

**ADELAIDE HILLS COUNCIL  
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING  
WEDNESDAY 9 MAY 2018  
36 NAIRNE ROAD, WOODSIDE**

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**Present****Presiding Member**

Professor Stephen Hamnett

**Members**

Piers Brissenden

Linda Green

Rob McBryde

**In Attendance**

Deryn Atkinson

Sam Clements

Melanie Scott

Karen Savage

Assessment Manager  
Team Leader Statutory Planning  
Statutory Planner  
Minute Secretary

**1. Commencement**

The meeting commenced at 6.31pm

**2. Apologies/Leave of Absence****2.1 Apologies**

Simon Bradley

**2.2 Leave of Absence**

Nil

**3. Previous Minutes****3.1 Meeting held 11 April 2018**

**The minutes were adopted by consensus of all members**

**(19)**

**That the minutes of the meeting held on 11 April 2018 be confirmed as an accurate record of the proceedings of that meeting.**

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**4. Delegation of Authority**

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

**5. Presiding Member's Report**

Nil

**6. Declaration of Interest by Members of Panel**

Piers Brissenden advised that he was previously responsible for managing the Central Hills district for the Department of Environment, which involved oversight of the Natural Resources Office located at 33 Onkaparinga Valley Road, Woodside. This is a neighbouring property to the development at 23-29 Onkaparinga Valley Road & 3-5 Tiers Road, Woodside, Item 8.1 of this agenda. On the basis Piers has had no involvement in the development this was not deemed to be a conflict of interest.

**7. Matters Lying on the Table/Matters Deferred**

7.1 Matters Lying on the Table  
Nil

7.2 Matters Deferred  
Nil

**8. Development Assessment Applications**

8.1 **Development Application 17/986/473 by Beyond Ink for a building comprising two shops (supermarket & bottle shop), associated car parking, water storage tanks (2 x 22,500L), earthworks, landscaping, combined fence & retaining wall (maximum height of 4m), twelve (12) light poles (5m maximum height), removal and replacement of street trees, regulated tree removal (1 x *Ulmus glabra Lutescens* – Golden Elm) and demolition of existing dwelling and outbuildings at 23-29 Onkaparinga Valley Road and 3-5 Tiers Road, Woodside**

**8.1.1 Representations**

The following representors were called, but were not at the meeting:

Name of Representor	Address of Representor	Nominated Speaker
Mark Jericho & Jim Bidstrup	34 Onkaparinga Valley Road, Woodside	Advised prior to the meeting that they no longer wished to be heard

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John & Pam Truswell	21 Onkaparinga Valley Road, Woodside	Did Not Attend
Cheryl Hillier & Robyn Burton	19 Tiers Road, Woodside	Did Not Attend

The applicant's representative, John Ashcroft, was invited to answer questions from the Panel.

#### 8.1.2 Decision of Panel

**The following was adopted by consensus of all members (20)**

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/986/473 by Beyond Ink for a Building comprising two shops (supermarket & bottle shop), associated car parking, water storage tanks (2 x 22,500L), earthworks, landscaping, combined fence & retaining wall (maximum height of 4m), twelve (12) light poles (5m maximum height), removal & replacement of street trees, regulated tree removal (1 x *Ulmus glabra Lutescens*- Golden elm) & demolition of existing dwelling & outbuildings at 23-29 Onkaparinga Valley Road and 3-5 Tiers Road Woodside subject to the following conditions:

##### (1) Development In Accordance With The Plans

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

- Amended site plan (PA 02, Sheet 1 of 5) prepared by Beyond Ink received by Council 5 Mar 2018
- Landscaping schedule (2 pages) prepared by Beyond Ink received by Council 19 Feb 2018
- Amended floor plan and elevations (PA02, Sheets 2, 3, 4 and 5 of 5) prepared by Beyond Ink received by Council 5 Feb 2018
- Amended site and drainage plan and details (sheets C1 and C2, Rev B) prepared by Lelio Bibbo Pty Ltd received by Council 30 April 2018
- Stormwater calculations and details prepared by Lelio Bibbo Pty Ltd received by Council 30 April 2018
- Car park lighting plan (drawing 4683-E01) prepared by BCA Engineers received by Council 10 April 2018
- Correspondence prepared by Jordana Ashcroft O'Sullivan of Beyond Ink received by Council 13 Nov 2017, 20 April 2018 and 2 May 2018
- Car park lighting report (2 pages) prepared by Antony Caruso of BCA Engineers received by Council 10 April 2018

