

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 9 JUNE 2021
63 MOUNT BARKER ROAD, STIRLING**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

David Brown

Paul Mickan

John Kemp

In Attendance

Marc Salver	Director Development & Regulatory Services
Deryn Atkinson	Assessment Manager
Vanessa Nixon	Team Leader Statutory Planning
Damon Huntley	Statutory Planner
Doug Samardzija	Statutory Planner
Aaron Wilksch	Planning Consultant
Sebastien Paraskevopoulos	Observer
Karen Savage	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”.

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3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

4. Previous Minutes

4.1 Meeting held 12 May 2021

The minutes were adopted by consensus of all members (26)

That the minutes of the meeting held on 12 May 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

David Brown acknowledged that one of the representors in relation to Item 8.1 is an acquaintance of his but he has not seen her recently. He does not believe 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. He does not believe there is any conflict and will remain in the meeting.

Paul Mickan declared an interest, but not a conflict of interest, in relation to Item 8.5. 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.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

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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

“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.

7.2.2 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

Deferred from meeting 12 May 2021

“That a decision on the matter be deferred 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; and*
- 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”.*

Refer to Item 8.5 of these Minutes.

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8. Development Assessment Applications – Development Act

8.1 Development Application 20/1005/473 by NBN Co Limited for telecommunications facility comprising NBN monopole (maximum height 46m), security chainmesh fencing (maximum height 2.4m) with outdoor cabinets & associated earthworks (non-complying) at Lots 10-12 Crossing Road, Mylor

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Ken Lynn	23 Smith Road, Mylor	Ken Lynn – via Telephone
Sean Carr	497 River Road, Mylor	Did not Attend
Frauke Hobbs	6 Phillinda Lane, Mylor	Frauke Hobbs
Chris & Narelle Whiting	11 Boucaut Lane, Mylor	Chris Whiting
Peter & Paula Ashforth	10 Boucaut Lane, Mylor	Did not Attend
Lucy Quigley-Smith & Matt Smith	133 Crossing Road, Mylor	Lucy Quigley-Smith
Susanne Koen	26 Silver Lake Road Mylor	Did not Attend
Graham & Deborah Davidson	159 Crossing Road, Mylor	Deborah Davidson
Stephanie Dallwitz	51 Smith Road, Mylor	Frauke Hobbs

The applicant's representatives, Adam Pfitzner (Aurecon) and Naomi Read (nbn), addressed the Panel.

8.1.2 Decision of Panel

Moved Ross Bateup **Carried**
S/- Paul Mickan **(27)**

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 20/1005/473 by NBN Co Limited for telecommunications facility comprising NBN monopole (maximum height 46m), security chainmesh fencing (maximum height 2.4m) with outdoor cabinets & associated earthworks (non-complying) at Lots 10-12 Crossing Road, Mylor 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:

- Site specific notes prepared by Aurecon, drawing number 5STI-51-08-MYLO-C1 revision 02 last dated 15/09/20 and date stamped by Council 10/02/2021
- Overall site plan prepared by Aurecon, drawing number 5STI-51-08-MYLO-C2 revision 02 last dated 15/09/20 and date stamped by Council 10/02/2021
- Site setout plan prepared by Aurecon, drawing number 5STI-51-08-MYLO-C3 revision 03 last dated 01/02/2021 and date stamped by Council 10/02/2021
- Site elevation and details prepared by Aurecon, drawing number 5STI-51-08-MYLO-C4 revision 03 last dated 01/02/2021 and date stamped by Council 10/02/2021
- Site earthworks plan and elevations prepared by Aurecon, drawing number 5STI-51-08-MYLO-C5 revision 01 last dated 01/02/2021 and date stamped by Council 10/02/2021
- Access track earthworks plan and elevations prepared by Aurecon, drawing number 5STI-51-08-MYLO-C6 revision 01 last dated 01/02/2021 and date stamped by Council 10/02/2021
- Site earthworks notes prepared by Aurecon, drawing number 5STI-51-08-MYLO-C7 revision 01 last dated 01/02/2021 and date stamped by Council 10/02/2021
- NBN antenna configuration & setout plan prepared by Aurecon, drawing number 5STI-51-08-MYLO-A1 revision 03 last dated 01/02/2021 and date stamped by Council 10/02/2021
- Boundary setout plan prepared by Aurecon, drawing number 5STI-51-08-MYLO-C3 revision 01 last dated 29/10/20 and date stamped by Council 10/02/2021

(2) **Commercial Lighting**

Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.

