

COUNCIL ASSESSMENT PANEL MEETING

12 May 2021

AGENDA – 8.2

Applicant: Troy Searle	Landowner: H A Power
Agent:	Originating Officer: Sarah Davenport
Development Application:	19/859/473
Application Description: Domestic outbuilding, freestanding carport, retaining walls (maximum height 1.2m), 2 x 22,500L water tanks and associated earthworks	
Subject Land: Lot:11 Sec: P90 DP:2167 CT:5173/135	General Location: 22 Banksia Drive Bridgewater Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Map AdHi/30	Zone/Policy Area: Country Living Zone - Country Living (Bridgewater) Policy Area
Form of Development: Merit	Site Area: 1083m ²
Public Notice Category: Category 2 Merit	Representations Received: 4 Representations to be Heard: 2

1. EXECUTIVE SUMMARY

The purpose of this application is to construct a 60m² outbuilding 24.5m² carport and associated retaining wall (maximum height 1.2m). The application has changed since initial lodgement and undergoing public notification.

The subject land is located within the Country Living Zone - Country Living (Bridgewater) Policy Area and the proposal is a merit form of development. Three representations in opposition and one representation in support of the proposal were received during the Category 2 public notification period.

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

The main issues relating to the proposal were initially the extent of retaining and scale of the shed, but as a result of numerous revisions the final amended plans have reduced both the retaining and scale of the shed.

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 Outbuilding
- Construction of Carport
- Retaining walls , between 600mm to 1.2m retaining fill
- 2x water tanks

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
8 December 1994	94/527/330	Alteration of Carport to Sunroom
29 September 2003	03/84/473	Additions to detached dwelling
8 September 2017	16/301/473	Dwelling alterations, demolition of existing verandah & carport & construction of replacement verandah and carport

The proposal has substantially changed since initially lodged in October 2019. Initially the application was for a 135m² outbuilding/ garage with associated retaining measuring in excess of 2m. Following a site inspection and review of the initial proposal Council advised that the original proposal was not supported by Council and a redesign was requested. Since initial lodgement, the design has been amended to reduce the size of the outbuilding and break up the carport and outbuilding into separate structures. The amendments were made as a result of both the council request and the representations received during the public notification process. The retaining walls have been drastically reduced in size and the earthworks have been terraced to reduce the extent of fill.

The publically notified plans are provided within the attachments.

4. REFERRAL RESPONSES

No referrals were required for this application.

5. CONSULTATION

The application was categorised as a Category 2 form of development in accordance with Zone Procedural Matters where a retaining wall exceeds 1.5 metres above natural ground. Four (4) representations were received. Of these two (2) representations are opposing the proposal, and two (2) are 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
Kelly & Callum Cameron	24 Shannon Court Bridgewater	Darren Starr
Ian Richard Kelly	22 Shannon Court Bridgewater	Ian Richard Kelly

The applicant will be in attendance.

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

- Use of the building
- Extent of retaining
- Managing stormwater/ drainage
- Bulk/ scale of building
- Noise from stormwater pump

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 are included as **Attachment – Publically Notified Plans**

6. PLANNING & TECHNICAL CONSIDERATIONS

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

- The Site's Physical Characteristics
The subject land is a 1083m² quadrilateral allotment and slopes steeply to the rear (western) boundary. The site has an established 2 storey dwelling which has undergone a number of additions since it was established in the 1980's. The land gains access from Banksia Drive, a Council maintained bitumen road and is modestly vegetated with a mixture of native and exotic species.
- The Surrounding Area
The immediate locality is characterised by low density residential use on regular shaped sloping allotments. Allotments are generously vegetated with a mixture of native and exotic species. Housing within the streetscape originates from varying eras and scale; there are examples of both single storey and double storey dwellings within immediate vicinity.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Country Living Zone - Country Living (Bridgewater) Policy Area and these provisions seek:

- *A zone dedicated for very low density residential development*
- *Residential development which is sympathetic to the topography of the land and will not negatively impact the natural environment*
- *Development which contributes to the desired character for the zone*

The development has addressed each objective by reducing the extent of retaining and the overall scale of the structures.

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

Objectives: 1

PDCs: 1

The following are considered to be the relevant Zone provisions:

Objectives: 1, 3

PDCs: 1, 2, 5, 6, 7, 8, & 12

Accordance with Zone

The desired character statement envisages development which will maintain the residential use of the land at very low density and maintain the orderly, grid-like allotment pattern. Domestic structures are envisaged within the zone, particularly where they are sited to the rear or side of the dwelling and will not dominate the streetscape. Objective 3 and PDC 2 and 6 reinforce the overall intent of the desired character statement.

The proposed development aligns with the abovementioned objectives for the zone as the work will not impact on the density of residential development and will enable the better enjoyment of the land, in accordance with PDC 5 the structures are to be ancillary to the existing dwelling on the land.

PDC7 and 8 designate that garages and other similar outbuildings should be designed to limit the extent of cut/fill and be sited to limit visual impact from the road and adjoining allotments. The proposed shed and carport are well set back from front and rear boundaries and will not require excessive earthworks or retaining walls. In alignment with PDC 8 the carport has been set back and will not occupy more than 50% of the allotment frontage.

PDC 12 designates the numerical parameters that new outbuildings should be developed around. The proposed carport and outbuilding are individually well below the envisaged floor area, height recommendations and have observed the projected setback requirements with the exception of the setback from the northern boundary which is less than the suggested 2metres. Due to the width of the allotment and alignment of the driveway, the shortfall is not considered fatal to the allotment. It is also acknowledged that the dwelling on the allotment to the North is set back approximately 12m from the Northern boundary.

Form of Development

PDC 1 for the zone specifically envisages outbuildings and carports – the proposal satisfies the PDC.

Appropriateness of Proposal in Locality

The subject land is a generously sized residential allotment where setbacks are able to be achieved. The structures will not exceed the envisioned floor area and heights outlined within PDC12. Both structures are to be set back from the primary street and are of such a scale that it is not anticipated the development will negatively impact neighbouring allotments.

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

Residential Development

Objectives: -

PDCs: 13, 14, 15 & 17

The proposed development is deemed to align with PDC's 13, 14 and 15 as the outbuildings are to be ancillary to an established dwelling, will be well set back from the front boundary to avoid detracting from the amenity of the streetscape. PDC 15 designates numerical assessment criteria where the zone/ policy area doesn't specify, the proposed development satisfies both the zone and general numerical guides with the exception of the side setback requirements.

Design and Appearance

Objectives: 1

PDCs: 1, 2, 3 & 9

Objective 1 and PDC 1 call for development which is of a high design standard and will complement the surrounding locality with regard to scale, roof form and colours. PDC 3, further emphasises the need for neutral colour schemes to avoid glare. The proposed development satisfies the above provisions by utilizing dark grey Colorbond and occupying a modest floor area.

PDC 9 calls for development which does not require substantial alteration of the land to facilitate the development. From the initial proposal, the development proposal has dramatically reduced the extent of fill and retaining to support the development. As the site slopes quite steeply to the west, the site will be terraced to create 2 level portions and reduce the need for excessive retaining and filling.

Other Matters

As mentioned throughout the report, the application in its current form would not warrant the undertaking of public notification or be presented to the panel for a decision based on the very low scale of the proposal. As the application attracted a number of representations, some of whom requested to be heard despite the redesign of the proposal, the panel is the delegated decision maker. Due to the size of the structures, 2x 22,500L rain water tanks are considered more than sufficient for stormwater management.

7. SUMMARY & CONCLUSION

The purpose of this application is to construct a 60m² outbuilding, a 24.5m² carport and associated retaining walls (maximum 1.2m). The application has drastically changed since initial lodgement and undergoing public notification. The scale of the proposal is now considered to be of a minor nature. The structures will not exceed the envisioned floor area and heights outlined within the Development Plan. Both structures are to be set back from the primary street and are of such a scale that it is not anticipated the development will negatively impact on neighbouring allotments

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 19/859/473 by Troy Searle for Domestic outbuilding, freestanding carport, retaining walls (maximum height 1.2m), 2 x 22,500L Water Tanks and associated earthworks at 22 Banksia Drive 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:

- Shed Elevations, prepared by Tarney Design and Drafting, dated 3 March 2021
- Carport Elevation, prepared by Tarney Design and Drafting, dated 17 February 2021
- Site Plan, prepared by Tarney Design and Drafting, dated 17 February 2021

(2) Carport Shall Remain Open

The carport shall remain open and shall not be enclosed in any way.

(3) 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.

NOTES

(1) **Development Plan Consent Expiry**

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 the appeal is determined.

Building Consent must be applied for prior to the expiry of the DPC and lodged through the PLANSA portal unless a private certifier was engaged prior to 19 March 2021. The time period may be further extended by Council agreement following written request and payment of the relevant fee.

(2) **Erosion Control During Construction**

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

(3) **EPA Environmental Duty**

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

(4) **Works on Boundary**

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

9. ATTACHMENTS

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

Respectfully submitted

Concurrence

Sarah Davenport
Statutory Planner

Deryn Atkinson
Assessment Manager



Annotations

- Representor 4
- Representor 3
- Representor 2
- Representor 1
- Subject Land

Planners Summary

- PlanningSummary

AHC Core

- Parks
- Townships
- RoadsStreetView
 - ADJOINING LGA RD
 - AHC & PRIVATE
 - AHC RD
 - DPTI RD
 - PRIVATE RD
 - SHARED RD
- PropertyOwner
- Parcels
- Roads
- Suburbs
- Rivers
 - River
 - Creeks
 - Streams

Burnt Area Cudlee Creek

- NationalParks
- SampsonFlat_6_01_15_1200hrs
- CudleeCreekBurntArea

Flood Study Data

- TorrensFloodZones_20Yr
- TorrensFloodZones_100Yr
- OnkaFloodPlain10Yr
- FloodPlain100Year

