space provision.

In consideration of all the information presented, and following an assessment against the relevant Zone, Policy Area and Council Wide provisions within the Development Plan, staff (subject to the provision of further information relating to stormwater management, wastewater and native vegetation) are recommending that the Council Assessment Panel **SUPPORT** this application and advise the State Commission Assessment Panel accordingly.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for a land division of one allotment into a total of 139 allotments.

Existing Allotments

Allotment	Area (ha)	Currently containing
1 in DP11478	22.61	81 dwellings, a community hall, day-care facility, gym and office/warehouse building, public open space, recreation facilities, roads and footpaths and other street furniture.

The following table provides an outline of the proposed allotments, size and what is contained thereon.

Proposed Allotments

Allotment	Area (m ²)	Containing
2	810	Vacant
3	739	Dwelling
4	655	Dwelling
5	760	Dwelling
6	720	Dwelling
7	809	Vacant
8	740	Dwelling
9	869	Dwelling
10	866	Vacant
11	1079	Dwelling
12	1029	Vacant
13	854	Vacant
14	1301	Dwelling
15	1001	Dwelling
16	1201	Vacant
17	2217	Vacant

18	1814	Vacant
19	2004	Vacant
20	1323	Vacant
21	1554	Vacant
22	1271	Vacant
23	1182	Dwelling
24	822	Dwelling
25	671	Vacant
26	659	Dwelling
27	637	Dwelling
28	638	Dwelling
29	568	Dwelling
30	702	Dwelling
31	635	Dwelling
32	639	Dwelling
33	562	Vacant
34	582	Dwelling
35	652	Dwelling
36	533	Dwelling
37	611	Dwelling
38	604	Dwelling
39	722	Vacant
40	687	Dwelling
41	829	Dwelling
42	1010	Dwelling
43	1206	Dwelling
44	834	Dwelling
45	1369	Dwelling
46	1132	Vacant
47	1292	Vacant
48	676	Dwelling
49	652	Dwelling
50	663	Dwelling

51	613	Dwelling
52	703	Dwelling
53	1118	Dwelling
54	763	Vacant
55	839	Vacant
56	577	Dwelling
57	592	Dwelling
58	710	Dwelling
59	528	Vacant
60	690	Dwelling
61	501	Dwelling
62	640	Dwelling
63	604	Dwelling
64	540	Dwelling
65	639	Dwelling
66	666	Dwelling
67	722	Dwelling
68	828	Vacant
69	905	Vacant
70	847	Dwelling
71	767	Dwelling
72	696	Vacant
73	769	Dwelling
74	774	Dwelling
75	730	Dwelling
76	717	Vacant
77	795	Dwelling
78	779	Dwelling
79	974	Vacant
80	2343	Shed/warehouse/office
81	863	Dwelling
82	705	Dwelling
83	801	Vacant

84	577	Vacant
85	778	Vacant
86	760	Dwelling
87	716	Dwelling
88	720	Dwelling
89	771	Vacant
90	671	Dwelling
91	717	Dwelling
92	719	Dwelling
93	650	Dwelling
94	643	Dwelling
95	904	Dwelling
96	657	Vacant
97	683	Vacant
98	685	Vacant
99	841	Dwelling
100	690	Vacant
101	872	Vacant
102	661	Vacant
103	799	Dwelling
104	871	Vacant
105	632	Vacant
106	692	Dwelling
107	756	Vacant
108	761	Dwelling
109	830	Dwelling
110	737	Vacant
111	727	Dwelling
112	691	Dwelling
113	773	Dwelling
114	749	Vacant
115	603	Vacant
116	589	Vacant

117	951	Dwelling
118	891	Dwelling
119	1426	Dwelling
120	921	Vacant
121	814	Vacant
122	829	Vacant
123	756	Dwelling
124	789	Dwelling
125	740	Vacant
126	830	Vacant
127	835	Vacant
128	887	Vacant
129	737	Dwelling
130	778	Vacant
131	777	Vacant
132	732	Dwelling
133	772	Vacant
134	761	Vacant
135	728	Dwelling
136	728	Vacant
137	768	Dwelling
138	784	Dwelling
200	11,110	Reserve (perimeter)
201	37,700	Reserve
202	33,530	Super-lot (proposed future tourist development site) Classroom, Clubhouse, outbuilding, playground and tennis courts.
203	187	Road reserve
204	134	Road reserve
205	45	Road reserve
206	419	Future encumbrance to protect sight distances

The plan of division involves the following elements:

- 81 residential lots with existing dwellings (500-1300m²)
- 56 residential lots currently vacant (550-1400m²)
- Two public open space/reserve lots (50,100m²) numbered 201 and 201
- One 'super-lot' (lot 202) for a future tourism/other accommodation development (33,395m²)
- One lot (lot 80) containing the existing storage/office building for future use (2,343m²)
- Three 'no access' reserve strips (203-205) to prevent direct vehicle access to Nairne Road from the allotments that are adjacent to this arterial road and an additional road reserve strip (206) to widen Nairne Road for improved sightlines
- 72m of new road

The proposed land division seeks to create individual allotments to reflect the existing dwelling distribution. The land division seeks also to create additional vacant allotments in recognition of the location of former dwelling sites, which are now vacant and additional vacant residential allotments where considered appropriate.

Two public open space parcels are proposed. One super-lot is proposed that currently contains buildings and recreation facilities. It is proposed that this allotment may be developed in the future for tourist accommodation. A further allotment contains a former storage and office building, which may be utilised for a similar purpose in the future subject to a future development application.

In addition, four 'no-access' reserve strips and a road reserve strip to widen Nairne Road is proposed as detailed above.

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Application Information** and **Attachment – Applicant's Professional Reports**.

3. BACKGROUND AND HISTORY

In 1920 the Australian Government purchased land and established an Army camp known as Woodside Camp. During WW2 the site housed Australian and some US Army Units. Following WW2 "Inverbrackie" accommodated a refugee camp, before becoming home to regular Army infantry units. In 1981 onwards it housed the 16th Air Defence Regiment and from 2010, "Inverbrackie" was used as a family oriented immigration detention centre housing up to 400 people until its closure in December 2014.

In 2017 the site was acquired by Mill Hill Capital through a managed fund called Woodside SA Pty Ltd.

4. REFERRAL RESPONSES

- **EPA**

The EPA has indicated that the information provided is insufficient to undertake an environmental assessment. The EPA has required the following additional information before it provides its response. These requirements are summarised below:

Water Quality (General)

Land division and subsequent built development generally leads to vegetation removal and increased impermeable surfaces with associated increases in runoff and pollutants in stormwater.

Stormwater

The following clarifications and further information are required:

- Clearly outline any existing stormwater quality improvements existing at the site and demonstrate that these are functioning as per best practice design
- Clarify if the swales outside the development have been used in the MUSIC modelling. If they have, then it must be demonstrated that these are functioning as per best practice design. If the above cannot be adequately demonstrated then all MUSIC modelling for the proposal must assume that there is no stormwater quality improvement existing at the site or immediately adjacent the site
- Provide MUSIC modelling for each sub-catchment that discharges offsite. If any sub-catchment cannot meet stormwater quality targets, then indicate additional measures that would be incorporated to ensure each sub-catchment meets the quality improvement targets
- Sub-catchment 1 includes a proposed tourist development, clarify that the hard surfaces resulting from this has been incorporated into the modelling
- Clarify the nature of the existing creek/drainage line. Note if this is deemed to be a creek or watercourse then demonstrate how stormwater would be treated before it reaches the watercourse
- Clarify if any of the exiting stormwater water quality infrastructure has been adequately maintained and indicate any plans for maintenance and/or replacement
- Provide clarification on the pool and riffle system, including:
 - How the pool and riffle system acts to improve quality, e.g. would pools be vegetated, would they be designed as a wetland etc.
 - Clarify the number of proposed ponds as there is a variance between the MUSIC model layout, Figure 17, and the WSUD concept plan WGA Appendix C

Wastewater Management

It is understood that the wastewater would be treated at existing wastewater treatment facility. However, the wastewater must reach this facility via a system of networks and pumping system. Information is not provided on the capacity of the wastewater treatment system capacity or the network to transfer wastewater from the development to the facility.

- Please provide confirmation that the wastewater treatment facility has the capacity for the additional allotments and tourist facility
- Please provide confirmation the existing infrastructure (pumps, pipe network) to reach the treatment facility is adequate for the additional allotments and tourist facility

- **CFS**

The CFS has no objection to the proposal and has made the following comments, which are summarised below. It is recommended that the requirements included in this feedback be included in the consent conditions.

- Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) [The Code] as published under Regulation 106 of the *Development Regulations 2008* applies.
- The proposed land division is located within an area that is categorized as a **MEDIUM** Bushfire Protection Area in the council development plan.
- Public access created by a land division to and from the proposed allotments shall be in accordance with the Minister's Code Part 2.2.2, including cul-de-sac heads, 'T' and 'Y' shaped turning areas and formed road carriageway widths.
- Access on and off the allotment shall be in accordance with Minister's Code Part 2.3.3.1
- A supply of water to the land division shall be available at all times for fire-fighting purposes. Ministers Specification SA78 prescribes the dedicated water supply to each allotment for bushfire fighting for the bushfire zone.
- The Code Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.
- The Code Part 2.3.2 describes the requirements for buildings to be sited away from areas that pose an unacceptable bushfire risk. This includes areas with rugged terrain or hazardous vegetation. For the purposes of creating an adequate asset protection zone, building envelopes should be sited no less than 10 metres from allotment boundaries, which border areas of hazardous vegetation.

