

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 13 FEBRUARY 2019
63 MOUNT BARKER ROAD, STIRLING**

Present**Presiding Member**

Professor Stephen Hamnett

Members

Simon Bradley
Piers Brissenden
Linda Green
Rob McBryde

In Attendance

Marc Salver	Director Development & Regulatory Services
Deryn Atkinson	Assessment Manager
Sam Clements	Team Leader Statutory Planning
Marie Molinaro	Statutory Planner
Karen Savage	Minute Secretary

1. Commencement

The meeting commenced at 6.30pm

2. Apologies/Leave of Absence

2.1 Apologies
Nil

2.2 Leave of Absence
Rob McBryde will be an apology for the 13 March 2019 meeting, and Simon Bradley will be an apology for the 10 April 2019 meeting.

3. Previous Minutes

3.1 Meeting held 9 January 2019

The minutes were adopted by consensus of all members

(3)

That the minutes of the meeting held on 9 January 2019 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 28 November 2017.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Piers Brissenden advised that in relation to Item 8.1 he has had an association in the past with URPS working with Marcus Rolfe professionally on some projects, and Andrew Davidson, and in relation to Item 8.2 he has had discussions with Lee Walker-Roberts in his capacity as President of the Morialta Residents Association. Piers did not deem these previous interactions to be a conflict of interest.

Simon Bradley advised that he had engaged URPS on a professional basis through his employment, but he did not deem this 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

7.2.1 Development Application 18/401/473 (18/D23/473) by Neil Page for Land Division (1 into 2) (non-complying) at 25 Fern Hill Road, Bridgewater

Deferred from meeting 12 December 2018

"At the request of the applicant, that a decision on the matter be deferred to allow the applicant to consider alternative options, and public notification of an amended proposal to be undertaken."

Staff provided the Panel with an update on this matter.

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8. Development Assessment Applications

8.1 Development Application 18/574/473 (18/D40/473) by Kym Jongebloed for Land Division (1 into 2) (non-complying) at 3 White Avenue, Crafers

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Dr James Trumble	7 White Avenue, Crafers	Did Not Attend
Joe Ciaravolo	PO Box 253 Campbelltown	Joe Ciaravolo

The applicant's representative, Marcus Rolfe (URPS), addressed the Panel.

8.1.2 Decision of Panel

The following recommendation was adopted by consensus of all members (4)

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 seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent and Land Division Consent to Development Application 18/574/473 (18/D40/473) by Kym Jongebloed for Land Division (1 into 2) (non-complying) at 3 White Avenue, Crafers 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:

- Amended plan of division (sheet 2 of 2, ref. 3536-PT101v.2) by Andrew Davidson Property Development, dated 10 August 2018
- Revised site contour and feature plan (ref. 3536) by Andrew Davidson, dated 15 November 2018
- Amended site drainage plan by Ron Selth & Associates, dated 30 November 2018

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

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(2) Sewer Pumps

Sewer pumps shall be located and operated so as not to emit noise levels in excess of the applicable Environment Protection (Noise) Policy 2007. The maximum noise level shall not exceed 45 dB(A) from 10:00 p.m. on any night until 7:00 a.m. the following morning.

REASON: To maintain the amenity of the locality.

Planning Notes

(1) Property Identifiers

The property identifiers for this property are now:

Allotment 31 – remains 3 White Avenue, Crafers

Allotment 32 – 5 White Avenue, Crafers

Council Land Division Statement of Requirements

(1) Prior to Section 51 Clearance – Requirement For Sewer Connection

Prior to Section 51 clearance, both allotments shall be connected to the SA Water sewer system. This shall include decommissioning of the existing on-site waste control system on allotment 31.

A separate application for 'works/alterations on a road reserve' shall be approved by Council for the sewer infrastructure installation prior to any work occurring.

REASON: To ensure the water quality of the Mount Lofty Ranges Watershed is maintained & enhanced.

(2) Prior to Section 51 Clearance – Requirement for Stormwater Management For Allotment 32

Prior to Section 51 Clearance, the stormwater management requirements detailed in the site drainage plan by Ron Selth & Associates dated 30 November 2018 shall be completed to the reasonable satisfaction of Council.

