
SILVER LAKES DEVELOPMENT – STORMWATER QUALITY ISSUES REPORT

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BACKGROUND

A DA was lodged with the Adelaide Hills Council in April 2020 for the development of the Silver Lakes property, located on Silver Lakes Road (near Mylor), and is currently being accessed by Council and other relevant authorities, including the EPA.

The EPA have requested further information in relation to a number of perceived stormwater management and water quality issues within the proposed development site, as outlined in the DA and relevant Attachments.

In response to issues identified by EPA, a review of all proposed stormwater and wastewater management and how this would impact on overall water quality issues has been carried out, with an aim to provide greater detail and clarification of all elements of the proposed development that relate to stormwater and wastewater management.

The results of this review are detailed in this following report.

SUMMARY – DESIGN CHANGES AND CLARIFICATIONS

The following report provides considerable detail and clarification of the management of stormwater within the subject site, provides some design rationale of various elements of the proposed landscape and stormwater management system, and detail of the operational management of some proposed facilities.

Several changes and clarifications to the original design as included in the DA and Attachments that relate to the management of wastewater and stormwater have been made, and are summarised as follows:

- All access roads and parking areas will be constructed using permeable paving materials, to eliminate/minimise stormwater runoff from paving and contamination of stormwater from vehicle contaminants. (Refer section 2.3). This will have a beneficial impact on the quality of stormwater.
- The aquaculture/hydroponic system will be a closed system, with water circulated continuously through the system; no wastewater will be discharged to the wetland or elsewhere on the site. (Refer Section 2.6)
- The proposed fowl/duck breeding facility which was included in the original DA has been removed from the DA; consequently any possible impact of wastewater produced by this proposed facility on the stormwater system has been eliminated.

INTRODUCTION

Overall, it is considered that the proposed development of the Silver Lakes property as presented in the Development Application and as detailed in this report will have an overall beneficial impact on the quality of stormwater within and that discharging from the property.

This report describes the existing condition of water quality in the property, and details the effect and changes that the various elements of the proposed development will have on existing water quality.

The existing site is shown in the following Figure 1.



1.0 THE SILVER LAKE

The lake has a surface area of approx 8,400 m², and is reported to have a maximum depth in the order of 6 m; the volume of the lake could thus be in the order of 25,000 to 40,000 m³, depending on its average depth (bathymetry of the lake invert is not known). The water level can drop during summer.

The quality of the water in the existing lake is reported to be good, (Table 5-2, *Draft Water Resources Report, Silver Lake Development, 04 October 2019 – Water Technology*) with very low levels of nutrients, metals and suspended solids. The lake is surrounded by river red gums, and some discoloration of the water, due to the leaching of tannins from eucalyptus leaves, is visible.

The lake receives surface runoff from a rural catchment to the west of approx 15 ha, which runs into the western end of the lake. It would appear that this runoff does not adversely impact on the water quality of the lake. (Similar rural runoff also discharges into the northern part of the Silver Lakes property).

The lake drains through an outlet culvert under a bank at the eastern end of the lake, to a culvert under Silver Lake Road, and hence into the Onkaparinga River.

Some excess rain water from the roofs of the existing dwelling and possibly the sheds may at times be discharged directly into the lake, after filling rainwater tanks. This clean water would have no adverse impact on the lake's water quality.

1.2 RUNOFF – IMPERVIOUS SURFACES

Rain water on existing rooves (existing dwelling and shed) is at present harvested and stored in several rainwater tanks for use in the existing dwelling. Any excess, which is clean rainwater, is presumably discharged directly to the Silver Lake.

Runoff from the limited area of existing access driveway and parking areas runs off from the pavement to adjacent grassed areas and swale drains, without any concentration of flow. In extreme events, runoff may reach the verge swales alongside Silver Lake Road. Vehicle traffic on the access roadway is very light (domestic use), and any contamination of runoff would not be significant.

1.3 DOMESTIC EFFLUENT/WASTEWATER

Wastewater from the existing dwelling is currently treated in an approved treatment system, and the treated effluent is disposed of by surface sprinkler system in a fenced area to the north of the access road, and within an area that is grazed by livestock (disposal area is fenced and not grazed). This disposal area is within the 1 in 50 year flood plain of the Onkaparinga River.

1.4 NORTHERN AREA - LIVESTOCK GRAZING

The northern part of the property, an area of approx 3.5 ha, is currently grazed by a small number of cattle and several alpacas. Particularly during winter, this area is subject to some degree of pugging and soil disturbance. Grazing also adversely impacts on the remnant native vegetation which is present in and persists in this area.

Natural surface runoff from this grazed area may contain some (low) level of nutrients from animal droppings and also sediment from the soil disturbed by the animals (pugging in wet weather). Most of this runoff generally drains to a ditch running from west to east roughly through the centre of the grazed area, which then flows to a culvert under Silver Lake Road, then discharging eventually to the Onkaparinga River.

1.5 EXTERNAL CATCHMENTS DISCHARGING TO THE SITE

A catchment of approx 24 ha to the immediate west of the Silver Lakes property drains into the Silver Lake site at three points along its western boundary.

The lake receives catchment runoff from approx 15 ha of this catchment, draining into the lake itself, and 9 ha discharges into the northern part of the site, entering at two locations.

Runoff flows into and through the northern part of the site in two rough ditches, one along the northern boundary/fence line, and the other draining roughly through the centre of the northern part of the site.

Both ditches drain directly to existing verge swales and culverts in Silver Lake Road, and then to the nearby Onkaparinga River.

This external catchment is mainly used for grazing of livestock, particularly cattle.

The runoff from this rural use catchment may contain some (low) level of nutrients, from the natural processes inherent in vegetation growth and decay, from animal droppings, possibly from the application of fertilisers to the pastures, and possibly soil/sediment from areas disturbed by the cattle.

Runoff into the Silver Lake does not appear to adversely affect the lake water quality (Refer section 1.0), and it can be assumed that the quality of runoff flowing into and through the northern part of the site would be similar. This is borne out by casual observation of pools in the drainage ditches and pools at Silver Lake Road.

Because the runoff from the adjacent catchment is concentrated in these two ditches as it flows through the property, flow velocity will be relatively high and consequently there is limited opportunity for any nutrients and suspended solids that may be present in the runoff to settle or be filtered out and be retained on-site, before the water reaches Silver Lake Road and then the river.

The overall proposed landscape development is shown in Figure 2.



The proposed development of the Silver Lakes property, the proposed future uses and activities and elements of the proposed stormwater infrastructure, which may impact on water quality, are summarised as follows:-

- Modification of the existing dwelling for tourist accommodation, which will increase vehicle traffic into the site, and generate additional wastewater,
- Construction of a new dwelling for use by the owner,
- Redevelopment/upgrading of the wastewater treatment and disposal system, and relocation of the disposal area outside the 1 in 100 year flood plain of the Onkaparinga river,
- Construction of two sheds,
- Construction of an aquaponics and hydroponics shed, and a breeding /growing facility for fowl (ducks),
- An increased area and footprint of driveways and car parking on the site,
- The establishment of a wetland,
- The removal of livestock from the property,
- Reconfiguration of the internal drainage of the northern part of the property.

These are discussed where relevant to stormwater quality in the following notes.

2.1 WASTEWATER TREATMENT AND DISPOSAL

The treatment system for an increase in the volume of wastewater generated by the proposed development will be upgraded, the present disposal area (which is within the 1 in 50 year ARI event flood plain of the Onkaparinga River) for the treated effluent will be decommissioned, and a new disposal area, meeting all current design criteria and regulatory requirements, will be established in the north-west corner of the property, above the 1 in 100 year flood level.

All effluent will be contained within the disposal area by small perimeter bunds, which will also isolate the disposal area from runoff from surrounding areas, and the disposal area will be elevated to provide clearance above the watertable.

2.2 RUNOFF FROM ROOFING OF EXISTING AND NEW BUILDINGS

Runoff of rainfall from the increased areas of rooves (existing and new dwellings, new sheds) will continue to be harvested to rainwater tanks, for all domestic uses in the two dwellings (the numbers of tanks and capacity will be increased). Any excess rainwater will be discharged to Silver Lake, with no impact on water quality of the lake.

The area of roofing will increase from an existing 535 m² to approx 1535 m².

2.3 RUNOFF FROM ACCESS ROADS AND PARKING AREAS

There is an increase in access roads and parking areas in the proposed development from about 700 m² to about 2365 m².

Vehicle traffic will also increase, as a result of tourist use of the existing dwelling, from an existing 2 to 4 vehicles/day, to possibly 20 to 30 a day at peak usage of the B&B facility (average daily usage would be considerably lower). This is still a very light usage (compared to normal public road usage and area of pavement), and the amount of contaminants (hydrocarbons, metals, rubber, etc), emitted or deposited on pavements from the vehicles will be very small.

It is proposed to use permeable pavement materials in the construction of all roadways and hard parking areas. This type of pavement eliminates or very significantly reduces runoff from paved areas during normal rainfall, and provides a significant reduction in contamination of any water that may reach any waterway or the surrounding areas. (Reference City of Mitcham projects and design).

The use of permeable pavements conforms to the principles of Water Sensitive Urban design (WSUD), where any reduction of runoff from pavements, the retention of stormwater on-site, and the capture and retention of contaminants is environmentally beneficial and highly desirable, with both a reduction in the rate and volume of runoff into stormwater infrastructure, and the improvement of stormwater quality.

However, any concern regarding possible runoff from road and parking area pavements, if it does occur, is discussed in the following notes.

For any runoff from road pavements, it is understood/recognised that very shallow, low velocity flow of urban stormwater through grass and vegetated swales is very effective in retaining pollutants that may be present in urban runoff, particularly suspended solids/sediments, and with some removal/retention of nutrients (*"WSUD Engineering Procedures – Stormwater": CSIRO/ Melbourne Water 2005*, also *"Stormwater – A Community Resource - The Paddocks" ESW Report No 93/11 September 1993*).

There will be very little kerbing used along driveways, except where shown in Figure 3 (to prevent runoff possibly flowing to the lake), and so runoff from the pavements will not be concentrated. Runoff will generally flow into and through grassed areas and swales, as shown in Figure 3. For much of the year, it is likely that much of any runoff would infiltrate into the soil, given the significant areas of natural grassed surface area that runoff would discharge onto.

Runoff from the driveway to the new dwelling, which will be relatively clean (possibly only 2 – 4 vehicles/day at most), will discharge onto and flow as a very diffuse flow through mown grass down to an existing wide shallow swale along the verge of Silver Lake Road. This swale (which also takes runoff from the road), flows into and through an existing culvert under the road, then to a ditch draining to the river. A section of kerbing (see Figure 3) will prevent any driveway runoff from flowing through garden areas and vegetation between the new house and lake, directly to the lake.

It is noted the area of grass and swale that this runoff from the new dwelling driveway could flow through is many times larger than the area of pavement that will generated this runoff.

Any runoff from the greater part of the driveway and parking areas servicing the existing dwelling, west of the new sheds, can initially flow along a grassed swale parallel to the road and then as a diffuse flow onto a grassed area between the road and the wetland (as shown in Figure 3). This can drain through grass to the proposed wetland, approx 30 m from the road, and then through dense wetland vegetation along the bank of the wetland, into the wetland.

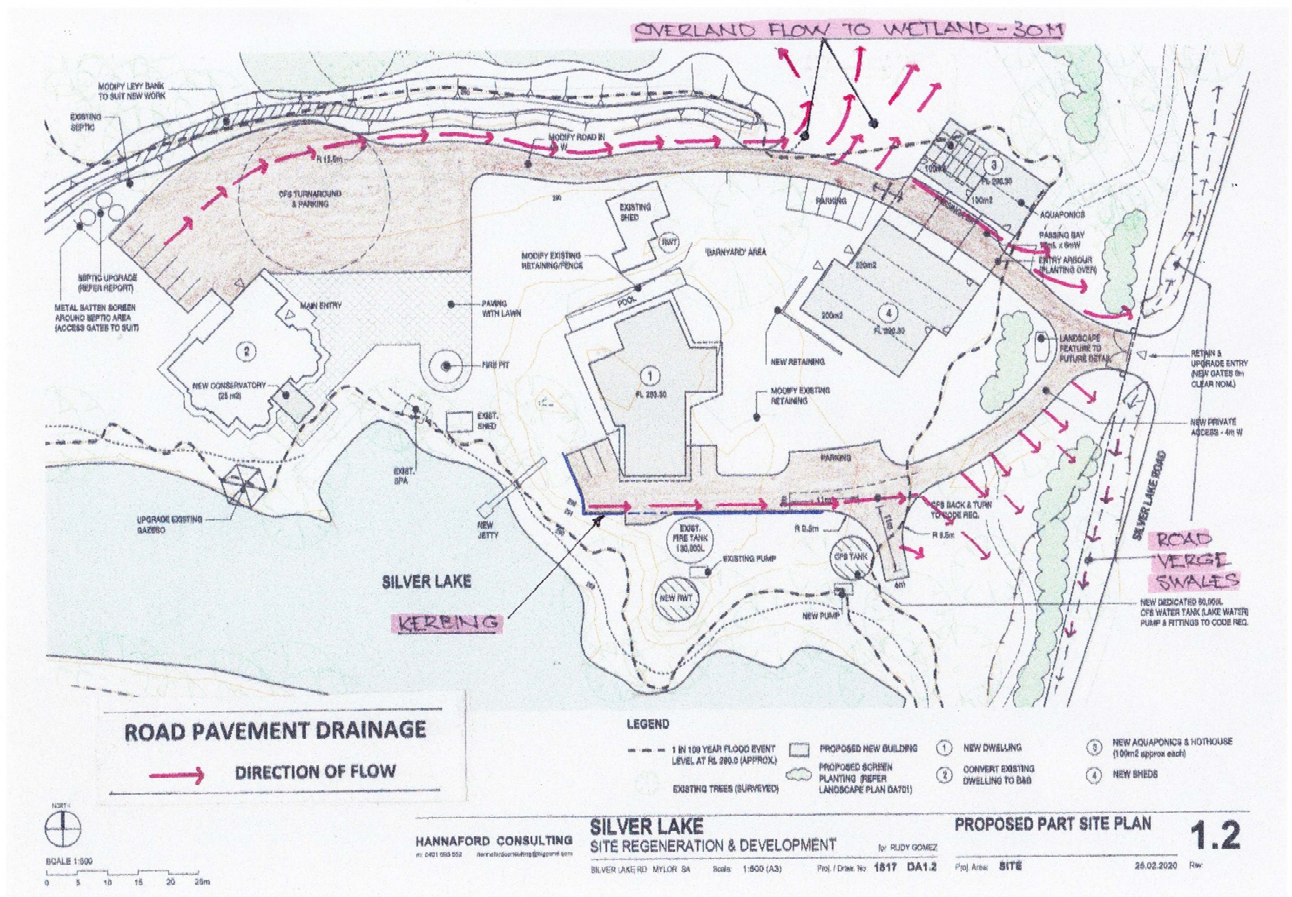


Figure 3 Proposed Driveway Runoff

Any remaining contaminants not captured and retained by flow along and through swales and grassed areas would then be further removed by the treatment capacity of the wetland, as water flows through the reedbeds of the wetland. Any pavement runoff reaching the wetland will also be much diluted by other inflows to the wetland (overland flows from the north and pumped inflow from the lake).