(3) **External Finishes**

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

Monopole: Galvanized steel or similar

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

Prior to Building Consent being granted the applicant shall prepare and submit to Council a Soil Erosion and Drainage Management Plan (SEDMP) for the site for Council's approval. The SEDMP shall comprise a site plan and design sketches that detail erosion control methods and installation of sediment collection devices that will prevent:

- a) soil moving off the site during periods of rainfall;
- b) erosion and deposition of soil moving into the remaining native vegetation; and
- c) soil transfer onto roadways by vehicles and machinery.

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

NOTES

(1) Development Plan Consent (DPC) 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.

Further details in relation to the Planning Reforms can be found https://www.saplanningportal.sa.gov.au/planning_reforms

(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.

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- (4) **EPA Information Sheets**
Any information sheets, guideline documents, codes of practice, technical bulletins, are referenced in this decision can be accessed on the following web site: <http://www.epa.sa.gov.au/pub.html>
- (5) **Environment Protection (Water Quality) Policy 2015**
The applicant is advised that the Environment Protection (Water Quality) Policy 2015 came into effect on 1 January 2016. Therefore, all reasonable and practicable measures must be put in place to prevent or minimise environmental harm during the construction process.
- (6) **Decision Notification Acknowledgment with Native Vegetation Council**
The applicant is reminded that a Decision Notification Acknowledgment must be signed with Native Vegetation Council. This acknowledgement must be provided to Native Vegetation Council and Adelaide Hills Council for verification prior to pruning or removal of any native vegetation.

8.2 **Development Application 19/532/473 by GE Hughes Construction Co for change of use to include a transport depot and extend an existing vehicle hardstand, retaining walls, combined fence and retaining wall (maximum height 4.15 metres), 2 x 28,000 litre fuel storage pods, storage building, outbuilding for truck wash equipment, 2 x 20,000 litre water tanks & associated earthworks at 4 Brettig Road, Lobethal**

8.2.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Dianne Barrett	20 Kenton Valley Road Lobethal	Dianne Barrett
Mark & Helen Elsworthy	15A Kenton Valley Road Lobethal	Did not Attend

The applicant's representatives, Duane Hughes (GE Hughes Construction) and Peter Meline (Adelaide Hills Development Services), addressed the Panel.

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8.2.2 Decision of Panel

The following was adopted by consensus of all members (28)

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 19/532/473 by GE Hughes Construction Co for change of use to include a transport depot and extend an existing vehicle hardstand, retaining walls, combined fence and retaining wall (maximum height 4.15 metres), 2 x 28,000 litre fuel storage pods, storage building, outbuilding for truck wash equipment, 2 x 20,000 litre water tanks & associated earthworks at 4 Brettig Road, Lobethal subject to the following conditions:

(1) Reserved Matter

The applicant shall prepare a technical detail and design engineering plan regarding the blockwork retaining wall, scour protection measures, bunding and the proposed detention / discharge weir design for approval by Council engineering staff.

The works contained in the approved detailed engineering design shall be implemented prior to occupation of the hardstand area and construction commencing for the proposed truck wash vehicle.

(2) 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:

- Designing Places Architects / Hughes Construction Co plans, PA01 as amended 30 April 2021, PA01A as amended 19 April 2021, PA02 as amended 20 May 2021, PA02B as amended 30 April 2021, PA03 – 04 as amended 30 April 2021, PA05 - PA06 as amended 19 April 2021.
- DBN Consulting Engineers Stormwater management plan dated 30 April 2021 revision 3D, Figure 01 A dated 13 August 2019, Figure 02 A dated 26 July 2020, Figure 03 E dated 26 August 2020, Appendices B and C dated 17 July 2020
- A-FLO Equipment Sheets 1 and 2 Rev 01 and Sheet 1 Rev 0.1 date stamped by Council 27 November 2019

(3) External Materials and Finishes

All external materials and finishes for the new buildings and fuel pods herein approved shall be of consistent colour and finish, i.e. Colorbond © 'pale eucalypt'.

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- (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) **Requirement For Retaining Wall To Be Constructed Prior To Works Commencing**
The combined fence and retaining wall on the southern and south-eastern side of property, as described on the site plan stamped as part of this authorisation, shall be constructed prior to the commencement of the construction of the truck wash building and hard-stand area and retaining walls over one (1) metre in height will require Building Consent
- (6) **Hours of Operation**
The operating hours of the truck wash shall be from 8.00am to 9.00pm seven days a week.
- (7) **Number of Trucks**
The approval is for the parking of a total of fifty (50) heavy vehicles. No reference is made to the number of trailers that may be parked within the truck parking area.
- (8) **Light spill**
All external lighting on the subject land shall be designed and constructed to conform to Australian Standard AS/NZS 4282-1997, and shall be directed away from adjacent residential properties to prevent light spill nuisance.
- (9) **Timeframe for Landscaping To Be Planted**
Landscaping shown on the plans form part of the application and shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced as soon as practicable. At the time of planting, a minimum of 20% these trees shall be semi-mature with a minimum height of 2 metres.
- (10) **Site Entry**
Entry and Exit to the site shall be via Brettig Road only.

