

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 MAY 2021
63 MOUNT BARKER ROAD, STIRLING**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

David Brown

Paul Mickan

John Kemp

In Attendance

Deryn Atkinson

Vanessa Nixon

Ashleigh Gade

Damon Huntley

Sarah Davenport

Karen Savage

Assessment Manager
Team Leader Statutory Planning
Statutory Planner
Statutory Planner
Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 6.00pm

2. Opening Statement

“Council acknowledges that we meet on the traditional lands and waters of the Peramangk and Kurna people. We pay our respects to Elders past, present and emerging as the Custodians of this ancient and beautiful land. Together we will care for this country for the generations to come”.

3. Apologies/Leave of Absence

3.1 Apologies

Nil

3.2 Leave of Absence

Nil

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4. Previous Minutes

4.1 Meeting held 14 April 2021

The minutes were adopted by consensus of all members (19)

That the minutes of the meeting held on 14 April 2021 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Paul Mickan declared an interest, but not a conflict of interest, in relation to Item 8.1. He advised that he has previously worked with Phil Harnett, who is representing URPS on behalf of the applicant, at The Barossa Council, and occasionally meets with him on a social basis. However, he does not believe that there is any conflict and will remain in the meeting.

John Kemp acknowledged that one of the representors for Item 8.1 is known to him but there has been no discussion about the item. He does not believe there is any conflict and will remain in the meeting.

Geoff Parsons declared an interest, but not a conflict of interest, in relation to Item 8.2. Darren Starr of Leading Edge Town Planners, whilst not at the meeting, has written a report on behalf of one of the representors. He is also Presiding Member of the Strategic Planning & Development Policy Committee for the organisation he works for, Rural City of Murray Bridge Council. However, it is a professional relationship and will not affect his ability to remain impartial, and he will remain in the meeting.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

7.2.1 Development Application 20/1302/473 by Bridgewater Inn for alterations & additions to commercial premises (hotel) including a deck (maximum height 3.5m), associated earthworks & change to licensed area plan at 387 Mount Barker Road, Bridgewater

Deferred from meeting 14 April 2021

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“That a decision on the matter be deferred to seek the following further information and amended conditions in relation to:

- 1) *Noise from patrons and music/entertainment;*
- 2) *Landscaping;*
- 3) *Waste Management;*
- 4) *Proposed Licensed Area Plan/s;*
- 5) *Numbers of patrons and hours of operation in the areas proposed to be altered, both indoors and outdoors; and*
- 6) *Further consideration of the adequacy of the car parking for the capacity of the premises”.*

Staff provided the Panel with an update.

8. Development Assessment Applications – Development Act

8.1 Development Application 20/1198/473 by Sasha & Gary Holland for two storey detached dwelling, deck (maximum height 4.12m), combined fence & retaining walls (maximum height 3.4m), swimming pool & associated barriers, masonry fence, associated earthworks & landscaping at 9 Braemar Terrace, Stirling

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Jennifer Elsom	10 Braemar Terrace Stirling	Jennifer Elsom
Susette Cook & Steven Marshall	1 Ridge Road, Stirling	Susette Cook
Una Walker	6 Braemar Terrace Stirling	Paola Dal Pozza
Kerry Jarvis & Christopher Lemm	3 Ridge Road, Stirling	Kerry Jarvis

The applicants’ representative, Phill Harnett (URPS), addressed the Panel.

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8.1.2 Decision of Panel

Moved	Ross Bateup	Lost
S/-	Geoff Parsons	(20)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 20/1198/473 by Sasha & Gary Holland for two storey detached dwelling, deck (maximum height 4.12m), combined fence & retaining walls (maximum height 3.4m), swimming pool & associated barriers, masonry fence, associated earthworks & landscaping at 9 Braemar Terrace Stirling subject to the following conditions:

(1) Development In Accordance With The Plans

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

- Amended Site Plan (Lower Floor) drawn by In Property Design Sheet 01 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Site Plan (Upper Floor) drawn by In Property Design Sheet 02 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Floor Plan (Ground Level) drawn by In Property Design Sheet 03 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Floor Plan (Upper Level) drawn by In Property Design Sheet 04 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Elevations (Front / Side / Pool) drawn by In Property Design Sheet 05 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Elevations (Rear / Side) drawn by In Property Design Sheet 06 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Streetscape Elevation drawn by In Property Design Sheet 05 of 07 Rev E (received by Council dated 09 April 2021)
- Amended Section Plan (Section Along Driveway Floor Levels) by In Property Design Drawing No. 626020 - C2 Issue A dated Oct 2020 (received by Council dated 24 March 2021)
- Amended Siteworks and Stormwater Drainage Plan by In Property Design Drawing No. 626020 - C1 Issue B dated Oct 2020 (received by Council dated 24 March 2021)
- Easement Identification Plan (received by Council dated 18 January 2021);
- Amended Site Stormwater Calculations by Nigel Hallett and Associates dated March 2021 (received by Council dated March 2021);
- Cover Letter written by Sasha and Gary Holland dated 06 November 2020 (received by Council dated 06 November 2020), and;
- Letter of Agreement (Consent to Build Over and Within Easement) written by Paul Collins dated 29 April 2021 (received by Council dated 04 May 2021)

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- (2) Residential Access Point – SD13
The vehicle access point(s) and cross over shall be constructed in accordance with Adelaide Hills Council standard engineering detail SD13 - residential vehicular crossing paved for sealed road with kerb and SD16 – allowable crossover locations, within 3 months of occupation/use of the development.
- (3) External Finishes
The external finishes to the building herein approved shall be as follows:
WALLS: Scyon Wall Cladding - Hayes Colour Expressions, Pale Mushroom 4 or similar
ROOF: Windspray or similar
- (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.
- (5) Firefighting Water Supply - Mains Water Supply Available
A supply of water independent of reticulated mains supply shall be available at all times for fire fighting purposes:
- A minimum supply of 2,000 (two thousand) litres of water shall be available for fighting purposes at all times; and
 - The water supply shall be located such that it provides the required water; and
 - The water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
 - The water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
 - A water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
 - Where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.
- (6) Stormwater Overflow Directed To Street
All roof run-off generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) or a Council drainage easement to the satisfaction of Council within one month of the roof cladding being installed. All roof and hard paved water run-off shall be managed to prevent trespass onto adjoining properties and into the effluent disposal area where an on-site waste control system exists.

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

- (7) Swimming Pool Backwash Water
Backwash water from swimming pool filter(s) shall be directed to the sewer.
- (8) Reserved Matter
Pursuant to Section 102 (3) of the Planning, Development and Infrastructure Act 2016, a revised Landscaping Plan shall be provided to the satisfaction of the Assessment Manager that amends the plant species for the front garden to be of an evergreen nature and of a height and volume of canopy that provides increased screening to the streetscape prior to development approval.

NOTE: Further conditions may be imposed on the Planning Consent in respect of the above matter.

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 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) Public Utility Services
Public utility services including light poles and conduits may be present in the road reserve area and it is the property owner's responsibility to ensure these services are not damaged as a result of the development. It is the property owner's responsibility to negotiate the alteration of services in the road reserve. All services within the road reserve should be located prior to any excavation.
- (3) 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.

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- (4) Sewer Connection
The dwelling shall be connected to SA Water mains sewer supply in accordance with the approval granted by SA Water. All work shall be to the satisfaction of SA Water.
- (5) 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.
- (6) 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.
- (7) Surveyed Boundaries
The onus of ensuring that any wall or fence is located in the approved position on the correct allotment is the responsibility of the land owner/applicant. This may necessitate a boundary survey being undertaken by a licensed land surveyor prior to the work commencing and when the wall is complete.
- (8) 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.
- (9) 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.
- (10) 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.

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Moved Paul Mickan
S/- John Kemp

Carried
(21)

The Council Assessment Panel DEFERS consideration of Development Application 20/1198/473 by Sasha & Gary Holland for two storey detached dwelling, deck (maximum height 4.12m), combined fence & retaining walls (maximum height 3.4m), swimming pool & associated barriers, masonry fence, associated earthworks & landscaping at 9 Braemar Terrace Stirling to allow the applicants to respond to the following matters:

- (1) The scale of the front balcony and level of intrusion into the streetscape.
- (2) The building set-back to the western boundary.
- (3) To provide a revised Landscaping Plan that amends the plant species for the front garden to be of an evergreen nature and of a height and volume of canopy that provides increased screening to the streetscape.

8.2 Development Application 19/859/473 by Troy Searle for domestic outbuilding, freestanding carport, retaining walls (maximum height 1.6m), 2 x 22,500L water tanks and associated earthworks at 22 Banksia Drive, Bridgewater

8.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Kelly & Callum Cameron	24 Shannon Court Bridgewater	Callum Cameron
Ian Richard Kelly	22 Shannon Court Bridgewater	Did Not Attend

The applicant and landowner, Troy Searle and Helga Power, addressed the Panel.