REASON: To minimise erosion and protect the environment, and to ensure that stormwater does not trespass on adjoining properties.

(3) Prior to Section 51 Clearance - Requirement For Demolition of Outbuildings

With the exception of the tennis court and associated lighting and fencing, proposed allotment 32 shall be clear of all structures and building materials prior to Section 51 clearance.

A separate development application for demolition of the outbuildings shall be lodged and approved by Council.

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REASON: *To ensure that land use conflicts do not occur as a result of the land division.*

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.

SCAP Land Division Statement of Requirements

(1) Requirement for SA Water Provisions

The financial requirements of the SA Water Corporation shall be met for the provision of water supply and sewerage services. (SA Water H0074761).

On approval of the application, it is the developer's/owner's responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developer's/owner's cost to ensure that the pipework relating to each allotment is contained within its boundaries.

REASON: *Statutory requirement in accordance with Section 33 (1) (c) of the Development Act 1993.*

(2) Requirement For Payment Into Planning & Development Fund

Payment of \$7253.00 into the Planning and Development Fund (1 allotment @ \$7253.00/allotment) is required. Payment may be made by credit card via the internet at www.edala.sa.gov.au or by phone (7109 7018), by cheque payable to the State Planning Commission marked "Not Negotiable" and sent to GPO Box 1815, Adelaide 5001 or in person, by cheque or credit card, at Level 5, 50 Flinders Street, Adelaide.

REASON: *Statutory requirement in accordance with Section 50 and Regulation 56 of the Development Act 1993 and Regulations 2008.*

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(3) 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

8.2 **Development Application 18/749/473 by Precision Homes for two storey split level detached dwelling, combined fence and retaining walls (maximum height 2.9m), in-ground swimming pool & associated earthworks at 18 Wandilla Drive, Rostrevor**

8.2.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Stuart & Daniela Cartledge	16 Wandilla Drive Rostrevor	Daniela & Stuart Cartledge
Lee Walker-Roberts	22 Baroota Avenue Rostrevor	Lee Walker-Roberts

The landowner, Dallin Howes, addressed the Panel.

8.2.2 **Decision of Panel**

The following recommendation was adopted by consensus of all members (5)

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 18/749/473 by Precision Homes for Two storey split level detached dwelling, combined fence & retaining walls (maximum height 2.9m), in ground swimming pool & associated earthworks at 18 Wandilla Drive Rostrevor subject to the following conditions:

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(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 (drawing SK01, revision F) by Precision Homes dated 22 October 2018
- Amended landscaping plan (drawing SK02, revision F) by Precision Homes dated 22 October 2018
- Amended combined fence & retaining wall elevation (drawing SK03, revision F) by Precision Homes dated 22 October 2018
- Amended ground floor plan (drawing SK04, revision F) by Precision Homes dated 22 October 2018
- Amended first floor plan (drawing SK05, revision F) by Precision Homes dated 22 October 2018
- Amended north & east elevation plan (drawing SK06, revision F) by Precision Homes dated 22 October 2018
- Amended south & west elevation plan (drawing SK07, revision F) by Precision Homes dated 22 October 2018
- Amended roof plan (drawing SK08, revision F) by Precision Homes dated 22 October 2018
- Amended building areas plan (drawing SK09, revision F) by Precision Homes dated 22 October 2018
- Amended site & drainage plan (drawing 180328, revision B) by Lelio Bibbo dated 28 September 2018

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

(2) Vehicle Access Point(s) Line Of Sight

The vehicle access point(s) and cross-over(s) shall be kept free of any obstructions that may obscure the line of sight of a driver, e.g., vegetation, letterboxes, fences.

REASON: For safe and convenient movement of vehicles.

(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.

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(4) External Finishes

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

WALLS: Mixture of brickwork and plasterboard sheeting rendered in Dulux 'Sandy Grey' with Colorbond® roller door 'Gully' colour or similar
ROOF: Colorbond® 'Gully' 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) 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 that detail erosion control methods and installation of sediment collection devices that will prevent:
 - a. soil moving off the site during periods of rainfall;
 - b. soil moving into watercourses during periods of rainfall; and
 - c. 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.*

(6) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as detailed in the SEDMP 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) Stormwater Overflow Directed To Street

All roof runoff generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) or a Council drainage easement, 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 and into the effluent disposal area where an on-site waste control system exists. Overflow from rainwater tanks is to be directed to the street (via a pump if necessary) or managed on-site, to the satisfaction of Council, 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.