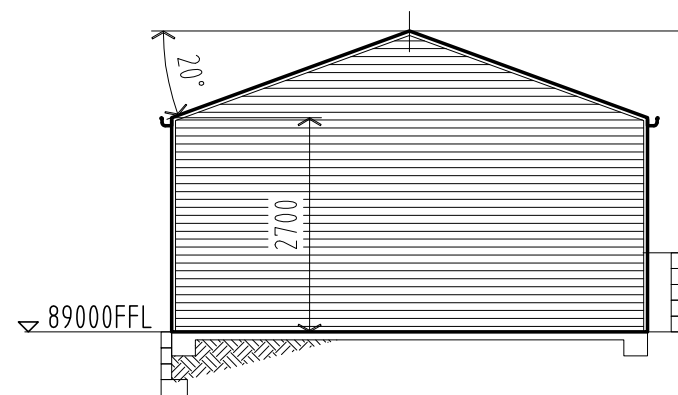
Stormwater Updated

- StormwaterPipesQAd
- PRIVATE_DrivewayPits
- PRIVATE_DrivewayPipes

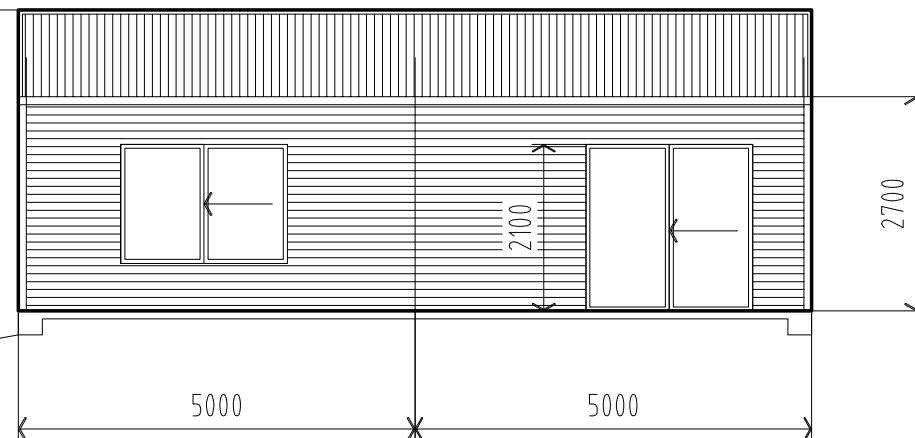
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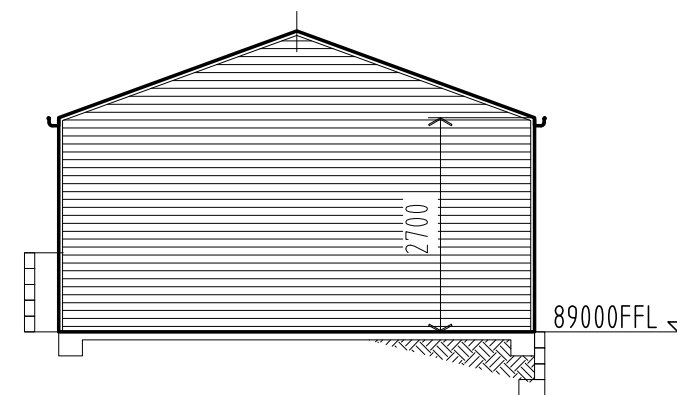
service to any



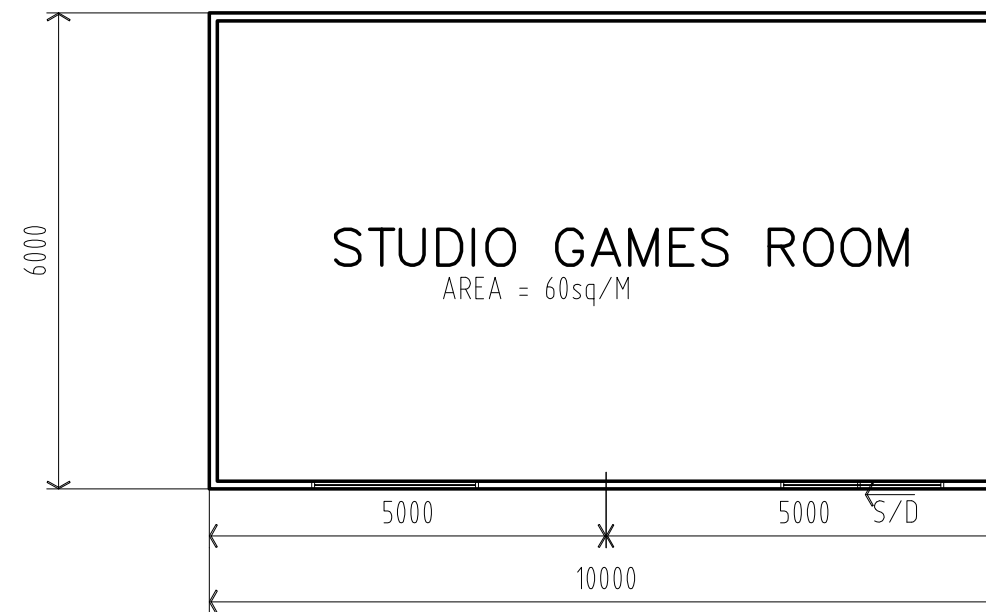
SOUTH ELEVATION
1:100



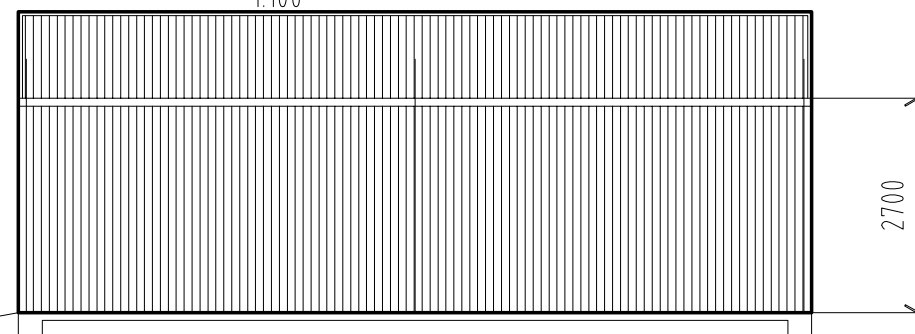
EAST ELEVATION
1:100



NORTH ELEVATION
1:100



FLOOR PLAN
1:100



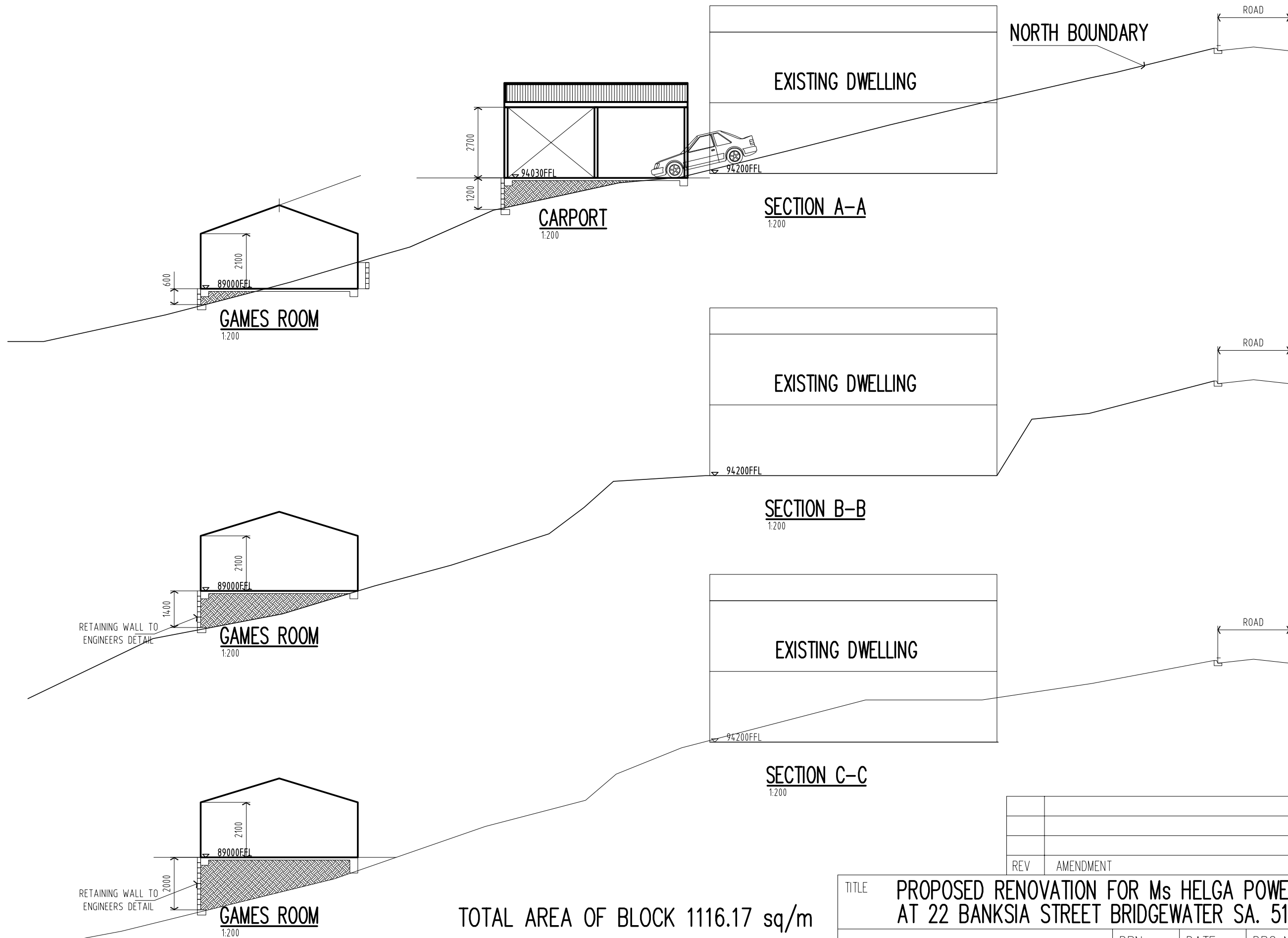
WEST ELEVATION
1:100

SHED BY ALPHA SHEDS
COLOUR MONUMENT COLORBOND
STEEL FRAME WITH 20° ROOF
WITH R 2.5 INSULATION &
ALUMINIUM DOORS % WINDOWS
B.A.L. RATING 12

REV	AMENDMENT	DATE

TITLE PROPOSED RENOVATION FOR Ms HELGA POWER AT 22 BANKSIA STREET BRIDGEWATER SA. 5155				
TARNEY DESIGN & DRAFTING 90 MT BARKER RD, STIRLING. 5152. MOB 0417 842 458		DRN FT	DATE 3/3/21	DRG No P2
		CHECKED	DATE	REVISION —

FOR PLANNING APPROVAL
17/2/21



TOTAL AREA OF BLOCK 1116.17 sq/m

FOR PLANNING APPROVAL
17/2/21

REV	AMENDMENT	DATE

TITLE PROPOSED RENOVATION FOR Ms HELGA POWER AT 22 BANKSIA STREET BRIDGEWATER SA. 5155				
TARNEY DESIGN & DRAFTING 90 MT BARKER RD, STIRLING. 5152. MOB 0417 842 458		DRN FT	DATE 17/2/21	DRG No S2
		CHECKED	DATE	
				REVISION —