- Individual allotments undertaking applications for development consent will need to be constructed in accordance with the National Construction of Australia [NCC] and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”. The Category of Bushfire Attack Level is identified as (MEDIUM) BAL 12.5.
- The existing houses adjacent the hazardous vegetation on the western, south western and southern boundaries, may not be constructed to an appropriate level to withstand the impact of a bushfire.
- The hazardous vegetation in its current state may present at a higher bushfire attack level than what is prescribed for construction of new dwellings in Medium bushfire prone areas in accordance with NCC Part 3.7.4.
- No details have been provided regarding allotment 202 earmarked for future tourism development. Ministers Specification SA76a – Fire Safety Requirements in Caravan Parks and Residential Parks will apply.

- **SA Water Corporation**

SA Water advised that pursuant to Section 33 of the Development Act it is necessary for the developer to satisfy this Corporation's requirements, which are listed below.

- The financial requirements of SA Water shall be met for the provision of water supply and sewerage services
- The necessary easements shall be vested to SA Water
- The alteration of internal drains to the satisfaction of SA Water is required

SA Water is able to provide water and wastewater services to the development site. All internal reticulation mains must be in accordance with SA Water networks infrastructure standards. Further investigation of existing infrastructure is to be undertaken.

On approval of the application, all internal water piping that crosses the allotment boundaries must be severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries.

- **DEWNR – Native Vegetation Branch (NVB)**

Vegetation

Any remnant native vegetation present on the subject land is protected under the Native Vegetation Act 1991 (the Act). Desktop investigation indicates the subject land appears to have a mixture of remnant native vegetation, planted native vegetation and introduced species. Remnant vegetation adjoining the west of the subject land is mapped as River Red Gum Woodlands, described in more detail as:

- *Eucalyptus camaldulensis var. camaldulensis low woodland over Spartium junceum mid shrubs over Phalaris sp., Bromus sp., Avena barbata low tussock grasses*

- The Native Vegetation Branch (NVB) does not oppose this subdivision proposal, however is concerned that the current allotment design will lead to the clearance of much of the native vegetation present in the allotments
- The NVB is concerned about the inclusion of large Red River Gums within housing

blocks as it inevitably leads to their clearance under the Regulation 8(6) for safety.

- The NVB does not support the placement of new boundaries through patches of remnant vegetation
- To minimise clearance for bushfire protection it should take advantage of already cleared areas or introduced vegetation as much as possible, rather than extending into the remnant vegetation to the west
- The NVB advises that further consultation with the NVB is required on the current proposal to ensure clearance of native vegetation is minimised and the desired outcome of retaining native vegetation is achieved
- Further information is required in the form of a vegetation survey by an NVC Accredited Consultant to identify native vegetation from planted or introduced vegetation to inform the planning of the proposal
- The applicant will need to apply for any native vegetation clearance proposed for the subdivision and gain approval under Native Vegetation Regulation 12(35) residential subdivision, which requires that criteria is met and an SEB offset is provided. The vegetation survey will form the basis of the application under regulation 12(35)

- **DPTI – Public Transport Division**
The Public Transport Division has advised that the proposal is located more than 500 metres from the closest bus stop. At present due to the low population density of the locality there is no short term plan to extend existing services closer to the proposed development area. Residents will be required to walk approximately 1 km to Riverview Road for access to public transport from this development.
- **DPTI – Transport Services Division**
No comments have been provided by DPTI Transport Services Division as yet.
- **DEWNR – River Murray**
They have advised that the subject land is not within a River Murray Protection Area under the River Murray Act 2003 and as such does not require referral to the Minister for Water and the River Murray.
- **DoH - Environmental Health**
SA Health has advised that the subdivision under consideration is proposed to connect to the SA Water sewer and if achieved the proposal is outside the South Australian *Public Health (Wastewater) Regulations 2013*.

If this is not possible, then further information will need to be provided to demonstrate how the allotments will comply with this legislation.

- **Adelaide and Mount Lofty Ranges NRM Board**
The application has been reviewed by the Adelaide and Mount Lofty Ranges NRM Board and a summary of comments provided is outlined below:

In relation to stormwater management, new development on this site (including the proposed caravan and camping site) will need to ensure that all stormwater treatment devices are designed to accommodate the full catchment area, not just a part of it, otherwise the system will not function as required.

Treatment to reduce stormwater flows to the pre-development flow rate is required by

Council's development plan, as is treatment of the stormwater leaving the site.

In relation to biodiversity & recreation it is recommended that any new plantings are established early in the staging process, to provide adequate time for new vegetation to establish as the development is repopulated. The addition of a public open space zone in lot 200 around the periphery of the site is welcomed, given that it is likely to offer dual functionality as a bushfire buffer zone and is adequately sized to protect the edges of the development on the western and southern boundaries.

Given the location of the site away from the main township of Woodside it is recommended that consideration be given as to how the development will be connected to Woodside to encourage active transport options and community connections.

Regional Planning

As the proposed land division is in the Central Hills subregion, the future DPA should consider and align with the subregion's key priorities outlined in the Regional NRM Plan.

Relevant NRM Plan Priorities include:

- Protect water resources for aquatic health and agricultural use (quality)
- Reduce the impact of runoff from stormwater and priority watercourses on aquatic health, the coast and marine environments
- Connect communities to their environment (both local and more remote)
- Better understand land use and land use change in a highly diverse landscape to support better development planning and management of land use conflict

- **DECD – Education and Child Development**

No comment.

- **DPTI - Park Maintenance Section**

No comment.

- **AHC EHU**

Council's Environmental Health Unit has advised that Council data indicates the site is to be serviced by SA Water sewerage infrastructure.

- **AHC ENGINEERING DEPARTMENT**

Stormwater Management

Given the development site is an existing residential development (brown field site) it was recommended to the applicant that a detailed investigation be undertaken to prepare a stormwater master plan for the site to identify the operating performance of the existing system against the required design standards then to propose necessary improvement works for the proposed development to bring it up to current standards.

The existing stormwater drainage system study would establish the following:

- Minor flows - Underground pipe network, pits and outfalls capacity
- Major flows - Overland flow capacity - roadway and open drains, swales\buffer system capacities to be assessed and compare with major flows (1 in 100 ARI) in order to confirm the adequate capacity of the system to accept major flows

It was requested that the proposed Stormwater Management Plan including requirements and upgrading works to existing stormwater infrastructure was to include consideration of the following:

- All the underground pipe stormwater systems
- Side entry pits, junction pits and road culverts etc.
- Identify systems with under capacity, ponding and flooding areas with minor flows (1 in 5 ARI) and propose necessary upgrading works as necessary
- Identify flooding and ponding areas for an event of major floods (1 in 100 ARI event) and propose upgrading works as necessary
- Identify and propose stormwater drainage easements to acknowledge/protect the existing drainage system
- Propose appropriate detention systems where possible to control the flows within the site to reduce possible flooding to the downstream systems
- Propose appropriate stormwater retention systems to reduce the stormwater flows from the site and maximise water reuse
- Propose Water Sensitive Urban Design (WSUD) principals to achieve water quality targets as outlined in EPA water quality policy
- Propose upgrading works to existing outfalls to achieve required outfall design standards and to be followed with confirming adequate capacity of the downstream open swales (existing creek) to accept design flows.

Any modification to existing stormwater assets or increase of stormwater flows along Nairne road to be carried out in consultation with DPTI, being the relevant road authority.

Overall drainage system standards are to be determined and upgraded where necessary in accordance with the relevant standards as outlined below:

- Australian Rainfall and Runoff (IEAust, current version)
- Drainage design guidelines – Adelaide Hills Council
- Drainage design guidelines (DPTI)
- EPA *Environment Protection (Water Quality) Policy 2015*
- WSUD guidelines(EPA)
- AS/NZ 3500 (Plumbing & Drainage code)

A stormwater management plan including a concept plan prepared by Wallbridge Gilbert Aztec (WGA) dated 22 February 2018 was submitted by the applicant in order to address the above listed matters. Council's Engineer has reviewed this plan and concept and identified that the following matters need to be addressed (the numbers correspond to a marked up concept plan that has been scanned and included in **Attachment- Referral Responses**. Further the site numbers refer to the proposed house numbers shown on

the WGA concept plan not to the proposed Allotment numbers):