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- Correspondence prepared by Duncan Jarman of Aero-Zone received by Council 10 April 2018
- Arborist report (18 pages) prepared by Mark Eitzen of Acer Horticultural Services received by Council 13 Nov 2017
- Acoustic report (15 pages including attachment) prepared by Sam Fotheringham of Resonate Acoustics received by Council 13 Nov 2017
- Traffic Engineering Report (11 pages) prepared by David Kwong of GTA Consultants received by Council 13 November 2017
- Traffic Engineering Report titled 'Response to DPTI Comments' (5 pages) prepared by David Kwong of GTA Consultants received by Council 20 March 2018
- Response to representations (5 pages) prepared by Jordana Ashcroft O'Sullivan of Beyond Ink received by Council 10 April 2018
- Traffic Engineering Response to Representations (3 pages) prepared by David Kwong of GTA Consultants received by Council 10 April 2018

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

**Prior to Building Rules Consent**

**(2) Prior to Building Rules Consent Being Granted - Requirement For Landscaping Plan**

Prior to Building Rules Consent being granted, a detailed landscaping plan prepared by a suitably qualified professional, shall be prepared to the reasonable satisfaction of Council. The landscaping plan should address the following:

- Provide one additional street tree at the northern end of the parallel on-street parking spaces. Note that a tree guard is to be provided if the middle tree is not located within the kerbed verge
- One shade tree is to be provided for every six (6) car parking spaces within the southern car park area (lot 73) and within the front portion of the Tiers Road car park area (lots 5 and 101)
- Low level landscaping (to not inhibit passive surveillance) provided along the Tiers Road boundary to assist with blocking headlight glare
- Show the general location and selection of all plantings
- Confirm that the landscaping beds are to be irrigated

All landscaping detailed in the plan shall be of suitable species and shall be planted prior to occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season and the garden beds shall be maintained to the satisfaction of Council.

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**REASON:** *To maintain and enhance the visual amenity of the locality in which the subject land is situated and ensure the survival and maintenance of the vegetation.*

**(3) Prior to Building Rules Consent Being Granted - Requirement For Water Quality Model**

Prior to Building Rules Consent being granted, a detailed water quality model (e.g. MUSIC model) shall be provided to demonstrate that the proposed stormwater treatment train will meet the following targets to the reasonable satisfaction of Council:

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

**REASON:** *To ensure the development does not cause adverse water quality impacts.*

**(4) Prior to Building Rules Consent Being Granted - Requirement For Wastewater application to be Lodged and Approved**

Prior to Building Rules Consent being granted, a wastewater application for the installation of a septic tank connected to the CWMS shall be lodged with and approved by the Council.

This septic tank shall be installed prior to occupation and shall have a trafficable lid if within a vehicle trafficked area.

**REASON:** *To ensure the efficient management of wastewater and that the development does not cause adverse water quality impacts.*

**(5) Prior to Building Rules Consent Being Granted - Requirement for Soil Erosion And Drainage Management Plan (SEDMP)**

Prior to Building Rules Consent being granted the applicant shall prepare and submit to Council a Soil Erosion and Drainage Management Plan (SEDMP) for the site for Council's approval. The SEDMP shall comprise:

- a major drainage plan,
- a site plan,
- supporting report,
- calculations,
- design sketches with details of erosion control methods that will prevent:
  - a. soil moving off the site during periods of rainfall and detail installation of sediment collection devices to prevent the export of sediment from the site; and

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- b. erosion and deposition of soil moving into the remaining native vegetation below the house site; and
- c. soil moving into watercourses during periods of rainfall; and
- d. soil transfer onto roadways by vehicles and machinery

The works contained in the approved SEDMP shall be implemented prior to construction commencing and maintained to the reasonable satisfaction of Council during the construction period.

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

**Access and Car Parking**

**(6) DPTI Requirement - Vehicle Movements**

All vehicles shall enter and exit the site in a forward direction. All service vehicles shall utilise the turning area as depicted in Figure 5 the approved Traffic Engineering Report prepared by GTA Consultants dated 10 November 2017 (date stamped by Council 13 November 2017).

