

COUNCIL ASSESSMENT PANEL MEETING
11 March 2020
AGENDA – 8.1

Applicant: William Dawson	Landowner: W A Dawson & J M Peters
Agent:	Originating Officer: Melanie Scott
Development Application:	18/980/473
Application Description: Demolition of habitable building & construction of office & conference facility (maximum of 10 conferences per year), associated car park & earthworks (non-complying)	
Subject Land: Lot:91 Sec: P81 FP:170978 CT:5410/807	General Location: 2 Silver Road Bridgewater Attachment – Locality Plan
Development Plan Consolidated : 24 October 2017 Map AdHi/31	Zone/Policy Area: Watershed (Primary Production) Zone & Rural Landscape Policy Area
Form of Development: Non-complying	Site Area: 3.6 hectares
Public Notice Category: Category 3 Notice published in The Advertiser on 5 April 2019	Representations Received: 3 Representations to be Heard: 1

1. EXECUTIVE SUMMARY

The purpose of this application is to demolish an existing dilapidated building and replace it with a modern building for use as a home office and limited conference facility. The proposal will also result in the upgrading of an onsite waste system.

The subject land is located within the Watershed (Primary Production) Zone and the Rural Landscape Policy Area, and the proposal is a non-complying form of development. Two representations in opposition and one in support of the proposal were received during the Category 3 public notification period.

The application is non-complying as everything in the Watershed Primary Production Zone is non-complying and an office along with the restricted conference/conference facility component of the proposal is not in the list of exemptions.

The proposed office spaces are approximately 19m² each and the conference facility is approximately 52m². The proposed building has a roof area of 250m² as it includes verandahs. The office space is for the personal use of the property owners and if considered in isolation and restricted to 30m², it could potentially constitute a home activity within an outbuilding. The restricted conference facility use is the more difficult element of the proposal to assess.

Representors have suggested that due to the non-complying nature of the development, this use is inappropriate for the site. The main issues related to the proposal are potential traffic impacts and potential loss of residential amenity. Council staff consider the office and conference/conference facility to be a small scale commercial venture run by the occupants of the land that will not unreasonably impact on the rural residential amenity of the locality.

As per the CAP delegations, the CAP is the relevant authority for this Category 3 non-complying development as one opposing representor wishes to be heard.

Following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that **CONCURRENCE** from the State Commission Assessment Panel (SCAP) be sought to **GRANT** Development Plan Consent.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

- Demolition of an existing habitable building
- Construction of a new building in the same location with a slightly smaller footprint
- The office building has a total floor area of 169m² and is single storey with an overall height of 4.4m
- New building comprising of two office spaces, bathroom, utility area, kitchen, conference room and patio. The office spaces are 24m² and 20m², the conference room is 36m² and there is a kitchenette of 15m². The balance of the space (74m²) is corridor, utility, bathroom and verandah
- Proposed as home offices for the occupants of the dwelling
- Conferences to be conditioned at a maximum of 10 days per year, to be run by the property owners for a maximum of 12 participants at each
- The office and conference building will share the same new/replacement wastewater system as the existing dwelling on the land
- Associated landscaping and car parking area for 14 vehicles made of compacted gravel
- No Signage is proposed ding or land?

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

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
30 November 2018	18/492/473	Freestanding solar array
3 March 2017	16/874/473	Two freestanding ground mounted solar pane arrays
13 November 2012	10/785/473	Alterations and additions to habitable building, verandah and deck (now lapsed)
31 January 2008	07/937/473	Rainwater storage tank

4. REFERRAL RESPONSES

- **EPA**
The EPA is satisfied that the proposal would have a neutral or negligibly detrimental impact on water quality and have recommended a standard condition and two notes (refer condition8).
- **AHC EHU**
Council's Environmental Health Officer has granted approval to install a new waste water treatment system (refer 20/W15/473).

The EPA response is included as **Attachment – Referral Response**.

5. CONSULTATION

The application was categorised as a Category 3 form of development in accordance with Section 38(2)(c) of the Development Act 1993 requiring formal public notification and a public notice. Three representations were received. Of these two representations are opposing the proposal, and one is in support of the proposal. All were from adjacent properties.

The following representors wish to be heard:

Name of Representor	Representor's Property Address	Nominated Speaker
Emily Graham	Silent elector	Self

The applicant may be in attendance.

The issues contained in the representations can be briefly summarised as follows:

- Commercial uses in the Watershed (Primary Production) Zone
- Increased traffic
- Lack of parking
- Tree removal and impact on visual amenity
- Impact on neighbouring property values

These issues are discussed in detail in the following sections of the report.

Copies of the submissions are included as **Attachment – Representations** and the response is provided in **Attachment – Applicant's Response to Representations**.

6. PLANNING & TECHNICAL CONSIDERATIONS

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

- i. The Site's Physical Characteristics
The subject land has frontage on Mount Barker Road and Silver Road. Silver Road is not sealed and the accesses currently exist. The subject land is 3.6 hectares in area and steeply undulating with a long history of rural residential use and has previously experienced bushfire destruction. The site is now an extensive parkland/garden with multiple ruins, a carport, dilapidated outbuilding (to be demolished as part of this

application) and a modest architecturally designed dwelling made up of multiple buildings.

ii. The Surrounding Area

The land is to the east of the intensively settled portion of Bridgewater and the subject land has seven neighbours on its northern and eastern boundary, including those on the other side of Silver Road. Silver Road is an unsealed no-through road which services six properties at its southern end. There is a locked gate which prevents Silver Road being used as a through road. With the exception of the neighbours to the west, the land in the surrounding area is zoned Watershed (Primary Production) and allotments vary greatly in size and use. However the locality could generally be described as rural residential in terms of land uses.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

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

Policy Area

- Primary production and rural living activities and exclusion of land uses which would create nuisance and impact upon the scenic character.

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

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

PDCs: 1, 2, 4, 5 & 6

The subject land is not used for farming or horticulture as envisaged by PDC 1, however it does feature natural open space which contributes to the scenic qualities and amenity of the locality. Whilst the proposed building utilises the footprint of an existing building, it does still require the removal of some pinus radiata trees, which are not protected by any legislation. Council staff are of the opinion that the proposed built form will not alter the amenity of the locality. Further the proposed use of the building on a limited basis for groups, and more generally as home offices is not expected to adversely affect the amenity of the locality. Whilst the development is not for, or associated with primary production, the rural residential property has not historically been used for this purpose. The small-scale and restricted nature of the proposed use, namely limited to 10 conferences per annum with a maximum capacity of 12 persons, is considered to minimise the potential to cause nuisance to neighbouring land in accordance with PDC 2.

The proposed building is setback 30 metres from the watercourse on the land in accordance with PDC 4. The proposal has been designed with conservation in mind and proposes a new onsite waste system to service both the existing dwelling and the proposed office building. The proposed building is excavated into the land with its southern elevation acting as a retaining wall and it is to be constructed with surface water management measures. The proposal accords with PDC 5.

The building is proposed within the footprint of an existing building to be demolished, is excavated into the slope and the chosen materials (stone to match existing buildings on site, mud brick and Colorbond Jasper corrugated iron (walls and roof)) will blend with the natural features of the site and the locality. The subject building will not be readily visible external to the site given its siting on the low side of Silver Road. The proposal is considered to accord with PDC 6.

Zone

The maintenance and enhancement of the natural resources of the south Mount Lofty Ranges along with the long term sustainability of rural production.

The following are considered to be the relevant Zone provisions:

Objectives: 1, 2 & 5

PDCs: 1, 2, 3, 4, 8, 9, 11, 14, 15, 16, , 29, 36, 37 & 38

Accordance with Zone

The proposed building is to be positioned below the ground level of Silver Road, is set back some 28 metres from the road boundary, sited on an excavated site and away from native vegetation on the site. The proposal is considered to be consistent with PDC 1. Further, as envisaged in PDC 2, the proposed building is of a low profile and uses the same location as the building to be demolished. It is considered that the building will not detract from the desired natural character of the zone. Further, the building will be connected to the same on-site waste control and water as the dwelling on the site, and therefore the proposal is consistent with PDC 3. PDC 4 requires the building to be 25m metres from a watercourse, it is 30 metres away. For all the reasons mentioned above and noting that the proposed building is sited within 15 metres of the other buildings on the site, the proposal is considered to accord with PDCs 8, 11 and 14.

The proposal utilises existing driveways. There will be some upgrade of the tracks which is to provide access to the proposed visitor parking area in terms of compacting gravel to ensure all weather access. The proposed visitor car parking is using existing previously levelled areas on the site. Overall the proposal is considered to be in accordance with PDC 9.