1. The proposed infiltration systems within private sites are not supported due to ongoing maintenance issues. The concept should be amended to provide an underground stormwater (SW) pipe system (sealed system) to be installed at the rear of these allotments. The location of such piping is to avoid native vegetation including root zones.
2. The proposed SW drain at No.56 Lucknow Avenue is non-standard as it will run uphill; therefore this is to be amended to have an easement drain running along the boundary of allotment 2.
3. A major flow release path is shown proposed in between Nos. 72 and 74 Lucknow Avenue together with an underground pipe system. It is recommended that the whole allotment areas of Nos. 72 and 74 be reserved for a detention basin, therefore major flow path reservations will not be required across these allotments.
4. The proposed outfall through the adjoining property to the west at the northern corner of the development is to be relocated to within the development site, or alternatively necessary drainage easements are to be negotiated with the adjoining property owner and formalised. If this is proposed to be relied upon, then the existing outfall swale drain will require appropriate upgrading works to be undertaken.
5. The major flow release path (to be followed with underground minor system) is to be proposed/constructed at the boundary of Nos. 31-32 and 32-34 Lucknow Avenue. Drainage easements of the required width (3m) should be formalised as part of this land division via a consent condition.
6. Overland Major flow release path to be proposed/constructed at the allotment boundaries No.3 First Avenue and No.1 Lucknow Avenue and 12 Alamein Avenue are to cater for both major and minor stormwater events.
7. Provide concept details and specifications for the perimeter cut off drains, rock beaching and basins etc.
8. Provide concept detail/specification for the proposed riffles, open swales etc. Currently there is no detail as to how these satisfy WSUD objectives.
9. Existing swale at the road verge adjacent to No 2 Balmoral Place (Crest Place) is to be upgraded. Specifically, installation of underground pipes, side entry pits and other infrastructure as per AHC standards is required in this location.
10. The proposed non-standard SW drain is to be relocated along the boundary of Nos. 38 and 40 Alamein Avenue or to the adjacent boundary to avoid the 'sharp' pipe bend at this location.
11. It is recommended that the existing, eroded stormwater infrastructure along Nairne Road, being the overall outfall/discharge point from the development is upgraded. (This is also likely to be a DPTI requirement).

It is noted that there is some overlap between the EPA requirements listed above in relation to WSUD, water quality treatment and the Council's stormwater design requirements.

Roads

Council's Engineering and Assets Team reviewed a road and kerb upgrade plan prepared by Fyfe Pty Ltd dated 22 May 2017. This plan outlines road surfaces marked in green, which will be replaced as per the design specification in the report was titled *Pavement Asset Evaluation Report prepared by Pavement Asset Services dated 6th July 2017*, and pavement marked in yellow is proposed to receive a 40mm asphalt resurfacing. The plan also identifies roads where either new kerbing or replacement kerbing is proposed. Council's Engineering Department have indicated support for this Plan and therefore a condition is recommended to be included requiring road and kerb construction and upgrades as proposed on this plan.

There are four existing pram ramps that do not comply with current requirements, these pram ramps are proposed to be removed and replaced along with additional pram ramps to be added as required to provide sufficient pedestrian access. Further information is required as to the location of which ramps do not comply and the location of additional proposed pram ramps.

Footpaths

The footpath network is not sufficient due to lack of connectivity and the footpaths that do exist are not of sufficient width by current standards (1.5m wide footpaths are the current standard). A full footpath/pedestrian network plan should be supplied to show where footpaths are to be provided. A pathway through the proposed Council reserve should also be provided.

- **AHC PROPERTY SERVICES**

The vesting of reserve, roads and easements is not of concern from a property perspective subject to both Open Space and Civil teams being satisfied that the existing and proposed infrastructure is of a standard acceptable to be assumed by Council and that the costs of maintaining can be budgeted for and are acceptable.

- **AHC WASTE COLLECTION**

From the proposal documentation, this development would appear to be a fairly standard sub-division free of any multi-unit dwellings, and all the allotments appear to have sufficient road frontage. This being the case it will facilitate easy standard kerbside collection of a 3-bin system. Allowances for sufficient turning circles and or bin locations within cul-de-sacs should be considered. In this regard the turning circle should be based on an ACCO F2350G external steer wheel is 18.644m, and further, due to variances with trucks and models a benchmark of 20m is recommended.

Ensuring allotments have sufficient frontage to accommodate a driveway (single or double) along with room for the presentation of the bins, ideally on a footpath or verge frontage will aid in minimising collection issues.

- **AHC PARKS AND OPEN SPACE**

Council's Parks and Open Space Section have provided the following comments.

Main Reserve

The main reserve contains several scattered large mature eucalypts (Red Gum, SA Blue Gum) with numerous planted and self-seeding non-local eucalypts throughout. Also includes other species such as Melaleuca armillaris and other non-local varieties. Native understorey almost completely modified and confined to small degraded patches of native grass including Wallaby Grass (*Rytidosperma* sp) and Kangaroo Grass (*Themeda triandra*).

The reserve contains a small covered concrete picnic table/BBQ area that is in poor condition.

The existing pathway is in poor condition and would need upgrading.

Concern is raised around overhanging trees into private allotments.

Ongoing maintenance will include mowing estimated at 1 day/month (12 times / year).

Small Reserve

It was observed that the clearance and removal of approximately 20 mature eucalypts, likely to be of the species *Eucalyptus camaldulensis* ssp. *camaldulensis* (Red Gum) has recently occurred. These would have previously formed part of an Open Woodland community, which still contains groups of mature individuals of advanced age, most likely >200 years. These are regarded as high value habitat trees, most with multiple hollows. This matter is being managed by advising the Native Vegetation Management Unit (Department of Environment, Water and Natural Resources).

Proposed residential blocks

Some large mature Regulated Trees (Significant or Regulated) of the species *Eucalyptus camaldulensis* ssp. *camaldulensis* (Red Gum) and *Eucalyptus leucoxylon* ssp. *leucoxylon* (SA Blue Gum) are located within various sized residential allotments. It is anticipated that safety issues associated with trees in close proximity to dwellings and associated structures may arise in the future.

Street Trees

A few street trees exist throughout, mostly *Eucalyptus leucoxylon* ssp. *leucoxylon* (SA Blue Gum) with some non-local species.

Drainage Channel

A small narrow open drainage channel dissects a small linear reserve proposed to separate several rows of proposed allotments. The channel is unstable and eroding in places. This would need improved to enable easier access to maintenance vehicles as there is currently no access for maintenance vehicles.

Main Entrance

The landscape planting at the main entrance to the development is of a domestic standard and would need to be improved.

Road Reserve Vegetation

There are several trees throughout the road reserve (Nairne Road) with some species believed to be remnant and others planted. The prescribed access points into the development as shown on the proposal plan are unlikely to have an effect on the existing road reserve vegetation.

Recommendation

Further information required prior to a determination:

- A vegetation and tree survey showing location of trees and details of species. This should include the relevant tree protection zones (TPZ). This information will inform the location and design of both allotment layout (with boundaries fencing and building envelopes), as well as the location and design of infrastructure such as stormwater management.

The following information that may be required via consent conditions

- Street tree planting (1 per allotment) including theme and species selection
- A proposed landscape plan showing plant selection, irrigation systems and details of any proposed structures (retaining walls/entrance statements etc.)
- A plan showing the location of the replacement shelter and park furniture in the main reserve
- The pathway located within the reserve to be brought to an acceptable standard in terms of expected use and safety.

The above responses are included in full as ***Attachment – Referral Responses***.

5. CONSULTATION

The application is categorised as a Category 3 form of development which requires public notification and advertising. This was managed by SCAP and the public notification period closed on 22 March 2018.

6. PLANNING & TECHNICAL CONSIDERATIONS

This application has been evaluated in accordance with the following matters:

i. The Site's Physical Characteristics

The subject land is 22.61 hectares in area and is bounded on the north and east by Nairne Road for a length of approximately 800 metres. The land gently falls from south to north towards Nairne Road and contains a drainage depression running south to north for part of the western half of the site. The site contains a range of scattered trees including stands of eucalypts of varying age across the land.

The land contains 81 existing dwellings together with a community hall, day care facility, gym office storage/workshop building and other non-residential facilities. The land contains an existing sealed internal road network with four access points to Nairne Road.

The subject land is within watershed area 2 and within a mapped medium bushfire risk area.

ii. The Surrounding Area

The surrounding locality is undulating rural land that is characterised by various rural primary production uses, predominantly livestock grazing and viticulture. To the immediate west and south of the site is the Woodside Barracks a site owned and operated by the Federal Department of Defence. This site contains a range of buildings and facilities set amongst scattered woodland.

The site is approximately 1.6km outside the township of Woodside and approximately 100m from the watercourse on the northern side of Nairne Road, which flows into the Inverbrackie Creek.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Watershed (Primary Production) Zone and Onkaparinga Valley Policy Area and these provisions seek:

- i. The maintenance and enhancement of the natural resources of the south Mount Lofty Ranges.
- ii. The enhancement of the Mount Lofty Ranges Watershed as a source of high quality water.
- iii. The long-term sustainability of rural production in the south Mount Lofty Ranges.
- iv. The preservation and restoration of remnant native vegetation in the south Mount Lofty Ranges.
- v. The enhancement of the amenity and landscape of the south Mount Lofty Ranges for the enjoyment of residents and visitors.
- vi. The development of a sustainable tourism industry with accommodation, attractions and facilities which relate to and interpret the natural and cultural resources of the south Mount Lofty Ranges, and increase the opportunities for visitors to stay overnight.
- vii. Retention of the existing rural character by ensuring the continuation farming and horticultural activities and excluding rural living or other uses which would require the division of land into smaller holdings

The following are considered to be the relevant Zone provisions:

Objectives: 1, 2, 3, 4, 5 & 6

PDCs: 18, 19, 20, 21, 22, 23, 29, 30, 32, 34, 36 & 70

The following are considered to be the relevant Policy Area provisions:

Objectives: 1

PDCs: Nil

Accordance with Zone & Policy Area

The proposed land division of 1 allotment into 145 is non-complying development under PDC 70.