Given the potential removal of possible contaminants from pavement runoff by passage of flows through grassed swales and grassed areas, and treatment and retention of any remaining contaminants by the wetland, it is considered that pavement runoff will not have any measurable adverse impact on the overall water quality of the wetland and lake system, and the eventual discharge of lake water through the lake outlet and into the river.

The volume of runoff reaching the wetland will be small compared to the volume of the wetland, and the rate of flow of this runoff into the wetland will be considerably ameliorated by both retention (infiltration into the soil) and the temporary detention of flows along the swale and through grassed areas. The wetland will also be designed to provide active (temporary) storage capacity, which will reduce peak outflow/discharge flow rates from the wetland, and negate any impact on peak flow rates from driveway runoff.

The lake itself, by reason of its size and surface area, and a restricted outlet through a culvert (approx diam 500 mm, partly obstructed), provides a considerable surcharge capacity during severe storm events. This will store and detain any increase in peak inflow rates to the lake from roof and driveway runoff, and so will significantly reduce any impact of this additional inflow on the discharge flow rates from the lake.

It is noted that a large part of the paved area close to the existing dwelling is required to provide an emergency turning area for CFS trucks, as required by legislation, and generally not for vehicle parking.

2.4 RUNOFF ENTERING NORTHERN PART OF PROPERTY

Runoff from the adjoining rural properties to the north and west of the site as present discharges through the site in two rough artificial ditches, which at present channel flows relatively quickly through the property to Silver Lake Road, with little opportunity for any beneficial impact on water quality or a reduction in peak flow rates, and with no environmental use or benefit to the development of this source of water.

As shown in Figure 4, it is intended that as part of the remediation of the environment (and improved habitat) of the northern part of the property, (and to possibly improve water quality), that these two ditches will be diverted as they enter the site, to discharge and flow as a shallow wide-spreading flow onto a large areas of the existing natural surface, with the direction and extent of spread dictated by existing ground contours. The direction of overland flow and expected spread is shown in Figure 4. This flow will gradually make it way into the proposed wetland, allowing filtration, sedimentation and uptake of nutrients to occur along the length and width of the flow path.

It is intended that these overland flow areas will be planted with a range of local native grasses, groundcover and wetland/marsh species, selected to suit an ephemeral wetland/marsh environment (some species of which are already present in the site), to establish dense perennial vegetation and to aid in the water cleansing processes, and to create valuable marsh habitat for waterbirds in particular (refer to *“Silver Lakes Development – Landscape Development and Management Report”*, dated February 2020, Section 2.5 and Table B Wetland Planting Species)

Much of any sediments and nutrients in this runoff will settle out and be retained by the vegetation in the areas seasonally watered by these inflows, so that the water reaching the wetland will be of improved quality.

The areas of overland flow will also have a significant (temporary) detention capacity, as water spreads out over the site, reducing existing peak flow rates through the site to the wetland, the lake, and ultimately the discharge rate to the river.

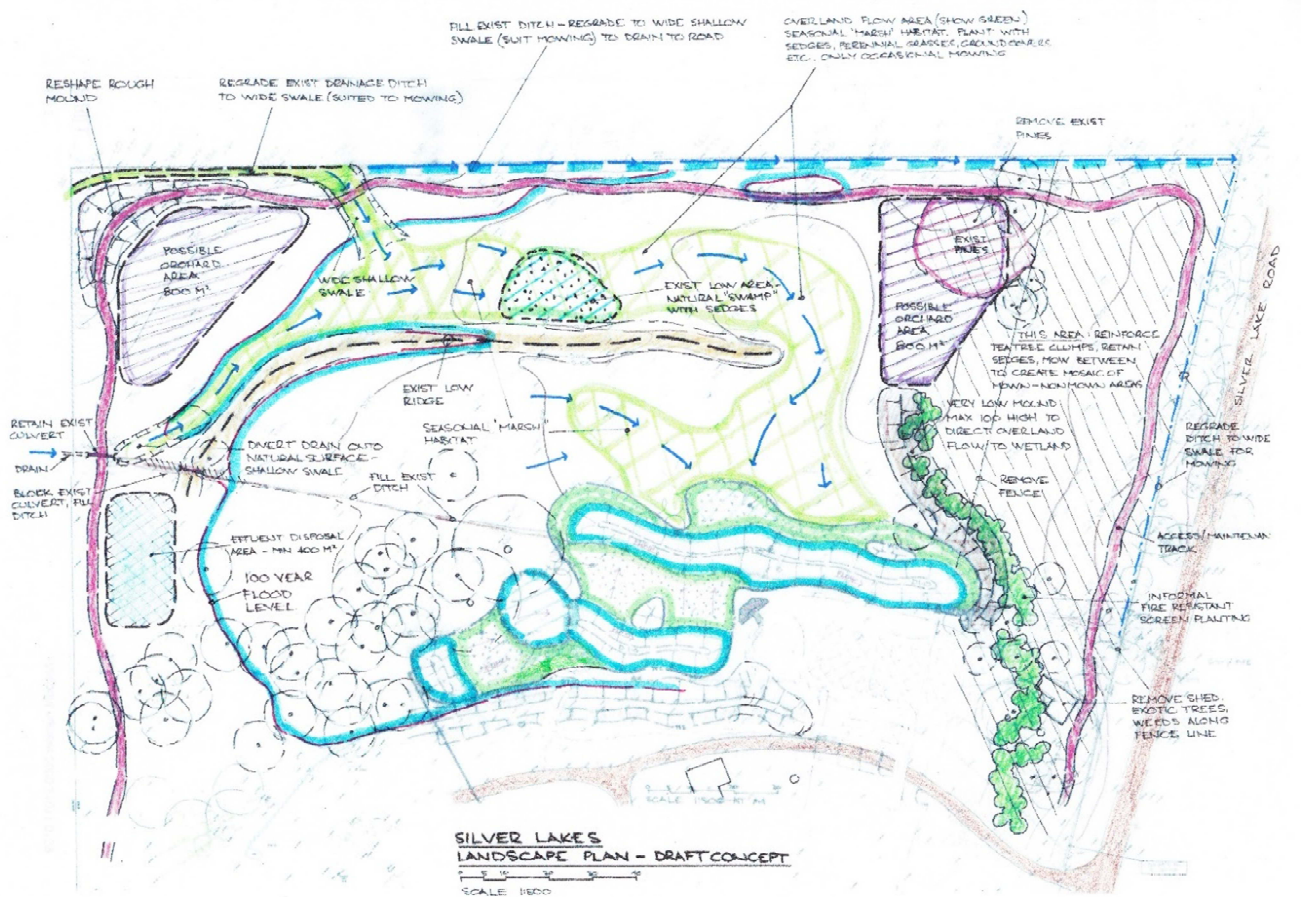


Figure 4 Development of Northern Area

It is not anticipated that stormwater/runoff from these adjoining rural grazed catchments would be regarded as contaminated, as similar conditions would exist throughout rural catchments of the Onkaparinga River that are used primarily for grazing of livestock.

However, it is considered that the stormwater management system as proposed, particularly relating to the implementation of wide shallow overland flow and the construction of a wetland, that all stormwater flowing through this site would at a minimum not adversely impact water quality, but will be likely to benefit and improve the quality of these flows.

2.5 PROPOSED WETLAND

Refer to Figure 5 for the Proposed Wetland Design Concept.

A wetland was included in early concepts for the Silver Lake development, not as a stormwater treatment system, but as a landscape and environmental feature and to create and provide additional wetland habitat, that would be a part of the attraction of the property to visitors in the B & B. The design envisages that water from Silver Lake will be circulated to the wetland and then returned to the lake, as a means to provide a water supply to the wetland, and as a means to possibly reduce discolouration of the lake water caused by tannins leaching from eucalypts leaf fall from the river red gums surrounding the lake.

As the concept for the development of the Silver Lakes property evolved, with input from the client and other consultants, the role and function of the wetland has expanded to include accepting stormwater runoff from the western (external) catchments (as overland flow) and from the northern part of the property. In this function, the capacity of the wetland to ameliorate any contamination of stormwater flowing into and or generated within the site has become more significant.

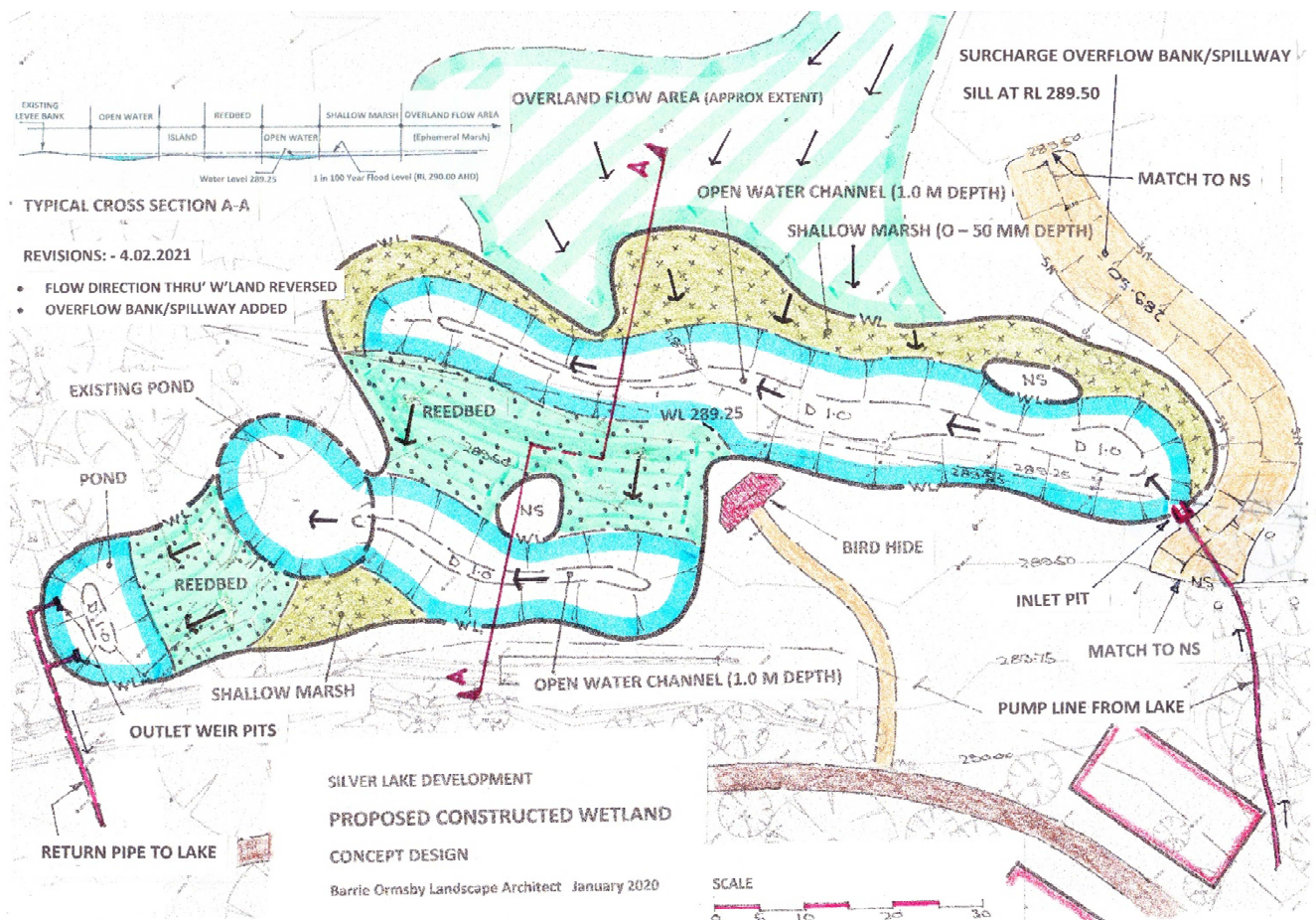


Figure 5 Proposed Wetland Design Concept (Revised 4 Feb 2021)

(As an adequately designed and established constructed wetland in an urban catchment, a wetland of this size and configuration, and a detention time of 3 days, is estimated to (roughly) provide water quality improvement to best practice requirements and standards for an urban catchment in the order of 60 ha, in an area with an average rainfall of 500 mm)

In the proposed development of the Silver Lake property, stormwater inflows to be received by the proposed wetland will be as follows: -

- Water pumped from Silver Lake to the wetland, which will then circulate through the wetland, and return to the lake (note that existing lake water quality is very good),
- Natural surface runoff from both the northern part of the property, and from an external rural catchment to the west of the property. This runoff will mostly flow overland as a shallow slow moving flow through well vegetated areas (overland flow), entering the wetland along its northern bank as a non-concentrated, diffuse flow. (Refer Section 2.7)
- Very occasionally, a small amount of runoff from a part of the overall driveway and parking areas (west of the proposed sheds), may reach the wetland after flowing through grassed areas and swales. This overland flow through grass will remove much of any sediment and other pollutants generated by vehicle traffic on the impervious areas, before runoff reaches the wetland (Refer Section 2.3).

Note: No wastewater from the proposed aquaponics (aquaculture and hydroponics) system will be discharged to the wetland (refer Section 2.6).

None of the above inflows to the wetland can be classed as contaminated or polluted water. Any possible concentrations of contaminants (sediment, nutrients, metals, etc) from both driveway runoff and the overland inflows through the site in runoff/stormwater reaching the wetland will be at very low levels, and will be further ameliorated by the natural water cleansing processes inherent within a well-designed and established wetland.

The proposed wetland, as shown in Figure 5, is designed and configured as a “conventional” urban stormwater treatment wetland, although it will not be required to accept and treat water with the usual pollutant levels of urban residential runoff. However, due to its configuration, it will have some significant capacity to improve water quality if there are any contaminants present.

The primary purpose of this wetland, independent of any capacity to improve the quality of any inflows, is to create and provide good wetland habitat within the property that the existing lake, because of its configuration with steep banks and limited wetland vegetation, etc, does not provide.

As designed, the wetland has a surface area of approx 3300 m², and a static water volume of 1300 m³. The layout includes three deeper areas (max depth 1.0 m) connected by two areas of shallow reedbed. For more design detail, refer to “*Silver Lakes Development – Landscape Development and Management Report*”, dated February 2020, final draft 02.03.2020., Section 2.2.

The wetland and the two reedbed areas are configured to achieve “plug flow” conditions for flows through the reedbeds as best as possible, to maximise interaction between the vegetation and the water column, as it this contact between water and the bio-films on plant surfaces that contribute a major part of the pollutant removal and retention processes of a treatment wetland.

The northern side of the wetland, adjoining the overland flow area, is fringed by a very shallow area of ‘marsh’, which will grade into and merge with the habitat created in the overland flow area, and will provide additional treatment of these flows before entering the wetland proper.

Stormwater from the overland flow areas will flow through the wetland from east to west (as will water pumped from the lake), maximising contact with the wetland vegetation and increasing detention time within the wetland for these overland flows from the north.