Development Application Form

What are you applying for? (please tick the appropriate box)

- ☐ BRC only (under Schedule 1A)
- ☐ Complying (Res Code)
- ☐ Development Plan Consent only at this time (planning only)
- ☐ DPC only (will be using Private Certifier for Building Consent)
- ☐ I have Development Plan Consent and now seek Building Rules Consent for full Development Approval
- ☒ Full Development Approval (both Development Plan and Building Rules Consent)

I consent to receive documentation, including Decision Notification Forms and Final Plans electronically (via email or web portal to applicant) (Yes) No

OFFICE USE ONLY

SCANNED

23 OCT 2019

Development Application No:

19 / 859 / 473

VG: 3302647006

A: 14278

APPLICANT | Name: TROY SEARLE

Postal Address: 22 BANKSIA DRIVE, BRIDGEVIEW Post Code:

Phone: 0421388040 Email: woodshedinnhotelmotel@gmail.com

OWNER | Name: HELGA POWER

Postal Address: 22 BANKSIA DRIVE, BRIDGEVIEW Post Code:

Phone: 0412 477 066 Email:

BUILDER | Name: Builders Lic. No:

Postal Address: Post Code:

Phone: Email:

CONTACT PERSON FOR FURTHER INFORMATION | Name:

Postal Address: AS ABOVE Post Code:

Phone: Email:

EXISTING LAND USE:

DESCRIPTION OF PROPOSED DEVELOPMENT:

SHED

DATE STAMP

ADELAIDE HILLS COUNCIL
RECEIVED

21 OCT 2019

WOODSIDE

LOCATION OF PROPOSED DEVELOPMENT			
Street No. ✓ 22	Lot No. 11	Street Name ✓ BANKSIA DRIVE	Township/Suburb ✓ BRIDGEWATER
Sect/Part No. P90		File/Deposited Plan No. DP 2467	Certificate of Title 5173/135

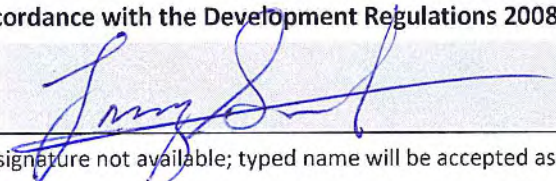
Building rules classification sought _____ Present classification _____

Does either schedule 21 or 22 of the Development Regulations 2008 apply?
activities of environmental significance ☐ Yes / ☐ No

Has the Construction Industry Training Fund Act 1993 levy been paid?
for development cost >\$40,000 ☐ Yes / ☐ No

DEVELOPMENT COST (excluding fit out costs): \$ 17 000 . Area: 135 m²

I acknowledge that copies of this application and supporting documents may be provided to interested persons in accordance with the Development Regulations 2008.

SIGNATURE:  DATED: 21-10-19

(Note: if smart signature not available; typed name will be accepted as digital signature)

Please send your application and payment to Adelaide Hills Council, PO Box 44 Woodside SA 5244 or mail@ahc.sa.gov.au

**BUILDING SAFELY NEAR POWERLINES
DEVELOPMENT REGULATIONS 2008
FORM OF DECLARATION
(Schedule 5 Clause 2A)**

To: Adelaide Hills Council
PO Box 44 Woodside SA 5244

Applicant Name	TROY SEARLE
Address	22 BANKSIA DRIVE BRIDGEWATER.
Phone	0421388040

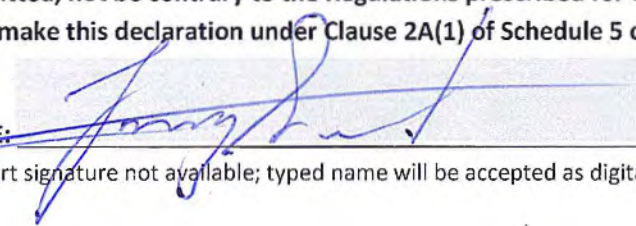
OFFICE USE ONLY
Development No. 19 / 859 / 473

Date of Application: 21 / 10 / 19

LOCATION OF PROPOSED DEVELOPMENT			
Street No. 22	Lot No.	Street Name AS ABOVE Banksia Drive	Township/Suburb Bridgewater.
Sect/No.		Hundred of	Certificate of Title
<input type="checkbox"/> Full/Part <input type="checkbox"/>		Volume:	Folio:

NATURE OF PROPOSED DEVELOPMENT
SITED.

I TROY SEARLE (name) being the applicant / a person acting on behalf of the applicant (cross through inapplicable statement) for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the Regulations prescribed for the purposes of Section 86 of the *Electricity Act 1996*. I make this declaration under Clause 2A(1) of Schedule 5 of the *Development Regulations 2008*.

SIGNATURE:  DATED: 21-10-19

(Note: if smart signature not available; typed name will be accepted as digital signature)

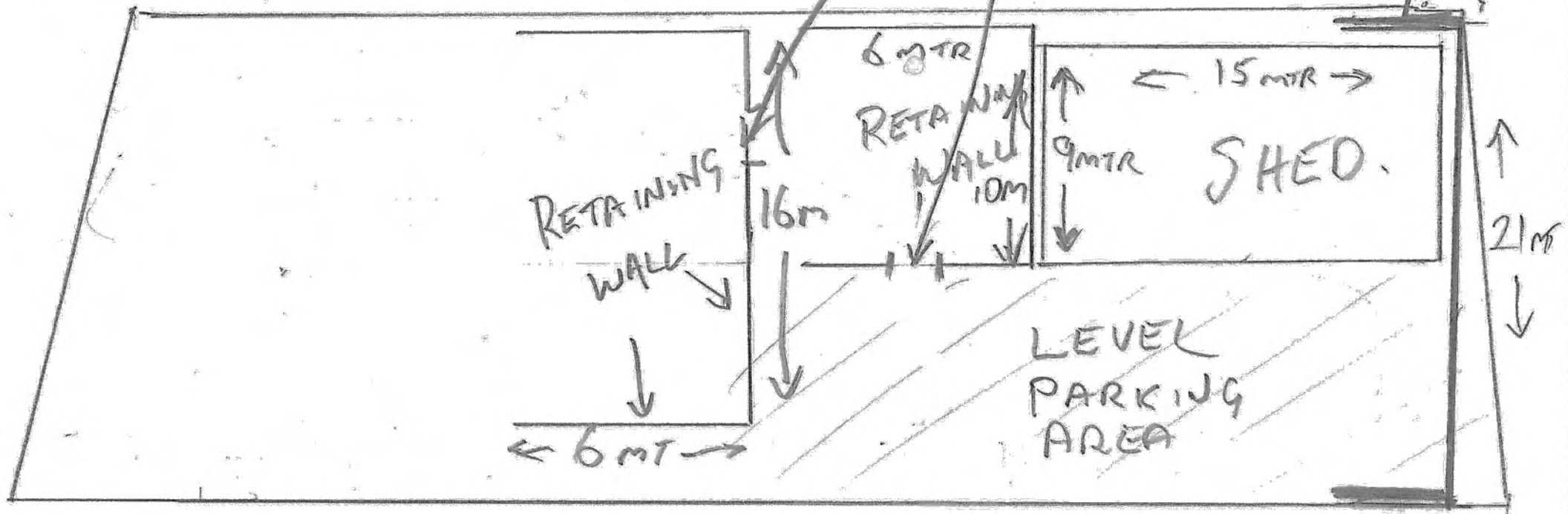
\$

JAMES AMATO
0408835543

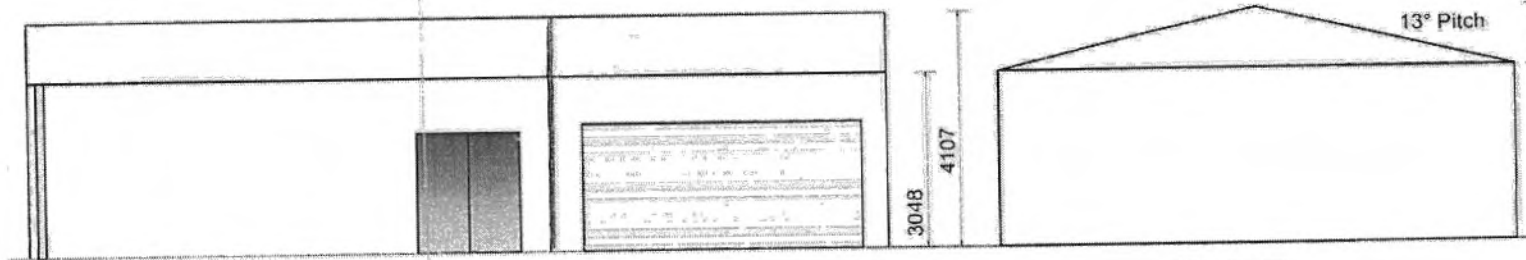
ADELAIDE HILLS COUNCIL
RECEIVED
21 OCT 2019
WOODSIDE

RETAINING
WALL

STAIRS.