**REASON:** *To reduce interference with the free flow of traffic on adjoining roads.*

**(7) DPTI Requirement - Commercial/Industrial Access Points**

All vehicular access to/from the site shall be located in accordance with the Site Plan prepared by Beyond Ink, Drawing No. PA02, dated 19.02.2018. The Onkaparinga Valley Road access shall be a minimum of 6.0 metres in width at the property boundary and be suitably flared to the kerbline. The vehicle access point(s) and cross over shall be constructed in accordance with Adelaide Hills Council standard engineering detail SD17 – commercial industrial vehicular crossing (concrete) for sealed road with kerb and SD16 – allowable crossover locations, prior to occupation/use of the development.

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

**(8) DPTI Requirement – Sight Lines**

Clear sight lines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1.2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath. Furthermore, a minimum 1.0 metre separation shall be provided between the proposed access points and any existing street trees and infrastructure on the adjacent footpaths.

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

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**(9) Asphalt Paved Car Parking Constructed In Accordance With Australian Standard AS 2890.1:2004.**

All car parking spaces, driveways and manoeuvring areas shall be constructed and line-marked in accordance with Australian Standard AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of asphalt pavement prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.

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

**(10) Restriction on Service Vehicle Movements**

Only one (1) 19m semi-trailer shall visit the site per day and no service vehicles shall enter the site other than between 7.30am and 3.00pm Monday to Friday.

**REASON:** *To ensure to development is undertaken in accordance with the submissions provided and to provide safe and efficient movement of vehicles.*

**(11) Unloading And Storage Of Materials And Goods**

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

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

**(12) Directional Signage- Staff Car parks**

Directional signage or line marking that indicates that the front two car parks adjacent the Onkaparinga Valley Road entrance are for staff vehicles only shall be provided on the subject land prior to operation of the approved use, and maintained in a clear and legible condition at all times to the satisfaction of Council.

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

**Lighting**

**(13) Commercial Lighting**

The car parking lighting herein approved shall not operate between 10.00pm and 7.00am the following day.

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

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**(14) Commercial Lighting**

Any lighting on the building, including the canopies necessary for safety and/or security purposes shall be directed away from adjacent residential properties to prevent light spill nuisance.

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

**(15) Light Poles**

The light poles herein approved shall be finished in subdued colours which blend with the natural features of the landscape and are of a low light reflective nature.

**NOTE:** Black, browns, greys and greens are suitable.

**REASON:**        *To minimise visual intrusion.*

**External Finishes and Amenity**

**(16) External Finishes**

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

**WALLS:**                      Exposed face brickwork Littlehampton 'Sienna'  
                                      Rendered off-white columns  
                                      Tilt-up concrete panels

**ROOF:**                        Trim-Deck or similar

**CANOPY FASCIAS:**        Alucobond in white, black and red

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

**(17) Heritage South Australia- Brick selection**

The final selection of brick size and colour is to be confirmed and agreed before construction commences, to the satisfaction of the Council in consultation with the Department of Environment, Water and Natural Resources.

**REASON:**        *Brick as scheduled on design drawings is 'Littlehampton Siena or similar' and therefore final brick colour is not confirmed – may have a visual impact on the setting of the State heritage place opposite.*



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**(18) Plant and Equipment**

All plant and equipment shall be within the proposed building or if located on the roof shall be completely concealed by the parapet.

**REASON:** *To ensure the development is undertaken in accordance with the proposal submissions and to maintain the visual amenity of the locality.*

**(19) Opening Hours and Delivery Times**

The opening hours of the uses herein approved shall be:

Supermarket: 7.30am to 9.00pm 7 days per week

Bottle Shop: 10.00am to 9.00pm 7 days per week

In addition, all deliveries shall be restricted to within these hours of operation.

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

**(20) Acoustic Fence**

A 2.4m high Colorbond steel fence with a minimum BMT of 0.6mm as detailed in the approved Acoustic Report prepared by Resonate Acoustics dated 8 November 2017 shall be constructed along the southern boundary for the length depicted on the approved amended site plan prior to the operation of the development herein approved and shall be maintained to the reasonable satisfaction of Council.