PDC 15 describes rural character comprising natural features and man-made activities to be preserved by careful siting, design and landscaping of new building development and/or intensive land uses. The proposal meets all the design guidelines for a building with a rural character. The main issue for consideration is the urban nature of the offices and conference space and car parking proposed, and the more intensive activity this additional land use proposes on the site for limited conference use compared with the residential use. Given an office space within a dwelling for residents of a dwelling is reasonably expected, the applicant has argued any proposal to extend the existing dwelling would compromise the architectural merits of the existing dwelling. The addition of the office space in another building in relatively close proximity (15 metres) to the dwelling is considered reasonable. As mentioned above, the small-scale offices and limited conference use is considered acceptable given the context of the site and locality. The Council staff consider that the impact of the proposed limited conferences on the rural character and amenity of

the Silver Road locality will be limited. The slight increase to traffic movement on a limited number of occasions per year is not considered to be unreasonable, the proposal is considered to be consistent with PDC 15. Further, as there is currently no primary production on the subject land nor intensive farming activities on adjacent land, the proposal does not prejudice primary production, and therefore accords with PDC 16.

There is no native vegetation in the proposed building and driveway/parking envelope. The proposal therefore accords with PDC 29. Further, the proposal does not impact on the quality of water resources and contributes to improvements in water quality. The proposed new/replacement on-site wastewater system is located further from the watercourse on the site than the existing one. The EPA has confirmed this view stating the following:

The EPA is satisfied that the new conference/office building with new upgraded on-site wastewater management system would have a neutral or negligibly detrimental (possibly beneficial) impact on water quality in the Mount Lofty Ranges Watershed.

The proposal is considered to accord with PDC 36.

Further, the proposal is considered to be in accordance with PDCs 37 and 38 as the building is in the same location as an existing building being demolished, the new building will be clustered with other buildings on the site and part of its wall will have a retaining function.

b) Council Wide provisions

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

- *Orderly and economic development*

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

Design and Appearance

Objective: 1

PDCs: 1, 3, 7, 9, 12, 28 & 29

The proposed building will not be visible from the public realm. The design is carefully excavated into the site, utilises the site of the building to be replaced and also will occupy a slightly smaller footprint than that building. The chosen materials and colours will blend with the natural environment. For these reasons the proposal is considered to be consistent with PDCs 1 and 3.

PDC 7 requires development to minimise any adverse alteration to the character of the area. This PDC seems mainly to talk about the built- form, however it can also be interpreted to relate to a change of use. The proposal is considered to meet all the design guidelines contained within PDC 7. As mentioned above, the small-scale office and limited conference use is considered acceptable given the context of the site and locality. Given the limited number of occasions the building is proposed to be used for conferences and the use of the proposed offices by the occupants of the dwelling the proposal is not considered to generate nuisance above that associated with a

private residence. Council staff view the proposal as an extension of the residential use of the land.

PDC 9 requires minimal alteration to the land form which the proposal achieves by utilising the site of the building to be demolished. The southern wall will act as a retaining wall reducing the need for additional infrastructure. The proposal is considered to meet the requirements of PDC 7.

Interface Between Land Uses

Objectives: 1, 2 & 3

PDCs: 1 & 2

PDC 1 requires consideration of a range of impacts from any development on the amenity of the locality with nine parameters. Representors have raised traffic impacts including parking as the main objection to the proposed occasional use of the new office building for conferences. Council engineering staff have expressed no concern with the use of the site for conferences and have said the existing access is acceptable. The amended site plan details that there will be parking for 12 vehicles on site for the office/conference building and two for the occupants of the residence. It is not expected there will be parking on the road side given adequate onsite parking. Council staff have formed an opinion the general use of the building for small-scale home offices will have no impact on adjacent land. The offices are proposed for the home-owners personal use and at 20m² and 24m² respectively are modest in size and should be considered as a use in association with the existing dwelling on the site and will not generate traffic movements to the subject land above those expected in association with a residential use. Further, the use of the building for conferences on 10 days a year for up to 12 people is not considered to have an unreasonable impact on traffic on Silver Road. On balance, the proposal is considered to accord with PDC 1.

The proposed building is located so it will not be seen off site and is not considered to present negative impacts on existing and potential future uses in the locality in accordance with PDC 2.

Natural Resources

Objectives: 1 & 2

PDCs: 1, 2 & 3

The proposal utilises an existing building site with a slightly smaller footprint and is not visible from nearby roads, which will ensure minimal impact on the natural environment, consistent with PDC 1. The proposed building is sited approximately 30 metres from the nearest watercourse and the on-site wastewater system is to be upgraded to modern standards. As mentioned, the EPA have confirmed that this conference facility would have a neutral or negligibly detrimental (possibly beneficial) impact on water quality in the Mount Lofty Ranges Watershed. The proposal is considered to accord with PDCs 2 & 3.

Orderly and Sustainable Development

Objectives: 1 & 3

PDCs: 1, 3 & 17

PDC 1 stipulates that development should not prejudice the development of a zone for its intended purpose. As discussed in the zone portion of this report, the land is in the Watershed (Primary Production) Zone, however the land is not, and has not for a very long time been used for primary production purposes. Given the natural features of the site it is unlikely to ever be used for primary production purposes. As mentioned, the proposal does not prejudice the opportunity for neighbouring land to be used for primary production purposes. The proposal is considered to accord with PDC 1.

PDC 3 requires the economic base of the region to be expanded in a sustainable manner. Enabling land owners to supplement their income by working from home is a usual circumstance on many properties in the Council area, not currently reflected in our Development Plan. The conferences will be single day events and hours have been conditioned to reflect office hours. This small scale proposal is considered acceptable for the subject land and the quiet locality in which it is proposed to be situated for the reasons outlined above. The proposal accords with PDC 3.

PDC 17 discusses commercial development near residential areas and their potential impact on amenity, particularly with regard to traffic movements. The existing access points, which will have increased vehicle movements through them on 10 days a year (when conferences are held), is not in direct conflict with neighbouring property entrances. The proposal will not increase traffic safety issues and is therefore considered to accord with this PDC.

Siting and Visibility

Objectives: 1

PDCs: 1, 2, 3, 4, 5, 6, 7, 8 & 9

As previously discussed, the proposed building will not be seen from the road, the new building is grouped with other buildings on the site with a setback of approximately 30 metres from the road and will be constructed on an excavated site. The proposal is considered to accord with PDCs 1, 2 and 3.

There are retaining walls proposed up to 2 metres in height. However, they are part of the wall of the building and in the location previously occupying a slightly larger building, which cannot be seen from the public realm. The proposal is considered to be consistent with PDCs 4, 5 and 8.

The building is low profile with a maximum skillion roof height of 4.4metres and non-reflective materials have been proposed. The proposal is consistent with PDCs 6 and 7.

The access points and driveways currently exist and work with the slope of the land. The main access point providing entry to the visitor parking area is not adjacent any residential neighbours which will minimise nuisance impacts and the proposal is considered in accordance with PDC 9.

7. SUMMARY & CONCLUSION

The purpose of this application is to demolish an existing dilapidated building and replace it with a modern building for use as a home office and limited conference facility. The proposal will also result in the upgrading of an onsite waste system. The home offices will be used as an extension to the existing dwelling by the occupiers and the conference facility use is limited by the following conditions which propose use only by the occupants. Council staff have formed the opinion the proposal will have a minimal impact on the amenity of the locality for adjoining properties and the limited nature of the proposed conferences will minimise the traffic impact on Silver Road.

The proposal is considered to be sufficiently consistent with the relevant provisions of the Development Plan, despite its non-complying nature, and 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 **CONCURRENCE** from the State Commission Assessment Panel be sought to **GRANT** Development Plan Consent, subject to conditions.

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 seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent to Development Application 18/980/473 by William Dawson for demolition of habitable building & construction of office & conference facility (maximum of 10 conferences per year), associated car park & earthworks (non-complying) at 2 Silver Road Bridgewater 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 car parking and tree removal plan drawing number A106 Rev 02 date stamped by Council 24 February 2020 prepared by Martin Freney project number ESDD**
- **Site Plan, Room and Schedule Sheet, Floor Plan, Demolition Plan, Roof Plan, Elevation Plans, Drainage Plan and Site Logistics Plan prepared by Martin Freney project number ESDD – Rev 01 sheets number A100, A101, A102, A103, A105, A201, A202, A203, A204, A601 and A606 dated 25 August 2018 and date stamped by Council 20 November 2018**
- **Onsite Wastewater Management Plan Rev C dated 23 August 2018 prepared by Australian Water Environments and date stamped by Council 20 November 2018**
- **Email from Drew Dawson dated 18 January 2019 - conferences**

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

(2) **External Finishes**

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

WALLS: Stone and Colorbond Jasper or similar

ROOF: Colorbond Jasper 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.

(3) **Gravel Car parking Designed In Accordance With Australian Standard AS 2890.1:2004.**

All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and delineated in accordance with Australian Standard AS 2890.1:2004. Car park delineation and directional signage shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of compacted gravel and delineated 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.

(4) **Conference Hours**

Conferences shall only occur between the hours of 8.30am to 6.00pm.

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

(5) **Restriction On Number Of Conferences**

The number of conferences in a calendar year shall not exceed ten (10) days per year. Such conferences shall have a maximum capacity of 12 persons. Any increase in the number of conferences or capacity will require a separate development approval.