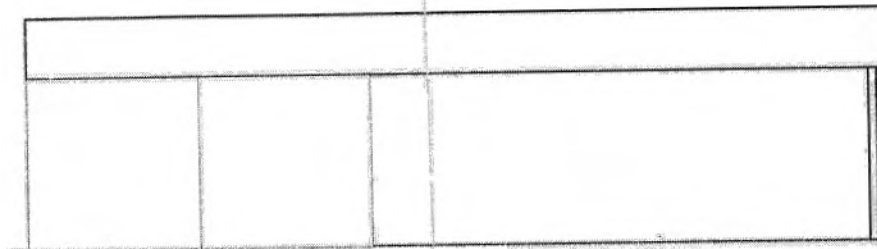


SUPERSEDED 5 November 2020

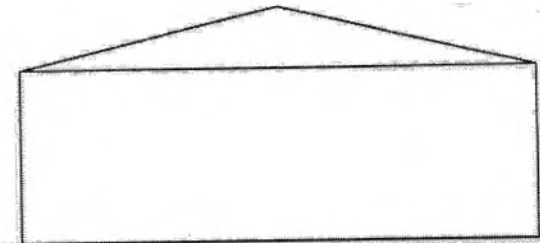


LEFT HAND SIDE

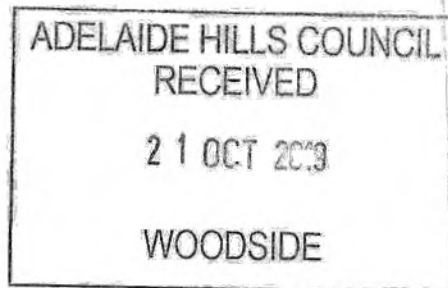
FRONT



RIGHT HAND SIDE




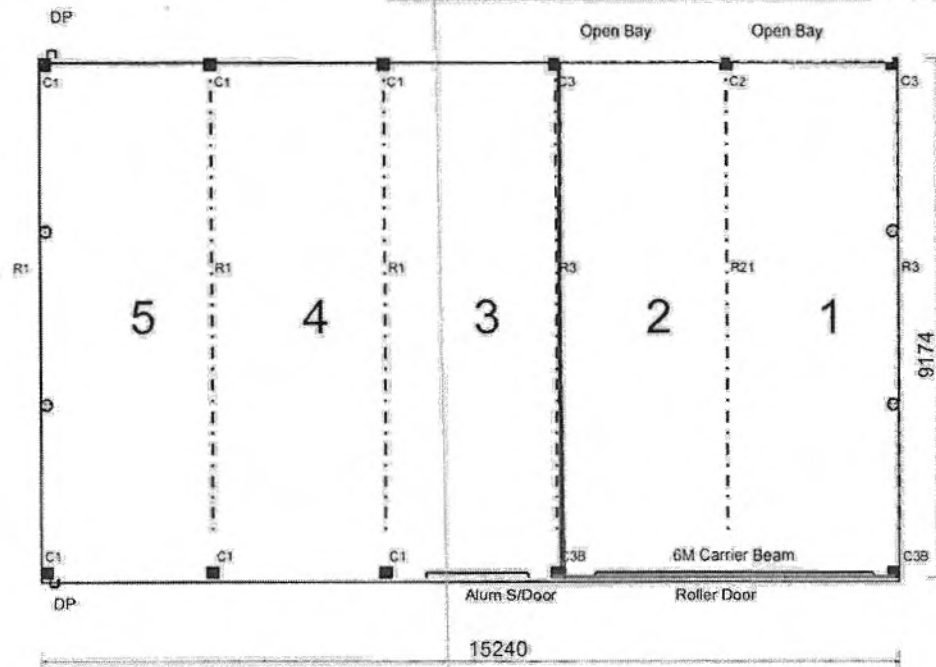
BACK



SUPERSEDED 5 November 2020

Proposed Project for Mr Troy Searle

Postal Address	Site Address	Thursday Date Prepared -	Thursday, 17 Oct 2019	 929 South Rd, Edwardstown 5039 Ph (08) 8297 9884 Fax (08) 8371 1770
		Prepared by -	James Amato	
		Order #	-	
	Woodside	Quote Ref #	JA 38758	
		Scale	1:100	



■ SIDE COLUMNS

○ GABLE END COLUMNS

COLOUR CHART

ROOF COLOUR - monument

RIDGE COLOUR - monument

WALL COLOUR - monument

CORRUGATED PROFILE

GUTTER COLOUR - monument

DPIPE COLOUR - monument

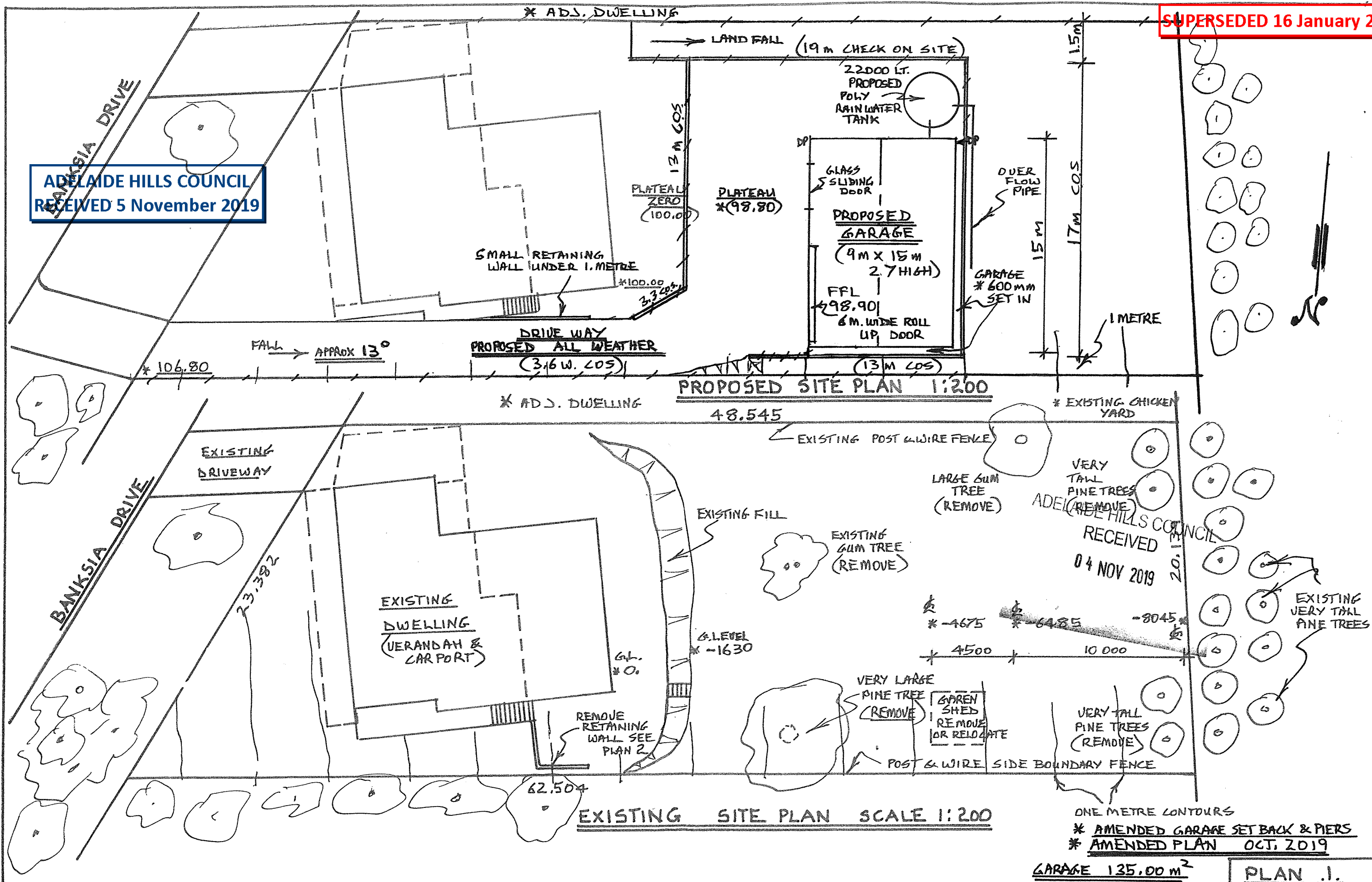
BARGE COLOUR - monument

ADELAIDE HILLS COUNCIL
 RECEIVED
 21 OCT 2019
 WOODSIDE

SUPERSEDED 5 November 2020

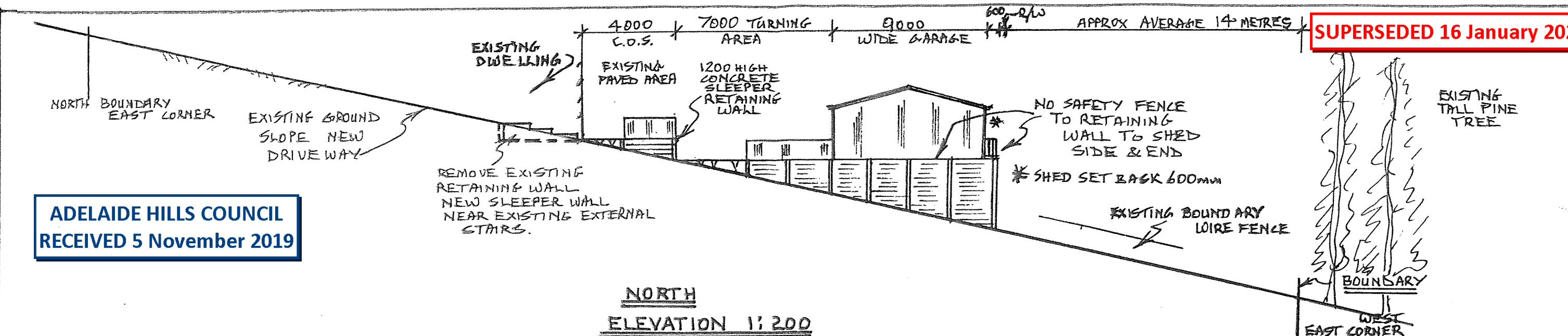
SUPERSEDED 16 January 2020

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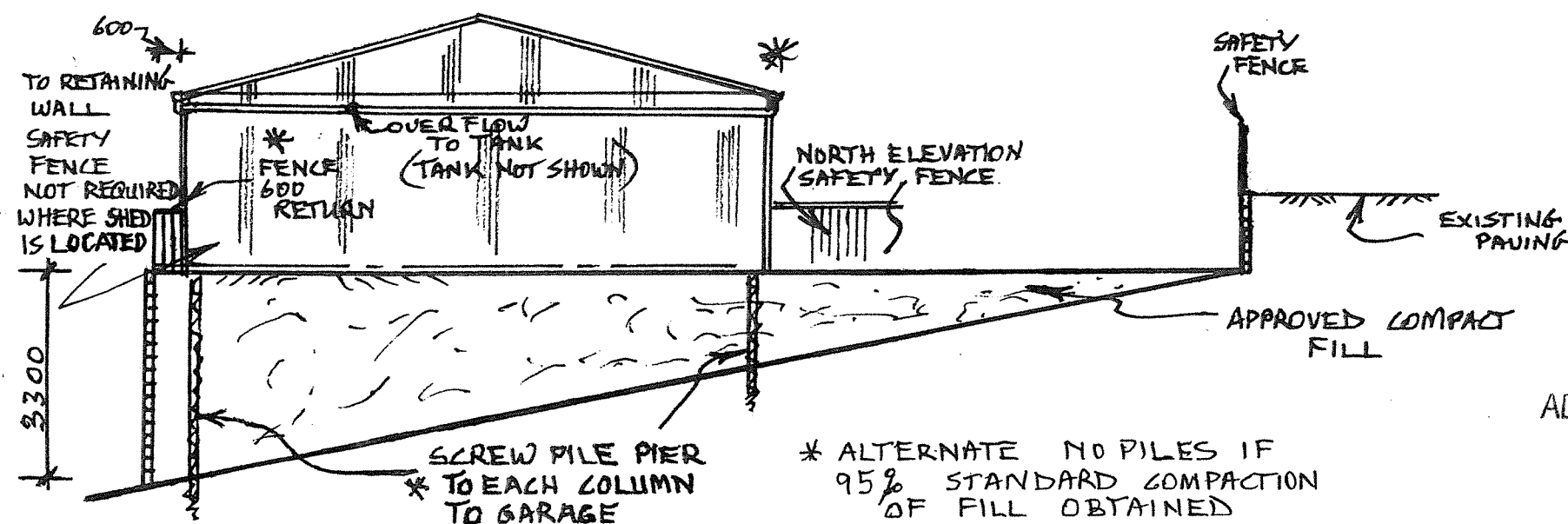