The wetland outlet will be designed to provide 'active storage' when flows into the wetland are occurring (from either pumping or inflows from the overland flow area or both), so that the water level is raised and the volume of water in the wetland is increased temporarily. This increases contact between water and plants, and increases the area of wetland/marsh habitat, particularly on the northern edges of the wetland. (The provision of 'active storage' in a wetland design is recommended best practice in the design of stormwater treatment systems).

It is intended that water will be pumped by solar pump from the lake to the wetland; after passing through the wetland, water will be returned to the lake by gravity return pipe. A pump rate of approx 430 m³/day will provide a nominal detention time of 3 days within the wetland, which conforms to current guidelines for an effective constructed urban stormwater treatment wetland. Pumping will be controlled by water level sensors in the wetland – when the water level rises above a determined level, pumping will be paused or stopped, to allow the wetland to receive inflows from other sources (eg, overland runoff), to prevent any unnecessary surcharge of the wetland, and consequent possible loss of water via the overflow spillway.

Large inflows from the catchment during major severe storm events may surcharge the wetland. A grassed overflow/spillway bank at the eastern end of the wetland, which also directs overland flow to the wetland, will allow large inflows from any storm event to bypass the main areas of the wetland, and discharge directly to the existing culvert under Silver Lake Road (as occurs at present as a result of severe storm events).

The proposed layout of overland flow and wetland will provide a considerable increase in temporary storage and detention of the overland inflows when any storm event occurs, which will have a significant effect in reducing the peak discharge flow rate from the Silver Lake property, and to the river.

The development of a wetland will attract waterbirds, as are already present in the existing Silver Lake. The number of birds and the species will vary seasonally dictated by the available resources (food, shelter) provided by the wetland. The additional nutrients from a natural population of waterbirds will be small, and generally removed by the cleansing capacity of the wetland, with no impact on the overall water quality of the combined wetland and lake system.

(All constructed urban wetlands including ones intended to improve stormwater quality or be used for water harvesting will and do attract waterbirds. This is considered one of their secondary benefits; replacing natural wetlands destroyed in the process of urban and agricultural development and providing valuable replacement wetland and aquatic habitat. Generally, even with considerable numbers of birds, water quality is satisfactory, unless the population of birds is artificially and often dramatically increased by feeding of birds by people).

Summary of wetland design and function: -

- A primary function and purpose of the wetland is to create and provide wetland and aquatic habitat within the development, and not the removal of any contaminants that could be present in inflows.
- The proposed wetland will receive inflows of stormwater runoff from two main sources, both with very low levels of any possible contaminants,
- Water will be circulated from the lake to the wetland and returned to the lake.
- The wetland as configured would be able to reduce levels of contaminants in any water discharged into the wetland, if contaminants are present.

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- The wetland has an overflow/spillway bank at its eastern end, which will be designed and sized to accommodate inflows from large storm events, so that an undesirable surcharge of the wetland and surrounding areas does not occur.

2.6 AQUAPONICS AND HYDROPONICS FACILITY

A small scale aquaculture and hydroponics system will be housed in one of the proposed new sheds. This facility will produce Murray Cod or a species (as approved by PIRSA) suitable for the climatic conditions of the region, and vegetables and herbs for sole use by the owner and guests, with no commercial production. The target for the production of fish may be no more than 20 kg per 12 month cycle.

The combined aquaculture and hydroponic system will operate as a closed system. Water from the fish grow-out tank, with the waste generated by the fish, will be pumped into and circulated through the hydroponic growing beds. The plants growing in these beds will utilise and retain the nutrients in the water to grow, and the cleaned water will be circulated back to the fish tank.

Plants in the hydroponic beds will be grown in an inert medium, usually either an expanded clay product or perlite. Water use will be normally limited to replacement of evaporation losses from tanks and plants.

No water or wastes will be discharged from this system to the wetland, except possibly and very occasionally if the system is totally drained. If this is necessary, the small volume of water involved (roughly 2000 litres) will be processed and cleaned by the hydroponic beds before discharge. Alternatively, this small volume of water could simply be discharged on the natural surface at a convenient location or in the garden.

2.7 LIVESTOCK – GRAZING

It is intended that the existing land use in the northern area of the property for the grazing of cattle, etc, will cease when development of the landscape is carried out. This will remove the potential for the contamination of runoff by nutrients from the animal droppings and sediment from pugging of the soil surface by the animals.

Better vegetation cover as a result of cessation of grazing, the establishment of native grasses and sedges in this area, the proposed re-direction and conversion of the existing drainage ditches to surface/overland flow as described elsewhere, the development of the proposed wetland, and significant changes to flow paths of stormwater flowing through the property, will significantly reduce peak runoff discharge rates, as well as any possible pollutant levels, for stormwater flowing into the wetland and ultimately leaving the property.

Without grazing of livestock, it is assumed that any runoff from within the Silver Lakes property will be of better quality than the runoff from the adjoining properties, which are used for grazing, and would be of similar water quality of runoff from any similar area covered with native vegetation.

The removal of livestock will have a beneficial impact, both on the quality of stormwater runoff, and environmentally, allowing remnant native vegetation present on the property to regenerate.

2.8 RUNOFF RATES

The only elements of the proposed development of the Silver Lake property that will increase runoff from the property, or possible impact peak discharge rates, are the increase in impervious areas, namely roof surfaces of proposed new buildings.

The use of permeable pavement for access roads and parking areas will minimise any increase in runoff from pavements, but the replacement of the existing sealed access road with permeable pavement may actually provide a (small) reduction in runoff volumes and runoff rates.

While no modelling or other estimations have to date been carried out in regard to runoff rates from the proposed development, it is considered that some elements of the development will counter any increase in runoff rates caused by this increase in impervious area.

The existing lake provides temporary detention of stormwater inflows from the adjoining catchment and from excess roof drainage (after harvesting in rainwater tanks), with limited outflow capacity through the existing culvert (approx 500 mm diameter, partly blocked by debris). There will be no changes to this existing situation. Temporary detention capacity of the lake could be in the order of 8,000 to 10,000 m³.

Runoff from adjoining rural catchments which drain through the northern part of the property, as well as runoff from within the northern part of the property, at present flow with little detention or retention via two existing ditches to Silver Lake Road, then through existing road culverts to existing swales and ditches in adjoining properties, before draining to the Onkaparinga River.

The proposed system of diversion of existing ditches to overland flow within the property, draining slowly to a wetland with significant surcharge capacity for temporary storage, and with a controlled release from the wetland to the Silver Lake, will significantly reduce the existing rapid rate of stormwater discharge from the property.

Existing peak runoff/stormwater discharge rates from the property are likely to be the result of severe storm events over the whole of the catchment, including the up-slope rural catchment and the property itself, and not from runoff solely from the property itself. It is considered that the small increase in impervious area would have little impact on runoff rates from a severe storm event, given that runoff from impervious areas occurs very quickly during severe storm events, and may be dissipated before the overall catchment begins to contribute to peak runoff rates.

EPA Reference: 34887

19 March 2021

Ms Marie Molinaro
Planning Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Ms Molinaro

ADVICE FOR REGARD - Non-complying development within the Mount Lofty Ranges Water Protection Area

Development Application No.	473/366/20
Applicant	Cartwheel Resources Pty Ltd (Hannaford Consulting Pty Ltd)
Location	A10 FP101385 HD Mylor, 118 Silver Lake Road, Mylor SA 5153
Activity of Environmental Significance	Schedule 8 Item 10(a) - non-complying development in the Mount Lofty Ranges Water Protection Area
Proposal	Change of use of existing detached dwelling (4 bedroom) to tourist accommodation facility comprising alterations and additions to the building (maximum of 14 guests, 7 bedroom) & associated functions, two new AWTS with new disposal area, construction of a new detached dwelling (3 bedroom) utilising existing onsite wastewater system to be connected to new disposal area, construction of a wetland system, outbuildings with aquaponics

Decision Notification	A copy of the decision notification must be forwarded to: Client Services Officer Environment Protection Authority GPO Box 2607 ADELAIDE SA 5001
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I refer to the above development application forwarded to the Environment Protection Authority (EPA)

in accordance with Section 37 of the *Development Act 1993*. The proposed development involves an activity of environmental significance as described above.

The following response is provided in accordance with Section 37(4)(a)(i) of the *Development Act 1993* and Schedule 8 Item 10(a) of the *Development Regulations 2008*.

In determining this response the EPA had regard to and sought to further the objects of the *Environment Protection Act 1993*, and also had regard to:

- the General Environmental Duty, as defined in Part 4, Section 25 (1) of the Act; and
- relevant Environment Protection Policies made under Part 5 of the Act.

Please direct all queries relating to the contents of this correspondence to Robert De Zeeuw on telephone (08) 8204 1112 or facsimile (08) 8124 4673 or email Robert.DeZeeuw@sa.gov.au.

THE PROPOSAL

The proposal seeks the change of use of an existing detached dwelling to tourist accommodation, construction of a new detached dwelling and construction of a wetland system, outbuildings with aquaponics.

More specifically, the proposal includes:

- modifications to an existing four bedroom dwelling to accommodate seven bedrooms to be used as tourist accommodation
- construction of a new three bedroom dwelling at the site of a previous two bedroom studio, including a swimming pool to be used as a private residence
- construction of two sheds, including toilet facilities
- construction of an aquaponics and hydroponics shed
- increased footprint of driveways and carparking areas on the site
- establishment of a wetland.

It is proposed that one function per month may occur on the site, catering for 40 additional persons.

Both dwellings are proposed to remain on the same allotment.

SITE DESCRIPTION

The site of the proposed development is located at 118 Silver Lake Road, Mylor in Certificate of Title Volume 5107 Folio 485 and is also located within:

- the Mount Lofty Ranges Water Protection Area (MLR WPA), as proclaimed under section 61A of the Environment Protection Act (the EP Act)
- Priority Area 2 of the Mt Lofty Ranges Watershed (as identified in the 30-Year Plan update for Greater Adelaide)
- the Onkaparinga River catchment area and Mt Bold Reservoir
- the Watershed (Primary Production) Zone in the *Adelaide Hills Council Development Plan* (consolidated 8 August 2019).

The site contains an existing detached dwelling located towards the centre of the allotment and

features a lake/dam and dense vegetation towards the middle and southern section of the allotment.

The subject land is also located within the Mount Bold Reservoir catchment which is used to supply approximately 40% of mains water consumed in Adelaide through the Happy Valley Reservoir and associated water filtration system.

The site has been inspected by the EPA staff and has been viewed using mapping information available to the EPA, including recent aerial imagery.

CONSIDERATION

Advice in this letter includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.

In its assessment of the application, the EPA considered the following information provided with the application:

- *Silver Lakes Development, Landscape Development and Maintenance Report, 5 March 2020, Revised 22 February 2021 by Barrie Ormsby*
- *Silver Lakes Development, Stormwater Quality Issues Report, 22 February 2021 by Barrie Ormsby*
- *Site and Soil Assessment, On-Site Wastewater Management System Design - Upgrade to facilitate the proposed Silver Lake development by RFE Consulting dated 1 March 2021 by RFE Consulting*
- *Proposed Part Site Plan (Impacted Trees & Reference Plan) Hannaford Consulting Drawing Number 1871 DA1.3 dated 15 February 2021 Rev. A*
- *Proposed Site Plan Hannaford Consulting Drawing Number 1871 DA1.1 dated 21 February 2021 Rev. A*
- *Proposed Part Site Plan Hannaford Consulting Drawing Number 1871 DA1.2 dated 15 February 2021 Rev. A*
- *Proposed New Dwelling Floor Plan Hannaford Consulting Drawing Number 1871 D3.1 dated 15 February 2021 Rev. A*
- *Letter from Ian Hannaford Re: DA for Silver Lakes Project (DA no: 20/366/473) received on 21 January 2021*

When assessing development applications (DAs) referred to the EPA in accordance with the requirements of the Development Act, section 57 of the EP Act states that the EPA must have regard to, and seek to further, the objects of the EP Act and have regard to the general environmental duty, any relevant environment protection policies and the waste strategy for the State adopted under the *Zero Waste SA Act 2004* (now the *Green Industries SA Act 2004*).

The referral trigger of this DA to the EPA was for the proposed land use being non-complying in the MLR WPA, as per Schedule 8 of the Development Regulations. The EPA has therefore only provided an assessment of the potential water quality impacts that may arise from the proposed development.

Environmental Issues

Water Quality

Water quality in South Australia is protected by the EP Act and the *Environment Protection (Water Quality) Policy 2015* ('the Water Quality EPP').

The Water Quality EPP places a general obligation on persons undertaking activities that pollutes or might pollute waters to take all reasonable and practicable measures to prevent or minimise environmental harm and to avoid discharging or depositing of waste from that activity into any waters or onto land from which it may enter waters.

As this site is located in a public water supply catchment, potential impacts on water quality need to be carefully considered. It should be noted that in Area 2 of the Mount Lofty Ranges Watershed, the 30-Year Plan for Greater Adelaide states that new development must demonstrate a 'neutral or beneficial impact' on water quality. Therefore, when assessing this development application the EPA has sought to ensure that this has been adequately demonstrated.

Wastewater

Effluent

The proposal includes the alteration of a six bedroom, 12 Equivalent Persons (EP) on site to 10 bedrooms (20 EP). To cater for the increase in likely wastewater production a new septic system has been proposed. The letter from RFE Consulting, dated 8 April 2020 and 1 March 2021 has provided the calculations for the new system, taking into consideration 20 EP and up to 40 persons that may be present on the site each month due to functions, and one gardener up to five days per week.

The existing irrigation area (267m^2), which is located within the 1 in 50yr flood area, would be relocated to the north-western corner of the site, above the 1 in 100 year flood zone, and be expanded to $1,000\text{m}^2$. It is proposed that native plants from the Greater Adelaide Area be established in the irrigation area, species known to be effective at nutrient uptake and listed in the document *Water Sensitive SA - A guide to raingarden plant species and placement*. It is proposed that they would be regularly pruned, likely to be every spring.

Wastewater is proposed to be irrigated, via a sprinkler system, at a conservative $2.7\text{L}/\text{m}^2/\text{day}$. Trenches and bunds would be located around the irrigation area to ensure that any flows from uphill are diverted around the area and any overflow from the area would be captured and retained to prevent any wastewater runoff from leaving the irrigation area. The irrigation area is proposed to be raised at least 1.2m from the perched aquifer, using soil excavated from the proposed wetland area, with the proposed irrigation area having an indicative lifespan of approximately 29 years. However, additional space is available next to the proposed irrigation area should more area be required.

The existing Aerated Wastewater Treatment System (AWTS) would be retained for the proposed three bedroom residence and gardeners shed. Two Ozzi Kleen Rp10A⁺ aerobic wastewater treatment systems have been proposed for the existing residence, and monthly functions and would be positioned next to the existing system. An audible and visible alarm for the system should be installed.

A condition is therefore advised that the on-site wastewater systems be design and constructed in

accordance with the RFE report and manufactures specifications and be operational prior to occupation of the buildings.

Pool backwash

Backwash from the swimming pool is proposed to be disposed of to a soakage trench. This trench is proposed to be located to the west of the three bedroom house, beyond the 1 in 100yr flood zone. Disposal of this water should occur at a rate which would ensure that no runoff is generated.

As proposed, this is acceptable to the EPA.