A logbook/diary shall be kept of all conferences for each calendar year and made available for inspection by the Council upon request.

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

(6) **Restriction On Office and Conference Use**

The office shall only be used by the occupants of the dwelling and the conferences run solely by the occupants of the dwelling on the subject land. The building shall not be leased or occupied by any third party.

REASON: To ensure the proposed development is undertaken in accordance with the approved documentation and to minimise the proposals impact on the locality.

- (7) **Stormwater Roof Runoff To Be Dealt With On Site**
All roof runoff generated by the development hereby approved shall be managed on-site to the satisfaction of Council using design techniques such as:
- Rainwater tanks
 - Grassed swales
 - Stone filled trenches
 - Small infiltration basins

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

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

- (8) **EPA Condition**
Prior to occupation of the herein approved offices and conference building, the on-site wastewater management system must be installed and operational in accordance with the *Onsite Wastewater Assessment and Design Report*, prepared by Australian Water Environments and dated 23 July 2018.

NOTES

- (1) **Development Plan Consent**
This Development Plan Consent 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 the appeal is determined, whichever is later). Building Rules Consent must be applied for prior to the expiry of the Development Plan Consent, or a fresh development application will be required. The twelve (12) month period may be further extended by written request to, and approval by, Council. Application for an extension is subject to payment of the relevant fee.
- (2) **Use of Office and Conference Building**
The building is approved for use as offices and conferences run solely by occupiers of the residence on subject land. Any deviation from this will require separate application to be lodged with Council.
- (3) **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.
- (4) **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.

(5) **EPA Environmental Duty**

The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable 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.

EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

(6) **Department of Environment and Water (DEW) - Native Vegetation Council**

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:

www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council Secretariat on 8303 9777. This must be sought prior to Full Development Approval being granted by Council.

9. **ATTACHMENTS**

Locality Plan
Proposal Plans
Application Information
Referral Responses
Representation
Applicant's response to representations
Publically Notified Plans

Respectfully submitted

Concurrence

Melanie Scott
Senior Statutory Planner

Deryn Atkinson
Manager Development Services

**COUNCIL ASSESSMENT PANEL MEETING
11 March 2020**

AGENDA – 8.2

Applicant: Piotr Kukucz & Agnieszka Sroka-Kukucz	Landowner: S A Edwards
Agent: N/A	Originating Officer: Damon Huntley (presented by Sam Clements)
Development Application:	19/882/473
Application Description: Single storey split-level detached dwelling, attached deck (maximum height 1.4m) & masonry wall (maximum height 2.4m), domestic outbuilding - garage, swimming pool, water storage tanks (3 x 40,000L & 1 x 22,000L), tiered retaining walls & associated earthworks	
Subject Land: Lot:1 Sec: P1652 DP:40380 CT:6068/910	General Location: Lot 1 Hannaford Hump Road Upper Hermitage SA 5131 Attachment – Locality Plan
Development Plan Consolidated : 08 August 2019 Map AdHi/3	Zone/Policy Area: Watershed (Primary Production) Zone
Form of Development: Merit	Site Area: 3 Hectares
Public Notice Category: Category 2 Merit	Representations Received: One (1) Representations to be Heard: One (1)

1. EXECUTIVE SUMMARY

The purpose of this application is for the construction of a single-storey split-level detached dwelling and a domestic outbuilding - garage. The proposed dwelling incorporates a rear deck with a maximum height of 1.4 metres above natural ground level. A swimming pool of 8.2m in length and 2.8m in width is proposed on the northern end of the deck. The proposal also incorporates a masonry wall with a maximum height of 2.4 metres, associated earthworks and removal of native vegetation necessary for the construction of the dwelling.

The subject land is located within the Watershed (Primary Production) Zone and the proposal is a merit form of development. One (1) representation in opposition to the proposal was received during the Category 2 public notification period.

The proposed development would result in one detached dwelling and ancillary freestanding garage being located on the subject land. This proposal would be consistent with the pattern of surrounding properties, which mostly comprise a single residence per allotment. The proposal incorporates the grouping of the proposed buildings to a concentrated area of the site, allowing the vast balance of the entire allotment to be retained in its existing natural form. The visual appearance of the proposed development is not considered to be detrimental to the character of the area, as the subject land is not readily visible from public roads. The proposed development comprises a quality design which complements the natural slope of the land. Whilst the subject

land is located within a rural area of the Watershed (Primary Production) Zone, no conflicting rural interface impacts have been identified.

As per the CAP delegations, the CAP is the relevant authority for Category 2 merit development where representors wish to be heard.

The main issues relating to the proposal are the impact on the rural character of the area, increase to traffic movements in right of way, removal of native vegetation, and compliance with the mandatory bushfire protection provisions of the *Minister's Code: Undertaking development in Bushfire Protection Areas*.

In consideration of all the information presented, and following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that the proposal be **GRANTED** Development Plan Consent, subject to conditions:

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

- Construction of a single-storey split-level detached dwelling comprising a rear deck (maximum height 1.4 metres) with swimming pool, domestic outbuilding-garage, masonry wall (maximum height 2.4m), and associated earthworks
- The proposed dwelling features a hip and valley roof formation with a maximum ridge height of 5.1m
- The dwelling measures 16.4m in depth, 29.9m in width and has an external wall height which varies between 2.7m and 3.2m
- The dwelling layout includes an open plan kitchen and living space, and four (4) bedrooms. The master bedroom includes an ensuite bathroom and walk-in-wardrobe. The layout also consists of an entry hall, study area and bathroom. An attached alfresco area is located on the eastern side of the dwelling
- The proposed three (3) bay detached garage measures 5.9m in depth, 9.0m in width, with a maximum ridge height of 4.3m
- External finishes for the dwelling include a combination of Dulux 'Hog Bristle' (external wall render) and 'self-destruct' (wall trimming), and San Marco 'Clasico' / 'Ticino' / 'Adige' colour ceramic roof tiles
- The main face of the dwelling is to be setback at a minimum distance of 5.1m from the front boundary of the site. The position of the dwelling has a minimum side setback of 10.5m from the western side boundary, a setback in order of 88m from the eastern side boundary, and an approximate rear setback in the order of 199m. The garage is proposed forward of the main face of the dwelling, with a setback distance of 1.5m to the front boundary of the site, and a distance of 1.8m to the western side boundary
- Earthworks associated with the dwelling, driveway, swimming pool, water storage tanks and garage to create three level benched areas. These works include excavation to a level of approximately 1.9m and filling to a maximum level of 3m. Tiered retaining walls of 500mm and 1m in height will retain the deep excavation

- The proposal includes removal of native vegetation for which the land owner has sought Native Vegetation Clearance approval under *Native Vegetation Regulation 12(33)*. Clearance of native vegetation is limited to what is required for the construction of the new dwelling, associated driveway, wastewater system, and to establish an asset protection zone for bushfire prevention. The vegetation clearance includes removal of three (3) River Red Gums and two groups/clusters of native saplings (28 in total). One of the groups of trees (referred to as Group 2) is within the right of way (ROW) on the adjacent land and the removal of the trees is necessary to facilitate access into the property for CFS vehicles
- The application proposes the installation of three (3) 40,000 litre water storage tanks to provide water to the dwelling, and one (1) 22,000 litre water storage tank for bushfire fighting supply

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Application Information**.

3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
Development Plan Consent – 16 October 2017	17/415/473	Two storey detached dwelling, carport, deck (max height 3.1m), in-ground swimming pool & barriers, 3 x 22,500 litre & 1 x 22,000 litre water storage tanks, retaining walls (max height 2.1m) & associated earthworks Development Plan Consent - lapsed.
16 September 1997	97/4015/471	Dwelling and Shed (Stage 1) – not proceeded with

Revised Drawing No. 1 titled ‘amended part site plan’ was received by Council on 29 January 2020 as a result of a request from Council’s Engineering Department to demonstrate sufficient treatment of stormwater overflow on the site.

4. REFERRAL RESPONSES

- **CFS**
 The SA Country Fire Service has no objection to the proposal and has directed that (4) standard conditions in line with the mandatory provisions of the *Minister’s Code: Undertaking development in Bushfire Protection Areas* are attached to any Development Plan Consent granted (refer to conditions 6-9).
- **NVC**
 The Native Vegetation Council (NVC) has approved the clearance of 3 larger native trees and two clusters of 28 native saplings (3 saplings within the ROW). The proposal satisfies the requirements of *Native Vegetation Regulation 12 (33)*.

- **AHC EHU**
Council's Environmental Health Unit has granted an extension of the approval for the previous wastewater treatment system application (refer to Wastewater Application 17/W135/473).

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

5. CATEGORISATION & CONSULTATION

The application was categorised as a Category 2 form of development and required formal public notification in accordance with Section 38(2)(a) of the *Development Act (1993)* and specifically PDC 72 of the Watershed (Primary Production) Zone due the height of the attached deck above natural ground level. One (1) representation in opposition to the proposed development was received during the public notification period. This representation was from an adjacent property owner and the owner of the right of way.