PROPOSED UNDER GROUND CONCRETE TANK AND
GARAGE & RETAINING WALLS FOR
ALSO TANK T. SEARLE
NO 22 BANKSIA DRIVE BRIDGEWATER

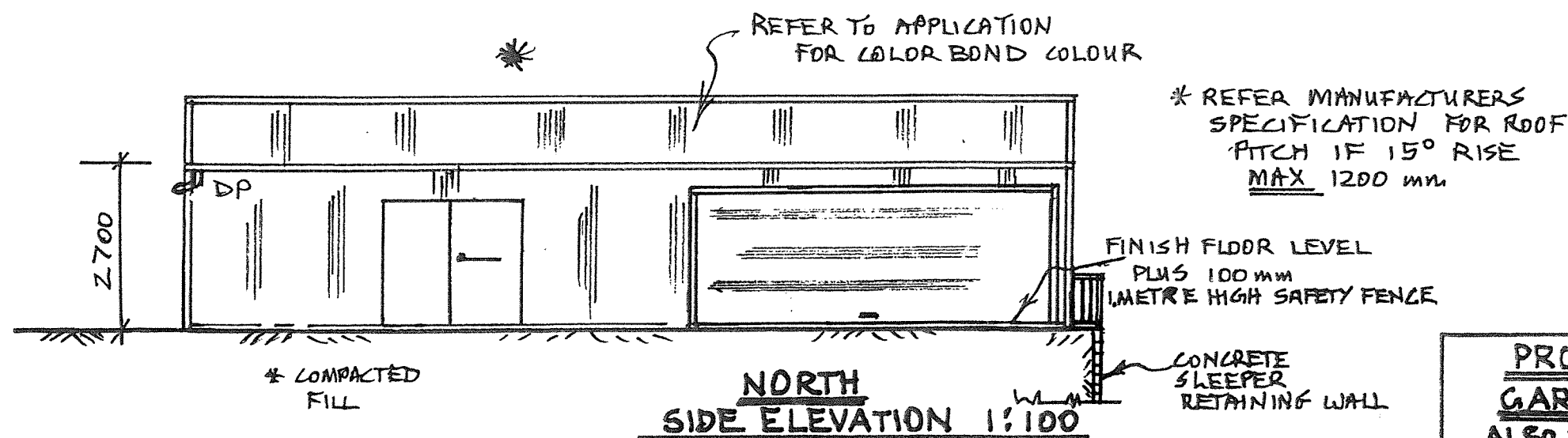
**ADELAIDE HILLS COUNCIL
RECEIVED 5 November 2019**



**NORTH
ELEVATION 1:200**



END ELEVATION 1:100



- NOTES:**
- REFER TO MANUFACTURERS CALC'S FOR 3.3 M HIGH CONCRETE SLEEPER RETAINING WALLS ALSO SMALL 1.2 M. HIGH RETAINING WALL
 - 1 METRE HIGH SAFETY FENCE TO TOP OF RETAINING WALLS OVER ONE METRE HIGH. VERTICAL GAPS MAX 120mm
 - MANUFACTURED SHED REFER ENGINEERS CALC'S.

PALE EUCALYPT GARAGE
REFER TO ENGINEER CALC'S FOR 7 METRE INTERNAL DIAMETER BY 2.6 METRE DEEP CONCRETE TANK UNDER GROUND TO PROPOSED GARAGE.

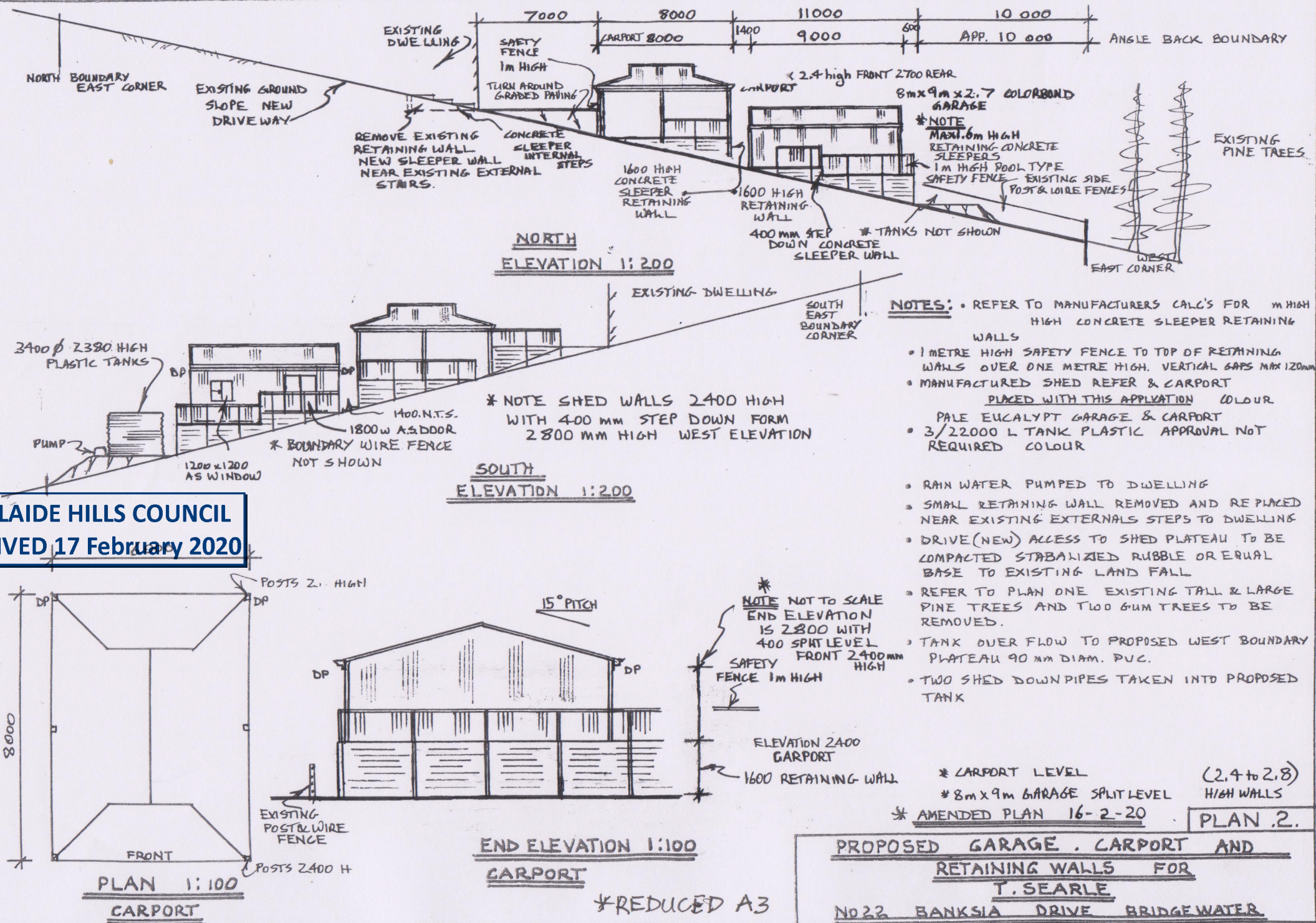
- RAIN WATER PUMPED TO DWELLING
- SMALL RETAINING WALL REMOVED AND REPLACED NEAR EXISTING EXTERNALS STEPS TO DWELLING
 - DRIVE (NEW) ACCESS TO SHED PLATEAU TO BE COMPACTED STABILIZED RUBBLE OR EQUAL BASE TO EXISTING LAND FALL
 - REFER TO PLAN ONE EXISTING TALL & LARGE PINE TREES AND TWO GUM TREES TO BE REMOVED.
 - TANK OVER FLOW TO PROPOSED WEST BOUNDARY PLATEAU 90 mm DIAM. P.V.C. SEE PLAN 1.
 - TWO SHED DOWN PIPES TAKEN INTO PROPOSED TANK

- (SHED SET IN 600mm & SCREW PILES)
- AMENDED PLAN (OCT. 2019) (GARAGE & RETAINING WALL)

PLAN 2.

**PROPOSED
GARAGE & RETAINING WALLS FOR
ALSO TANK. T. SEARLE
NO 22 BANKSIA DRIVE BRIDGEWATER**

ADELAIDE HILLS COUNCIL
RECEIVED 17 February 2020



ELAIDE HILLS COUNCIL
RECEIVED 17 February 2020

PROPOSED SITE PLAN 1:200

EXISTING SITE PLAN SCALE 1:200

PROPOSED CARPORT & GARAGE AND RETAINING WALLS FOR T. SEARLE

NO 22 BANKSIA DRIVE BRIDGEWATER

*** REDUCED A3**

PLAN 1.

SHED AREA 81.00 m²
CARPORT 48.00 m²

(16-12-19) * AMENDED PLAN CARPORT & GARAGE & RETAINING WALLS

WATER PUMPED TO DWELLING

PLASTIC TANKS 2/22000L

6m OVER FLOW 90mm PVC

CONCRETE 250W STEP

400H RETAIN. WALL

PRE FORMED CONCRETE SLEEPER STEPS 2M WIDE

REDUCING RETAINING WALL

UP

R/W 1600H

R/W 2000H

10M C.O.S. 250W STEP

4M C.O.S.

7M C.O.S.

1M

4M C.O.S.

1500

106.80

APPROX 13°

FALL

SHALLOW GRADE

PROPOSED ALL WEATHER DRIVEWAY

EXISTING POST & WIRE FENCE

ADJ. DWELLING 48.545

EXISTING FILL

G. LEVEL * -1630

G.L. * O.

REMOVE RETAINING WALL SEE PLAN 2

62.504

EXISTING SITE PLAN SCALE 1:200

ONE METRE CONTOURS

SHED AREA 81.00 m²
CARPORT 48.00 m²

(16-12-19) * AMENDED PLAN CARPORT & GARAGE & RETAINING WALLS

PLAN 1.

PROPOSED CARPORT & GARAGE AND RETAINING WALLS FOR T. SEARLE

NO 22 BANKSIA DRIVE BRIDGEWATER

(16-12-19) * AMENDED PLAN CARPORT & GARAGE & RETAINING WALLS PLAN .1.