Aquaponics/Hydroponics

The aquaponics/hydroponics system would be a closed, recirculating system where the plants would remove nutrients from the water before it is pumped back to the fish tanks. The applicant has advised that there should be no wastewater from either set up, until the water is no longer needed. The applicant has advised that the system would be used to grow vegetables, herbs and fish for consumption on site and would not be sold as commercial products.

This is acceptable to the EPA.

Stormwater

Wetland

A wetland is proposed to be established to the north of the buildings. Water for the wetland is proposed to be sourced from two locations:

- runoff from uphill neighbouring cattle grazing properties which already traverse the site via drainage channels
- water from the lake to be pumped to the wetland. Water from the outlet end of the wetland will be pumped back to the lake. A variety of plants have been proposed to be established in the wetland. Only native plant species should be used in the wetland and around Silver Lake.

The report from Water Technology dated 20 February 2020 states that the property currently has an imperviousness of 2%, but would increase to 8 to 10% if all proposed works for the site are approved. This includes the additional driveways, fire truck access and carpark areas, as well as the enlarged footprint of the three bedroom house where the two bedroom studio once stood and other proposed buildings. The report *Silver Lake Development - Stormwater Quality Issues Report* by Barrie Ormsby Landscape Architect dated 22 February 2021 proposes that all roof runoff is proposed to be collected in tanks, with overflow to be directed to the lake, and that permeable paving is used for the driveways and carparks. Runoff from the driveways would be directed to swales or grassed areas, with some surface runoff will be directed to the wetland.

Given the importance of the overall contribution the wetlands would make to stormwater quality (and overall water quality) for the proposal as a whole for the site, a condition is advised regarding the construction of the wetland occurring prior to occupation of the converted tourist accommodation building, the new dwelling and functions occurring on the site.

Construction Management

The construction of the hardstand areas, new three bedroom dwelling and other buildings including some works required for the wetland creation would cause soil to become exposed and vulnerable to the erosive powers of water and wind.

During these works, the provisions of the Water Quality EPP should be applied. All reasonable and practicable measures must be taken to minimise the potential for pollution, including minimising soil erosion and containing all construction waste generated on site. A note to this effect is recommended below.

Further guidance may be sought from the EPA's *Stormwater pollution prevention code of practice for the building and construction industry* http://www.epa.sa.gov.au/files/47790_bccop1.pdf and the EPA's *Handbook for Pollution Avoidance on Commercial and Residential Building Sites* http://www.epa.sa.gov.au/files/7619_building_sites.pdf .

CONCLUSION

The proposed development site is located in Priority Area 2 of the Mount Lofty Ranges Watershed in the Onkaparinga River catchment area and Mt Bold Reservoir. While the footprint of buildings is proposed to increase with the construction of the new dwelling and sheds, the removal of cattle and alpacas from the site, the improvement of the wastewater systems with the irrigation area to be shifted to a less flood prone area and runoff from the uphill neighbouring properties being treated in the new wetland and provided that the development is constructed in accordance with the plans, specifications report recommendations provided with the application, the EPA is satisfied that the proposal has demonstrated a neutral impact on water quality.

ADVICE

The planning authority is advised to attach the following conditions to any approval:

1. The onsite wastewater systems (including the new irrigation area) must be constructed and operational in accordance with the manufactures specifications and the report '*Site and Soil Assessment, On-Site Wastewater Management System Design - Upgrade to facilitate the proposed Silver Lake development by RFE Consulting dated 1 March 2021*' prior to occupation of the converted tourist accommodation building, the new dwelling and functions occurring on the site.
2. Pool backwash water must be disposed of via the proposed soakage trench proposed in the *Site and Soil Assessment, On-Site Wastewater Management System Design - Upgrade to facilitate the proposed Silver Lake development by RFE Consulting dated 1 March 2021*.
3. The aquaponics/hydroponics systems must be closed and recirculating with any resultant wastewater not being discharged on site.
4. The detailed design of the stormwater management system (including rainwater tanks, permeable paving and swales) must be established in accordance with the treatment train in the report '*Silver Lake Development - Stormwater Quality Issues Report by Barrie Ormsby*', dated 22 February 2021 and construction of these elements must occur prior to occupation of the converted tourist accommodation building, the new dwelling and functions occurring on the site.
5. The design, operation and maintenance of the wetland system must be in accordance with

the report '*Silver Lake Development - Stormwater Quality Issues Report* by Barrie Ormsby', dated 22 February 2021.

6. The construction of the wetland must occur prior to occupation of the converted tourist accommodation building, the new dwelling and functions occurring on the site.

The following notes provide important information for the benefit of the applicant and are requested to be included in any approval:

- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm. This includes taking all reasonable and practicable measures to minimise the potential for pollution from sediment and waste generated on-site during construction. Further guidance can be sought from the EPA's *Stormwater Pollution Prevention Code of Practice for the Building and Construction Industry* and the *EPA Handbook for Pollution Avoidance on Commercial and Residential Building Sites* (http://www.epa.sa.gov.au/files/47790_bccop1.pdf).
- The applicant is reminded of the relevant provisions of the *Environment Protection (Water Quality) Policy 2015* including the requirement to take all reasonable and practicable measures to prevent or minimise environmental harm and the pollution of waters. The Environment Protection (Water Quality) Policy can be found at: http://www.epa.sa.gov.au/data_and_publications/standards_and_laws/environment_protection_water_quality_policy
- EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following web site: <http://www.epa.sa.gov.au>

Yours faithfully

Hayley Riggs

Delegate

ENVIRONMENT PROTECTION AUTHORITY

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/366/20
Our Ref: Adelaide Hills DA
Please refer to: 20200625 – 01cs

25 June 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: SAM CLEMENTS

Dear Sam,

**RE: DEVELOPMENT APPLICATION (PLANNING ASSESSMENT) – CARTWHEEL RESOURCES
PTY LTD
LOT 10 (118) SILVERLAKE RD, MYLOR**

ADDITIONS TO EXISTING DWELLING AND CONVERSION OF EXISTING DWELLING TO B&B

PROPOSED NEW DWELLING

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) [The Code] as published under Regulation 106 of the *Development Regulations 2008* applies.

The Code, Part 2.1 states *"When submitting an application it is important to remember that the information provided with an application forms the basis upon which the application will be assessed. If the information is inadequate or insufficient (incomplete, incorrect), the application may be delayed."*

An officer of the SA Country Fire Service [SA CFS] Development Assessment Service has assessed the proposed development site, allotment and adjoining areas.

The Bushfire Protection Zone for the area has been designated as HIGH
--

The SA Country Fire Service has no objection to the proposed development.

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) provides mandatory Bushfire Protection planning requirements as conditions of consent for the development as follows:

ACCESS TO DWELLING

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

SA CFS has no objection to the proposed access driveways as detailed on drawing named Proposed Part Site Plan 1.2, dated at last revision 25/02/2020, with the following conditions:

- Access to the habitable buildings shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - i. A loop road around the building, OR
 - ii. A turning area with a minimum radius of 12.5 metres, OR
 - iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.

ACCESS (to dedicated water supply)

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

SA CFS has no objection to the existing and proposed locations for the dedicated water supply, as detailed on drawing named Proposed Part Site Plan 1.2, dated at last revision 25/02/2020, providing the outlet is positioned to comply with the following conditions:

- 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 habitable buildings.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:

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

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

SA CFS notes that a remote outlet from one of the dedicated tanks will need to be provided within 30m of the existing dwelling to comply with the above conditions.

WATER SUPPLY

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

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

- A minimum supply of 22,000 litres of water for each dwelling shall be available at all times for bushfire fighting purposes.
SA CFS notes that additional water will be required to operate sprinkler systems.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the dwelling to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the dwelling).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.

- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

VEGETATION MANAGEMENT

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

SA CFS has no objection to the proposed landscaping and vegetation management as detailed in the report called Silver Lake Bushfire Management & Vegetation Review For Planning Purposes (Author: Environments by Design), dated March 2020, providing it complies with the following conditions:

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of each dwelling (or to the property boundaries – whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
SA CFS notes that coverage of vegetation within 20m to the east and west of the proposed new dwelling is currently greater than 30%. SA CFS notes that the implementation of proposed landscaping within the above mentioned report, will result in the removal of existing hazardous vegetation.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
 - v. Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees' lowest branches.
 - vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 - vii. No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height).
 - viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
 - ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

CFS FURTHER RECOMMENDS:

TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.
- This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event.
- The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS '*Bushfire Safety and Survival for Business and Organisations*' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.
- The applicant should consider reducing operating hours and restrictions on days of extreme weather or bushfire events.

SA CFS recommends that the Bushfire Planning Recommendations, as outlined in the report called Silver Lake Bushfire Management & Vegetation Review For Planning Purposes (Author: Environments by Design), dated March 2020, are implemented and reviewed on a regular basis.

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.

Should there be any need for further information, please contact the undersigned at the Development Assessment Service on (08) 8115 3372.

Yours sincerely,



CAREN SIEGFRIEDT

BUSHFIRE SAFETY OFFICER

DEVELOPMENT ASSESSMENT SERVICE

cc:

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/366/20
Our Ref: Adelaide Hills DA
Please refer to: 20200625 – 01cs

25 June 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: SAM CLEMENTS

Dear Sam,

**RE: BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT- CARTWHEEL RESOURCES PTY LTD
LOT 10 (118) SILVERLAKE RD, MYLOR**

**ADDITIONS TO EXISTING DWELLING AND CONVERSION OF EXISTING DWELLING TO B&B
PROPOSED NEW DWELLING**

An officer of the SA Country Fire Service (SA CFS) Development Assessment Service, has assessed the proposed development site, allotment and adjoining areas.

A site bushfire attack assessment was conducted in accordance with the National Construction Code of Australia [NCC] and Australian Standard™3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

This report shall not be considered as SA CFS endorsement of any subsequent development.

This BAL report is considered relevant at the date of assessment.

ASSESSMENT DETAILS:

Existing Dwelling (B&B)	BAL 12.5
New Dwelling	BAL 12.5

BUILDING CONSIDERATIONS

Please refer to the NCC, relevant standards and state provisions for construction requirements and performance provisions.

TOURIST ACCOMMODATION

- Due to the development application indicating a 'change of use' to a Bed and Breakfast - Tourist Accommodation CFS notes the reclassification of the building, as defined by its intended purpose, to a Class 1b structure.
- CFS requires the existing building to be upgraded in accordance with Part 3.7 (Fire Safety) of the Building Code of Australia –
 - Part 3.7.2 Smoke Alarms & evacuation lighting
 - Part 3.7.4 Bushfire areas “*Acceptable construction*”

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.

Should there be any need for further information please contact the undersigned at the SA CFS Development Assessment Service on (08) 8115 3372.

Yours sincerely,



CAREN SIEGFRIEDT

BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE

**Hills and Fleurieu
Landscape Board**

Upper Level

Corner Mann and
Walker StreetsMOUNT BARKER
SA 5251

Tel: 8391 7500

Reference: D0013814718

Date: 09/09/2020

Marie Molinaro
Development and Regulatory Services
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Via email: mail@ahc.sa.gov.au

Dear Ms Molinaro,

Re: Referral - Development Application 20/366 - 118 Silver Lake Road

Thank you for providing the Hills and Fleurieu Landscape Board (the board) the opportunity to comment on the proposed change of use of detached dwelling and other developments at 118 Silver Lake Road, Mylor.

The board has considered the Development Application and its attached referral documents and offers the following considerations for Council:

- 1) **Wetland development:** The applicant has proposed to construct a wetland on the property to create a suitable natural environment for native plant and animal species, while also treating water to increase its quality prior to it entering the Onkaparinga River. It is imperative that the landowner ensures the following:
 - a. Excavation and removal of rock, sand or soil must not adversely impact on the ecology of any existing watercourse/s, lake or floodplain and must not adversely impact on migration of aquatic biota or alter the natural flow regime of a watercourse/s either on or near to the subject site.
 - b. The construction should be undertaken in a manner that prevents silt or sediment leaving the site including, but not being limited to, the use of erosion and sediment control measures, such as catchment/diversion drains, re-vegetation, straw bale barriers, filter fences, sediment traps and basins.
 - c. It is recommended that there is a minimum distance of 20 meters between a watercourse/s or any well on the site and the fuelling location for machinery used to undertake construction.

- 2) **Swale modification:** The proposed swale modification works, which include realignment, regrading and re-vegetation with appropriately selected plants to improve water quality and flow across the site, should not have a negative impact on the property, its watercourse/s and those downstream of the site. During the excavation process it is important to ensure that any excess fill is stored away from any watercourses/drains in order to minimise the risk of it entering any watercourses/drains on or below the site. A lay down area should also be considered to ensure that there is suitable area available for refuelling and storing machinery outside of the watercourse. Upon completion of the swales, the soil will be required to be compacted to suitable levels to avoid erosion and should be vegetated not long after. It is pleasing to see that the landowner has an intention to maintain the vegetated swales, and in doing so, has ensured that the grades of the swales have been taken into account with this in mind.
- 3) **Sediment distribution across the site:** It is noted that the sediment that is removed from Silver Lake will be done so using a suction dredge, and that the sediment will be de-watered and spread out over the site. The landowner will need to ensure that the sediment is spread out over an area that is of a suitable distance from Silver Lake, the Onkaparinga River and/or and other watercourses/drains on or near to the property. This will ensure that the sediment will not be able to re-enter the watercourse.
- 4) **Vegetation removal within Silver Lake and re-vegetation:** The proposal has advised that there is an abundance of *Typha* within Silver Lake, which contributes to an increased sediment load within the lake and poor water quality. Although not a native plant species, the proposed staged removal of the vegetation is important to ensure that any parts of the lake that are stabilised by the roots of any well-established vegetation do not cause a detrimental impact on the structural integrity of the lake, its bed and banks. Any removal of the vegetation (done manually or using a machine) should be done in a manner that ensures that the watercourse integrity and ecology is not adversely impacted during and after the works. Once the vegetation is removed, it should also be disposed of in a suitable manner so as not to re-enter the watercourse/s on or below the site. It is noted that the lake will be re-vegetated to ensure that habitat for aquatic dependant ecology is increased and is suitable for the area.
- 5) **Pre development flow:** It is pleasing to see that the water management for the site has stated that flows will be retained to pre-development rates and that any post-development flows will be stored and used on the subject site.
- 6) **Water affecting activities and Western Mount Lofty Ranges Water Allocation Plan considerations:** The proposed wetland development has been considered not at variance with section 104 Water affecting activities, part 3(d) of the Landscape South Australia Act 2019, and the water management principles in the Western Mount Lofty Ranges Prescribed Water Resources Area and Water Allocation Plan. In this particular case, it has been determined that the proposed wetland does not require a mandatory referral to the Board for direction per the Development Regulations 2008, Schedule 8 Part 12(1), as it does not meet the criteria for a dam.

If you would like to discuss these comments or require any additional information, please contact Joanna Rex on or via email at joanna.rex@sa.gov.au.

Yours sincerely,

A handwritten signature in dark ink, appearing to read 'W Telfer', with a stylized, cursive script.