At first glance the proposal appears to contribute little toward the key objectives of the Zone and the sole objective of the Policy Area. While the proposal has limited ability to contribute to Objective 1 of Policy Area and 3 of the Zone in relation to the long term sustainability of rural production, the land has historically not been used for such a purpose and for this reason the proposal's inconsistency with these objectives is not considered to be fatal. The proposal via appropriate design and other controls can be managed in order to be consistent with the remaining Zone objectives.

The proposal is atypical of the locality and underlying Zone due to the historic use of the site for accommodation of defence personnel and migrants. In fact the existing use is more characteristic in built form and amenity to that of a suburban subdivision within a residential zone. Therefore, there will be no net loss of primary production land as a result of this proposal or subsequent development thereon. Acknowledging this circumstance is important in determining whether the proposal will protect and maintain the natural resources of the South Mount Lofty Ranges. While the proposal will create allotments around existing structures and uses, the proposed land division also involves creating allotments for the 'vacant' spaces in-between the existing dwellings. The impact of siting new buildings upon the land needs to be carefully considered against the Zone Objectives and PDCs particularly in terms of impact on native vegetation, infrastructure demands and requirements and for stormwater and wastewater. It is anticipated that through appropriate design measures the proposal can be compatible with the Zone Objectives 1, 2, 3, 4, 5 & 6 and PDCs 1(g), 14, 16, 30, 32 & 36, relating to form of development and conservation.

It is considered that the proposed land division will not detract from the rural landscape character of the locality, as this residential estate that already largely exists. Whilst the land on the north and east sides of Nairne Road is currently utilised for grazing and viticulture, and is therefore suitable for primary production, the subject land already features 81 dwellings and is therefore not suitable for such a purpose without demolishing all the built form and fully returning it to its natural state. The size of proposed allotments is considered suitable for low density residential purposes. For both these reasons the proposal is not considered to prejudice primary production or be contrary to Zone PDCs 16, 17, 19, 21, 42, 43 and 44.

The proposed allotments will generally be able to accommodate future dwellings, tourist development and a commercial site. Further consideration is required to be given to the impacts of building envelopes upon existing native vegetation, which may result in adjustment to proposed allotment configuration. Waste control will comply with wastewater requirements of Table AdHi/5 (part b) given that the site is connected to SA Water sewer. On this basis, the proposal is considered capable, subject to appropriate adjustments to minimise native vegetation impacts, of achieving consistency with Zone PDC 18, but is contrary to PDCs 20 and 22.

The EPA have required further information in regard to wastewater, specifically around existing and projected sewer capacity and also further stormwater modelling information with regard to stormwater management. Until this information is received, it is not possible to conclude if the proposal is considered to be consistent or at variance with Zone PDC 21.

The proposed land division will utilise two of the four existing access points (two will be closed off). Therefore, there will be no impact on roadside vegetation. Boundaries of some of the allotments and some of the building envelopes within the proposal have the potential to interfere with native vegetation. DEWNR-NVB have requested further information in the form of a vegetation survey by an NVC Accredited Consultant to identify native vegetation from planted or introduced vegetation to inform the design of the proposed land division (placement and alignment of lot boundaries). The aim will be to ensure that the proposal can be designed to be largely consistent with Zone PDCs 33 and 34.

b) Council Wide provisions

The Council Wide provisions of relevance to this proposal seek (in summary):

- i. Orderly and economic development
- ii. Development to be undertaken on land that is suitable for the intended purpose, whilst also having regard for the zoning of the land,
- ii. Protection of productive primary production land from conversion to non-productive or incompatible uses,
- iii. Retention of rural area for the maintenance of the natural character and rural beauty of these areas, and
- iv. Protection of the Mount Lofty Ranges Watershed from pollution.

The following are considered to be the relevant Council Wide (CW) provisions:

Design and Appearance

Objectives: 2

PDCs: -

Hazards

Objectives: 1, 2, 3, 4, 5 & 6

PDCs: 3, 4, 5, 6, 7, 8, 9, 11, 12, 13 & 14

Infrastructure

Objectives: 1, 2, 3, 4 & 5

PDCs: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20

Interface between Land Uses

Objectives: 1, 2 & 3

PDCs: 1, 2, 4, 15 & 16

Land Division

Objectives: 1, 2, 3, 4 & 5

PDCs: 1, 2, 6, 7, 8, 10, 11, 14, 15, 16, 17, 18, 19, 19, 20, 21, 22 & 23

Natural Resources

Objectives: 1, 2, 3, 4, 5, 6, 7, 8, 10, 13 & 14

PDCs: 1, 2, 3, 4, 6, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 37, 38, 39, 41, 42, 44, 46, 46, 47, 48, 49 & 50

Open Space and Recreation

Objectives: 1, 2, 3 & 4

PDCs: 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13 & 15

Orderly and Sustainable Development

Objectives: 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 & 11

PDCs: 1, 2, 3, 4, 5, 6, 7, 8, 9, 11, 12, 14 & 17

Residential Development

Objectives: 1, 2, 5 & 6

PDCs: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 15, 18, 19, 20 & 21

Siting and Visibility

Objectives: 1

PDCs: 1, 3 & 9

Sloping Land

Objectives: 1

PDCs: 1, 5 & 6

Tourism Development

Objectives: 1, 2, 3, 5, 6, 7, 8 & 9

PDCs: 2, 3, 4, 5, 7, 22, 23, 24, 25, 26, 27 & 28

Transportation and Access

Objectives: 1, 2, 3, 4 & 6

PDCs: 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 36 & 45

Waste

Objectives: 1 & 2

PDCs: 1, 2, 3, 4, 5, 6, 7, 11 & 12

Stormwater Management & any potential for Flooding, Subsidence or Erosion of the land

The land is not shown to be subject to inundation on the Figures within the Development Plan. The site does contain three sub catchments (drainage lines) all of which eventually drain toward Nairne Road then onto the Inverbrackie Creek and the Onkaparinga River, within Watershed Area 2. The existing development has some

stormwater drainage infrastructure, but some is in poor condition and on the whole the infrastructure does not meet current water sensitive urban design guidelines and engineering standards. Stormwater management for the development will be required to address minor and major stormwater flows and to manage nutrient and suspended solids in accordance with the requirements of Council Wide - Natural Resources and Water Sensitive Design Objectives 1, 2, 3, 4, 5, 6 & 7, and PDCs 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 47, 48, 49 & 50.

The applicant has engaged the consultancy WGA to prepare a stormwater management plan to identify minor and major stormwater flows and develop a plan to manage these flows to pre development levels. The stormwater mitigation is aimed at avoiding flooding of property during minor and major storm events and to manage nutrients and suspended solids. As part of this mitigation plan, a stormwater concept plan has been submitted.

The EPA and Council's Engineer have reviewed the stormwater management plan. The EPA have advised that the information provided is currently insufficient for the EPA to undertake an environmental assessment and has required further information to be provided (refer to EPA further information request above). Council concurs with this position and has identified additional specific areas that require further information or amendment in relation to the stormwater concept, which are outlined above.

It is considered that the proposal is capable of incorporating a stormwater management scheme that can satisfy the requirements of the relevant Development Plan CW Objectives and PDCs listed above and the EPA, however further information and amendments to the design are required in order to confirm this.

Water Supply & Effluent Disposal

Mains water and sewer is available through connection to SA Water. A new pump station has been recently constructed to pump waste water to the existing SA Water sewer infrastructure. However, the EPA has required confirmation of the following:

- That the wastewater treatment facility has the capacity for the additional allotments and tourist facility.
- That the existing infrastructure (pumps, pipe network) to reach the treatment facility is adequate for the additional allotments and tourist facility.

The approval of the proposed land division within the Watershed (Primary Production) Zone (Watershed Area) is contingent on demonstrating that projected wastewater can be managed by the sewerage system connecting to the site. If the capacity of the system is limited then this may limit the development potential of the site unless capacity is increased.

Therefore, further information is required in order to confirm that the proposal achieves compliance with the CW provisions, specifically CW 'Land Division' Objective 1 and PDC 1; 'Infrastructure' Objectives 1, 2, 3, 4 & 5 and PDCs 1, 6 & 8; 'Natural Resources' Objectives 1, 2 & 6 and PDCs 1, 2, 3 & 4; and 'Waste' Objectives 1 & 2 and PDCs 1, 2, 3, 4 & 11.

Solid Waste Disposal

The site is serviced by the Council's waste collection service. As discussed above, Council's Waste, Health and Regulatory Services Section and contractor East Waste have reviewed the proposal (see Referral Responses above). The existing road system is generally considered satisfactory. The key cul-de-sacs and other turning heads ('Y' and 'T' shaped) at the end of roads will need to meet the above detailed standards to facilitate turning of garbage trucks that service and will service the site. It is noted that in satisfying the turning requirements for CFS fire fighting vehicles, the turning areas will satisfy the requirements for waste collection vehicles. Some of the turning heads (Crest Place and Inverbrackie Close) will need to be upgraded and allotment areas reduced to achieve compliance with the Minister's Code: Undertaking Development in Bushfire Protection Areas.