PROPOSED CARPORT & GARAGE AND RETAINING WALLS FOR
T. SEARLE
NO 22 BANKSIA DRIVE BRIDGEWATER

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **19/859/473**

My Name: SIMON WILKS & NICHELIE FANTASIA

Postal Address: 1 HILL VIEW RD BRIDGEWATER

Contact No:

Email:

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **Troy Searle**

Nature of Development: **Domestic outbuilding, retaining walls (maximum height 1.6m), 3 x 22,500L storage tanks and associated earthworks**

Proposed to be located at: **22 Banksia Drive Bridgewater SA 5155**

My representation: **(cross out whichever does not apply below)**
Supports the proposed development OR **Opposes** the proposed development

My interests are: **(cross out whichever does not apply below)**
owner of local property OR occupier of local property
a representative of a company OR other
organisation affected by the proposal OR a private citizen

The address of the property affected is:

NIL

Postcode:

The specific aspects of the application to which I make representation are:

NIL

My objections (if any) could be overcome by:

NIL

(cross out whichever does not apply below)

~~I do wish to be heard in support of my representation by appearing personally or being represented by the following person:~~

I do not wish to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that *no right of appeal* to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 18.5.20

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 29 May 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **19/859/473**

My Name: **IAN RICHARD KELLY**

Postal Address: **22 SHANNON COURT, BRIDGEWATER**

Contact No:

Email:

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **Troy Searle**

Nature of Development: **Domestic outbuilding, retaining walls (maximum height 1.6m), 3 x 22,500L storage tanks and associated earthworks**

Proposed to be located at: **22 Banksia Drive Bridgewater SA 5155**

My representation: **(cross out whichever does not apply below)**
~~Supports~~ the proposed development OR Opposes the proposed development

My interests are: **(cross out whichever does not apply below)**
owner of local property OR occupier of local property
~~a representative of a company OR other~~
~~organisation affected by the proposal OR a private citizen~~

The address of the property affected is:

22 SHANNON COURT, BRIDGEWATER Postcode: **5155**

The specific aspects of the application to which I make representation are: **RETAINING WALLS, TANKS**

1. DRAINAGE - OVERFLOW FROM DRIVE WAY, RETAINING WALLS, TANKS

2. NOISE - TANK WATER PUMP + ASSOCIATED BUSINESS ON BLOCK

3. WHAT TYPE OF BUSINESS IS HAPPENING ON PREMISES?

My objections (if any) could be overcome by: **APPROPRIATE STANDARD SOUND INSULATION OVER PUMP TO REDUCE NOISE ESPECIALLY AT NIGHT**

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person.

~~I do not wish~~ to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that **no right of appeal** to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: **26.05.20**

Signature: 

The closing time and date for Representations is 5.00pm on 29 May 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: **19/859/473**

My Name: **KELLY AND CALLUM CAMERON**

Postal Address: **24 SHANNON COURT BRIDGEWATER SA 5155**

Contact No:

Email:

(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **Troy Searle**

Nature of Development: **Domestic outbuilding, retaining walls (maximum height 1.6m), 3 x 22,500L storage tanks and associated earthworks**

Proposed to be located at: **22 Banksia Drive Bridgewater SA 5155**

My representation: **(cross out whichever does not apply below)**

~~Supports the proposed development~~ **OR** **Opposes the proposed development**

My interests are: **(cross out whichever does not apply below)**

- ~~owner of local property~~ **OR** ~~owner of local property~~
- ~~a representative of a company~~ **OR** ~~other~~
- ~~organisation affected by the proposal~~ **OR** ~~a private citizen~~

The address of the property affected is:

24 SHANNON COURT BRIDGEWATER SA Postcode: **5155**

The specific aspects of the application to which I make representation are:

Refer to email and attached documents

My objections (if any) could be overcome by:

Refer to email and attached documents

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person. Leading Edge Town Planners Pty Ltd
~~I do not wish to be heard in support of my representation.~~ **(Darren Starr)**

"Please note that, in accordance with Section 38 (10)(a) of the *Development Act 1993*, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that no right of appeal to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: **27/05/2020**

Signature: **KA Cameron**

The closing time and date for Representations is 5.00pm on 29 May 2020.

"Please note that in accordance with Section 38(8) of the *Development Act 1993*, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

Leading Edge Town Planners Pty Ltd

www.leadingedgetownplanners.com.au

ABN: 70 165 463 203

29 May 2020

Ms Sarah Davenport
Development Officer Planning
Adelaide Hills Council
PO Box 44
Woodside SA 5244
c/- sdavenport@ahc.sa.gov.au

Category 2 Representation Development Application 19/859/473 (22 Banksia Drive, Bridgewater)

Dear Sarah;

Leading Edge Town Planners Pty Ltd have been engaged by the owners of 24 Shannon Court, Bridgewater (Kelly & Callum Cameron) to outline their concerns with the proposed development of two domestic outbuildings (carport & shed), retaining walls and installation of rainwater tanks at 22 Banksia Drive, Bridgewater. The adjoining residents were notified in writing of the proposed development and are entitled under the provisions of the Development Act 1993 to make a representation on the development application as Category 2 representors.

Kelly & Callum wish to express their opposition to the proposed development in its current form. Their objections to the proposed development generally relate to the impact on adjacent land.

The subject site is located within the Country Living Zone & Country Living Policy Area (Bridgewater) of the Adelaide Hills Development Plan dated 8 August 2019. The Development Plan has a number of key principles that an application for development is required to address and the most relevant to the proposed development and the concerns of the adjoining residents are outlined below:

COUNTRY LIVING ZONE

OBJECTIVES

- 1 A residential zone primarily comprising of detached dwellings at very low densities, including affordable housing.*
- 2 Residential development sensitive to the particular topography of the area and which has minimal visual and environmental impacts.*

Principal of Development Control 7 Development should be designed and sited to relate to the slope of the land, so that:

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- (a) the bulk and scale of the buildings do not dominate the landscape*
- (b) the amount of cutting and filling of the natural ground profile is minimised*
- (c) views from adjoining dwellings and public open spaces are maintained.*

10 Wherever possible, existing vegetation should be used to screen the building and excavation or filling from view.

12 Unless otherwise specified in the policy areas, sheds, garages and similar outbuildings should be designed within the following parameters:

Parameter	Value
Maximum floor area	72 square metres
Maximum building height	4 metres
Maximum wall height (from natural ground level)	3 metres
Minimum setback from rear boundaries	2 metres
Minimum setback from side allotment boundary	2 metres
Minimum setback from a public road or public open space area	8 metres

COUNTRY LIVING (BRIDGEWATER) POLICY AREA

OBJECTIVES 1 *Development that contributes to the desired character of the policy area*

DESIRED CHARACTER (extract)

Residential development will remain at very low densities. Existing vegetation will be protected wherever possible to obscure views of buildings from adjoining streets and contribute to the bushland setting of the policy area.

COUNCIL WIDE

DESIGN AND APPEARANCE

OBJECTIVES 1 *Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.*

PRINCIPLES OF DEVELOPMENT CONTROL 2 *Where a building is sited on or close to a side or rear boundary, the boundary wall should minimise:*

- (a) the visual impact of the building as viewed from adjoining properties*

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(b) overshadowing of adjoining properties and allow adequate sunlight access to neighbouring buildings especially those on which solar panels have been installed.

It is the view of the adjoining residents that the proposed development is not consistent with the above Development Plan provisions and that the proposed outbuildings and retaining walls do not adequately protect their existing residential amenity.

Specific concerns relate to overall floor area of the proposed outbuildings, lack of landscaping between the proposed structures and 24 Shannon Court, overall height of the proposed buildings (wall height, building height and proposed retaining walls), visual impact of the proposed buildings, potential impact on vegetation located on 24 Shannon Court, development not being sensitive to existing topography, stormwater runoff from the proposed driveway and proposed side setback of the buildings.

Figure 1: Private Open Space (24 Shannon Court) adjacent proposed structures



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Overall floor area of the proposed outbuildings

The Development Plan has a maximum floor area of 72m² in the Country Living Zone for sheds/outbuildings etc. (Principal of Development Control 12). The total floor area of the proposed shed (72m²) and carport (48m²) is 120m² which suggests an overdevelopment of the allotment. It is also noted that there is a reference on the proposal plans to the shed being 81m² in area so clarification of the exact floor area is requested.

There are also numerous references on the proposal plans outlining that elements of the drawings are not to scale or are reduced from the nominated scale. This has made it difficult to obtain an accurate picture of specific dimensions and heights along with the full potential impact of the proposed development.

Overall height of the proposed outbuildings

The Development Plan calls for a maximum wall height of 3m and a maximum building height of 4m from natural ground level (PDC 12 Country Living Zone). Based on the plans submitted as part of the development application, the overall wall height of the carport (wall height plus retaining walls) will be up to 4 metres and the overall building height will be approximately 5.2m.

The overall wall height of the shed (wall height plus retaining walls) will be up to 4.3m and the overall building height will be up to 5.4m which is inconsistent with the provisions of the development plan and has the potential to create an unacceptable visual and amenity impact on the occupants of 24 Shannon Court.

Lack of landscaping between the proposed buildings and 24 Shannon Court

The proposed shed and carport are to be located approximately 1m from the northern boundary of the subject land with no landscaping proposed to screen the buildings from the occupants of 24 Shannon Court. This will introduce two sizable buildings in proximity to the common boundary between the two allotments with no vegetation buffer, which is inconsistent with the provisions of the Development Plan and objectives of the Country Living Zone. It is also noted that while the development proposal plans outline a post and wire fence in this area a colourbond fence has recently been erected in proximity to this common boundary. It is unclear whether this structure forms part of the current development application, has been separately approved by Council or is exempt from requiring development approval.

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Development not sensitive to existing topography and stormwater runoff from the proposed driveway

The adjoining land owners consider that the proposed development is not sensitive to the existing topography given the proposed alterations to the site. This is inconsistent with the provisions of the Development Plan which call for development that is *sensitive to the particular topography of the area and which has minimal visual and environmental impacts*.

Further the development plan calls for development to be designed and sited to relate to the slope of the land, so that:

- (a) the bulk and scale of the buildings do not dominate the landscape*
- (b) the amount of cutting and filling of the natural ground profile is minimised*
- (c) views from adjoining dwellings and public open spaces are maintained.*

It is the view of the adjoining owners that the proposed development fails to achieve the above provisions of the Development Plan. The alteration to natural ground level is significant and they believe that the views from their dwelling and private open space would be compromised by the height and location of the proposed development.

No detail has been provided regarding collection of run-off from the proposed driveway and this is a concern for the residents at 24 Shannon Court, given the potential for run-off to enter their land.

Proposed side setback of the outbuildings

The proposed buildings are to be setback 1m from the northern side of the subject site based on the plans submitted as part of the development application. This does not meet the Development Plan requirements for sheds, garages and similar outbuildings to be located at least 2m from a side boundary (PDC 12 Country Living Zone).