8.2.2 Decision of Panel

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

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 19/859/473 by Troy Searle for domestic outbuilding, freestanding carport, retaining walls (maximum height 1.6m), 2 x 22,500L Water Tanks and associated earthworks at 22 Banksia Drive Bridgewater subject to the following conditions:

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- (1) **Development In Accordance With the Plans**
The development herein approved shall be undertaken in accordance with the following plans, details and written submissions accompanying the application, unless varied by a separate condition:
- Shed Elevations, prepared by Tarney Design and Drafting, dated 3 March 2021
 - Amended Carport Elevation, prepared by Tarney Design and Drafting, dated 12 May 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.
- (4) **Stormwater Management**
All roof run-off generated by the development hereby approved shall be directed to the rainwater tanks with overflow to the street (via a pump if necessary) to the satisfaction of the Assessment Manager within one month of the roof cladding to the outbuilding being installed. All roof and hard paved water run-off shall be managed to prevent trespass onto adjoining properties.

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,

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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.

8:18pm	The meeting was adjourned for a short break
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8:22pm	The meeting resumed in open session
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8.3 Development Application 21/48/473 by Peter Corner for two storey dwelling alterations & additions, deck (maximum height 2.5m), in-ground swimming pool & associated barriers, retaining walls (maximum height 1m) and associated earthworks at 8 Carroll Road, Heathfield

8.3.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Paul Good	10 Carroll Road Heathfield	Did Not Attend

8.3.2 Decision of Panel

The following was adopted by consensus of all members (23)

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 21/48/473 by Peter Corner for two storey dwelling alterations & additions, deck (maximum height 2.5m), in-ground swimming pool & associated barriers, retaining walls (maximum height 1m) & associated earthworks at 8 Carroll Road Heathfield 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:

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- Location Plan P01 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - Proposed Site Plan P02 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - Existing Site Plan P03 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - Existing Lower & Ground Floor Plan P04 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - Proposed Ground Floor Plan P05 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - Proposed Lower Ground Floor Plan P06 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - North & East Elevations P07 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
 - South & West Elevations P08 prepared by 3D Design & Drafting dated 22 February 2021 and received by Council 23 February 2021
- (2) **Stormwater Roof Run-off to Existing System**
All roof run-off generated by the development hereby approved shall be connected to the existing stormwater management system, to the reasonable satisfaction of Council. All stormwater overflow management shall be designed so as not to permit trespass into any effluent disposal area. Stormwater should be managed on site with no stormwater to trespass onto adjoining properties.
- (3) **Residential Lighting**
All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.
- (4) **External Finishes**
The external finishes to the building herein approved shall be as follows:
WALLS: 'Scyon Stria' Cladding, 'Scyon Axon' Cladding, 'Scyon Axent' Trim in light cream, or similar
ROOF: Colorbond 'Basalt', or similar
- (5) **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.
- (6) **Swimming Pool Backwash Water**
Backwash water from swimming pool filter(s) shall be directed to the sewer.

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(7) CFS Access Requirements

Private roads and access tracks shall provide safe and convenient access and egress for bushfire fighting vehicles as follows:

- 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.
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.
- Access shall provide safe passage to the turning area and shall not be obstructed by any solid structure (such as a carport) and/or any other structure.

(8) CFS Access to Dedicated Water Supply

Access to dedicated and accessible water supply shall be made available at all times for fire-fighting, in accordance with the following requirements:

- 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 (or 3m to edge of pool if not plumbed to an 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.

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- 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.

(9) CFS Water Supply

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

- 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 habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.

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- 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 habitable building).
- 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 AS2620 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.

(10) CFS Vegetation/Landscaping Zone

Landscaping shall include bushfire protection features which will prevent or inhibit the spread of bushfire and minimise the risk of life and/or damage to buildings and property. A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (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.

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- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
- 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 habitable building (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.

(11) CFS Conditions to Be Completed Prior to Occupation

The Country Fire Service (CFS) Bushfire Protection Conditions (Conditions 7-10) shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

NOTES

(1) Development Plan Consent Expiry

Development Plan Consent (DPC) is valid for a period of twenty four (24) 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) 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 12.5.

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”.