Wendy Telfer
Manager Planning, Engagement & Partnerships
Hills and Fleurieu Landscape Board

Sarah Davenport

From: Elizabeth Little <ElizabethL@ggand.com.au>
Sent: Monday, 1 June 2020 12:52 PM
To: Peggy Jolly; Sam Clements
Subject: RE: Local Heritage Referral - DA 20/366/473 - 118 Silver Lake Road Mylor

Hi Peggy, Sam,

Please see below for comments on the application,

Thanks,
Liz

Grieve Gillett Andersen Heritage Advice	
DA Number	20/366/473
Heritage Listing / Zone	LHP 'Silver Lake'
Address	118 Silver Lake Road, Mylor
Proposal	New dwelling, alterations to existing dwelling, constructed wetland, works to Silver Lake

Heritage value assessment

This lake and the excavation work which created it were associated with the Biggs Flat gold rushes which had begun in the 1870s on Section 386. Later alluvial mining operations were carried out in the early 1880s and from 1895-97. A large excavation was made by the Biggs Flat Gold Dredging and Sluicing Syndicate from 1906-08. The Onkaparinga Dredging and Mining Co. continued operations at the site until 1911 using a plant taken from the Jupiter Creek mines.

After the mining operations ceased, the excavation gradually filled with water from a spring, which was commercially exploited as a swimming pool or hole in the 1920s, for which an entrance fee had to be paid. During this time a dance hall was erected near the lake, with dances held on Saturday and Sunday nights. The lake and surrounding land was named 'Silver Lake' and was used for boating and picnics and sporting activities such as cricket and tennis.

Statement of Heritage Value: As a remnant of early alluvial gold mining in the district, this lake was later to become an important social and recreational venue for the residents of the Mylor district.

(Stirling District Heritage Survey)

Previous advice to applicant

Verbal advice provided previously

Description of proposal

The proposal has several aspects, including the construction of a new dwelling, alterations to the existing dwelling to cater for tourist accommodation, removal of trees and vegetation, the construction of a new wetland, and remediation and cleaning of the Silver Lake banks of bullrush.

Heritage advice

The proposed works will not affect the identified heritage values of Silver Lake. The assessment of heritage value for the place relates largely to its historical and associative values, which are not affected by the proposed works. Some interpretive material would be useful to assist in people's understanding of the history of the place.

ELIZABETH LITTLE

ASSOCIATE - SENIOR HERITAGE ARCHITECT

BDesSt, BArch

APBSA Architect Registration No. 2647

ARBV Architect Registration No. 18248

Please note that Grieve Gillett Andersen staff are working remotely due to current social distancing advice. Please call me on my mobile – 0418 898 264 - instead of the usual office number.



△
MYLOR



ARCHITECTURAL DRAWING LIST

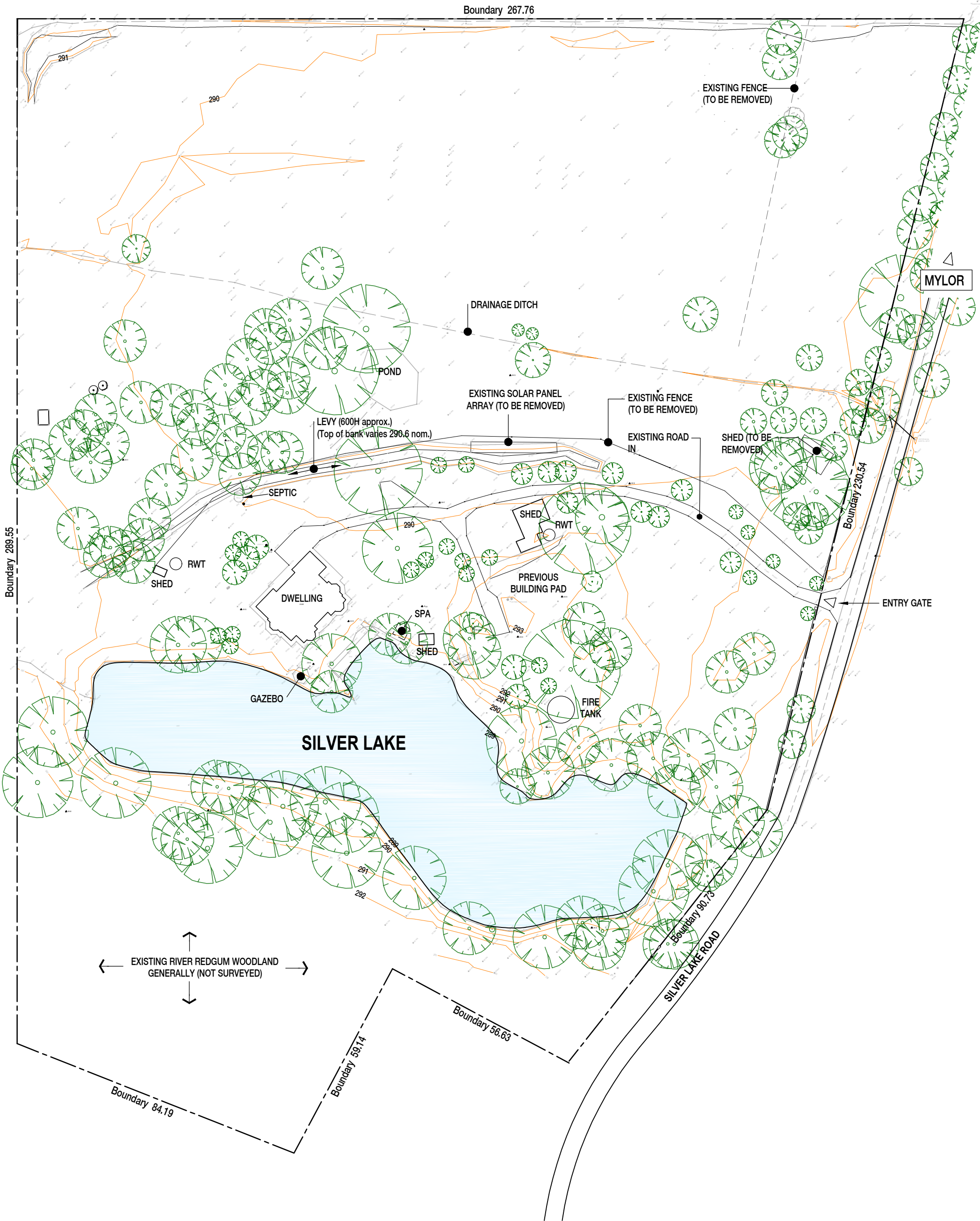
	Cover Sheet
SITE	DA 0.1 Existing Site / Survey Plan
	DA 1.1 Proposed Site Plan 1.1000
	DA 1.2 Proposed Part Site Plan 1.500
	DA 1.3 Proposed Part Site Plan, Impacted Trees & Reference 1.500
	DA 1.4 Site Section 1
	DA 1.5 Site Section 2
B&B (EXISTING DWELLING)	DA 2.1 B&B Existing Floor Plans
	DA 2.2 B&B Proposed GFL
	DA 2.3 B&B Proposed FFL
	DA 2.4 B&B Proposed Elevations
	DA 2.5 B&B Proposed GFP BCA
	DA 2.6 B&B Proposed FFP BCA
	DA 2.7 B&B Proposed Sections
	DA 2.8 B&B Proposed Section Details
	DA 3.1 New Dwelling Floor Plan 1.200
NEW DWELLING	DA 3.2 New Dwelling Elevations 1.200
	DA 4.1 Sheds Floor Plans
NEW SHEDS	DA 4.2 Sheds Elevations
	DA 5.1 Management Zones Plan
FIRE MANAGEMENT	DA 5.2 Native & Exotic Trees Plan
	DA 5.3 Fire Management Plan
	DA 5.4 Removed Trees Plan
	DA 5.5 Removed Native Trees Plan
LANDSCAPE MANAGEMENT	DA 6.1 Proposed Landscaping Maintenance Areas

SILVER LAKE . SITE REGENERATION & DEVELOPMENT

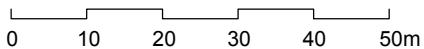
14 MAR 2020

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ADELAIDE HILLS COUNCIL
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SCALE 1:1000 approx.



NOTE:
TREES IN THE VICINITY OF PROPOSED WORK SURVEYED
ONLY - OTHER TREES AND RE-GROWTH NOT SHOWN

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

EXISTING SITE / SURVEY PLAN

0.1

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SILVER LAKE RD MYLOR SA

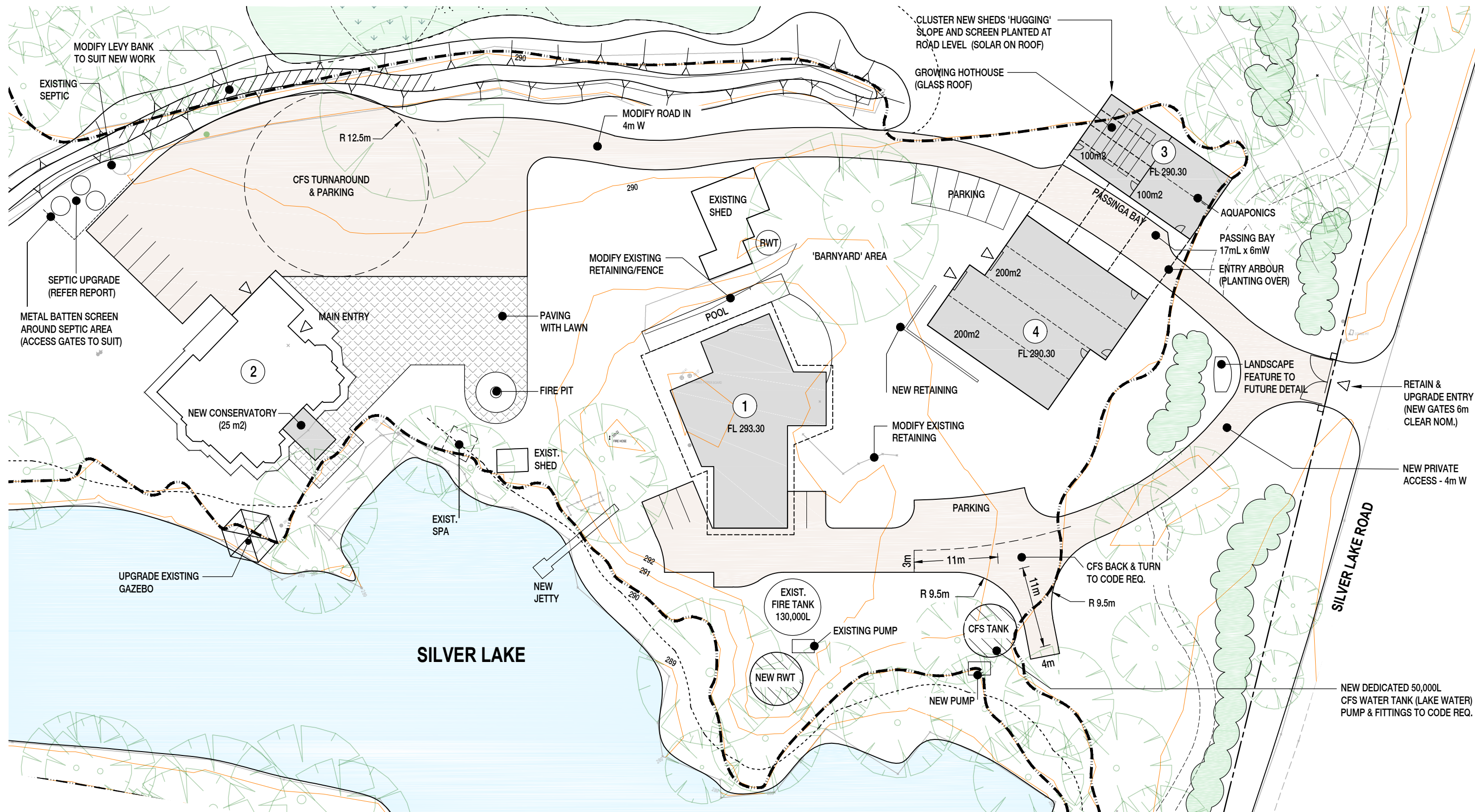
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Proj. / Draw. No: 1817 DA0.1

Proj. Area: SITE

25.02.2020

Rev:



LEGEND

- | | | | |
|---|---|---|---|
| <p>1 IN 100 YEAR FLOOD EVENT LEVEL AT RL 290.0 (APPROX.)</p> <p>EXISTING TREES (SURVEYED)</p> | <p>PROPOSED NEW BUILDING</p> <p>PROPOSED SCREEN PLANTING (REFER LANDSCAPE PLAN DA701)</p> | <p>1 NEW DWELLING</p> <p>2 CONVERT EXISTING DWELLING TO B&B</p> | <p>3 NEW AQUAPONICS & HOTHOUSE (100m2 approx each)</p> <p>4 NEW SHEDS</p> |
|---|---|---|---|



SCALE 1:500

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD MYLOR SA

Scale: 1:500 (A3)

Proj. / Draw. No: 1817 DA1.2

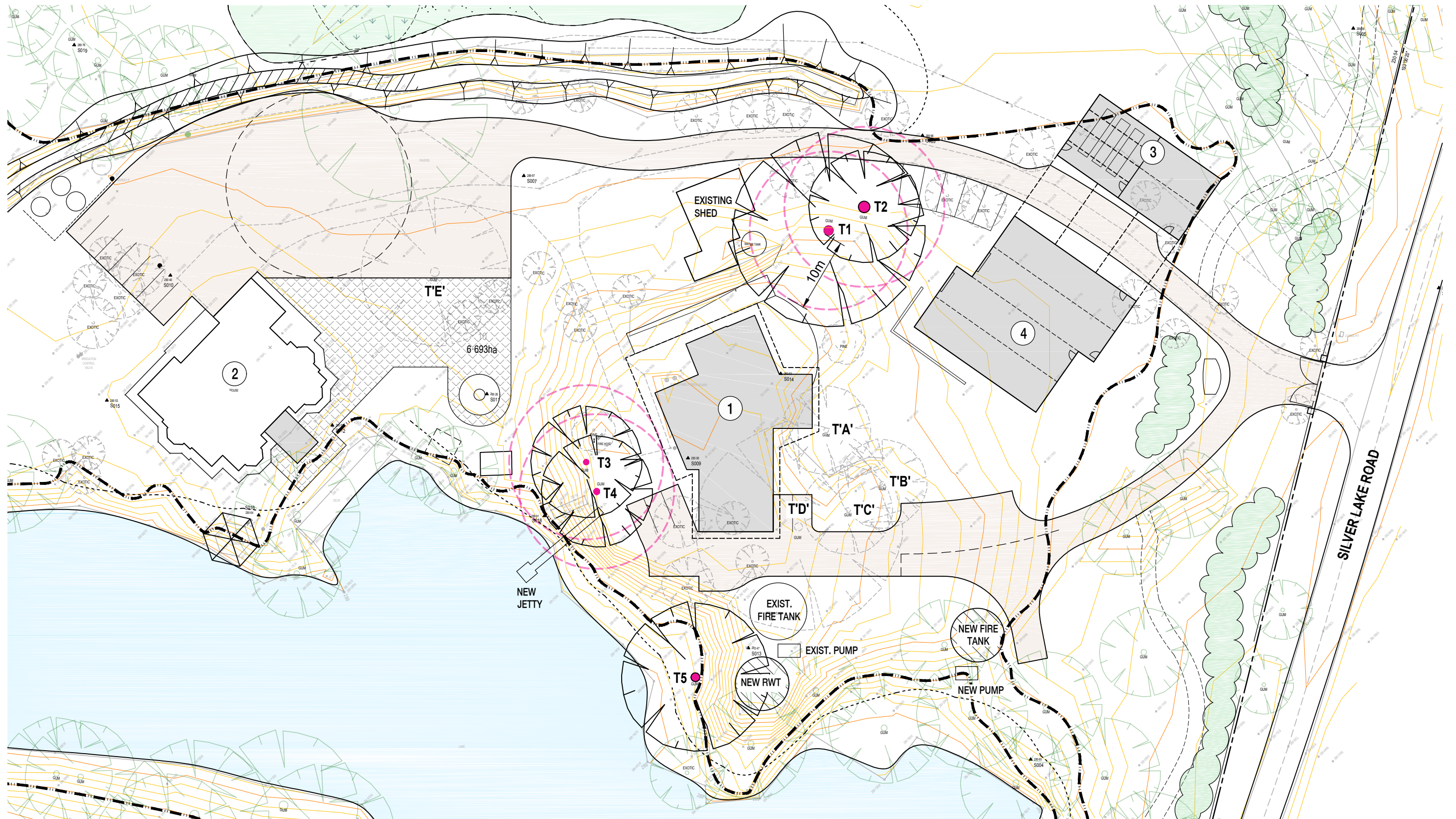
for RUDY GOMEZ

PROPOSED PART SITE PLAN

Proj. Area: SITE

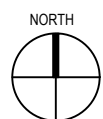
25.02.2020 Rev:

1.2



LEGEND

- | | | | | | |
|---|---|--|---|--|---|
| <p>--- 1 IN 100 YEAR FLOOD EVENT LEVEL AT RL 290.0 (APPROX.)</p> <p>EXISTING TREES (SURVEYED)</p> | <p>PROPOSED NEW BUILDING</p> <p>PROPOSED SCREEN PLANTING (REFER LANDSCAPE PLAN DA701)</p> | <p>TREES TO BE REMOVED (REFER FIRE MANAGEMENT REPORT & DRAWINGS)</p> | <p>1 NEW DWELLING</p> <p>2 CONVERT EXISTING DWELLING TO B&B</p> | <p>3 NEW AQUAPONICS & HOTOUSE (100m2 approx each)</p> <p>4 NEW SHEDS</p> | <p>10m TPZ RADIUS FROM TREE TRUNK (APPROX.)</p> |
|---|---|--|---|--|---|



SCALE 1:500

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD MYLOR SA

Scale: 1:500 (A3)

Proj. / Draw. No: 1817 DA1.3

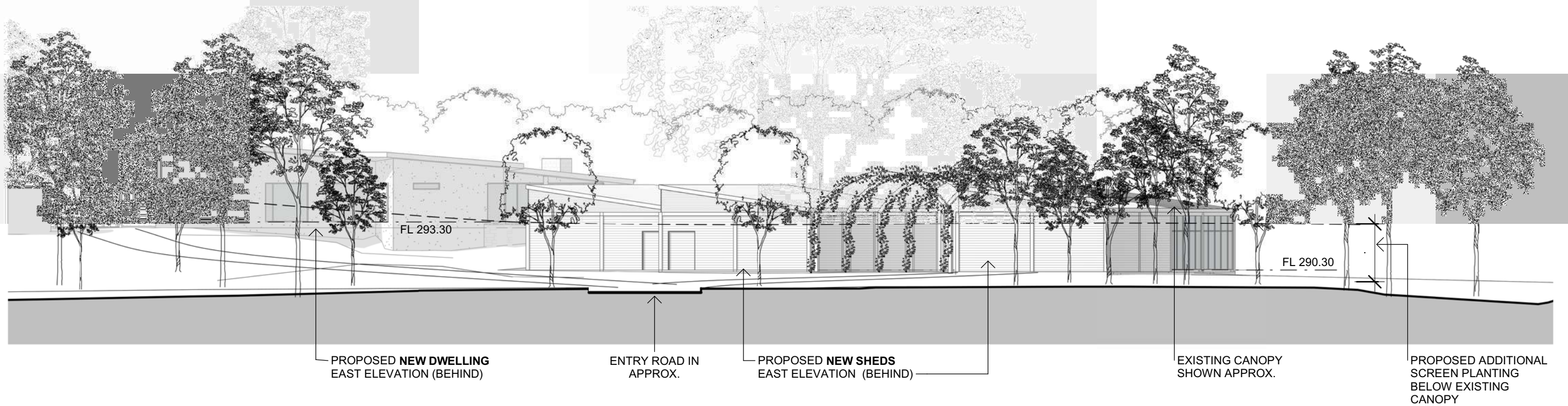
for RUDY GOMEZ

PROPOSED PART SITE PLAN (IMPACTED TREES & REFERENCE PLAN)

Proj. Area: SITE

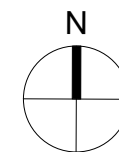
25.02.2020 Rev:

1.3



SECTION AT SITE ENTRY

1:250



KEY PLAN

1:2500



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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: As indicated (A3)

Proj. / Draw. No: **1817 DA1.4**

for RUDY GOMEZ

PROPOSED SITE SECTION 1

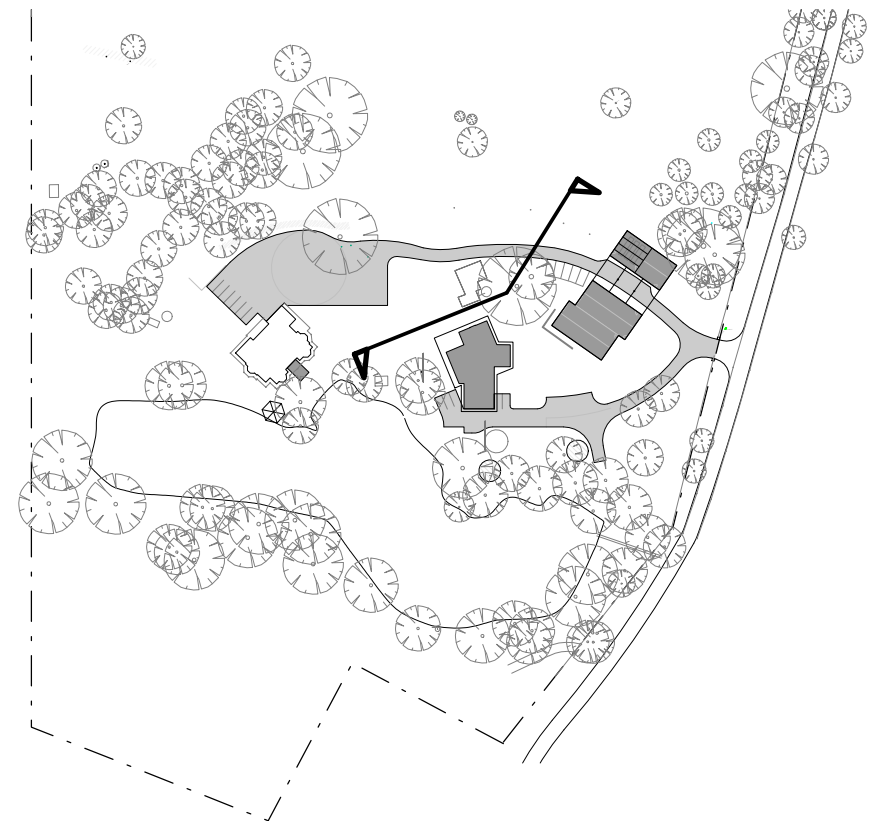
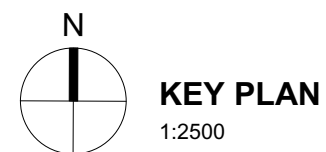
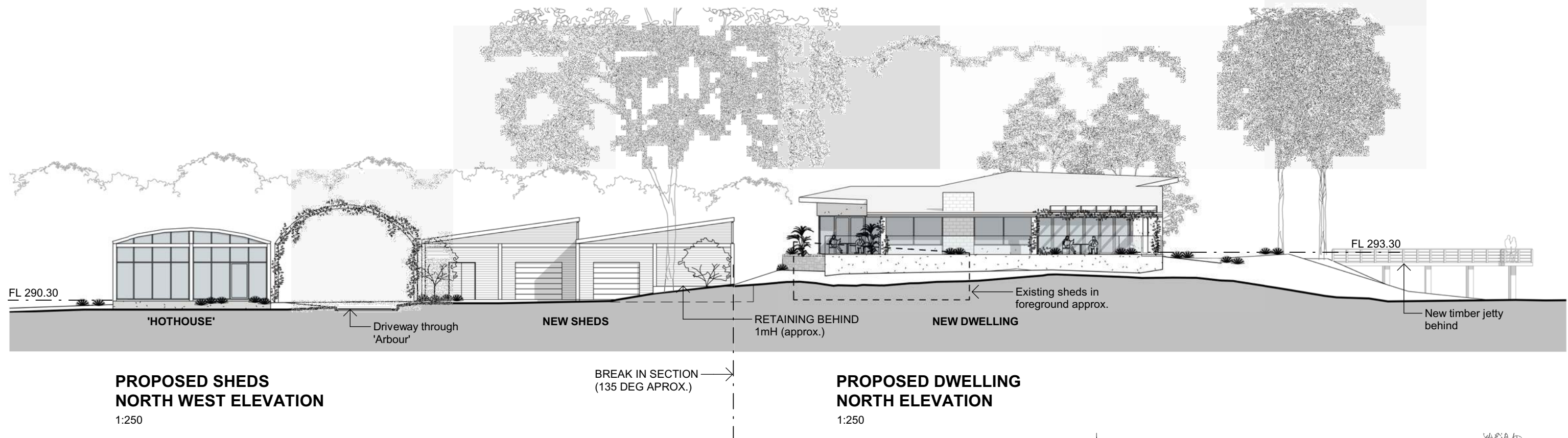
Proj. Area: **SITE**

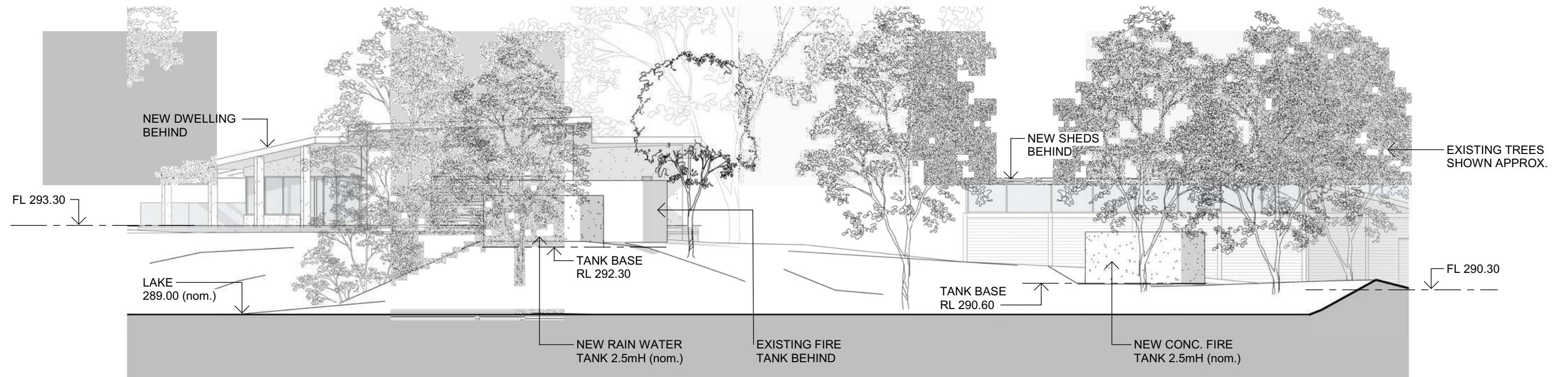
25.02.2020

Rev:

1.4

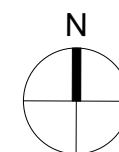
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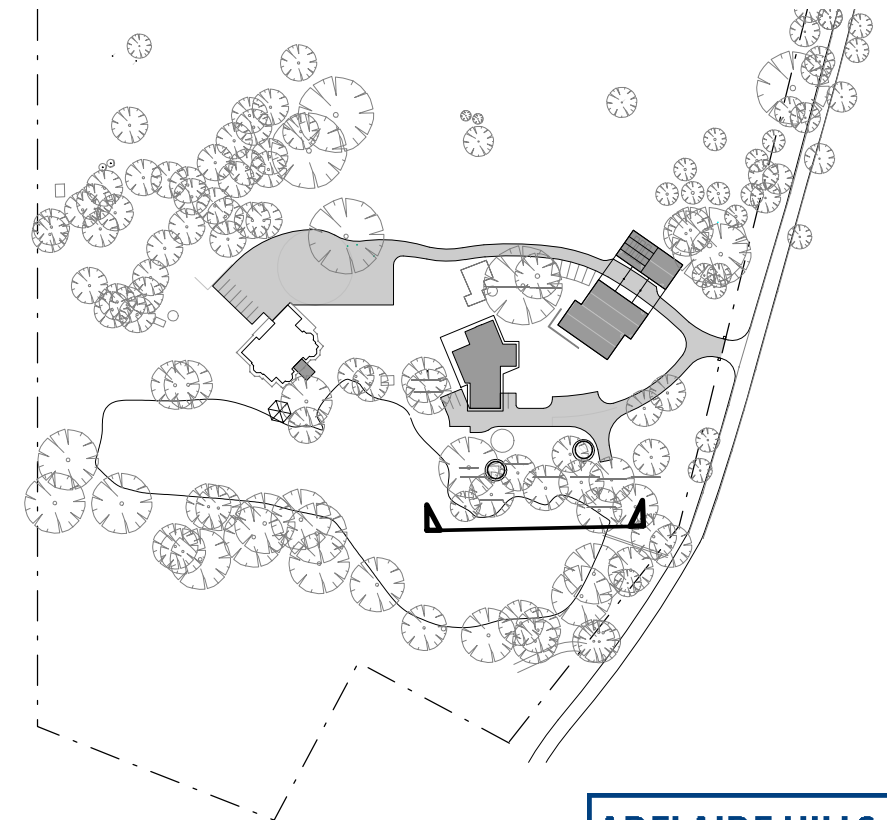


PROPOSED TANKS SOUTH ELEVATION

1:200



KEY PLAN
1:2500



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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: As indicated (A3)