The following representor wishes to be heard:

Name of Representor	Representor's Property Address	Nominated Speaker
John Forster	98 Hannaford Hump Road, Gould Creek SA 5114	John Forster

The Applicants - Piotr Kukucz & Agnieszka Sroka-Kukucz may be in attendance.

The issues contained in the representation can be briefly summarised as follows:

- Location of proposed vehicular access and impact on traffic safety along existing right of way
- Impact of the vehicle crossover on the drainage depression/swale at the front boundary of the subject land
- Removal of existing native trees

These issues are discussed in detail in the following sections of the report.

A copy of the submission is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant's Response to Representations**. A copy of the plans which were provided for notification is included as **Attachment – Publically Notified Plans**

6. PLANNING & TECHNICAL CONSIDERATIONS

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

- i. The Site's Physical Characteristics
The subject land generally forms a rectangular shaped allotment, situated some 130 metres to the east of Hannaford Hump Road. The land is accessed via an existing right of way (10 plus metres in width) which traverses along the northern boundary of the subject land. The land is 3 hectares in area, with a minimum width of 125.7 metres,

and a minimum depth of 225 metres. Land levels vary across the site, with levels generally falling from west to east. The slope of the land ranges between a maximum of 1-in-1 to a minimum of 1-in-15 at the higher northern portion of the site. The site includes an existing shed which is located approximately 1 metre from the eastern side boundary of the site, and setback approximately 50 metres from the front boundary of the site. A small wood storage shelter is located approximately 50 metres from the front boundary of the site. The property features large native trees which are spread out across the whole of the allotment. A row of native trees is also present across the front northern boundary of the site. This row of native trees follows the right of way easement on the adjoining land. A natural watercourse is present on the land as a result of the descending topography through the depth of the site.

ii. The Surrounding Area

The surrounding area is solely made up of large rural land holdings. Detached dwellings and outbuildings are present on less undulating areas of surrounding properties. The subject land forms the smallest allotment in the wider area. The topography of land in the locality is very undulant. Native trees throughout this area of Upper Hermitage and Gould Creek are relatively evenly distributed throughout the undulating landscape, with pockets of concentrated clusters of large native trees.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Watershed (Primary Production) Zone. The following policies are considered to be the most relevant provisions within the Adelaide Hills Council Development Plan relating to the proposed development:

- i. Maintain and enhance the natural landscape of the south Mount Lofty Ranges.
- ii. Limit the visual intrusion of development in the zone, particularly when viewed from public roads.
- iii. Buildings to be located in unobtrusive locations, in particular, below ridge lines.
- iv. Excavation and/or filling of land to be kept to a minimum so as to preserve the natural form of the land, and maximise retention of native vegetation.
- v. Profile of buildings to be low and the roof lines should complement the natural form of the land.
- vi. Development should not occur on land where the slope poses an unacceptable risk of soil movement, land slip or erosion.
- vii. Prevent the loss of life and property resulting from bushfires.

RESIDENTIAL DEVELOPMENT:

ZONE/COUNCIL WIDE	OBJECTIVES & PDCs
Watershed (Primary Production) Zone	Objectives: 1, 2 & 5 PDCs: 1(c)(e)(f), 2, 3, 4, 9, 10, 11, 14, 16, 17, 23 & 24
Council Wide: – Residential Development	<u>Residential Development:</u> Objectives: 1 & 2 PDCs: 1, 3, 9, 13, 14, 17 & 18

The application is for the construction of a single-storey split-level dwelling comprising a rear deck with a maximum vertical height of 1.4 metres, a swimming

pool, and a detached garage. Objective 2 of the Watershed (Primary Production) Zone anticipates long-term sustainability of rural production in the south Mount Lofty Ranges. In addition, Objective 5 encourages enhancement of the amenity and landscape of the south Mount Lofty Ranges for the enjoyment of residents and visitors. Whilst the proposal does not bare any direct connection to an agricultural activity on the land, the location of the proposed development on the land is concentrated in the north-western corner of the allotment, allowing the vast balance of the land to remain unaltered and retained in its existing form.

The single-storey dwelling proposed is intended to be located in relatively close proximity to the front northern boundary of the site, in order to maximise use of the flattest level on the upper portion of the allotment. PDC 1 of the Zone envisages buildings to be located in unobtrusive locations, below a ridge line and set back at a distance from public roads. As the proposed buildings are to be grouped and sited in the upper portion of the allotment, the location of the buildings will be positioned in close proximity to the ridge line and the right of way which follows the ridge line at the front of the site. The dwelling is split level, and the buildings are sited on the flatter portion of the land, located behind a line of native trees along the front boundary, and separated by some 130 metres to the east of the nearest public road, and it is considered that the proposal sufficiently consistent with the intent of PDC 1 (Watershed (Primary Production) Zone). As the location of the proposed buildings is well separated from public roads and not substantially visible within the landscape, the proposal is considered to be an acceptable form of development within the Watershed (Primary Production) Zone.

Whilst the proposal involves vegetation clearance, this considered a suitable site for a dwelling due to the significant slope of the land. Additionally, the extent of vegetation clearance required is not considered to be significant when factoring the presence of existing native vegetation across the entire allotment. The proposal is sufficiently consistent with PDC 23. The garage will be ancillary to the use of the dwelling as will the existing shed on the land.

The proposal is therefore considered to be predominantly consistent with the above mentioned zone and Council Wide provisions relating to residential development.

DESIGN AND APPEARANCE:

ZONE/COUNCIL WIDE	OBJECTIVES & PDCs
Watershed (Primary Production) Zone	Objectives: Nil PDCs: 1(e), 2, 8, 11, & 39
Council Wide: <ul style="list-style-type: none"> - Design and Appearance - Siting and Visibility - Residential Development 	<u>Design and Appearance:</u> Objectives: 1 PDCs: 1, 2, 3, 7, 9, 17, 18, 20, & 21 <u>Siting and Visibility:</u> Objectives: Nil PDCs: 1, 2, 3(c)(f), 4, 5, 6, 7, 8, & 9 <u>Residential Development:</u> Objectives: 2 PDCs: 9, 13, 17, & 18

Council Wide (Design and Appearance) Objective 1 seeks development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form. The split-level dwelling and detached garage both comprise a contemporary architectural appearance, incorporating quality materials and finishes. In terms of the design response of both the proposed dwelling and garage, it is considered that the buildings exhibit carefully controlled elevations in which the ratios of window/door to wall are suitably balanced to provide a pleasing composition. Both the dwelling and detached garage have a hipped roof form, and are both considered to integrate positively to the overall design of the buildings. As such, the overall architectural design and appearance of the buildings is considered to be in accordance with both Objective 1 and PDC 1.

Principle of Development Control 7 (Council Wide – Siting and Visibility) recommends that external surface materials of buildings be non-reflective and not detract from the visual character and amenity of the landscape. The proposed dwelling and garage feature walls with external render finished in Dulux 'Hog Bristle', which is a beige colour similar to Colorbond 'Evening Haze'. Both buildings are to feature roof tiles in an earthy tone, being a rustic red (Terracotta). While 'Hog Bristle' presents as a relatively lighter tone, it is on material (external walls) that does not emit external glare or bright reflection. Accordingly, it is considered that the proposed external finishes and colour scheme would be respectful when viewed against the natural backdrop surrounding the site. No fencing or alternative boundary treatment has been included as part of this proposal. The retaining walls on the side boundary will be retaining excavation and will therefore not be visible external to the site.

Building Height

PDC 2 of the Watershed (Primary Production) Zone anticipates buildings of a low profile which complement the natural contours and formation of the landscape. The dwelling incorporates a split-level design which follows the downward slope of the land. The building elevates to a maximum vertical wall height of 2.7 metres, and a hipped-roof elevating to maximum ridge height of 5.9 metres. Whilst both the dwelling and garage would be visible at the front northern boundary of the subject land, the buildings would not be easily viewed from nearby vantage points, namely from the public roads located at considerable distance to the north and east of the allotment. Given that the layout of the dwelling and garage are sited and designed to complement the natural topography of the land, it is considered on balance that the height of the buildings would not significantly impact upon the natural character of the immediate area surrounding the subject land.

Overlooking

The location of the proposed dwelling would be separated by a distance of some 260 metres to the location of the nearest adjoining dwelling at 709 Lower Hermitage Road. Given the extensive separation distance between dwellings on adjoining land, it is considered that no surrounding properties would be adversely impacted by the proposal. It is therefore considered that there would be no undue material impacts to the amenities enjoyed by the occupants of adjoining and nearby land. The proposal is considered to be consistent with PDC 18 (Council Wide – Design and Appearance).