**REASON:** *To ensure the noise generated by the development does not unreasonably impact on adjacent properties and the measures put in place are maintained for the life of the development.*

**(21) Noise Mitigation - Environment Protection (Noise) Policy 2007**

Noise within the habitable rooms (windows closed) of the adjacent residential properties shall not exceed 62dB(A) within the hours of operation of 7.30am to 9.00pm.

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

**(22) Removal of Solid Waste**

All solid waste including food, leaves, papers, cartons, boxes and scrap material of any kind shall be stored in closed bins having a close fitting lid. The bins shall be stored in a screened area so that they are not visible to land to the west and the public roads.

**REASON:** *To maintain the amenity of the locality.*

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**(23) Regular Removal of Solid Waste From The Site**

All waste shall be removed from the subject land at least once weekly.

Collection of waste shall be carried out only between the hours of 7.30am and 3.00pm Monday to Friday.

**REASON:** *To maintain the amenity of the locality.*

**Off-site Works**

**(24) DPTI Requirement - Line marking on Onkaparinga Valley Road**

A back to back channelised right turn treatment shall be provided on Onkaparinga Valley Road for the subject site and of the Nairne Road.

Onkaparinga Valley Road junction in general accordance with the Figure 1: Proposed Back To Back Right Turn Treatment in GTA Consultant's response (Reference: #S138100 date 27 February 2018).

The works shall include removal of the line marking indicating existing on-street parking on Onkaparinga Valley Road.

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

**(25) DPTI Requirement - Back to Back Channelised Treatment on Onkaparinga Valley Road**

All required road works associated with the back to back channelised treatment on Onkaparinga Valley Road shall be designed and constructed in accordance with Austroads Guidelines/Australian Standards, to the satisfaction of DPTI and Council satisfaction, prior to operation of the development. All associated costs (including design, construction, project management, and any lighting and drainage upgrades etc.) shall be borne by the applicant. The applicant shall contact DPTI's Network Integrity Engineer, Ms Christina Canatselis on telephone (08) 8226 8262 or email [christina.canatselis@sa.gov.au](mailto:christina.canatselis@sa.gov.au) to discuss any technical issues regarding the required road works prior to undertaking detailed design.

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

**(26) Off-site works**

The off-site works offered and depicted on the approved site plan and site and drainage plan, namely the pram ramp, verge treatments to Onkaparinga Valley Road, indented parking and kerbing, street trees, bike rails and street furniture shall be constructed/ installed prior to occupation.

**REASON:** *To ensure the off-site works agreed to are undertaken within a reasonable timeframe.*

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**Soil Erosion, Stormwater Management and Water Quality**

**(27) Soil Erosion Control**

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

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

**(28) Car parking Stormwater Runoff – Commercial**

All surface water from car parking or hardstand areas shall be directed to a proprietary pollutant treatment device capable of removing oils, silts, greases, and gross pollutants to Council and EPA satisfaction prior to discharge to the bio-retention swale and to the Council stormwater system or street water table.

The proprietary pollutant treatment device shall be cleaned out at least every 12 months to the satisfaction of Council.

**REASON:**        *To ensure the development does not cause adverse water quality impacts.*

**(29) Stormwater Management**

All stormwater is to be discharged to the double side entry pit on Tiers Road. The stormwater management system (drainage infrastructure and treatment train) shall be constructed/installed in accordance with the amended site and drainage plan (sheet no. C1, Rev B) prepared by Lelio Bibbo Pty Ltd received by Council 30 April 2018.

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

**(30) Installation of a Non-Return Valve**

A non-return valve shall be installed at the stormwater discharge point into the double side entry pit on Tiers Road.

**REASON:**        *To ensure that no stormwater from the side entry pits backs up into the stormwater management system within the site.*

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**Regulated Trees**

**(31) Replacement Planting Regulated Trees**

Two replacement trees for each tree to be removed shall be planted in the location shown on the amended site plan received by Council 5 March 2018 in the next planting season after the removal of the *Ulmus glabra Lutescens* - Golden Elm. The replacement trees shall be maintained in good health and condition at all times and be replaced in the next planting season if they become diseased or die.