Proj. / Draw. No: **1817 DA1.6**

for RUDY GOMEZ

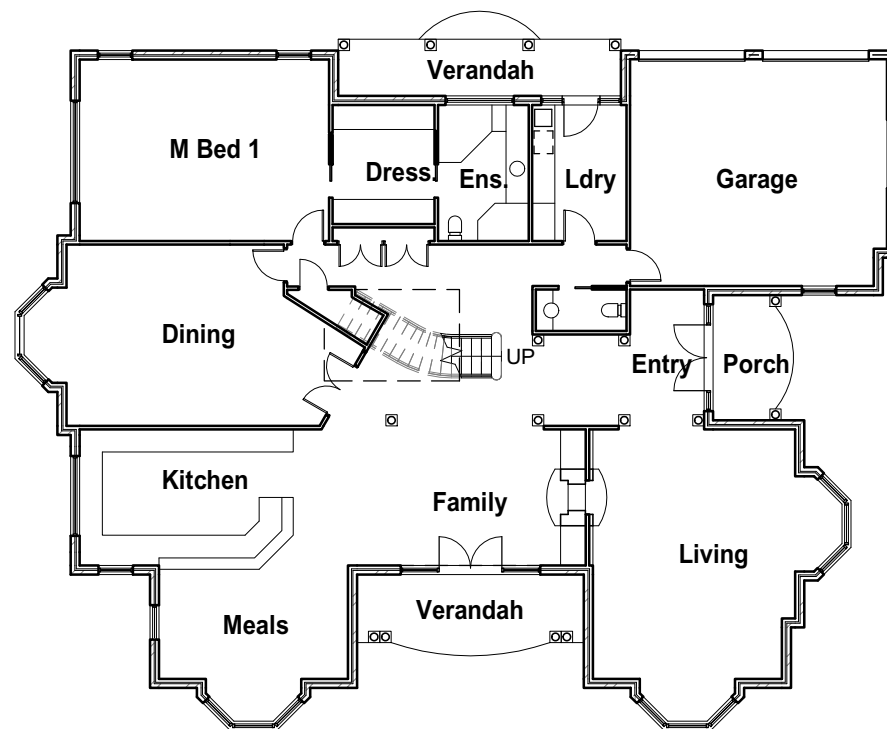
PROPOSED SITE SECTION 3 NEW TANKS

Proj. Area: **SITE**

19.06.2020

Rev:

1.6

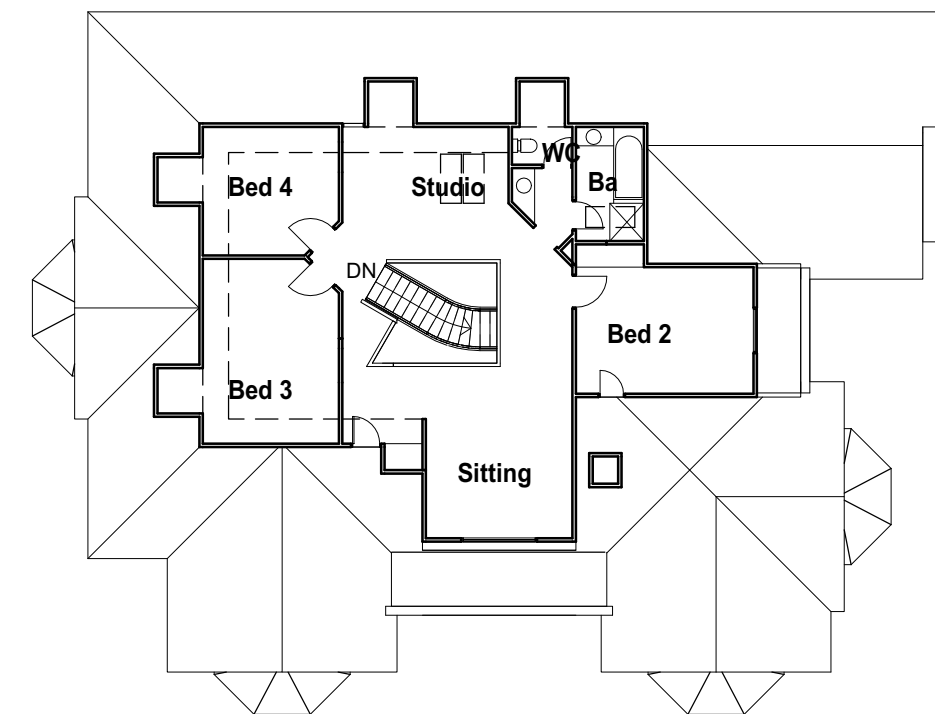


EXISTING GROUND FLOOR

1 : 200

GROUND FLOOR AREA
(inside face external walls)

GARAGE	40 m ²
LIVING	250 m ²



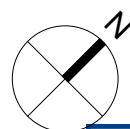
EXISTING FIRST FLOOR

1 : 200

FIRST FLOOR AREA
(inside face external walls,
exc. stair void)

LIVING	112 m ²
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DRAWING PROVIDED FOR REFERENCE



SCALE 1:200 @ A3

0 2 4 6 8 10 M

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

SILVER LAKE RD, MYLOR SA

Scale: 1 : 200 (A3)

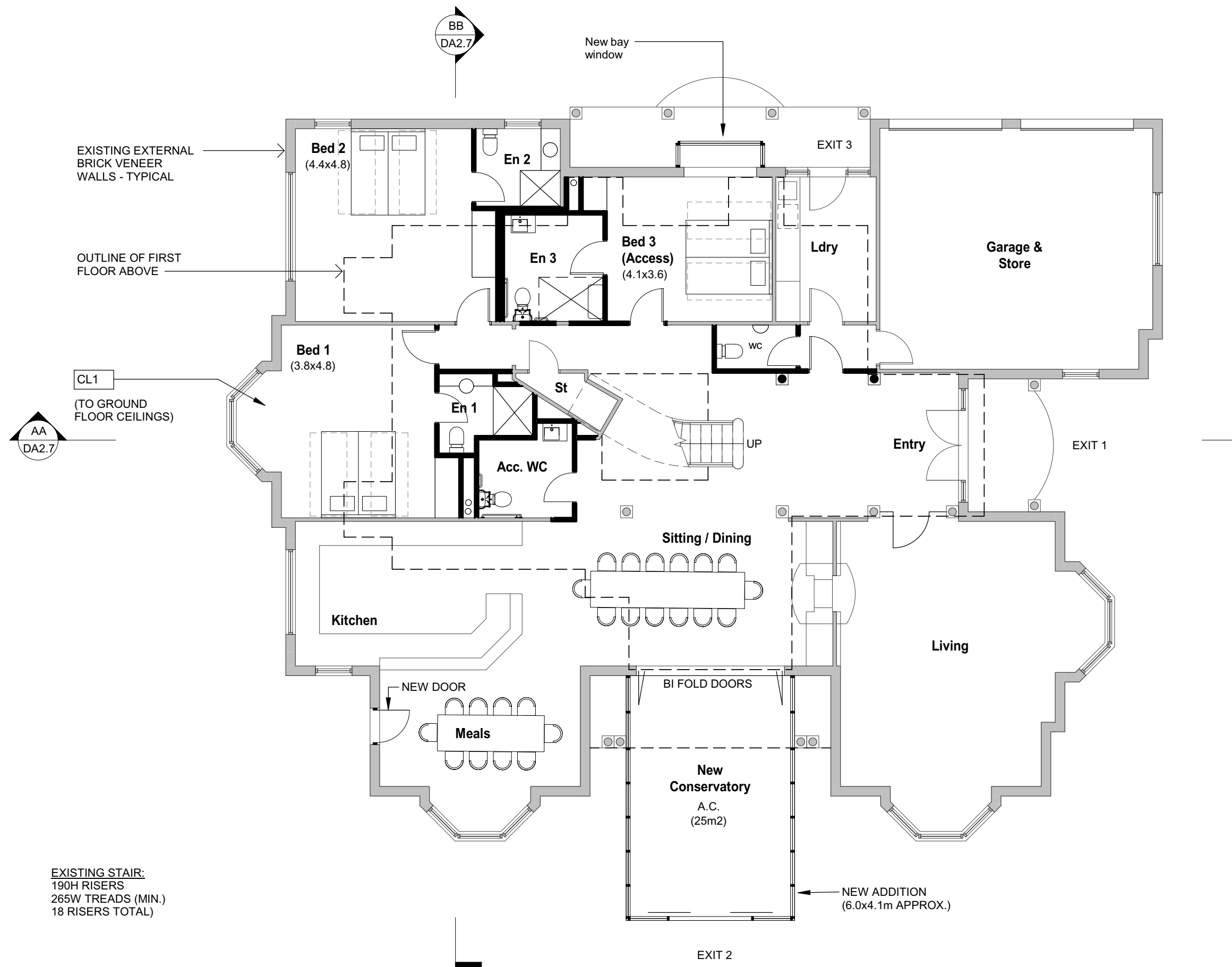
Proj. / Draw. No: **1817 DA2.1**

EXISTING FLOOR PLANS

Proj. Area: **B&B (Existing Dwelling)** 25.02.2020

2.1

Rev:



EXISTING STAIR:
190H RISERS
265W TREADS (MIN.)
18 RISERS TOTAL)

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 100 (A3)

Proj. / Draw. No: 1817 DA2.2

for RUDY GOMEZ

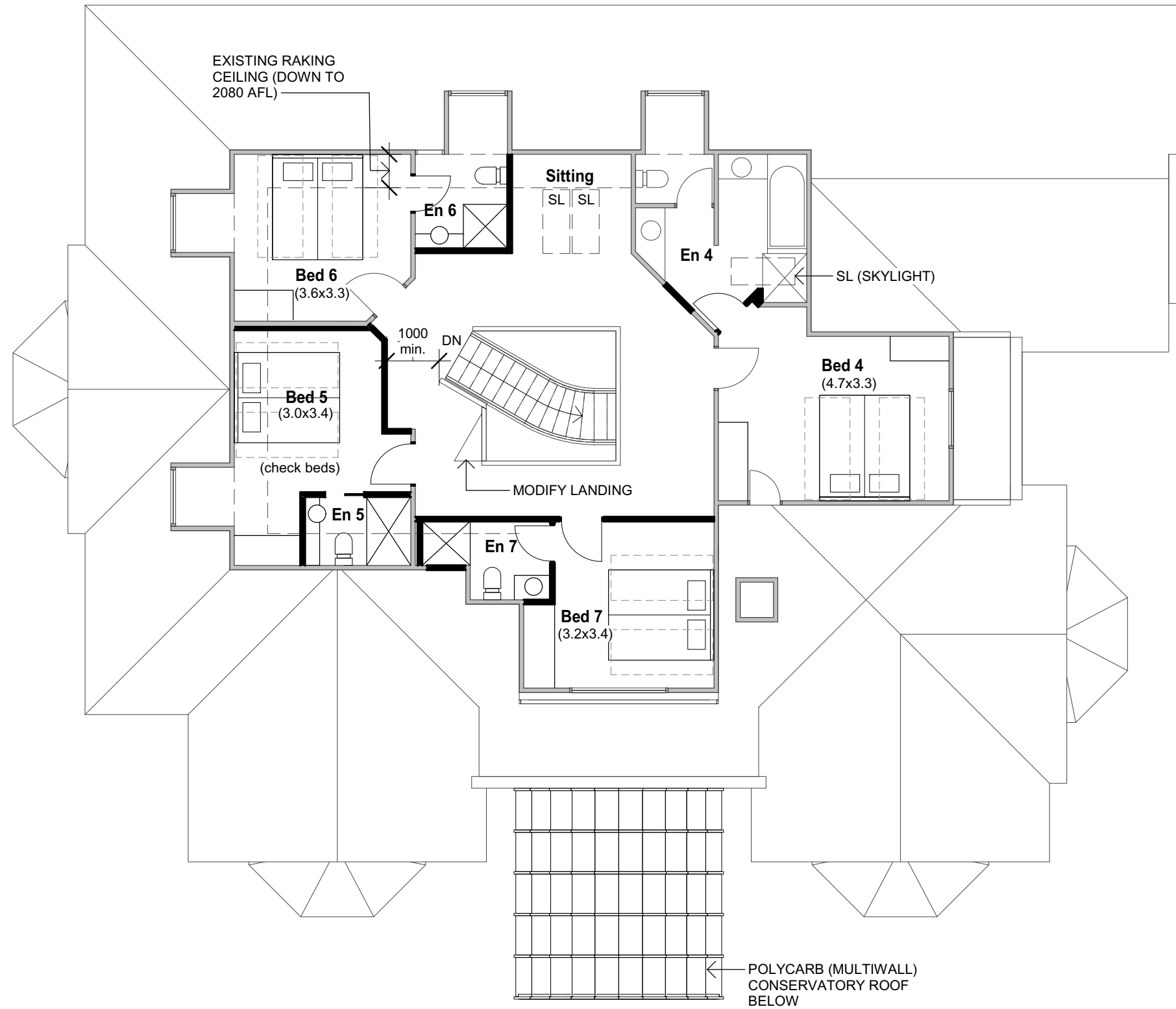
PROPOSED GROUND FLOOR PLAN

Proj. Area: B&B (Existing Dwelling) 25.02.2020

Rev:

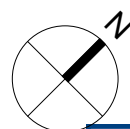
2.2

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LEGEND

- EXISTING WALLS
- NEW WALLS



SCALE 1:100



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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 100 (A3)

Proj. / Draw. No: **1817 DA2.3**

for RUDY GOMEZ

PROPOSED FIRST FLOOR PLAN

Proj. Area: **B&B (Existing Dwelling)** 25.02.2020 Rev:

2.3



PROPOSED NE ELEVATION
1 : 200



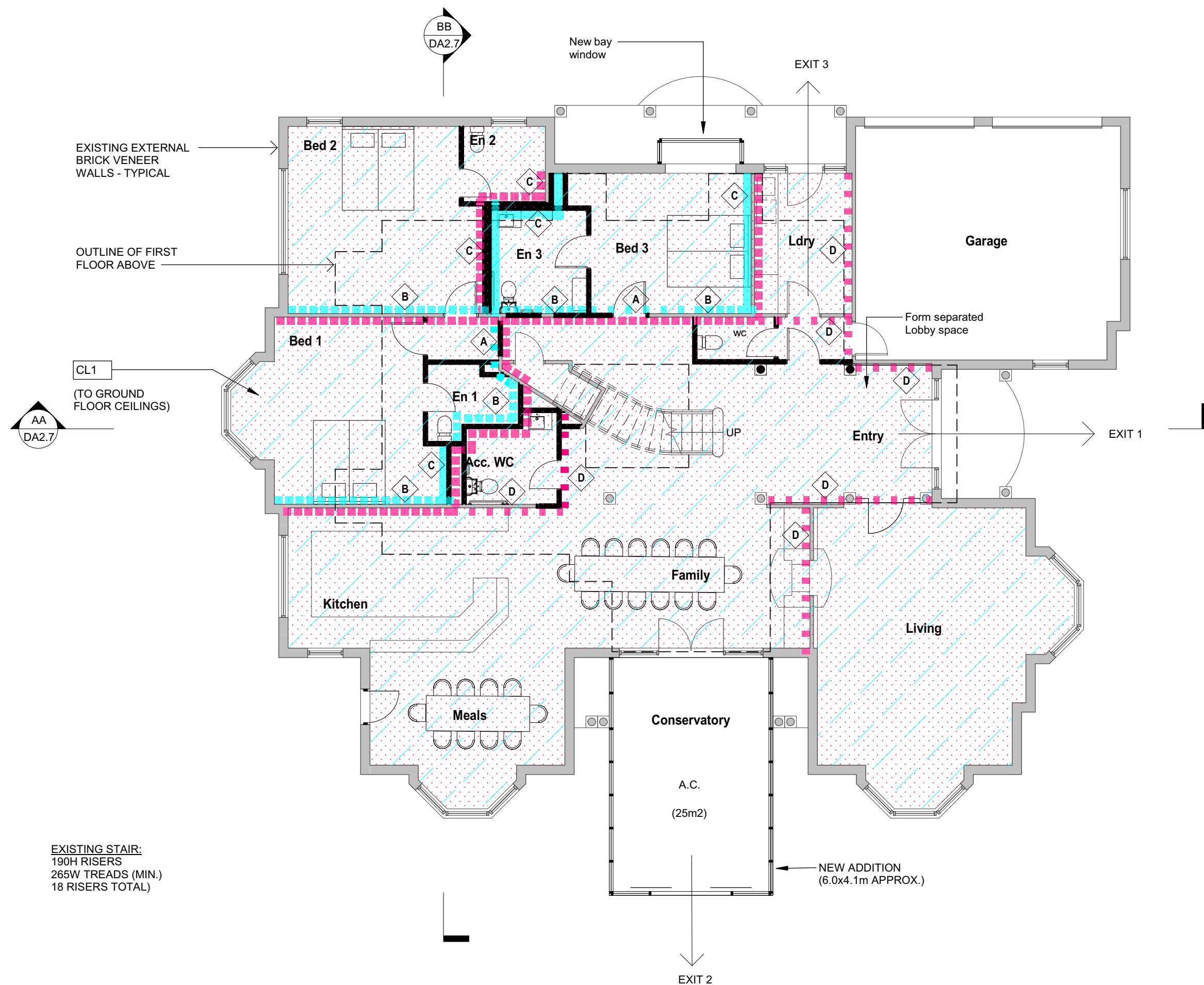
PROPOSED SE ELEVATION
1 : 200



PROPOSED SW ELEVATION
1 : 200



PROPOSED NW ELEVATION
1 : 200



LEGEND

- EXISTING WALLS
- NEW WALLS

FIRE RATING REQUIREMENTS

- FIRE RATED WALL DIVISION/BOUNDING WALL FRL 60/60/60
- FIRE RATED WALL LOADBEARING FRL 60/60/60
- FIRE RATED CEILING ABOVE 'CL1' FRL 30/30/30 'CL2' RESISTANCE TO INCIPIENT SPREAD OF FLAME 60 mins.