Stormwater

Stormwater generated from the dwelling is to be diverted to a rock lined swale over geotextile material to dissipate stormwater and reduce erosion at the point of discharge on the site. The overflow swale is positioned clear of the proposed wastewater effluent dispersal field and away from boundaries at the rear of the dwelling. Council’s Technical Officer considers the proposed overflow method to be sufficient. Given the extensive size of the allotment with ample land for overflow treatment, it is considered that there would be no intrusive impacts relating to potential trespass of stormwater to adjoining land. Should the application be granted Development Plan Consent, a standard condition of consent is to be imposed to ensure stormwater overflow is treated within the external boundaries of the property through appropriate on-site management techniques (refer to condition 11).

ORDERLY DEVELOPMENT AND INTERFACE BETWEEN LAND USES:

ZONE/COUNCIL WIDE	OBJECTIVES & PDCs
Watershed (Primary Production) Zone	Objectives: 3 PDCs: 3, 8, 15, 16 & 17
Council Wide <ul style="list-style-type: none"> - Orderly and sustainable development - Interface between land uses 	<u>Orderly and Sustainable Development:</u> Objectives: 1, 3, 4 & 5 PDCs: 1 & 9 <u>Interface Between Land Uses:</u> Objectives: 1, 2 & 3 PDCs: 1, 2 & 4

Orderly Development

The proposal is for a dwelling, outbuilding and deck/swimming pool on the site, which means that the land is intended to be used for residential purposes. In respect of PDC 9 (Council Wide – Orderly and Sustainable Development), the intent of the zone predominantly envisages agricultural activities. However, it must be noted that the land does not feature a primary production use and is extremely steep, potentially limiting the viability of the allotment for any intensive primary production pursuits. As mentioned, the dwelling and outbuilding is located in the top corner of the allotment leaving the balance of the land to potentially be used for a less intensive farming activity, such as livestock grazing. Whilst the associated with the dwelling are significant, the proposed siting of the dwelling on a less undulating portion of the land seeks to minimise the extent of earthworks.

The location of an additional vehicle access point in close proximity to the location of proposed dwelling is supported by both Council’s Technical Department and the SA Country Fire Service for fire-fighting access. Given that the proposal is for a residential dwelling, it is anticipated that the residential use of the site will not unduly increase traffic movements on the right of way to and from the site.

Interface Between Land Uses

The location of the subject land lies between large rural holdings which primarily function as broad-acre grazing land. Existing detached dwellings are present on the majority of neighbouring parcels throughout the wider area surrounding the subject land. In respect of the existing allotments adjoining the subject site, it is noted that there are no existing uses such as horticultural industries or wineries which would be

likely to transmit reverse amenity impacts. While there is an inherent risk of sensitive exposure to future primary production activities on surrounding land, it is noted that there is currently no significantly differing land uses present on adjoining land, or in near proximity to the site. As such, there are no unduly conflicting or otherwise harmful reverse amenity impacts from adjoining or nearby land. Accordingly, it is considered that the proposal is consistent with PDC 16 (Watershed (Primary Production) Zone), and PDCs 1 and 2

NATIVE VEGETATION:

ZONE/COUNCIL WIDE	OBJECTIVES & PDCs
Watershed (Primary Production) Zone	Objectives: nil PDCs: 31
Council Wide - Landscaping	Objectives: - nil PDCs: 1

Native Vegetation

The vegetation clearance has been limited to what is necessary for the construction of the dwelling, garage and vehicle access. The development proposal involves the removal of the three large trees and two areas of 28 saplings. Three of the 28 saplings are in the ROW and are required to be removed to facilitate access via the ROW into the site. As the proposal seeks to minimise clearance it is considered to not be completely contrary to PDC 31 (Watershed (Primary Production) Zone). The extent of vegetation clearance required is not considered to be significant when factoring the presence of existing native vegetation across the entire allotment. The Native Vegetation Council (NVC) supports the proposed native vegetation clearance and has issued a clearance permit.

HAZARDS:

POLICY/ZONE/COUNCIL WIDE	OBJECTIVES & PDCs
Watershed (Primary Production) Zone	Objectives: Nil PDCs: 3, 4, 5, 6 & 35
Council Wide - Hazards - Sloping Land	Objectives: 4 PDCs: 3, 4, 7, 9, 14, 25 & 27 Objectives: 1 PDCs: 1, 3, 4, 5 & 7

As the subject land is located within a mapped High Bushfire Risk Bushfire Protection where development for dwellings requires referral to the SA Country Fire Service. . The SA Country Fire Service referral response directs four conditions to be imposed on any consent relating to fire-fighting vehicle access, bushfire fighting water supply, access to that water supply, and vegetation management (refer to conditions 7-10). The SA Country Fire Service referral response indicates that the proposed measures are to provide a measure of protection to the property in the event of a bushfire. These requirements are adopted from the mandatory provisions of the Minister’s Code - Undertaking Development in Bushfire Protection Areas, and therefore the proposal adheres to PDC 7 (Council Wide – Hazards).

The portion of the site intended for the dwelling is not located in an area that is subject to floodwaters in a 1-in-100 year average return interval flood event, and therefore there is no prevalent risk of flooding.

Whilst the proposal does involve significant levels of earthworks, the excavation will be retained and the filled batters will be planted out to control erosion and reduce the risk of landslip. The proposal has regard to PDC 27.

On 17 January 2020, Council's Environmental Health Unit granted an extension of approval for the previous waste water treatment system authorisation (Wastewater Application 17/W135/473).

7. SUMMARY & CONCLUSION

The development proposal to construct a single-storey split-level dwelling with a rear deck at a maximum height of 1.4 metres, a swimming pool, and detached garage will not have an adverse impact on the rural character of the locality. It is considered that proposed built form will not be readily visible from public roads in the surrounding area.

The proposed dwelling and garage are to be positioned on the upper northern portion of the allotment, and this location on the site is such that the buildings would be suitably grouped together on the land.

The adopted design approach, including siting ensures that excavation and filling of land is minimised so as to preserve the natural land form of the land and to prevent the risk of soil movement. It is also considered that the proposal seeks to minimise native vegetation clearance.

On balance, the proposal is considered to meet the policy intent of the Watershed (Primary Production) Zone.

The proposal is sufficiently consistent with the relevant provisions of the Development Plan, and 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 Development Plan Consent be **GRANTED**, subject to conditions.

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 GRANTS Development Plan Consent to Development Application 19/882/473 by Piotr Kukucz & Agnieszka Sroka-Kukucz for Single storey split-level detached dwelling, attached deck (maximum height 1.4m) & masonry wall (maximum height 2.4m), domestic outbuilding- garage, swimming pool, water storage tanks (3 x 40,000L & 1 x 22,000L) & associated earthworks at Hannaford Hump Road Upper Hermitage 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 Part Site Plan drawn by Janusz & Partners Job 190620 Drawing No. 1 dated 29 January 2020 (received by Council on 29 January 2020)**

- **Amended Elevations & Floor Plan (Garage) drawn by Janusz & Partners Job 190620 Drawing No. 6 dated 16 January 2020 (received by Council on 16 January 2020)**
- **Amended Site Contour Plan drawn by Janusz & Partners Drawing No. 1A dated 16 January 2020 (received by Council on 16 January 2020)**
- **Amended Elevations (South & East) drawn by Janusz & Partners Drawing No. 4 dated 18 November 2019 (received by Council on 18 November 2019)**
- **Amended Elevations (North & West) drawn by Janusz & Partners Drawing No. 3 dated 18 November 2019 (received by Council on 18 November 2019)**
- **Floor Plan drawn by Janusz & Partners Drawing No. 2 dated 21 October 2019 (received by Council on 23 October 2019)**
- **Colour Scheme (received by Council on 18 November 2019)**

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

2. External Finishes

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

WALLS: Dulux 'Hog Bristle' or similar

ROOF: SanMarco ceramic tiles in rustic red, 'Clasico' / 'Ticino' / 'Adige' 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.

3. Treatment To Excavations And Fill

All exposed excavations and fill as shown on site plan (Drawing No. 1) 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.

4. 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.

5. Restriction On Use Of Outbuilding

The building 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

6. CFS Access Requirements

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), Part 2.3.3.1 describes the mandatory provision that 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres:

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either:
 - I. A loop road around the building, OR
 - II. A turning area with a minimum radius of 12.5 metres, OR
 - III. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres
- Private access 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 in width and a vertical height clearance of 4 metres

REASON: To provide safe access to properties in the event of a bushfire.

7. CFS Water Supply

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), Part 2.3.4.1 prescribes the mandatory provision of a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA78 provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times
- The water storage facility (and any support structure) shall be constructed of non-combustible material
- The dedicated fire-fighting water supply shall be pressurised by a pump that has:
 - I. A minimum inlet diameter of 38mm, AND
 - II. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - III. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes

- The dedicated fire-fighting water supply pump shall be located at or adjacent to the dwelling to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the dwelling)
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221
- All fire-fighting hoses shall be readily available at all times

REASON: To minimise the threat and impact of bushfires on life and property.