The proposal is generally consistent with the 'Waste' CW Objectives 1 & 2 and PDCs 1, 2, 3, 5 & 6.

Transportation and Access

The land division concept plan proposes a reduction of intersections with Nairne Road from four to two with the planned closure of 'Balaklava' Avenue and 'Dargie' Avenue. This will reduce the scope for traffic conflict on Nairne which is currently a State (arterial) road with an 80km per hour speed limit. The MFY Traffic report proposes minor treatment to the remaining intersections involving an increased road reserve splay to the east of Alamein Avenue to improve sightlines and a minor intersection realignment where Lucknow Avenue intersects Nairne Road. At the time of drafting this report the referral response from DPTI- Transport Division had not been received, which may concur with these findings or potentially require more significant intersection treatment.

Existing dwellings fronting Nairne Road are proposed to have rear access via a narrow lane. This will facilitate reduction in direct access to Nairne Road when these allotments are redeveloped. This laneway will need to be widened to a minimum reserve width of 7m (6m wide carriageway and a 1m wide reserve for service infrastructure). Specifically, a 'no access' 1m wide reserve strip has been provided on the northern side of proposed lots 119, 120, 121, 133 and 134.

The existing internal road network generally complies with the '*Prescribed Requirements – General Land Division Provisions*' of the *Development Regulations 2008* in relation to the width of roads and thoroughfares. Proposed Crest Place road reserve is 12m wide rather than 12.4m however this road will only service up to 5 allotments and the variation is considered minor. As mentioned above, the turning heads will be required to comply with the Minister's Code: Undertaking Development in Bushfire Protection Areas.

At present due to the low density nature of the locality, DPTI-Transport Services have advised that there is no short term plan to extend existing public transport services closer to the proposed development area. Residents will be required to walk approximately 1 km to Riverview Road for access to public transport from this development.

Subject to the above matters being adequately addressed the proposal is considered generally consistent with the relevant CW 'Transportation and Access' Objectives 1, 2, 3, 4 & 6 and PDCs 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 16, 17, 18, 19, 20, 24, 25, 26, 27, 28, 30, 32, 33, 34, 35, 36 & 45; and CW 'Land Division' PDCs 16, 17 & 18.

Fire Protection issues

The subject land is designated as a medium bushfire prone area and the adjacent rural land is also designated as a medium risk area. The proposal is to comply with the Minister's Code: Undertaking Development in Bushfire Protection Areas and specifically with the requirements identified by the CFS in respect to access, water supply, vegetation, siting of future dwellings and tourist development. In this regard the following requirements have been identified by the CFS:

- Roads to be all weather and minimum 6m wide carriageway.
- Road turning radii to be 12.5m minimum.
- Vegetation clearance over road 4m.
- Water supply to have 2000L static supply where connected to mains water
- A 10m fuel reduced buffer around the perimeter of reserves and land to be developed.
- 20m vegetation management zone around dwellings
- Building envelopes to be sited 10m from boundaries adjoining hazardous vegetation
- Tourism development is to be able to comply with the *Ministers Specification SA76a – Fire Safety Requirements in Caravan Parks and Residential Parks*

As mentioned above, amendments to the proposal are required to achieve compliance with the Ministers Code and the CW 'Hazards' Objectives 1 & 2 and PDCs 6, 7, 8, 9, 11, 12, 13 & 14.

Native Vegetation & Land Management

The site contains remnant vegetation that is protected under the Native Vegetation Act 1991. The site includes a mix of remnant native vegetation, planted native vegetation and introduced species. Land adjoining to the west is mapped as containing River Red Gum Woodlands.

The size and design of some proposed allotments will place pressure to clear more native vegetation due to potential building siting and boundary fencing placement. The Native Vegetation Board has indicated that the proposed boundary location of allotments 54, 55 and 139 will have an unacceptable impact in this regard. Further the potential private ownership of allotments will place more pressure for removal upon trees within 10-12metres of dwellings. Allotment 200 is proposed to serve as open space and a fire break to vegetation located on the site to the west. Any works to satisfy bushfire protection requirements should preferably be located in existing cleared areas and/or involve non remnant native vegetation.

Any native vegetation clearance required to facilitate development of the site should be identified at this stage, including an application for vegetation clearance to meet the requirements of the Native Vegetation Regulation 12(35). This should account for all expected vegetation clearance and include Significant Environmental Benefit (SEB) offset provided by the applicant for land division.

As identified by the NVB, a vegetation and tree survey showing location of trees and details of species should be provided prior to determination of the land division application. This should specifically focus upon area of the site that are proposed to be developed for residential and tourist uses and areas where infrastructure is proposed. The survey is to include the relevant tree protection zones (TPZ). This information will inform the location and design of both allotment layout (with boundaries fencing and building envelopes), as well as the location and design of infrastructure such as stormwater management.

As mentioned above, amendments to the proposal are required to demonstrate that impacts upon native vegetation can be minimised and the CW 'Natural Resources' Objectives 1, 8, 13, & 14 and PDCs 1, 2, 4, 6, 37, 38, 39, 42, 44 & 46.

Public Open Space, Recreation and Landscaping

The plan of division proposes to create a total of 4.91 hectares of public open space within a total area to be divided of 22.61 hectares, which represents approximately 22% of the subject land, in excess of the 12.5% minimum requirement under Section 50 of the *Development Act 1993*. Proposed Allotment 200 (reserve) will serve as a perimeter fire break, access and walking track and contain stormwater management infrastructure.

Proposed allotment 201 (main reserve) is centrally located with grassed woodland, a concrete walking track and a BBQ shelter and seating. Whilst the area is adequate at 3.77 hectares, the track and facilities are of a poor standard and require replacement. A pedestrian and cyclist movement plan showing all the footpaths and pathways to be constructed should be provided. The open space area is within 300m of households it will serve and under CW 'Open Space and Recreation' PDC 7, an area of 0.2 hectares in size would be required as a 'local' park and therefore the proposal is more than adequate as it is the size of a 'district' level park.

The landscaping at each of the entrance points is considered to be inadequate and therefore a landscape plan should be provided detailing the landscaping treatment at each of these entrance points. Details of street tree planting and a theme should also be included on the landscape plan.

Council also requests in its comments that consistent fencing is provided around the perimeter of the site and the allotment boundaries that about the proposed main reserve areas are to have at least 50 percent open style fencing to achieve passive surveillance to the reserve areas.

Subject to the above matters being adequately addressed, the proposal is considered generally consistent with the relevant CW 'Open Space and Recreation' Objectives 1, 2, 3 & 4 and PDCs 1, 2, 3, 6, 7, 8, 9, 10, 11, 12, 13 & 15.

Infrastructure and Vesting

As discussed above, this land division will create Torrens title allotments and the roads, stormwater infrastructure, street furniture and public open space will be vested with Council. Therefore, Council will be responsible for the ongoing maintenance of this infrastructure, land and facilities which will have ongoing cost implications. It is therefore important that what is vested to Council is of a standard that Council is satisfied to take ownership of. This applies to both existing and proposed infrastructure and facilities. Council's Property Services have indicated support for infrastructure and land to vest with Council provided Council's Open Space and Civil Engineering being satisfied that the existing and proposed infrastructure is of a standard acceptable to be assumed by Council and that the costs of maintaining can be budgeted for and are acceptable. Upgrades to the infrastructure and open space are required before Council is prepared to vest this land. Subject to these requirements it is considered that the proposal is consistent with CW 'Infrastructure' Objectives 1, 2, 3, 4 & 5 and PDCs 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 & 20.

Roads

Council's Engineering and Assets Department have reviewed and indicated support for a proposed plan (road and kerb upgrade plan prepared by Fyfe Pty Ltd dated 22 May 2017) to upgrade existing roads, gutters and footpaths. This plan outlines road surfaces marked in green, which will be replaced as per the design specification in the *Pavement Asset Evaluation Report prepared by Pavement Asset Services dated 6th July 2017*, and pavement marked in yellow that are proposed to receive a 40mm asphalt resurfacing. The plan also identifies roads where either new kerbing or replacement kerbing is proposed. Council's Engineering Department have indicated support for this plan and therefore a condition is recommended to be included requiring road and kerb as proposed on this plan. Subject to the above matters being adequately addressed the proposal is considered generally consistent with the relevant roads and access requirements, specifically CW 'Land Division' PDCs 16, 17 & 18.

Footpath and pram ramps

Many of the existing footpaths are in a poor state and in some areas are not in existence. Pram ramps need to be provided for all footpaths in the proposal. There are four existing pram ramps that do not comply with current requirements, these pram ramps are proposed to be removed and replaced along with additional pram ramps to be added as required to provide sufficient pedestrian access. Further information is required as to the location of which ramps do not comply and the location of additional proposed pram ramps. A plan showing all the footpaths within the proposed road reserves and pathways within the open space reserves is required. A concrete footpath of 1.5m in width should be provided on at least one side of every roadway (excluding the narrow laneway at the rear of proposed lots 133-138).