(8) Window & Screening

The west facing upper level bedroom window shall have a sill height of at least 1.5m above finished floor level. Where the sill height is less than 1.5m above finished floor level, the window shall be fixed, unable to be opened and provided with obscure glazing to a height of 1.5m above finished floor level.

The screening shall obscure views to adjoining properties to the reasonable satisfaction of Council.

Other forms of privacy screening may be a suitable alternative to the above, provided it can be demonstrated to Council that the alternative screening solution will prevent overlooking.

REASON: Buildings should be designed to not cause potential for overlooking of adjoining properties.

(9) Swimming Pool Backwash Water

Backwash water from swimming pool filter(s) shall be directed to the sewer. Backwash water shall not be directed to any watercourse, dam or stormwater system. A separate on-site dedicated soakage or irrigation area shall be designed for this purpose.

REASON: To prevent pollution and environmental harm.

(10) Landscaping To Be Planted, Including Separate Approval For Landscaping on Council Road Reserve

a) Landscaping, detailed in the landscaping plan (sheet SK02 by Precision Homes) shall be planted in the planting season following occupation of the dwelling and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

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- b) A separate application for 'Works/Alterations On A Road Reserve' shall be submitted to, and approved by Council, prior to any planting on the Council road verge occurring. An application form can be downloaded from:

<https://www.ahc.sa.gov.au/ahcresident/Documents/180718%20s221%20Road%20Reerve%20Agreement%202018-19.pdf>

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.

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) Requirement For Retaining Wall To Be Constructed Prior To Works Commencing

The retaining walls on the side boundaries of the property, as described on the site & drainage plan stamped as part of this authorisation, shall be constructed prior to the commencement of the construction of the dwelling.

(3) Public Utility Services

Public utility services, including light poles and conduits, may be present in the road reserve area and it is the property owner's responsibility to ensure these services are not damaged as a result of the development. It is the property owner's responsibility to negotiate the alteration of services in the road reserve. All services within the road reserve should be located prior to any excavation.

(4) Swimming Pool Pumps & Filters

Pumps and filters must be located and operated so as not to emit noise levels in excess of the applicable Environment Protection (Noise) Policy 2007. The maximum noise level shall not exceed 45db(A) from 10:00pm on any night until 7:00am the following morning.

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- (5) **Swimming Pool Chemicals**
No spillage of waste shall occur from the storage or use of pool chemicals. Disposal of any chemicals shall only occur at the EPA Household Hazardous Waste Depot (Phone 8204 1947) or through a licensed waste contractor.
- (6) **Requirement for SA Water Approval To Fill Swimming Pool**
New pools or spas may only be filled under the authority of a permit from SA Water. The applicant is advised to obtain a permit to fill the pool with water from SA Water before proceeding with the installation of the swimming pool. SA Water advises that a permit will not be granted unless proof is provided that a cover has been purchased to prevent water loss through evaporation.
- (7) **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 necessitates a boundary identification survey being carried out by a licensed land surveyor prior to the work commencing.
- (8) **Bushfire Attack Levels (BAL) in Excluded Areas**
Where the site of the development is located in an "Excluded Area", bushfire construction provision may still apply at the Building Rules Assessment Stage (Refer to NCC SA 3.7.4.2).

For a site located within an Excluded Area and within 500m of a High Bushfire Risk area, as identified in the Development Plan, the National Construction Code requires the BAL - Low design criteria to be applied.

For a site located within an Excluded Area within 100m of a High Bushfire Risk area, as identified in the Development Plan, the National Construction Code requires that the BAL criteria relevant to the site must be determined for the site in accordance with AS 3959, and the relevant BAL design criteria applied to the buildings on the site.

9. **Policy Issues for Advice to Council**
Nil
10. **Other Business**
Deryn Atkinson provided the Panel with an update on the Planning Reform process.
11. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil

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12. Confidential Item
Nil

13. Next Meeting
The next ordinary Development Assessment Panel meeting will be held on Wednesday 13 March 2019.

14. Close meeting
The meeting closed at 8.40pm.