8. CFS Access To Dedicated Water Supply

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER")
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting

- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:

The dedicated water supply outlet for draughting purposes shall not exceed 5 metre maximum vertical lift (calculated on the height of the hardstand surface to the lowest point of the storage) and no greater than 6 metre horizontal distance.

The suction outlet pipework from the tank shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

REASON: To provide safe access to water supply in the event of a bushfire.

9. CFS Vegetation

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), 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:

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the dwelling (or to the property boundaries – whichever comes first) as follows:
 - I. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - II. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - III. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - IV. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
 - V. Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees' lowest branches.
 - VI. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 - VII. No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height).
 - VIII. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
 - IX. The VMZ shall be maintained to be free of accumulated dead vegetation.

REASON: To minimise the threat and impact of bushfires on life and property.

10. CFS Conditions To Be Completed Prior To Occupation

The Country Fire Service (CFS) Bushfire Protection Conditions [4 Conditions] shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

REASON: To minimise the threat and impact of bushfires on life and property.

11. Stormwater Roof Runoff To Be Dealt With On-Site

All roof runoff generated by the development hereby approved shall be managed on-site to the satisfaction of Council using design techniques such as:

- Rainwater tanks
- Grassed swales
- Stone filled trenches
- Small infiltration basins

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

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

12. Swimming Pool Backwash Water

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

REASON: To prevent pollution of the watershed and environmental harm.

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.

Please refer to page two (2) of this form (Notes for Applicant blue box) for information on changes to the planning system and potential changes to extensions of time requests.

2. 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.

3. 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.

4. CFS Bushfire Attack Level

Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a “measure of protection” from the approach, impact and passing of a bushfire.

The Bushfire hazard for the area has been assessed as BAL 29.

The buildings shall incorporate the construction requirements for buildings in Bushfire Prone areas in accordance with the Building Code of Australia Standard AS3959 “Construction of buildings in bushfire prone areas”.

5. 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.

6. 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 (Ph 8204 1947) or through a licensed waste contractor.

7. 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 10:00 p.m. on any night until 7:00 a.m. the following morning.

9. ATTACHMENTS

Locality Plan
Proposal Plans
Application Information
Referral Responses
Representation
Applicant’s response to representations
Publically Notified Plans

Respectfully submitted

Concurrence

Damon Huntley
Statutory Planner

Deryn Atkinson
Manager Development Services

COUNCIL ASSESSMENT PANEL MEETING
11 March 2020
AGENDA – 8.3

Applicant: Grieve Gillett Andersen	Landowner: Minister For Education & Child Development
Agent: N/A	Originating Officer: Marie Molinaro
Development Application:	Council - 20/18/473 SCAP – 473/V037/19
Application Description: Redevelopment of High School - removal of two transportable buildings; demolition of the single storey administration building; construction of a new three (3) storey administration and reception building including new General Learning Areas; construction of a new single storey Home Economics building, construction of a new single storey Fitness building, internal refurbishment of existing buildings; landscaping and associated infrastructure and civil works (SCAP is the relevant authority)	
Subject Land: Sec: 1525 HDP:105500 CT:5992/319	General Location: 91 Longwood Road Heathfield Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Maps AdHi/72 & 80	Zone/Policy Area: Public Purpose Zone & Education Policy Area
Form of Development: Section 49 Crown Development	Site Area: approx. 10 hectares
Public Notification: Undertaken by SCAP with notice published in The Courier on 22 January 2020	Representations Received by SCAP: Nil

1. EXECUTIVE SUMMARY

The purpose of this application is to re-develop an existing educational establishment, namely the Heathfield High School which is located in the Education Policy Area of the Public Purpose Zone.

The main scope of works is the construction of a three storey building containing staff facilities and general learning areas. Ancillary to this will be construction of two separate single storey classroom buildings dedicated to home economics and fitness studies. There will also be some internal building works to the existing buildings, demolition of a current building and removal of two transportable buildings.

Associated with the building works will be an increase in student numbers from the current 825 to, a possible maximum of 1200 students to occur from 2022. The increase in student numbers is mostly related to the addition of Year 7 students at the high school.

The State Commission Assessment Panel (SCAP) is the relevant authority as the proposal is a Crown development. SCAP have referred the application to Council for comment.

As per the CAP delegations, the CAP is the delegated authority to make comments to the SCAP as the development is listed as a major government application and has a construction value of more than \$2.5million.

SCAP has undertaken public notification, and nil representations were received.

The main issues relating to the proposal are bulk and scale of the three storey building and potential traffic impacts associated with the redevelopment.

In consideration of all the information presented, and following an assessment against the relevant Zone and Council Wide provisions within the Development Plan, staff are recommending that the Council Assessment Panel **SUPPORT** the proposal, subject to SCAP having regard to seeking traffic management improvements before determining the application.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the following:

Administration & Learning building 1

- Construction of 1930 square metre three storey administration and learning building attached to existing three storey classroom building - building 1
- Building 1 to be linked to existing three storey building 1A with internal building work to building 1A to re-configure the floor plan layout
- Level 1 containing open plan learning areas, art classrooms and printing hub
- Level 2 containing admin support area, offices, meeting rooms and general staff amenity areas. Entrance canopy from level 2 extending to Longwood Road boundary
- Level 3 containing general learning areas
- The building is to be cut into the land, with level 1 being below natural ground level. The building has a total height of 14.35m
- The building is clad in a mixture of brick work in grey colour, concrete columns and Colorbond cladding in a range of natural tones – ‘Woodland Grey’ (dark grey), ‘Terrain’(brown), ‘Wallaby’(mid-grey), ‘Pale Eucalypt’(light green) and ‘Evening Haze’(light beige)
- Excavation is to a depth of approximately 2m, cut to be retained by stone retaining walls

Classroom building 2A

- Construction of 215 square metre single storey classroom building purpose built for home economics studies – building 2
- Located west of building 1 and approximately 8m from the Longwood Road boundary
- To be cut into the land, excavation to depth of approximately 1.5m. Cut to be retained by stone retaining walls
- Clad in Colorbond ‘Evening Haze’(light beige)
- Approximate 500 square metre area adjacent to building 2 to be cleared for landscaping, mainly comprised of garden beds for vegetable plantings

Classroom building 4A

- Construction of 213 square metre single storey classroom building purpose built for fitness studies – building 4A

- Located north-west of building 1 and facing internal to the school oval. Deck ramp to be built to link the building to the oval below
- Clad in Colorbond ‘Deep Ocean’ (dark blue)

Overall development

- Demolition of existing single storey administration building and removal of two separate transportable class room buildings. Associated removal of 13 native trees and replacement landscaping internal to the site including between building 1 and the Longwood Road boundary
- Landscaping to consist of a mixture of native and exotic trees, shrubs and groundcovers. Some landscaping structures to also be established – garden beds, deck ramps and seating
- No changes to vehicle access or off-street car parking arrangements
- Works are anticipated to commence in September 2020 and to be completed by February 2022. The works are to be undertaken in three stages as follows:

Stage 1 (September 2020 – February 2021) - Demolition of transportable buildings and construction of two single storey classroom buildings 2A and 4A and internal building work to building 1A

Stage 2 – November 2020 – October 2021) – Demolition of single storey administration building and construction of the three storey building 1A

Stage 3 – refurbishment of buildings 1B & 8

- The staging of the works has been designed to ensure temporary buildings are not required during construction
- Increase from 825 students to a maximum potential of 1200 students
- Associated increase in full-time staff from 80 to 100 persons

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Applicant’s Professional Reports**.

3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
13 September 2018	18/V18/473	Installation of external lift – existing three storey building
30 October 2009	09/V132/473	New workshop building & extension to existing workshop building
03 February 2009	08/V11/473	Shed
31 October 2005	05/G8/473	Community Recreation Centre – Mount Lofty Recreation Centre
	04/G4/473	

4. INTERNAL REFERRAL RESPONSES

- **Engineering**
 - Further stormwater management information is required.
 - Applicant's traffic report recommendations are reasonable – preference would be for a drop-off and pick-up parking area to be established within the school site, unless a suitable design can be finalised for drop-off and pick-up on Longwood Road that does not impact on traffic flows.

- **Sport & Recreation**

The Sport & Recreation Planner is aware of the proposal – specifically:

“Adelaide Hills Council is partnering with Heathfield High School in the planning and delivery of a masterplan that will create a major sports & recreation hub. The facility development will take place over a combination of school and Council land (the adjacent Heathfield Oval & Courts) with High School & Council staff working together with sports clubs, Hills residents and other stakeholder groups to deliver the best possible community outcome.

The masterplan for sport & recreation facilities will complement the significant upgrade to education facilities at the site, & is proposed to see upgrades to ovals, courts, change rooms & other association sport amenities; as well as improving linkages between the two sites.”

The masterplan does not require provision of additional car parking spaces. Existing car parking areas may be formalised/upgraded. Further to this, Council may look to enter into an agreement with the school to use school car parking outside of school hours.

5. CONSULTATION

The SCAP undertook public notification between 22 January and 21 February this year. Nil representations were received.