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- (4) **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.
- (5) **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.
- (6) **Requirement for SA Water Approval to Fill Swimming Pool**
New pools or spas may only be filled under the authority of a permit from SA Water. The applicant is advised to obtain a permit to fill the pool with water from SA Water before proceeding with the installation of the swimming pool. SA Water advises that a permit will not be granted unless proof is provided that a cover has been purchased to prevent water loss through evaporation.
- (7) **Swimming Pool Pumps & Filters**
Pumps and filters must be located and operated so as not to emit noise levels in excess of the applicable Environment Protection (Noise) Policy 2007. The maximum noise level shall not exceed 45db(A) from 10:00pm on any night until 7:00am the following morning.
- (8) **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.

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8.4 Development Application 21/60/473 by Ryan & Rebeka Probert for single storey detached dwelling, two water tanks (22,500L) & associated earthworks and change of use of existing dwelling to domestic outbuilding at 44 Orana Drive, Mylor

8.4.1 Representations
Nil

8.4.2 Decision of Panel

The following was adopted by consensus of all members (24)

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 21/60/473 by Ryan & Rebeka Probert for single storey detached dwelling, two water tanks x (22,500L) & associated earthworks & change of use of existing dwelling to domestic outbuilding at 44 Orana Drive Mylor 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:

- Maxwell Consulting Engineers plans SD1 and S1 amended 31 March 2021
- E Design Plans - Sheets 1.1, 1A, 1B, 2.1, 3.1, 4.1, 5.1, 6.1 and 7 all amended 27 February 2021

(2) External Finishes

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

WALLS: Weathertex 'weathergroove' or similar
ROOF: Colorbond © 'monument' or similar

(3) Driveways

Driveways shall be constructed with hard-standing, all-weather materials and designed to provide safe and convenient all weather access.

(4) Restriction On the Use of the Outbuilding

The converted outbuilding 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.

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SA Country Fire Services Conditions of Consent:

(5) Access to Dwelling

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:

- A loop road around the building, OR
- A turning area with a minimum radius of 12.5 metres, OR
- 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.

(6) Access to dedicated water supply

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.

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(7) Water Supply

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 habitable building 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 habitable building).
- 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 AS2620 or AS 1221.

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- 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.

(8) Vegetation

A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (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 and must be separated by at least 1.5 times their mature height.
- 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 habitable building (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.

Compliance with the fire protection requirements is not a guarantee the habitable building will not burn, but its intent is to provide a ‘measure of protection’ from the approach, impact and passing of a bushfire.

NOTES

(1) Development Plan Consent Expiry

Development Plan Consent (DPC) is valid for a period of twenty four (24) months commencing from the date of the decision or, if an appeal has been commenced the date on which the appeal is determined.

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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) 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.

8.5 Development Application 20/1332/473 (20/D061/473) by Andrew Granger for land division – boundary realignment (2 into 2) (non-complying) at 200 & 204 Institute Road, Montacute

8.5.1 Representations

Nil

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8.5.2 Decision of Panel

The following was adopted by consensus of all members (25)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan to GRANT Development Plan Consent and Land Division Consent to Development Application 20/1332/473 (19/D061/473) by Andrew Granger for land division - boundary realignment (2 into 2) (non complying) at 200 and 204 Institute Road, Montacute subject to the following conditions:

Planning Conditions

(1) Development In Accordance With The Plans

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

- Plan of division prepared by Lock Surveys Licenced and Engineering Surveys, reference 20016, dated 26 February 2020, and;
- Statement of support prepared by Gregg Jenkins of Heynen Planning Consultants dated 18 February 2021 (stamped by Council dated 18 February 2021).

Planning Notes

(1) Department of Environment and Water (DEW) – Native Vegetation Council

This 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. 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.

Council Land Division Requirements

Nil

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Council Land Division Notes

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

SCAP Land Division Requirements

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

9. **Development Assessment Applications – Planning, Development and Infrastructure Act**
Nil
10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
11. **ERD Court Appeals**
Nil
12. **Policy Issues for Advice to Council**
Nil
13. **Other Business**
- 13.1 General questions were raised about the accumulation of professional development points for accredited professional accreditation, and the Panel were reminded to provide the Assessment Manager with a copy of their renewed Accreditation Certificate.
14. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil

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- 15. Confidential Item**
Nil
- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 9 June 2021.
- 17. Close meeting**
The meeting closed at 8.47pm.