Noting that this criteria applies to outbuildings with a maximum wall height of 3m, buildings of a higher wall height and/or total building height should be located further from the boundary, should they be approved, given the impacts will exceed that envisaged by the Development Plan.

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Visual impact of the proposed outbuildings and potential impact on vegetation located on 24 Shannon Court (root zone)

The adjoining neighbours feel that the proposed location and height (wall and overall) of the proposed buildings has the potential to create a negative visual impact on their private open space and dwelling. The occupants of 24 Shannon Court will be faced with a pair of buildings 1m from their common boundary at a height well in excess of the Development Plan requirements.

A proposal that was more in keeping with the development plan objectives and principles of development control would lessen potential impacts off of the subject site and be more in keeping with the intent of the Country Living Zone.

The proposed accessway/second driveway has the potential to impact on vegetation located on 24 Shannon Court, in particular the Cyprus Pine (or similar) shown in Figure 2. No detail has been provided as to the impact of the proposed driveway on this tree, why a second driveway is required for the site or why the existing vehicle access to Banksia Drive cannot be used to access any outbuildings at the rear of the existing dwelling.

Figure 2: Tree to be impacted



Source: Adelaide Hills Council 2020

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Access to the rear of 22 Banksia Drive

The allotment containing 24 Shannon Court includes a narrow strip of land with frontage to Banksia Drive, which it is understood provides for access to mains water and currently contains the water metre for 24 Shannon Court. See Figure 2 above. Kelly & Callum have advised that they have an existing disagreement with the owners of 22 Banksia Drive around the use of this strip of land and while this is not directly related to the proposed development, the owners of 24 Shannon Court are concerned that this strip of land may have been included as part of the proposed driveway to access the proposed buildings. Particularly as there seems to be limited space for a driveway in this location based on the aerial photo above and the existing site plan provided as part of the development application. Noting that the existing site plan provided with the development application has been reduced making it difficult to determine exact dimensions. The owners of 24 Shannon Court have advised they have no intention of granting access or rights over the portion of their allotment that has access to Banksia Drive.

Pump Noise

No detail has been provided as to the operation of the pump, whether it will be contained within an enclosure or how noise issues will be controlled to ensure compliance with relevant EPA guidelines.

Based on the plans forming part of the public consultation for Development Application 19/859/473, it appears that the proposed development is inconsistent with a number of key objectives and principles of development control within the Adelaide Hills Development Plan and the Country Living Zone. It is reiterated that the adjoining neighbours (Kelly & Callum Cameron) wish to express their opposition to the proposed development in its current form. Should it proceed they consider it has the potential to cause detrimental impacts on their residential amenity.

I understand that the adjoining residents at 24 Shannon Court will request to be heard by the Council Assessment Panel (CAP) to further outline their concerns.



Darren Starr RPIA

Director & Registered Planner

Leading Edge Town Planners Pty Ltd.

P: 0413898143

E: darren@leadingedgetownplanners.com.au

RECEIVED

29 MAY 2020

SCANNED

29 MAY 2020

6 Norman Rd.
Bridgewater
28/5/20Ms. SARAH DAVENPORT
STATUTORY PLANNER
A.H.C.

Dear Ms. DAVENPORT, Further to our conversation of May 18 & in confirmation thereof, & in addition to details of 'the yellow form' — we after much additional thought & consideration cannot alter our findings — years ago (I have been resident ratepayer & homeowner for 39 yrs & Karen for 30 yrs.) we planned a not so dissimilar tank storage (20ft x 22,500l catchment water) complete with bund walling for supposed safety, & we finally decided in consideration towards the lower property owners, & now we are faced with a similar situation where we would be possible victims in a tank breakdown. We are therefore not capitulative.

In addition we must mention that the row of trees on our joint boundary & by a whistler ave within our survey line were trees existing there when I bought in 1981, & we believe that earthquakes would maybe disrupt root system so badly that we would all have many more problems to handle.

21

None of this is intended to be either
descriptive or non-neighborly, but a
true statement of facts as we see
them — I should like to mention
that as previously a chemical engineer I
have had much experience with oil tank
storage, acid storage & reagent storages
(all on the flat) with more particular
design & building problems & I believe
it is very wise to clear clear of
hilly storage.

Yours faithfully

W. B. R. R.

P.S. Apologies handed for handwriting
- as our computer is inactive at the
moment due to NBR etc.

Sarah Davenport

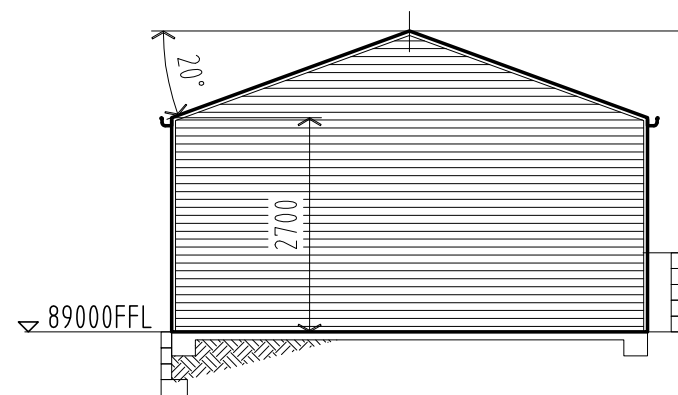
From: Tarney Design <franktarney@bigpond.com>
Sent: Thursday, 18 February 2021 2:17 PM
To: Sarah Davenport
Cc: TROY SEARLE
Subject: REF:- 19/159 FOR HELGA POWER AND TROY SEARLE - 22 BANKSIA DRIVE BRIDGEWATER 5155
Attachments: P1_TROY_SEARLE_17_2_21.pdf; P2_TROY_SEARLE_17_2_21.pdf; S1_TROY_SEARLE_17_2_21.pdf; S2_TROY_SEARLE_17_2_21.pdf

HI SARAH

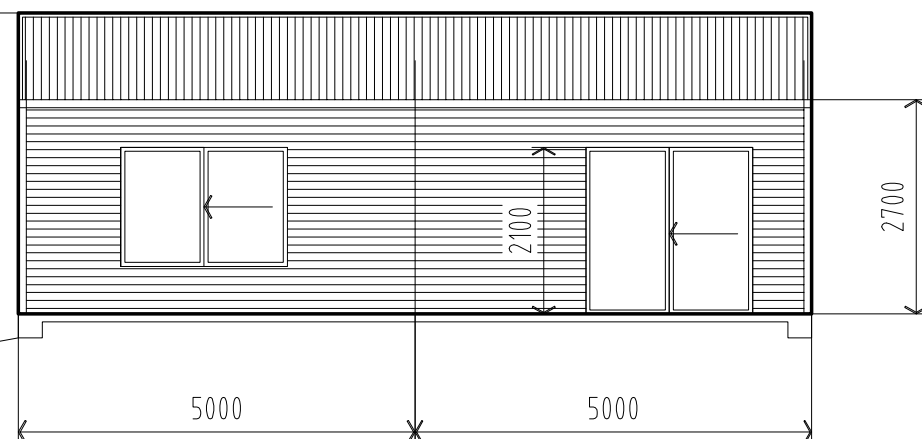
THESE ARE THE NEW DRAWINGS FOR THIS JOB AFTER WE BLOCK SURVEYED. ALSO I GOT INFORMATION ON SEWER LOCATRION FROM ALEXIS BLACK YOU ENVIRONMENTAL OFFICER AT STIRLING OFFICE
REGARDS FRANK TARNEY FOR HELGA POWER AND TROY SEARLE
MY PHONE NUMBER IS 0417 842 458



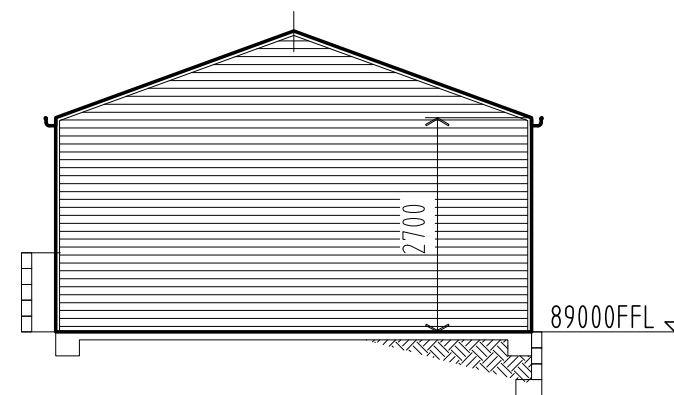
This email has been scanned by the Symantec Email Security.cloud service.
For more information please visit <http://www.symanteccloud.com>