Stormwater pipes

Much of the existing stormwater infrastructure is of a standard that does not achieve current WSUD best practice and/or is blocked or in disrepair. As discussed, further information is required in relation to stormwater management for minor and major storm events and also WSUD treatment to ensure water quality and quantity achieves predevelopment flows for water leaving the development site as required under the Development Plan. This will warrant extensive new stormwater infrastructure that will be vested with Council and require ongoing maintenance to ensure continuing effectiveness. This will need to be of a design and standard that Council is satisfied to take ownership of. These matters will be addressed via appropriate land division consent conditions. The above matter needs to be addressed in order to satisfy CW 'Land Division' Objective 1 and PDC 1.

Street furniture (lighting, signage)

The Fyfe Survey and Infrastructure Assessment Report dated 5 July 2017 provides a detailed inventory of existing street furniture including signage, lighting and shelters. A proportion of this is not of a satisfactory standard and requires either repair or replacement to meet acceptable standards for vesting with Council. This will be included as a condition of consent.

The proposal consistency with the CW 'Land Division' Objectives 1, 2, 3 & 4 and PDCs 1, 2, 6, 7, 8, 10, 11, 14, 15, 16, 17, 18, 19, 20, 21, 22 & 23 and other relevant provisions can only be determined once the above detailed information is supplied to the Council for re-comment or once provided as part of the engineering stage to meet the land division consent conditions.

7. SUMMARY & CONCLUSION

Given that much of the site is already developed for residential purposes and supporting infrastructure and facilities, and subject to additional information confirming native vegetation can be largely protected, it is considered that the proposed land division will not detract from the rural landscape character of the locality. The land division does not reduce the land available for primary production, nor does it further prejudice primary production activities in the locality. The size of proposed allotments is generally consistent with the existing residential form, although not currently subdivided. The proposed land division will facilitate the continued use of the site for residential and related uses and as such is generally considered to be orderly and economic. Furthermore, the proposal is unlikely to result in new or unforeseen land use conflicts with surrounding land uses.

Further information in the form of a vegetation survey that considers the location of tree protection zones, building footprints and future fencing is required to assess the proposal's impact on this vegetation. Further information in relation to the stormwater management design and water quality modelling is also required to demonstrate that water quality targets of the EPA can be achieved and accordingly that the impacts on the watershed are acceptable. Additional information is also required in relation to the wastewater (sewer) system to ensure the capacity is sufficient for the anticipated land uses. Conditions are recommended to the SCAP in relation to the provision of adequate infrastructure and facilities including roads,

kerbing, footpaths, pathways, BBQ shelter, signage, lighting and landscaping to improve the appearance and amenity of the development.

It is considered the proposal will be able to achieve a sufficient level of consistency with the relevant provisions of the Development Plan. While the creation of additional allotments and the 'suburban' nature of the proposal is not envisaged in the zone, the development has largely been physically in existence for decades, and therefore it is considered the proposal is not seriously at variance with the Development Plan. In the view of staff, the proposal has sufficient merit to warrant consent. Staff therefore recommend that the State Commission Assessment Panel be advised that Council has no objection to the proposed land division, but requests that the decision on this matter be deferred until further information is provided that will enable a complete assessment of the proposal. Once these fundamental matters are satisfactorily addressed, Council supports the issuing of the consent and requests that a number of conditions be imposed on any consent granted as detailed in the recommendation below.

8. RECOMMENDATION

That 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 advise the State Commission Assessment Panel that it has no objection to the proposed land division in Development Application 17/1123/473 (473/D085/17) by Mill Hill Capital Pty Ltd for Land division (1 into 139) (Non-complying) (SCAP relevant authority) at 298 Nairne Road, Woodside SA 5244, but requests that the decision of this matter be deferred until the following comments have been addressed to permit further assessment of the proposal and the following conditions are to be included on any future consent:

Comments:

- 1) It is recommended that prior to determination of this application that the following information is required to be prepared and submitted to enable a proper and full assessment of the application against the AHC Development Plan:**
 - a) A vegetation and tree survey showing location of trees and details of species should be provided. This should specifically focus upon areas of the site that are proposed to be developed for residential and tourist uses and areas where infrastructure is proposed. The survey is to include the relevant tree protection zones (TPZ). This information will inform the location and design of both allotment layout (with boundaries fencing and building envelopes), as well as the location and design of infrastructure such as stormwater management.**
 - b) The Native Vegetation Board has advised that any native vegetation clearance required to facilitate development of the site should be identified at subdivision stage including application for vegetation clearance to meet the requirements of the Native Vegetation Regulation 12(35). This should account for all expected vegetation clearance and include Significant Environmental Benefit (SEB) offset provided by the applicant for subdivision. Following preparation of item 1a) this should be addressed.**
 - c) A revised Stormwater Management Plan and Stormwater Concept plan that provides further information to address the matters raised by the EPA and Council's Engineering Department in relation to:**
 - i) Minor and major storm events,**
 - ii) Confirmation that WSUD standards and targets can be achieved post development,**

iii) Stormwater concept plan amendments in order to reduce impact on native vegetation and address the matters raised by Council's Engineer listed 1-11 below and as shown annotated by Council's Engineer on the scanned copy of the WGA Concept plan.

1. The proposed infiltration systems within private sites are not supported due to ongoing maintenance issues. The concept should be amended to provide an underground stormwater (SW) pipe system (sealed system) to be installed at the rear of these allotments. The location of such piping is to avoid native vegetation including root zones.
2. The proposed SW drain at No.56 Lucknow Avenue is non-standard as it will run uphill; therefore this is to be amended to have an easement drain running along the boundary of allotment 2.
3. A major flow release path is shown proposed in between Nos. 72 and 74 Lucknow Avenue together with an underground pipe system. It is recommended that the whole allotment areas of Nos. 72 and 74 be reserved for a detention basin, therefore major flow path reservations will not be required across these allotments.
4. The proposed outfall through the adjoining property to the west at the northern corner of the development is to be relocated to within the development site, or alternatively necessary drainage easements are to be negotiated with the adjoining property owner and formalised. If this is proposed to be relied upon, then the existing outfall swale drain will require appropriate upgrading works to be undertaken.
5. The major flow release path (to be followed with underground minor system) is to be proposed/constructed at the boundary of Nos. 31-32 and 32-34 Lucknow Avenue. Drainage easements of the required width (3m) should be formalised as part of this land division via a consent condition.
6. Overland Major flow release path to be proposed/constructed at the allotment boundaries No.3 First Avenue and No.1 Lucknow Avenue and 12 Alamein Avenue are to cater for both major and minor stormwater events.
7. Provide concept details and specifications for the perimeter cut off drains, rock beaching and basins etc.
8. Provide concept detail/specification for the proposed riffles, open swales etc. Currently there is no detail as to how there satisfy WSUD objectives.
9. Existing swale at the road verge adjacent to No 2 Balmoral Place (Crest Place) is to be upgraded. Specifically, installation of underground pipes, side entry pits and other infrastructure as per AHC standards is required in this location.
10. The proposed non-standard SW drain is to be relocated along the boundary of Nos. 38 and 40 Alamein Avenue or to the adjacent boundary to avoid the 'sharp' pipe bend at this location.
11. It is recommended that the existing, eroded stormwater infrastructure along Nairne Road, being the overall outfall/discharge point from the development is upgraded.

d) In relation to wastewater treatment confirmation of the following:

- i) That the wastewater treatment facility has the capacity for the additional allotments and tourist facility.

- ii) That the existing infrastructure (pumps, pipe network) to reach the treatment facility is adequate for the additional allotments and tourist facility.
- e) An amended land division plan should be provided that responds to and addresses the matters listed in Item 1 above and makes the following changes:
 - (i) Deletes Proposed Allotment 139 to provide improved passive surveillance to the central reserve from Innes Court, and due to the steep and vegetated nature of this site.
 - (ii) Deletes or reconfigures proposed Allotments 46 and 47 due to the stormwater detention infrastructure proposed on these sites by the WGA Stormwater Concept Plan.
 - (iii) All allotment drainage easements shown, drainage easements within proposed allotment 202 and drainage easement over adjacent land to the west in order to acknowledge location of proposed stormwater infrastructure.
- f) A footpath/pedestrian movement plan. A 1.5m wide concrete footpath is to be provided along at least one side of each road within the development site. Pram ramps need to be provided for all footpaths in the proposal. There are 4 existing pram ramps that do not comply with current requirements, these pram ramps are proposed to be removed and replaced along with additional pram ramps to be added as required to provide sufficient pedestrian access. A footpath and pathways plan should be provided for Council's review and approval.
- g) The applicant enters into an Infrastructure Agreement with the Council or provides further plans and details to demonstrate a commitment to the following urban design matters:
 - (a) Consistent fencing around the perimeter of the site.
 - (b) Fencing abutting the Public reserves is consistent in appearance and 50% open style to allow for passive surveillance.
 - (c) A landscaping plan is to be approved by Council and this landscaping planted prior to Section 51 Clearance. A minimum of one street tree should be provided per additional allotment and a number of trees are to be provided along the northern side Balmoral Road. Additional landscaping treatments to the two entrance points in to the site.
 - (d) An open space plan confirming a replacement shelter shall be provided and a 1.5m wide pathway is provided within reserve 200 to provide a walking and cycling network within the site, which connects with the footpaths within the existing road network.
 - (e) Access for maintenance vehicles is to be provided into proposed allotment 201 via Innes Court through to the proposed northern detention basin.
- 2) The applicant enters into an Infrastructure Agreement with the Council to ensure the following:
 - (a) Any stormwater infrastructure works outside the subject land are undertaken prior to Section 51 Clearance at the developer's expense.