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.

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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.

Further details in relation to the Planning Reforms can be found https://www.saplanningportal.sa.gov.au/planning_reforms

(2) EPA Environmental Duty

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

(3) Works On Boundary

The development herein approved involves work on the boundary. The onus of ensuring development is in the approved position and 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 construction works commencing.

(4) Responsibility In Relation To Flooding

The applicant is reminded that Adelaide Hills Council accepts no responsibility for damage to, or loss of property, as a result of flooding. It is the applicant's responsibility to ensure that all appropriate steps are undertaken to minimise the potential damage to property as a result of flooding.

- 8.3 **Development Application 20/1273/473 by Joyson Orchards Pty Ltd for staged consent construction of light industry (agricultural industry) building and associated two storey offices, car parking, retaining walls (maximum height 3.5m), acoustic fence (maximum height 2.8m), signage, associated access work, landscaping & associated earthworks**
Stage 1 – Earthworks; and
Stage 2 – Balance of the Works
at 202 – 204 Onkaparinga Valley Road and Lot 21 Naughtons Road, Woodside

8.3.1 **Representations**

Nil

The applicant's representative, Mark Joyce, was invited to answer questions from the Panel.

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8.3.2 Decision of Panel

The following was adopted by consensus of all members (29)

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 20/1273/473 by Joyson Orchards Pty Ltd for staged consent construction of light industry (agricultural industry) building & associated two storey offices, carparking, retaining walls (maximum height 3.5m), acoustic fence (maximum height 2.8m), signage, associated access work, landscaping & associated earthworks
Stage 1 – Earthworks; and
Stage 2 - Balance of the Works at 202 - 204 Onkaparinga Valley Road and Lot 21 Naughtons Road, Woodside subject to the following conditions:

(1) Development In Accordance With the Plans

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

- Plans from Beyond Ink drawing number PD000 Cover sheet and site plan text, 001 Site plan, 002 External Elevations, 101 Floor Plans, 102 Floor plans office, 103 Equipment Plan Revision A and PP101 Front Façade Carpark, 102 Naughtons Entry and 103 Front elevation all dated 25 November 2020
- Report from The Adelaide Tree Surgery dated 25 November 2020
- Traffic Engineering report from MFY Consultants dated 25 November 2020
- Stormwater Management Report from MLEI Consulting Engineers reference A2020-10798_A dated 18 February 2021
- Siteworks and Stormwater Management Plan drawing number A2020-10798 Sheets C00 Revision C dated 18 February 2021, C01 Revision D dated 9 February 2021, C1 Revision E dated 2 March 2021

(2) Soil Erosion, Drainage and Construction Management Plan – Prior to Stage 1 works

Prior to commencement of Stage 1 works, the applicant shall prepare, submit and have approved a Soil Erosion, Drainage and Construction Management Plan (SEDCMP) for the site. The SEDCMP shall comprise a site plan and design sketches that detail erosion control methods, installation of sediment collection devices and detail vehicle access arrangements that will prevent:

- a) Soil moving off the site during periods of rainfall;
- b) Erosion;
- c) Soil moving into watercourses during periods of rainfall; and
- d) Soil transfer onto roadways by vehicles and machinery.

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

- (3) **Requirement for Retaining Walls to Be Constructed Prior To Works Commencing**
The retaining walls on the southern and south-eastern side of property, as described on the site plan stamped as part of this authorisation, shall be constructed prior to the commencement of the construction of the proposed facility and retaining walls over one (1) metre in height will require Building Consent.
- (4) **Protection of Trees**
The works in relation to the tree(s), outlined in the Arborist's Report prepared by The Adelaide Tree Surgery and submitted as part of this application as a strategy for management of the tree(s) are to be undertaken simultaneously with any building works on the site.
- (5) **Commercial Lighting**
Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.
- (6) **Forklift Noise**
Any forklift noise arising during the loading and unloading of goods at the loading bays shall comply with the SA EPA Noise Policy at the residence at 10 Naughtons Road Woodside.
- (7) **Hours Of Operation – Truck Movements**
Monday to Friday 7.00am – 6.00pm
Saturday 7.30am – 3.30pm
- Staff Parking - Vehicle Movements**
Monday to Friday 6.30am – 6.00pm
- (8) **Truck Noise**
Trucks when stationary on the site must have their engines and refrigeration units turned off.
- (9) **Landscaping Timeframe For Landscaping To Be Planted**
Landscaping as detailed in the plan from Beyond Ink PD001 shall be planted in the planting season following occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