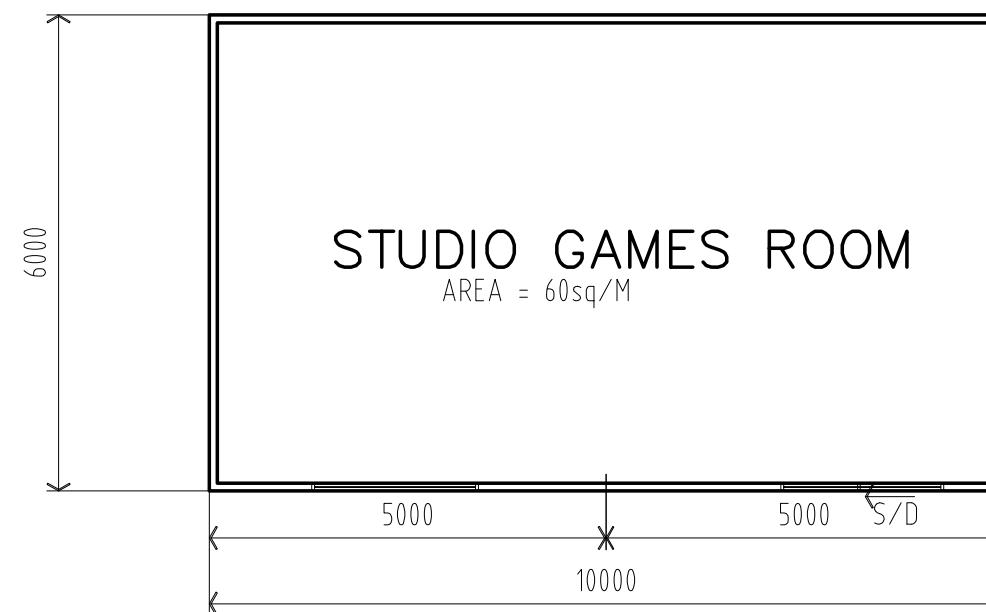
SOUTH ELEVATION
1:100



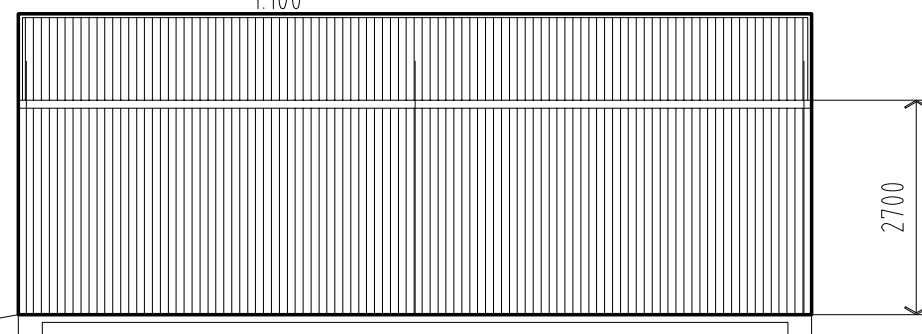
EAST ELEVATION
1:100



NORTH ELEVATION
1:100



FLOOR PLAN
1:100



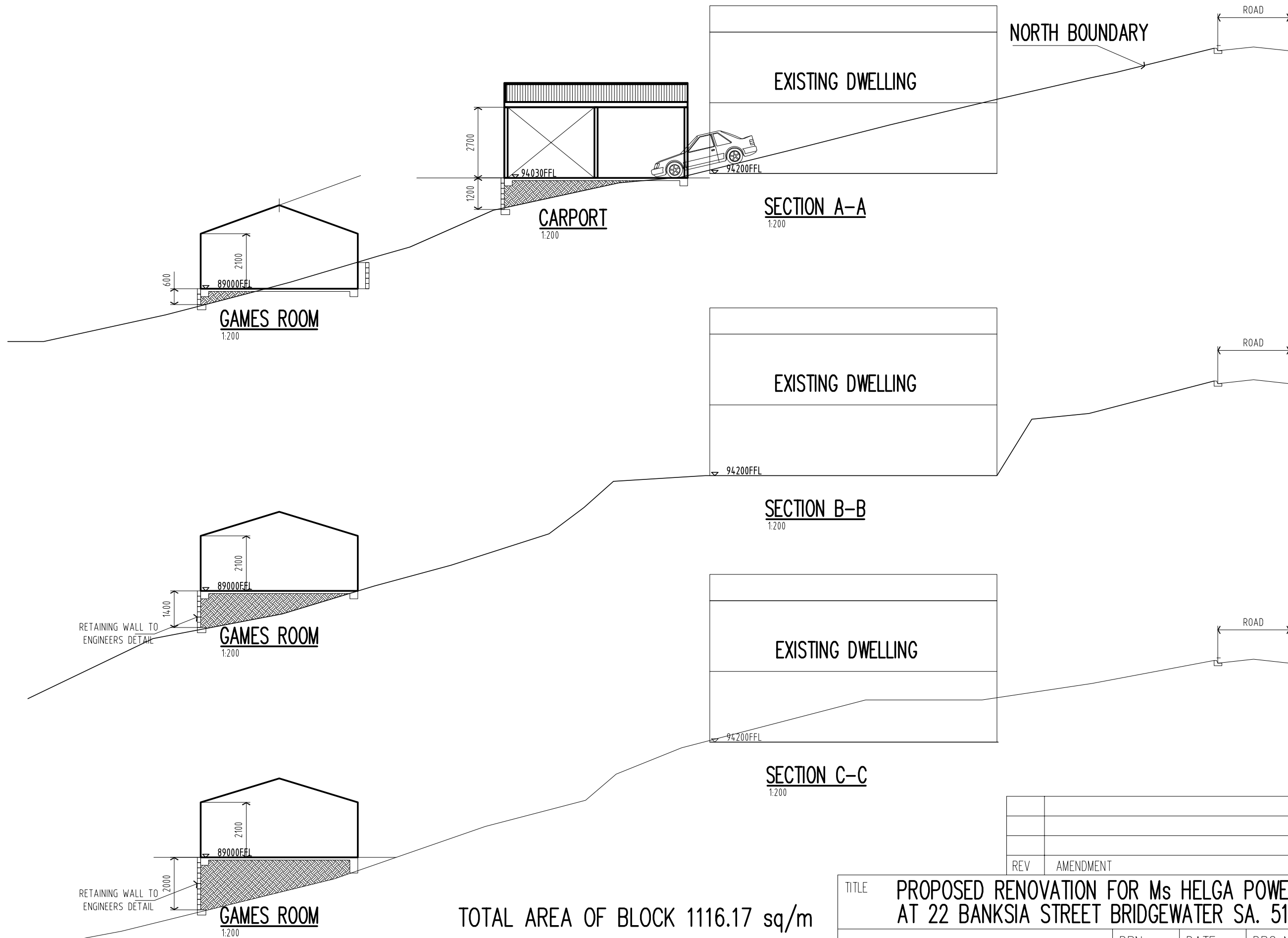
WEST ELEVATION
1:100

SHED BY ALPHA SHEDS
COLOUR MONUMENT COLORBOND
STEEL FRAME WITH 20° ROOF
WITH R 2.5 INSULATION &
ALUMINIUM DOORS % WINDOWS
B.A.L. RATING 12

REV	AMENDMENT	DATE

TITLE PROPOSED RENOVATION FOR Ms HELGA POWER AT 22 BANKSIA STREET BRIDGEWATER SA. 5155				
TARNEY DESIGN & DRAFTING 90 MT BARKER RD, STIRLING.5152. MOB 0417 842 458		DRN FT	DATE 3/3/21	DRG No P2
		CHECKED	DATE	
				REVISION —

FOR PLANNING APPROVAL
17/2/21

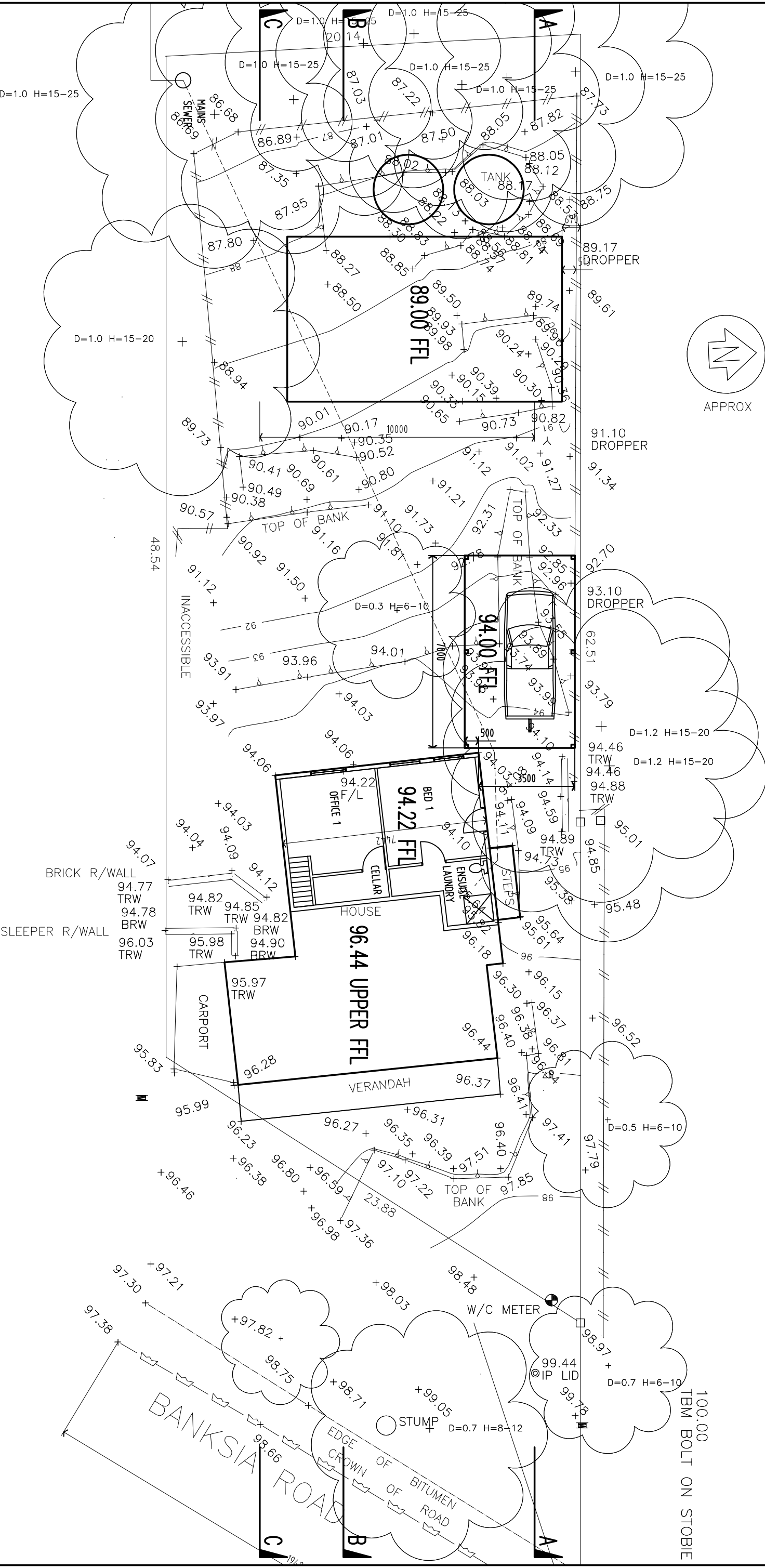


TOTAL AREA OF BLOCK 1116.17 sq/m

FOR PLANNING APPROVAL
17/2/21

REV	AMENDMENT	DATE

TITLE PROPOSED RENOVATION FOR Ms HELGA POWER AT 22 BANKSIA STREET BRIDGEWATER SA. 5155				
TARNEY DESIGN & DRAFTING 90 MT BARKER RD, STIRLING. 5152. MOB 0417 842 458		DRN FT	DATE 17/2/21	DRG No S2
		CHECKED	DATE	
				REVISION —



FOR PLANNING APPROVAL

17/2/21

TITLE

PROPOSED RENOVATION FOR MS HELGA POWER
AT 22 BANKSIA STREET BRIDGEWATER SA. 5155

TARNEY DESIGN & DRAFTING

90 MT BARKER RD, STIRLING. 5152.
MOB 0417 842 458

DRN

FT

DATE

17/2/21

DRG No

S1

REVISION

—

REV

AMENDMENT

DATE

TOTAL AREA OF BLOCK 1116.17 sq/m

FOR PLANNING APPROVAL

17/2/21