Conditions:

Planning 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:
- Proposed Land Division Plan Sheet 1 of 4 to 4 of 4 prepared by Fyfe Pty Ltd uploaded onto EDALA 22 Dec 2017

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

- (2) **Fencing Plans**
A detailed plan and elevations shall be provided of all external perimeter fencing and fencing abutting reserves.

REASON: to ensure the development does not detract from the rural landscape character of the locality and to ensure passive surveillance of reserves.

- (3) **External Perimeter and Reserve Fencing**
All external perimeter fencing is the responsibility of the developer and shall be installed to the satisfaction of Council and at the developer's cost.

REASON: To ensure the perimeter fencing does not detract from the character of the locality.

- (4) **CFS Access Requirements- Public Roads**
Public roads created by a land division to and from the proposed allotments shall be in accordance with the Minister's Code: Undertaking Development in Bushfire Protection Areas (Minister's Code) Part 2.2.2.

The road and turning head design shall meet the following requirements:

- Provide for a mainly continuous street pattern serving new allotments that eliminates the use of cul-de-sac or dead end roads. Where this is not practicable such roads should not exceed 200m in length and the end of the road should have either -
- a turning area with a minimum formed surface radius of 12.5m (*refer to The Code Figure 1*); or
- a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (*refer to The Code Figures 1 and 2*)
- All public roads shall be of all-weather construction with a minimum-formed road surface width of 6 metres, and shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres width and a vertical

height clearance of 4 metres.

- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.

- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

NOTE: it would need to be demonstrated that turning heads to all the proposed public roads meet the above requirements and laneway via Innes Court would need to be increased in width unless further consultation with the CFS is undertaken.

REASON: To ensure safe access and egress from the site in a bushfire event.

(5) **Rubbish Trucks - Roadway Design**

Detailed design of the road layout shall demonstrate that swept paths are satisfactory to accommodate movement of garbage trucks without creating safety issues such as overhang of pedestrian footpaths.

In this regard the turning circle should be based on an ACCO F2350G external steer wheel is 18.644m, however a benchmark of 20m is recommended.

REASON: To ensure the roadway and turning heads are designed to cater for rubbish collection trucks.

(6) **Street Lighting**

Street and public area lighting shall comply in all respects with the Lighting Code AS1158 and the style and type of lighting shall be selected and constructed to the reasonable satisfaction of Council and ETSA.

REASON: To ensure adequate infrastructure is provided.

(7) **Site works/Construction Hours of Operation**

Site work, demolition work and building work shall be carried out only between the hours of 7.00 am to 5.00 pm Monday to Saturday. No works are permitted Sundays other than those necessary for dust control, emergency works or works that cannot be carried out at any other time without causing unnecessary disruption; following approval from Council and as per EPA requirements for work of this nature.

REASON: To ensure the amenity of the locality is not unreasonable impact upon during the construction period.

(8) **Design of Roads and Other Infrastructure**

The detailed design of all footpaths, roads, verges and other public areas must comply with the Australian Standards, Council's Standards and the Disability Discrimination Act.

REASON: For safe and convenient movement of people and goods.

(9) Design of Stormwater Infrastructure

All major and minor drainage systems including the rear of allotment drainage shall be designed in accordance with the Councils Standards and Requirements for Land Development. All drainage designs shall be approved by Council prior to construction commencing.

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

(10) Stormwater Treatment is to Comply with the EPA Water Quality Targets

Run-off into the receiving waters (adjacent watercourse within the Council reserve) shall meet the following EPA water quality targets:

- 90% reduction in litter/gross pollutants
- 45% reduction in average annual total nitrogen
- 60% reduction in average annual total phosphorous, and
- 80% reduction in average annual total suspended solids.

A water quality model shall be provided to the Council to prove that these targets have been achieved by the stormwater treatment/management design.

REASON: To ensure pollution from the proposed development to the receiving waters are minimised.

(11) Pedestrian Footpaths

A concrete footpath of at least 1.5m in width shall be provided along at least one side of each road within the development site. Pram ramps need to be provided for all footpaths in the proposal. There are 4 existing pram ramps that do not comply with current requirements, these pram ramps are required to be removed and replaced along with additional pram ramps are to be added as required to provide safe pedestrian access.

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

(12) Requirement for Drainage Easements

Allotments that do not have the ability to discharge stormwater directed to the street water table via gravity, shall be provided with a 3m wide Council drainage easement for the installation and maintenance of stormwater infrastructure. Drainage within Council drainage easements must be via a sealed underground system. Drainage easements are also to be provided to acknowledge proposed drainage infrastructure within proposed allotment 202 and within adjoining land to the west of the subject site.

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

(13) Tree Protection Zone Fencing to be Established

Prior to any civil or earthworks commencing on-site, tree protection zone (TPZ) fencing for all native vegetation, identified for protection, shall be erected to the satisfaction of Council. The TPZ fencing shall remain in place for the duration of the

civil works. The perimeter of the TPZ shall be protected by the erection of a secure fence and shall:

- (a) consist of a 2.0 metre high solid, chain mesh, steel or similar fabrication with posts at 3m intervals; and
- (b) incorporate on all sides a clearly legible sign displaying the words "Tree Protection Zone."

REASON: To protect the Native vegetation from the impact of the development.

(14) Allotments to be Connected to SA Water Sewerage Services

All additional allotments created shall be connected to SA Water sewerage services.

REASON: To ensure safe and efficient disposal of effluent occurs.

(15) All stormwater designs and construction shall be in accordance with the relevant Australian Standard and recognised engineering best practices to ensure that stormwater does not adversely affect any adjoining property or public road.

REASON: For safe and efficient drainage of stormwater from the proposed allotments and from the site.

Planning Notes

(1) Responsibility In Relation To Flooding

The applicant is reminded that Adelaide Hills Council accepts no responsibility for damage to, or loss of property, as a result of flooding. It is the applicant's responsibility to ensure that all appropriate steps are undertaken to minimise the potential damage to property as a result of flooding.

(2) Land Division Development Approval

This development approval is valid for a period of three (3) years from the date of the decision notification. This time period may be further extended beyond the 3 year period by written request to and approval, by Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.

Council Land Division Requirements

STORMWATER MANAGEMENT

(1) Stormwater Management Design

Prior to Section 51 Clearance, a detailed final stormwater management plan, including:

- Full stormwater network design and treatment train
- Landscaping plans for swales and sedimentation/detention basins
- Detailed basin and swale designs
- Stormwater calculations
- Hydrological studies for the upstream and downstream of the proposed site
- Drains and water quality modelling results

- Rear of allotment drainage (sealed system)
- Any other relevant plans, reports or calculations

REASON: To ensure stormwater is appropriately detained on-site and water quality objectives are achieved. The stormwater management infrastructure is to be approved prior to construction.

(2) Installation of Stormwater Network and Upgrade Works

Prior to Section 51 Clearance, the full stormwater drainage network and treatment train, including basins, pipes, swales, upgrade works and other infrastructure as approved shall be constructed to the satisfaction of Council.

REASON: To ensure the entire stormwater infrastructure is operational for safe and efficient drainage of stormwater.

(3) Amended Land Division Plan

Prior to Section 51 Clearance, an amended land division plan is provided that shows:

- Council drainage easements where required and any drainage easements for drainage infrastructure outside of Council reserves (within private land)
- Council drainage easement over adjacent land to the west to acknowledge proposed drainage infrastructure
- Deletes proposed Allotment 139 to provide improved passive surveillance to the central reserve from Innes Court, and due to the steep and vegetated nature of this site
- Deletes or reconfigures proposed Allotments 46 and 47 due to the stormwater detention infrastructure proposed on these sites by the WGA Stormwater Concept Plan

REASON: All public drainage infrastructure is to be contained within Council land or within drainage easements.

LANDSCAPING AND VERGE AREAS

(4) External Fencing and Landscaping Treatments

Prior to Section 51 Clearance, details and plans of fencing and landscaping treatments to all external boundaries of the site shall be provided to and approved by Council and installed at the developer's expense by an approved date.

REASON: To improve the appearance and character and amenity of the locality.

(5) Landscape Plan

Prior to Section 51 Clearance, a detailed landscaping scheme shall be undertaken by the owner/applicant which includes tree planting within road reserves and a detailed landscaping plan of trees, groundcovers and furniture shall be provided to Council for approval. Such landscaping shall be undertaken to the satisfaction of Council. The scheme shall also reflect the retention of native vegetation. The landscaping scheme shall be completed within six months of completion of

construction or re-seal of the relevant road (in relation to road verge landscaping or some other time agreed to by Council). No landscape works shall be undertaken without the prior written approval of Council. The owner/applicant shall be responsible for maintenance of the landscaping for a minimum period of 12 months following the issue of practical completion by Council.

REASON: To improve the appearance and character and amenity of the locality.