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 approximately 10 hectares in area and is an irregular shape. The land is on the eastern side of Longwood Road and has a secondary street frontage to Hender Road at the rear. Longwood Road and Hender Road are sealed Council roads. Buildings on the land have been clustered towards the south-eastern portion of the land. The school oval separates the school buildings from Hender Road.

A car parking area is located off Hender Road, and there is a second car parking area to the north of the main cluster of school buildings, with access to/from Longwood Road. This car parking area is associated with the Mount Lofty Sports Centre building and is comprised of a sealed car parking area and secondary rubble overflow parking area.

The Mount Lofty Sports Centre is managed by the School and contains indoor court facilities for a range of sports. The school has use of the centre during school hours. The total number of formalised/line-marked on-site car parking spaces is 123. The land is on the low side of Longwood Road and dense native vegetation remains clustered around the boundaries of the land.

The site is serviced by mains water, sewer and electricity supply.

ii. The Surrounding Area

The locality is comprised of residential and community facility uses. The land to the east and west of the school site is in the Watershed (Primary Production) Zone but features smaller residential allotments akin to the Country Living Zone.

The Council owned Heathfield Oval adjoins the site to the south at 48 Hender Road.

Development Plan Policy considerations

a) *Policy Area*

The subject land lies within the Education Policy Area of the Public Purpose Zone, and these provisions seek (in summary):

- *The accommodation of educational and associated recreation facilities*
- *Provision for the current and identifiable future needs of such institutions in a manner that does not adversely affect the use and enjoyment of adjoining land*

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

Objectives: 1 & 2

PDCs: 1, 2, 4, 5, 6, 7, 9, 11 & 12

The proposal is for the upgrade of an educational establishment which is a desired form of development in the Zone. The additional learning areas cater for the future need of the School to accommodate Year 7 students from 2022 onwards.

Objective 2 seeks for the future needs of desired land uses to be accommodated in a way that does not adversely affect the use and enjoyment of adjoining land. Specifically PDC 4 states that development should not have an adverse impact on adjoining residential areas whether through traffic generation, noise, loss of privacy or other means.

The proposal is not considered to result in increased noise or loss of privacy. In regards to loss of privacy (overlooking) a three storey building is proposed, however it is to be excavated into the land so it presents as a two storey building at the street level and will be setback approximately 40m from the Longwood Road boundary. Therefore, the overlooking potential created will not be unreasonable.

Traffic generation and traffic impacts are also specifically detailed in PDC 9 which states that educational facilities should provide safe and convenient vehicle pick-up

and set-down areas for parents and students in a way that will result in minimal interference to existing traffic.

A traffic impact assessment report by GTA Consultants has been provided by the applicant in support of the application. In summary the report concludes that:

- The existing on-site car parking provision is adequate to cater for the increase in students and resulting staff numbers.
- The increased numbers are anticipated to result in an additional 180 vehicle trips during each of the morning and afternoon peak hours. This is not expected to adversely impact the surrounding road network.
- The current pick-up and drop-off provisions in the Recreation Centre car park and along Longwood Road are unlikely to support the increase in pick-up and drop-off trips.
- Bus transport is the most common travel mode to the school. Bus transport is provided by a mixture of Department of Education contractors and public and chartered Adelaide Metro buses.

The report also makes the following recommendations for upgrades:

- The existing bus pick-up and drop-off provision on Longwood Road requires modification as it is considered that the design of the boarding and alighting areas caters for limited numbers of students and does not deter students from waiting on the road or crossing the road while buses are manoeuvring within the bus zone. Bus zone signs could also be installed at the bus zone located at the northern end of the school.
- Signage could be modified by removing the outer set of school zone signs to clarify extent of the school zone and improve speed zone compliance.
- A more formal pick-up and drop-off facility could be considered either on Longwood Road or within the car parking area of the Mount Lofty Ranges Recreation Centre.
- A footpath could be installed on the western side of Longwood Road which would encourage greater use of the existing crossing and minimise student exposure to the road.

Council Engineering staff agree with the report findings. Their preference is for the recommended formal pick-up and drop-off facility to be provided within the school site, unless a suitable design can be finalised for drop-off and pick-up on Longwood Road that does not impact on traffic flows.

In summary, the proposal is consistent with Objective 2 and PDC 4. Through the traffic impact assessment report it has also been demonstrated that the development should not add to traffic or car parking congestion in nearby streets, consistent with PDC 11.

However, it is considered that further work is required by the school to demonstrate compliance with PDC 9, which seeks for educational facilities to provide safe and convenient vehicle pick-up and set-down areas for parents and students that are sited to create minimum interference to existing traffic.

b) *Zone Provisions*

The subject land lies within the Public Purpose Zone, and these provisions seek (in summary):

- *The accommodation of educational, recreational and health care facilities that are for the benefit of the general public*
- *Development at a scale that is compatible with existing buildings and surrounding areas*
- *Development of a high architectural standard; designed and landscaped to enhance the amenity of the locality*

The following are considered to be the relevant Zone provisions:

Objectives: 1, 3, 4, 5 & 6

PDCs: 1, 2, 6, 7, 10, 11, 12, 13, 16 & 17

The Zone provisions provide design guidance. Specifically PDC 6 sets out that building should:

- *Be located in such a way so as not be visible against the skyline when viewed from public roads and especially from the Scenic Routes*
- *Be well setback from public roads*
- *Be sited on an excavated rather than a filled site*
- *Where possible be located in such a way as to be screened by existing native vegetation*
- *Be clustered where possible to ensure the majority of the site remains open in appearance*
- *Be restricted in size and number*
- *Be of a high standard of design, layout and external appearance and have a horizontal emphasis*
- *Be sited so as not to detract from the open character of the area*

The three storey building will be visible from Longwood Road. However, it is setback approximately 40m from the Longwood Road boundary and excavated into the land so it will appear as a two storey building at the road level.

The three storey building is attached to an existing building, minimising the need for likely and greater tree removal if located in an independent location. The design of the three storey building is considered to be of a high standard incorporating various materials and colours and vertical cladding. The building materials are non-reflective and of natural grey, green and brown colour tones which is reflective of the natural landscape setting.

Single storey classroom building 2A for home economics may be partly visible from Longwood Road noting it is setback 8m from this boundary. However, it is a low profile design and clad in a non-reflective material of dark grey colour.

Single storey classroom building 4A for fitness studies is located internal to the site so is not visible from Longwood Road, and is setback approximately 153m from the Hender Road boundary.

The proposal is considered to be sufficiently consistent with PDC 6.

Further to this PDC 7 sets out that:

- *The profile of buildings should be low and the roof lines should complement the natural form of the land*
- *The mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land*
- *Large eaves, verandahs and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings*
- *Facilities for the storage and removal of waste materials should not be obtrusive or have an untidy appearance when viewed from adjoining roads or allotments*
- *The external materials of buildings should be of natural colours so as to blend with a natural rural landscape and minimise any visual intrusion*

The profile of the three storey building is not low. However, it will be excavated into the land and appear as a two storey building at road level, being the same height as the existing three storey building to which it will be attached. The three storey design minimises the amount of building footprint on the ground which would likely result in both greater land modification and native vegetation removal.

The bulk of the three storey building is considered to be broken up by its articulated design with varying wall lines. The external materials are non-reflective and muted in tone to blend with the natural landscape.

Single storey classroom buildings 2A and 4A are considered to be low-profile and modest in size.

The proposal is considered to be sufficiently consistent with PDC 7.

Consistency with PDCs 6 and 7 is considered to ensure that the development satisfies PDC 13 which seeks for development to not detract from the natural and rural landscape character of the Zone.

The Zone also provides guidance for transportation matters. Specifically PDC 17 seeks for development to be provided with adequate on-site car parking in accordance with Table AdHi/4 of the Development Plan – Off Street Vehicle Parking Requirements.

Table AdHi/4 sets out for educational establishments 1 off-street parking space shall be provided per full-time employees, in addition to 1 space for wheelchair users plus an additional 10 percent of this total for visitors.

Currently the school has 80 full-time employees, which is projected to increase to 100 staff. The traffic report observed there are 72 parking spaces available in the car park accessible from Hender Road and 51 parking spaces available near the Mount Lofty

Ranges Recreation Centre, a total of 123 parking spaces. The report concludes that off-street parking availability is “considered appropriate” for the anticipated increase in staff numbers.

The proposal is consistent with PDC 13.

c) *Council Wide provisions*

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

- *Land uses designed and integrated to facilitate community surveillance*
- *Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form*
- *Maintenance of the natural environment and systems by limiting development in areas susceptible to natural hazard risk*
- *The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible*
- *Retention, protection and restoration of the natural resources and environment*
- *Orderly and economic development that creates a safe, convenient and pleasant environment in which to live*
- *Protection of scenically attractive areas, particularly natural and rural landscapes*
- *Development that provides safe and efficient movement for all transport modes*

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

Crime Prevention

Objective: 1

PDCs: 1, 2 & 6

The three storey building will provide increased casual surveillance opportunity to Longwood Road, noting it is replacing a single storey building.