**REASON:** *Mature vegetation should be preserved and replanting shall take place.*

**NOTES**

**(1) Development Plan Consent Expiry**

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

**(2) Erosion Control During Construction**

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

**(3) EPA Environmental Duty**

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

**(4) Requirements Under the Aboriginal Heritage Act 1988**

Please note the following requirements of the *Aboriginal Heritage Act 1988*. If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

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**(5) Works On Boundary**

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

**(6) Right Of Way**

The right of way registered on lot 73 should be discharged.

**(7) Removal of Redundant Crossovers**

Any existing crossing places not providing vehicle access shall be considered redundant and shall be permanently closed off and reinstated to Council's standard kerb and gutter at the applicant's expense.

**(8) Signage Requires Separate Development Application**

A separate development application is required for any signs or advertisements (including flags and bunting) associated with the development herein approved.

**(9) Section 221 & 222 of the Local Government Act 1999**

Permits under Section 221 & 222 of the *Local Government Act 1999* will need to be issued for encroachment on the road verge (i.e. front canopies) and for the works within the road verge.

**(10) Vegetation Removal**

Vegetation shall not be removed from the site until the start of the building works is imminent.

**(11) Noise Mitigation – Trucks in Loading Dock**

All truck engines shall be turned off while the vehicle is stationary in the loading dock.

**8.2 Development Application 17/704/473 by S J Lock for a two storey split level detached dwelling, including decks (maximum height of 4.9m), freestanding garage & associated earthworks at 3 Ayers Court, Stirling**

**8.2.1 Representations**

<b>Name of Representor</b>	<b>Address of Representor</b>	<b>Nominated Speaker</b>
Julia Stocker	8 Ayers Court, Stirling	Personally

The applicant's representative, Max Pritchard, addressed the Panel.

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**8.2.2 Decision of Panel**

**The following recommendation was adopted by consensus of all members (21)**

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 17/704/473 by S Lock for a two storey split level detached dwelling, including decks (maximum height of 4.9m), freestanding garage & associated earthworks at 3 Ayers Court Stirling subject to the following conditions:

**(1) Development In Accordance With The Plans**

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

- Correspondence prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 30 Jan 2018
- Arborist report (6 pages plus appendices) prepared by Jason Williams of Arborman Tree Solutions received by Council 30 Jan 2018
- Location plan (583-S-01) prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 30 Jan 2018
- Amended site plan (583-S-02a) prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 30 Jan 2018
- Amended floor plan and elevations plan (583-S-03a & 04a) prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 30 Jan 2018
- Tree identification plan (583-S-05) prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 30 Jan 2018
- Response to representations prepared by Max Pritchard of Max Pritchard Gunner Architects received by Council 27 Mar 2018

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

**(2) Rural Verge Piped Access Points - SD24**

The vehicle access point(s) and cross over shall be constructed in accordance with Adelaide Hills Council standard engineering detail SD24 – piped entrance within 3 months of occupation/use of the development.

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

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**(3) Residential Lighting**

All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.

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

**(4) External Finishes**

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

**WALLS:**           Brick painted white or similar  
                  Timber or fibre cement painted mid to dark grey or similar  
                  Natural stone

**ROOF:**           Colorbond Ironstone/Basalt or similar

**GARAGE:**

**DOOR**           Timber or similar

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

**(5) Treatment To Excavations And Fill**

All exposed excavations and fill as shown on site plan (583-S-02a) received 30 Jan 2018 shall be:

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

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

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

**(6) Soil Erosion Control**

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

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

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**(7) Restriction On Use Of Garage**

The freestanding garage shall not be used for human habitation, commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.

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

**(8) Retention Of Screening Trees**

Excluding the trees within the footprint of the proposed dwelling and driveway area depicted, the screen of trees and shrubs as shown on the floor plan (sheet 583-S-03a) received 30 Jan 2018 shall be retained and maintained in good health and condition at all times with any dead or diseased plants being replace as necessary in the next planting season.

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

**(9) Firefighting Water Supply - Mains Water Supply Available**

A supply of water independent of reticulated mains supply shall be available at all times for fire fighting purposes:

- a minimum supply of 2,000 (two thousand) litres of water shall be available for fighting purposes at all times; and
- the water supply shall be located such that it provides the required water; and
- the water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
- the water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
- a water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
- where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.