(6) Urban Design Master Plan & Landscape Designs

Prior to Section 51 Clearance, the following detailed plans shall be provided to Council for approval:

- Pedestrian network pathways plan (1.5m width gravel pathways within both the reserves and 1.5m concrete footpaths in the roadways)
- Street tree plan
- Verge treatments plan showing groundcovers and street furniture
- Open Space Plan for the two reserves detailing how these areas are to be developed with drainage infrastructure, paths, lighting, irrigation, fencing, park furniture, plantings and other infrastructure. Also, detail the location of the replacement shelter and provide details and elevations of this shelter and pathways in both reserves
- Detail plans for the landscaping and any urban design features (e.g. entrance statements) at two entrances to the land division
- Irrigation plans (if any areas are proposed to be irrigated):

All works shall be undertaken to the satisfaction of Council once approval is achieved. The landscape scheme shall also reflect the retention of native vegetation. The landscaping scheme shall be completed within six months of completion of construction or re-seal of the relevant road (in relation to road verge landscaping or some other time agreed to by Council). No landscape works shall be undertaken without the prior written approval of Council. The owner/applicant shall be responsible for maintenance of the landscaping for a minimum period of 12 months following the issue of practical completion by Council.

REASON: To improve the appearance and character and amenity of the locality.

(7) Street Tree Plantings

Street tree plantings are to comply the Council's approved planting schedule to the reasonable satisfaction of Council.

REASON: To improve the appearance and character and amenity of the locality.

(8) Vesting of Public Open Space

Public open space areas designated as Reserves shall be vested to Council pursuant to Section 50 of the Development Act. Reserve areas are required to be developed in accordance with Open Space Plan to be submitted to Council for approval.

REASON: Statutory Requirement under Section 50 of the Development Act 1993.

(9) Installation of Street Name Signs

Prior to Section 51 Clearance, street name signs shall be erected at the owner's/applicant's expense, to the satisfaction of Council in accordance with Councils Standards (unless otherwise bonded with the Council).

A plan should be submitted to Council's Engineering Department which indicated the proposed location of street signage prior to engineering approval being granted.

REASON: To ensure the streets and properties within the land division can be identified.

ROADS & FOOTPATHS

(10) Civil Designs of Prescribed Infrastructure

Prior to Section 51 Clearance, detailed designs and specifications, prepared by a suitably qualified engineer, for all civil works including new roads, re-sealing works, new kerbing, turning heads, intersection treatment works and footpaths is to be provided to Council for approval. Road designs including structural road design and all traffic control devices shall be in accordance with Council Standards. No work (including any civil engineering works) is to commence prior to the receipt of written approval from Council. All costs for the design of all civil infrastructure shall be borne by the owner/applicant.

REASON: For safe and convenient movement of people and vehicles, and safe and efficient management of stormwater.

(11) Construction of Prescribed Infrastructure

Prior to Section 51 Clearance, all approved civil works including new roads, re-sealing works, new kerbing, turning heads, intersection treatment works and footpaths shall be constructed to satisfaction of Council.

All costs for the construction of all approved civil infrastructure shall be borne by the owner/applicant. Following a certificate of practical completion from Council the owner/applicant shall be responsible for all maintenance for a period of 12 months.

REASON: For safe and convenient movement of people and vehicles, and safe and efficient management of stormwater.

(12) Bushfire Protection

Prior to Section 51 Clearance, the land division plan is updated to achieve compliance with the Minister's Code: Undertaking Development in Bushfire Protection Areas (Minister's Code).

REASON: For safe access and egress of bushfire fighting vehicles in a bushfire event.

(13) Laneway Design

Prior to Section 51 Clearance, a detailed design shall be provided to the SCAP and Council for the laneway via Innes Court at the rear of allotments 133-138 prior to the commencement of site works. This road reserve should be increased to ensure a minimum roadway/carriageway width of 6m (road reserve width of 7m) can be achieved to accord with the Minister's Code: Undertaking Development in Bushfire Protection Areas and/or to facilitate safe two way vehicle movements.

REASON: To ensure this new roadway can facilitate two-way

GENERAL REQUIREMENTS

(14) Full Engineering Documentation Required

Prior to Section 51 Clearance and construction commencing, Engineering Approval must be obtained from Council. Sufficient documentation is required for assessment which may include:

- Staging plan
- General construction plan
- Geometric road setout plan
- Geometric drainage setout plan
- Final surface contours plan
- Cut and fill/bulk earthworks plans
- Pavement treatment plan
- Intersection design contour plan
- Traffic control plan (linemarking and signage)
- On-street parking plan
- Waste management (garbage collection) plan
- Road longitudinal sections
- Road cross sections
- Drainage longitudinal sections
- Drainage cross sections
- Construction details
- Construction specifications
- Stormwater calculations
- Pavement calculations
- Traffic impact statements
- Any other relevant plans, reports or calculations

REASON: To ensure adequate documentation is provided for the assessment of the prescribed infrastructure

(15) SEDMP and CEMP

Prior to Section 51 Clearance, a Soil Erosion and Drainage Management Plan and Construction Environment Management Plan is to be prepared in accordance with Environmental Protection Authority Guidelines and provided to Council for approval.

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

(16) Flood Mitigation Works

Prior to Section 51 Clearance, A Hydrological Engineering report shall be provided to confirm that allotments adjacent to major stormwater flow paths are sited above the 1 in 100 ARI flood level. If the proposed allotments would be subject to inundation, the lots shall be filled (including freeboard) or the drainage swales and detention basins shall be increased in capacity. All these works shall be undertaken prior Section 51 Clearance once Council Engineering approval has been achieved.

REASON: To ensure the allotments created are not subject to flooding.

(17) Compaction of Fill

Prior to Section 51 Clearance, geotechnical documentation is to be provided to Council demonstrating that any filling complies with the requirements of AS2879-1998-Residential Services Footing Code. The excavation and filling of land must be undertaken to the satisfaction of Council.

REASON: To ensure all filling of land is appropriately compacted.

(18) Re-instatement of Excavations

Prior to Section 51 Clearance, all trenches or excavation are to be reinstated to the satisfaction of Council. All excavation, trenching of underground services and reinstatement in existing road pavements and verge areas shall be done to satisfaction of Council.

REASON: To ensure no safety hazards are created.

(19) Street Lighting

Prior to Section 51 Clearance, street and public lighting shall be installed (or bonded) and shall comply in all respect with the Lighting Code AS 1158. The style and type of lighting is to be approved by both Council and ETSA.

REASON: To ensure a safety and security within the land division.

(20) Land to be Clear

Prior to Section 51 Clearance, all structures shall be cleared from the subject land, and all obsolete material and rubbish shall be removed to the satisfaction of Council.

REASON: To ensure no environmental health impact and that the site is clear for development.

(21) Tree Protection Zone Plan

Prior to Section 51 Clearance, a plan shall be provided to Council that designates tree protection zones for all native vegetation identified in the vegetation survey to be retained on the site.

REASON: To protect the native vegetation from the impact of the development.

(22) As-Built Drawing to be Supplied to Council

Prior to Section 51 Clearance for each stage of the land division, the works required by the design plans stamped approved by Council for construction shall be constructed for that stage to the satisfaction of the Council and, "as-built" drawings of the infrastructure shall be submitted to the Council along with certification form a suitably qualified engineer that the works for that state have been completed in accordance with the approved design.

REASON: To ensure the civil works are undertaken in accordance with the approved designs.

(23) Asset Register

Prior to Section 51 Clearance, an asset register of the infrastructure constructed shall be provided to the Council's satisfaction is digital format.

REASON: To ensure Council has an asset register of all infrastructure constructed.

(24) Water Supply- For Bushfire and Firefighting Purposes

Prior to Section 51 Clearance, it shall be confirmed that an appropriate water supply and fire plug/hydrant system of adequate capacity (to be used for fire and other emergencies) has been provided to the appropriate SA Water Standards.

REASON: To ensure a water supply is available for bushfire and firefighting purposes in a designated medium risk area.

Council Land Division Notes

(1) Land Division Development Approval

This development approval is valid for a period of three (3) years from the date of the decision notification. This time period may be further extended beyond the 3 year period by written request to and approval, by Council prior to the approval lapsing. Application for an extension is subject to payment of the relevant fee. Please note that in all circumstances a fresh development application will be required if the above conditions cannot be met within the respective time frames.

(2) Construction Hold Points

Council is required to inspect the construction works at key hold points and the applicant shall provide an "Inspection Test Plans" (ITP) prior to commencement of any work. Hold points are to be signed off by Council before proceeding to next level of the construction works.

(3) Land Division Conditions- Completion of Public Infrastructure

Section 51 clearance will not be issued until all the conditions of the Land Division Approval have been satisfied. To allow for Section 51 clearance prior to the completion of public infrastructure the Developer may enter into a bond agreement with Council for the full cost of the infrastructure works and project management fees. Another bond is required to cover the 12 month defects liability period.

The Developer is required to maintain the road, drainage and reserve infrastructure works for a 12 month defect liability period from the date of Practical Completion or the date of rectification if the defect item is considered major by Council.

REASON: To ensure the prescribed infrastructure is undertaken prior to Section 51 Clearance or a bonding agreement is entered into.

9. ATTACHMENTS

Locality Plans
Proposal Plans
Application Information
Applicant's Professional Reports
Referral Responses

Respectfully submitted

Concurrence

Jonathan Luke
Senior Statutory Planner

Sam Clements
Acting Manager Development Services