The proposal is consistent with PDCs 1, 2 & 6.

Design & Appearance

Objective: 1

PDCs: 1, 3, 4, 8, 9 & 23

Objective 1 seeks for development to be of a high standard and appearance that responds to and reinforces positive aspects of the local environment and built form. This is supported by PDC 1 which seeks for building to reflect the desired character of the locality.

As discussed above, the siting and design of the three storey building is considered to be of a high standard and appearance, consistent with PDCs 6 and 7 of the Public Purpose Zone. Objective 1 and PDC 1 are considered to have been satisfied.

The design of the three storey building is consistent with PDC 4 as the plant equipment on the roof level is screened from view from Longwood Road by a Colorbond screen wall. The Colorbond sheeting matches the wall cladding of the building, helping to make it appear as an integral part of the building design.

The walkway canopy from Longwood Road to level 2 of the three storey building is considered to highlight to the general public the entrance to the administration level. The level walkway canopy is an improvement on the current access arrangement which does not provide universal access from street level. The existing single storey administration building is set-down at the end of a large set of steps. The proposal is considered to be consistent with PDC 23.

Hazards

Objective: 1

PDCs: N/A

Objective 1 seeks the limitation of development in areas susceptible to natural hazard risk.

The subject land is in a High Bushfire Risk Area as per figures AdHi/BPA/9. The bushfire provisions in the Development Plan mainly relate to habitable development, e.g., residential or tourist accommodation. Schedule 8 of the Development Regulations (2008) requires a referral to the CFS for development in High Bushfire Risk Areas, but only if the development is for dwellings, tourist accommodation or other habitable buildings. Therefore, a referral to the CFS is not required.

However, the School has developed an Emergency Procedures Policy and Bushfire Action Plan, which will be reviewed and updated in consultation with the Department of Education before the three storey building is occupied. The Plan is included as part of *Attachment – Proposal Plans*.

There are not considered to be any other natural hazard risks – flooding, landslip or site contamination.

Infrastructure

Objectives: Nil

PDCs: 1

The subject land is connected to mains electricity, water and sewer supply and serviced by sealed all-weather roads. Therefore it is consistent with PDC 1.

Landscaping, Fences And Walls

Objective: 1

PDCs: 1, 2 & 3

The applicant has provided landscaping plans in support of the application. The landscaping is oriented towards Longwood Road and internal to the site. The

landscaping consists of plantings and structures, namely seating, garden beds and deck ramps.

The landscaping is considered to enhance the proposal.

The proposal is consistent with Objective 1 and PDCs 1, 2 & 3.

Natural Resources

Objectives: 1, 6, 7, 8, 10, 13 & 14

PDCs: 1, 10, 13, 17, 23, 37, 38, 39 & 46

PDCs 37-39 & 46 seek the conservation of native vegetation where possible, with development designed to minimise the loss and disturbance of native flora. This is to assist with achieving Objective 14 which seeks for the conservation and preservation of the rural character and bushland setting of the area.

500 square metres of land near building 2A is to be cleared, with an additional 13 native trees also to be removed. In support of the application, the applicant has provided a Native Vegetation Clearance Assessment Report – *see attachment Applicant's Reports*.

In consideration of the scale of the site and significant amount of native vegetation on the land, this amount is considered to be minimal. The design of the proposal has likely minimised the amount of native vegetation to be removed as it reduces the extent of works at ground level, and the buildings are sited close to existing classroom areas which have already mostly been cleared.

The 500 square metre area to be cleared near building 2A is noted to be compromised of degraded understorey dominated by introduced flora with significantly reduced native species cover.

Regulated tree provisions do not apply in the Public Purpose Zone.

The proposal is sufficiently consistent with Objective 14 and PDCs 37-39 & 46.

Orderly And Sustainable Development

Objectives: 1, 3

PDCs: 1, 6 & 9

The proposal is considered to be for an orderly form of development as it is consistent with the intended purpose of the Public Purpose Zone. It is not anticipated to prejudice the continuance of residential land uses on the western and eastern sides of the site.

As evidenced by the traffic report the proposal is not expected to impact upon the existing road transport network by way of causing unreasonable additional vehicle movements. However, the traffic report does recommend action to improve traffic management and safety. It is recommended these actions are completed as part of the development.

The proposal is consistent with Objectives 1 & 3 and PDCs 1, 6 & 9.

Siting And Visibility

Objective: 1

PDCs: 1, 2, 3, 4, 5, 6, 7 & 10

Objective 1 seeks the protection of scenically attractive areas, particularly natural and rural landscapes. The supporting PDCs assist with the achievement of this Objective, providing building design guidance.

PDCs 1, 2, 3, 6 & 7 are a repetition of design criteria detailed in PDCs 6 & 7 of the Public Purpose Zone which are discussed above. The proposal is considered to be sufficiently consistent with these PDCs.

PDCs 4 & 5 are for land modification, earthworks. PDC 4 provides quantitative guidance that excavation and/or filling of land be no greater than 1.5m in height so as to preserve the natural form of the land. Further to this, PDC 4 also states that earthworks only be undertaken to reduce the visual impact of buildings and if earthworks can be stabilised to prevent erosion.

All three proposed buildings are to be cut into the land. Building 1, the three storey building is cut into the land to a depth of 2m. Whilst greater than 1.5m the cut reduces the vertical profile of the building and is not visible from the public realm. The excavation is to be stabilised by retaining walls in a natural stone finish.

The proposal is generally consistent with PDCs 4 & 5.

Transportation & Access

Objectives: 2

PDCs: 16, 26, 34, 35 & 39

Objective 2 seeks for development to provide safe and efficient movement for all transport modes. The traffic report demonstrates that additional vehicle movements associated with the proposal will not adversely affect the surrounding road network. However, the report does make recommendations for works to occur to improve safety and reduce queueing.

To ensure consistency with Objective 2, PDC 26 and PDC 9 of the Education Policy Area it is recommended that SCAP seek the recommendations of the traffic report form part of the proposal.

7. SUMMARY & CONCLUSION

The proposal is for the re-development of Heathfield High School consisting of new school buildings and the internal refurbishment of existing buildings. Associated with the building work will be an increase in both student and staff numbers.

The school is located in the Education Policy of the Public Purpose Zone. The Policy Area and Zone support the expansion of educational establishments provided development does not have an adverse impact on residential amenity or traffic, and building design does not detract from the natural character.

The design of the new school buildings is considered to be of a high standard, sympathetic to the natural surrounds, and there is not considered to be any adverse amenity impacts created related to noise, overshadowing or overlooking.

In relation to traffic impacts, the provided traffic report concludes that the local road network will not be adversely affected by the proposal in terms of additional vehicle movements. However, there are considered to be unresolved traffic matters relative to the recommended improvements outlined in the traffic report. A considered key recommendation is that a formalised drop-off and pick-up parking area be provided. Council's preference would be for this to be accommodated within the school site, unless a suitable design can be formalised for this to occur on Longwood Road.

In general it is considered that the proposal is sufficiently consistent with the relevant provisions of the Development Plan. However, it is recommended that SCAP seek further information in regard to the inclusion of the recommendations of the traffic report as part of the proposal along with a stormwater management plan to ensure the traffic and stormwater provisions of the Development Plan are satisfied.

8. RECOMMENDATION

That the Council Assessment Panel considers that the proposed Development Application 20/18/473 by Grieve Gillett Andersen for redevelopment of High School - removal of two transportable buildings; demolition of the single storey administration building; construction of a new three (3) storey administration and reception building including new General Learning Areas; construction of a new single storey Home Economics building, construction of a new single storey Fitness building, internal refurbishment of existing buildings; landscaping and associated infrastructure and civil works at 91 Longwood Road Heathfield is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan. However the Council Assessment Panel ADVISES SCAP of the following recommendations:

- **The recommendations of the traffic report should be included as part of the redevelopment proposal and a condition is requested to be applied to any consent granted that the works are to be undertaken to the reasonable satisfaction of Adelaide Hills Council prior to the occupation of Building 1. The recommendations are mainly for off-site works on Longwood Road, with an option to provide formalised vehicle pick-up and drop-off area on the subject land.**

- **It is requested that full civil design details are provided to Council’s satisfaction for all traffic improvement works. Should the works become part of the proposal, a condition is requested to be applied to any consent granted that the Civil Design Plans and details are provided to Council for approval prior to Building Rules Consent being issued. A separate Section 221 permit will be required for any off-site works which must be obtained prior to commencement of these works. A note to this effect is requested to be applied to any consent granted.**
- **A condition is requested to be applied to any consent granted that an amended stormwater management design and calculations shall be provided to Adelaide Hills Council for approval prior to Building Rules Consent being issued.**

9. ATTACHMENTS

Locality Plan
Proposal Plans
Applicant’s Reports

Respectfully submitted

Concurrence

Marie Molinaro
Statutory Planner

Deryn Atkinson
Manager Development Services