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- (10) **Stormwater infrastructure**
Stormwater infrastructure shall be installed within one month of roof sheeting being installed on the proposed building.
- (11) **One Way Truck Movements and Sealing of Truck Manoeuvring**
Trucks shall only move through the site in a one way direction with entry from Naughtons Road and exit via Onkaparinga Valley Road. Truck Manoeuvring Areas shall be sealed and directional signage to facilitate truck movement shall be installed prior to operation of the facility.
- (12) **Gravel carparking Designed In Accordance With Australian Standard AS 2890.1:2004.**
All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and line-marked in accordance with Australian Standard AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of compacted gravel prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.
- (13) **Landscaping Protection In Carparks**
All landscaped areas and structures adjacent to driveways and parking areas shall be separated by a wheel stop device prior to the occupation of the development. Such devices shall not impede the free movement of people with disabilities.
- (14) **Unloading And Storage Of Materials And Goods**
All materials and goods shall at all times be loaded and unloaded within the confines of the subject land. Materials and goods shall not be stored on the land in areas delineated for use as car parking.
- (15) **Requirement For Gates Or Doors To Be Within Boundary**
Gates or doors shall not open beyond the boundary of the subject property.
- (16) **Car Parking Stormwater Runoff – Commercial**
All surface water from car parking or hardstand areas shall be directed to a proprietary pollutant treatment device capable of removing oils, silts, greases, and gross pollutants to Council and EPA satisfaction prior to discharge to Council stormwater system or street water table.
- (17) **Prior to Building Consent**
The applicant shall consolidate the titles and extinguish the easement in favour of Council for drainage purposes.

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(18) Prior to Ruiling Rules

A separate application (Section 221 of the Local Government Act) with detailed design of the proposed works to Onkaparinga Valley Road and the access point on Naughtons Road is required to be lodged and approved.

(19) DIT conditions

1. The access points to Onkaparinga Valley Road service road and Naughtons Road shall be constructed as shown on Beyond Ink, Site Plan, Sheet No. PD001, Revision A dated 24 November 2020.
2. The Onkaparinga Valley Road service road shall be modified to accommodate the swept path of a 19 metre Articulated Vehicle in order to permit a suitably angled approach to Onkaparinga Valley Road. The modifications shall be generally consistent with MFY Figure 5 with all costs borne by the applicant.
3. Large commercial vehicles accessing the site shall be restricted to right turn entry only movements to Naughtons Road and left turn exit only movements into the service road and Onkaparinga Valley Road. The movements and traffic flow through the site shall be reinforced with suitable signage and line marking as well as the traffic management plan initiated by the applicant/operator.
4. All vehicles shall enter and exit the site in a forward direction.
5. Any infrastructure within the road reserve that is demolished, altered, removed or damaged during the construction of the project shall be reinstated to the satisfaction of the relevant asset owner, with all costs being borne by the applicant.
6. The car park design shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*. Additionally, clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in *AS/NZS 2890.1:2004*, should be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpath.
7. Commercial vehicle facilities shall be designed in accordance with *AS2890.2:2018*.
8. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of the adjacent roads. Any alterations to the existing road drainage infrastructure as a result of this development shall be at the expense of the applicant.

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NOTES

(1) Development Plan Consent Expiry

This Development Plan Consent (DPC) is valid for a period of twenty-four (24) months commencing from the date of the decision.

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.

Further details in relation to the Planning Reforms can be found https://www.saplanningportal.sa.gov.au/planning_reforms

(2) EPA Environmental Duty

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

(3) 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.

(4) Responsibility In Relation To Flooding

The applicant is reminded that Adelaide Hills Council accepts no responsibility for damage to, or loss of property, as a result of flooding. It is the applicant's responsibility to ensure that all appropriate steps are undertaken to minimise the potential damage to property as a result of flooding.

(5) Native Vegetation Council Requirements

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. 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.

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- 8.4 **Development Application 20/1087/473 by Ron Metcalfe Building Designer for deck attached to dwelling (maximum height 2.4m) at 135 Cave Avenue, Bridgewater**

8.4.1 **Representations**

Name of Representor	Address of Representor	Nominated Speaker
Helen Viant & Kate Bailey	133 Cave Avenue Bridgewater	Helen Viant

The applicant's representative, Richard Potter (landowner), addressed the Panel.