**REASON:** *To minimise the threat and impact of fire on life and property as your property is located in a MEDIUM Bushfire Prone Area.*



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**(10) Prior to Building Rules Consent Being Granted - Requirement For Final Drainage Plan and Stormwater Calculations**

Prior to Building Rules Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final drainage plan. Discharge of stormwater (including runoff from hard paved surfaces) to the street shall be at the pre-development rate for a 100yr ARI storm, 20min event, all to the satisfaction of Council.

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

**(11) Stormwater Overflow From Detention Mechanisms Directed To Street**

All roof runoff generated by the development hereby approved shall be directed to a detention tank(s) and/or other detention mechanisms with overflow to the street to the satisfaction of Council within one month of the roof cladding being installed. All roof and hard paved water runoff shall be managed to prevent trespass onto adjoining properties.

Overflow from rainwater tanks is to be directed to the street (via a pump if necessary) or managed on-site using design techniques to the satisfaction of Council.

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

**(12) Establishment Of Tree Protection Zone For All Regulated Trees**

Prior to the commencement of any work on site appropriate measures shall be taken to protect all the 'regulated' and 'significant' tree(s) identified on tree identification plan dated stamped 30 Jan 2018 (excluding the *Cupressus macrocarpa*). In particular, all the tree protection zones (TPZs) indicated on this plan shall be protected by the erection of a secure fence. The fencing shall:

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

**REASON:** *To protect the regulated tree from the impact of the development.*

**(13) Protection Of Regulated Tree**

The works in relation to tree 1 (*Cedrus atlantica* or *deodara*), outlined in the Arborist's Report prepared by Jason Willams of Arborman and submitted as part of this application as a strategy for management of the tree is to be undertaken simultaneously with any building works on the site. Specifically, the following recommendations shall be implemented:

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- 1) Appoint a Project Arborist
- 2) Erect a protective fence around the TPZ of the tree to prevent unauthorised entry. (TPZ sign has been appended to Arborist report which is intended to be reproduced, should be laminated and attached to the TPZ fence)
- 3) All services including water and electrical connections should be located as far as practical outside of the TPZ of the tree. If this is not achievable, this should be conducted using HydroVac® or hand digging. If roots are encountered, the post hole should be relocated appropriately
- 4) No material, soil or vehicles should be stored within the TPZ (see AS 4970 for the complete list of prohibited activities within a TPZ)
- 5) All personnel and contractors should be briefed regarding the purpose of the TPZ and activities prohibited within a TPZ
- 6) The Project Arborist should conduct compliance checks throughout the development process

**REASON:** *To protect the regulated/significant tree from the impact of the development.*

**NOTES**

- (1) Development Plan Consent Expiry  
This Development Plan consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision (or if an appeal has been commenced the date on which it is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.
- (2) Erosion Control During Construction  
Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.
- (3) EPA Environmental Duty  
The applicant is reminded of his/her general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.
- (4) Works Near Boundary  
The development herein approved involves near the boundary. The onus of ensuring development is in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a survey being carried out by a licensed land surveyor prior to the work commencing.

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**8.3 Development Application 18/259/473 by Brenton Charles & Gail Gwendolyn Adcock for boundary realignment (6 into 6) at 229 – 357 Oakwood Road, Balhannah**

**8.3.1 Representations**  
Nil

**8.3.2 Decision of Panel**

**The following recommendation was adopted by consensus of all members (22)**

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent and Land Division Consent to Development Application 18/259/473 (17/D16/473) by Brenton Charles & Gail Gwendolyn Adcock for Boundary realignment (6 into 6) at 229, 237, 259, 275, 339 & 357 Oakwood Road, Balhannah subject to the following 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:

- Plan of Division from Fyfe Pty Ltd Reference 66140/1/1 drawing number 66140-1-1-SV-DUI-R2 sheets 1 to 6

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

**Planning Notes**

Nil

**Council Land Division Statement of Requirements**

Nil

**Council Land Division Notes**

**(1) Land Division Development Approval Expiry**

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.

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**SCAP Land Division Requirements**

**(1) Requirement For Certified Survey Plan**

A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

***REASON: Statutory requirement in accordance with Section 51 of the Development Act 1993.***

**SCAP Land Division Notes**

Nil

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

- 10. Other Business**  
Nil

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

- 12. Confidential Item**  
Nil

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

- 14. Close meeting**  
The meeting closed at 8.21pm.