8.4.2 **Decision of Panel**

The following was adopted by consensus of all members (30)

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 20/1087/473 by Ron Metcalfe Building Designer for deck attached to dwelling (maximum height 2.4m) at 135 Cave Avenue, 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:

- **Stormwater Drainage Layout & Site Plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**
- **Carport set-out plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**
- **Upper level deck set-out plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**
- **Front elevation as existing drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**
- **Front elevation [N/V] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**
- **Side elevation [S/V] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020**

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- Side elevation [NE] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- (2) **External Materials and Finishes**
All external materials and finishes for the buildings work herein approved shall be finished in either subdued painted colours or natural finishes which blend with the natural features of the landscape.
- (3) **Boundary Landscape Screening**
A landscaping screening strip of pencil pines shall be maintained along the north eastern boundary at the length of at deck. Landscaping shall be maintained in good health and condition at all times with any dead or diseased plants being replaced in the next planting season.

NOTES

- (1) **Development Plan Consent (DPC) 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.
- Further details in relation to the Planning Reforms can be found https://www.saplanningportal.sa.gov.au/planning_reforms
- (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.

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(4) **Works on Boundary**

The development herein approved involves work near the boundary which may be deemed to affect stability of other land. 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.

8.5 **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**

8.5.1 **Representations**

Representations heard previously at meeting held 12 May 2021.

8.5.2 **Decision of Panel**

Moved	Ross Bateup	Carried
S/-	Paul Mickan	(31)

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 F (received by Council dated 20 May 2021)
- Amended Site Plan (Upper Floor) drawn by In Property Design Sheet 02 of 07 Rev F (received by Council dated 20 May 2021)
- Amended Floor Plan (Lower Level) drawn by In Property Design Sheet 03 of 07 Rev F (received by Council dated 20 May 2021)
- Amended Floor Plan (Upper Level) drawn by In Property Design Sheet 04 of 07 Rev F (received by Council dated 20 May 2021)
- Amended Elevations (Front / Side / Pool) drawn by In Property Design Sheet 05 of 07 Rev F (received by Council dated 20 May 2021)
- Amended Elevations (Rear / Side) drawn by In Property Design Sheet 06 of 07 Rev F (received by Council dated 20 May 2021)

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- Amended Streetscape Elevation drawn by In Property Design Sheet 05 of 07 Rev F (received by Council dated 20 May 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)
- Letter to Council by Phil Harnett of URPS Ref: 21ADL-0237 dated 18 May 2021 (received by Council dated 18 May 2021)
- Amended Landscape Plan drawn by RS of Stirling Garden Design Studio dated 24 May 2021 (received by Council dated 24 May 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)
- 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)

(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

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- 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 runoff shall be managed to prevent trespass onto adjoining properties and into the effluent disposal area where an on-site waste control system exists.

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

(7) Swimming Pool Backwash Water

Backwash water from swimming pool filter(s) shall be directed to the sewer.

(8) Timeframe For Landscaping To Be Planted

Landscaping as detailed on Amended Landscape Plan prepared by Stirling Garden Design Studio dated 24 May 2021 shall be planted in the planting season following occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

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.

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Further details in relation to the Planning Reforms can be found
https://www.saplanningportal.sa.gov.au/planning_reforms

- (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.
- (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.

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8.6 Development Application 21/238/473 (21/D006/473) by Simon Lucas for land division – boundary realignment (2 into 2) (non-complying) at 70A & 72 Sheoak Road, Crafers West

8.6.1 Representations
Nil

8.6.2 Decision of Panel

The following was adopted by consensus of all members (32)

The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent and Land Division Consent to Development Application 21/238/473 (21/D006/473) by Simon Lucas for land division - boundary realignment (2 into 2) (non-complying) at 70A and 72 Sheoak Road, Crafers West SA 5152 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: REF: 21A0496 DWG No: 21A0496 PROP(A) REVISION: A) by Alexander Symonds Surveying Consultants, Dated 10/02/2021.

Planning Notes

(1) **Development Plan Consent**
The Development Plan Consent is valid for a period of twenty four (24) months commencing from the date of the decision.

Council Land Division Statement of Requirements

Nil

Council Land Division Notes

Nil

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SCAP Land Division Statement of 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.

SCAP Land Division Notes

Nil

- 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 David Brown requested the inclusion of a plan showing the different zones where the subject land of an application is located adjacent to a different zone. The Assessment Manager confirmed this would be provided.
- 14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
- 15. Confidential Item**
Nil

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- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 14 July 2021.
- 17. Close meeting**
The meeting closed at 9.04pm.