SOUND RATING REQUIREMENTS

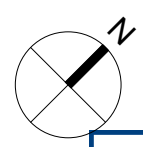
- SOUND RATED CAVITY WALL CAVITY WALL (DISCONTINUOUS) $R_w + C_{tr}$: 50 min.
- SOUND RATED WALL VERTICAL METAL FURRING $R_w + C_{tr}$: 50 min.
- SOUND RATED WALL VERTICAL METAL FURRING R_w : 50 min.
- SOUND RATED CEILING/FLOOR ABOVE $R_w + C_{tr}$: 50 min. L_{nw} : 62 max.

PROPOSED WALL TYPES

- A** 90 TIMBER STUD 1x16mm FR P/B TO BOTH SIDES METAL FURRING TO ONE SIDE
- B** 90 TIMBER STUD 2x13mm P/B TO BOTH SIDES METAL FURRING TO ONE SIDE
- C** 90 TIMBER STUD 20mm CAVITY 90 TIMBER STUD 2x13mm P/B TO BOTH SIDES
- D** 90 TIMBER STUD 1x16mm FR P/B TO BOTH SIDES

INFORMATION ON THIS DRAWING IS PRELIMINARY & SUBJECT TO CERTIFICATION REVIEW

EXISTING STAIR:
190H RISERS
265W TREADS (MIN.)
18 RISERS TOTAL



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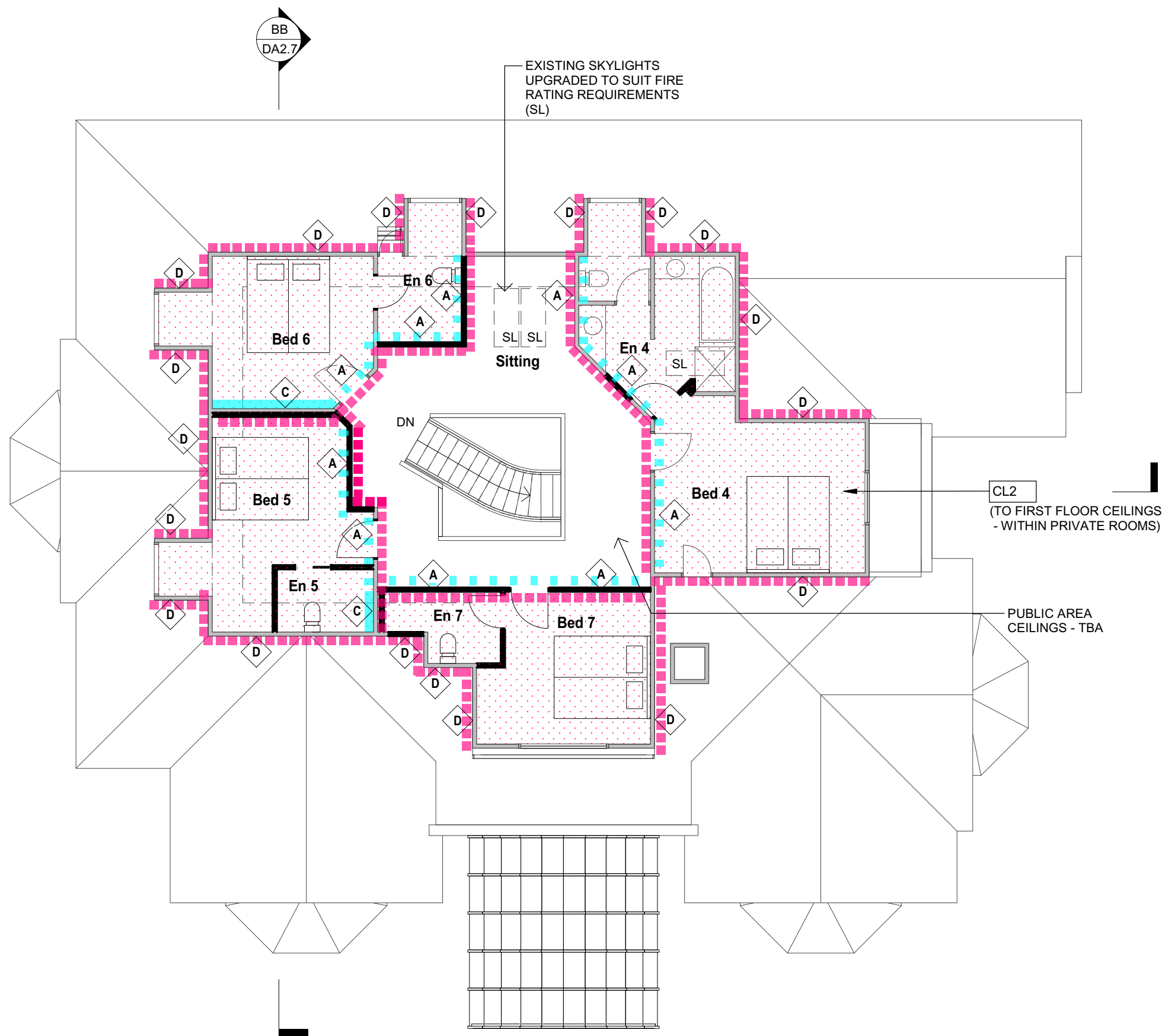
SILVER LAKE
SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA Scale: 1 : 100 (A3) Proj. / Draw. No: 1817 DA2.5 for RUDY GOMEZ

GROUND FLOOR
FIRE & ACOUSTIC BCA REQ.

Proj. Area: B&B (Existing Dwelling) 21.02.2020 Rev:

2.5



LEGEND

- EXISTING WALLS
- NEW WALLS

FIRE RATING REQUIREMENTS

- FIRE RATED WALL
DIVISION/BOUNDING WALL
FRL 60/60/60
- FIRE RATED WALL
LOADBEARING
FRL 60/60/60
- CL1 FIRE RATED CEILING ABOVE
'CL1' FRL 30/30/30
'CL2' RESISTANCE TO INCIPIENT
SPREAD OF FLAME 60 mins.

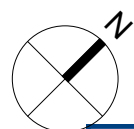
SOUND RATING REQUIREMENTS

- SOUND RATED CAVITY WALL
CAVITY WALL (DISCONTINUOUS)
Rw + Ctr: 50 min.
- SOUND RATED WALL
VERTICAL METAL FURRING
Rw + Ctr: 50 min.
- SOUND RATED WALL
VERTICAL METAL FURRING
Rw: 50 min.
- SOUND RATED CEILING/FLOOR ABOVE
Rw + Ctr: 50 min.
Lnw: 62 max.

PROPOSED WALL TYPES

- A 90 TIMBER STUD
1x16mm FR P/B TO BOTH SIDES
METAL FURRING TO ONE SIDE
- B 90 TIMBER STUD
2x13mm P/B TO BOTH SIDES
METAL FURRING TO ONE SIDE
- C 90 TIMBER STUD
20mm CAVITY
90 TIMBER STUD
2x13mm P/B TO BOTH SIDES
- D 90 TIMBER STUD
1x16mm FR P/B TO BOTH SIDES

INFORMATION ON THIS DRAWING
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SCALE 1:100

0 1 2 3 4 5 M

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SILVER LAKE
SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 100 (A3)

Proj. / Draw. No: **1817 DA2.6**

for RUDY GOMEZ

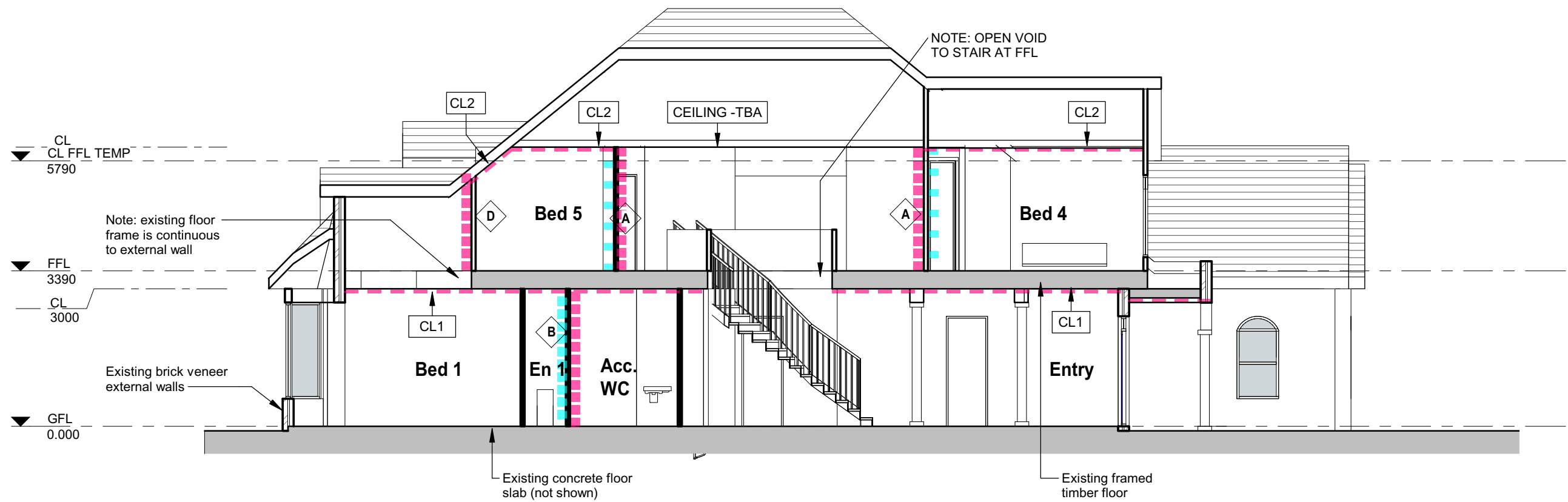
FIRST FLOOR
FIRE & ACOUSTIC BCA REQ.

Proj. Area: **B&B (Existing Dwelling)**

25.02.2020

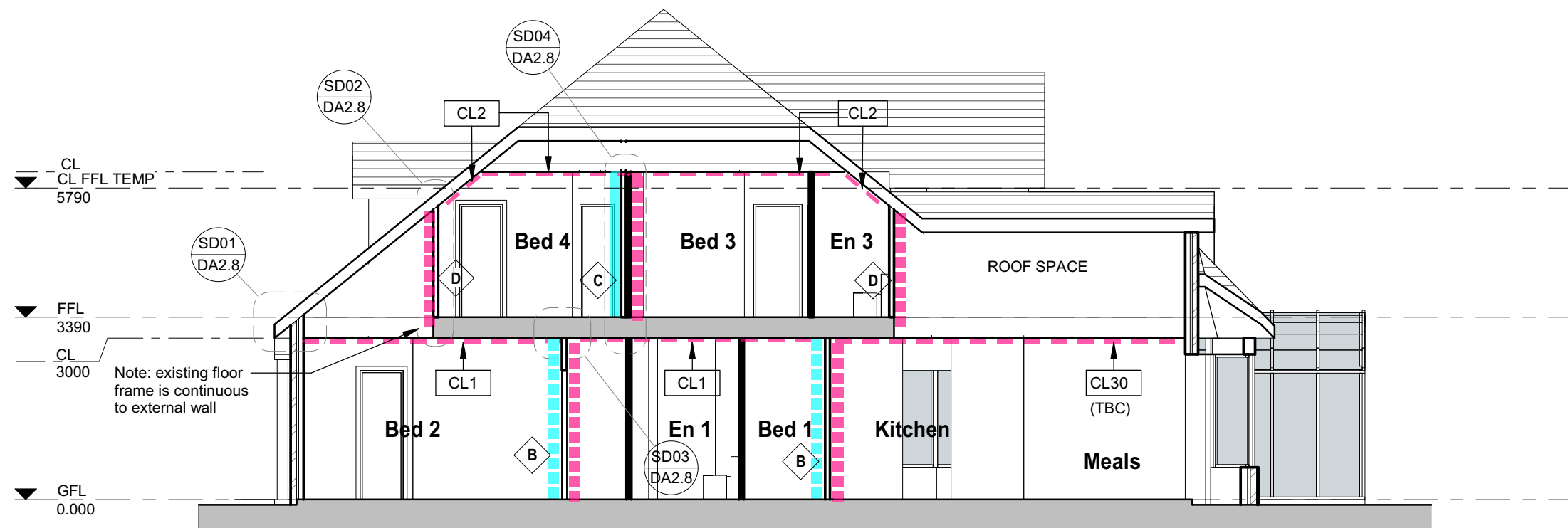
Rev:

2.6



PROPOSED SECTION AA

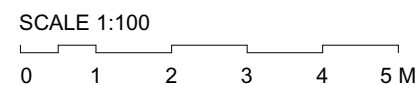
1 : 100



PROPOSED SECTION BB

1 : 100

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SILVER LAKE
SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 100 (A3)

Proj. / Draw. No: 1817 DA2.7

for RUDY GOMEZ

PROPOSED SECTIONS
FIRE & ACOUSTIC BCA REQ.

Proj. Area: B&B (Existing Dwelling) 25.02.2020

2.7

Rev:

LEGEND:

D REFER FLOOR PLANS FOR WALL & CEILING TYPES

CL1

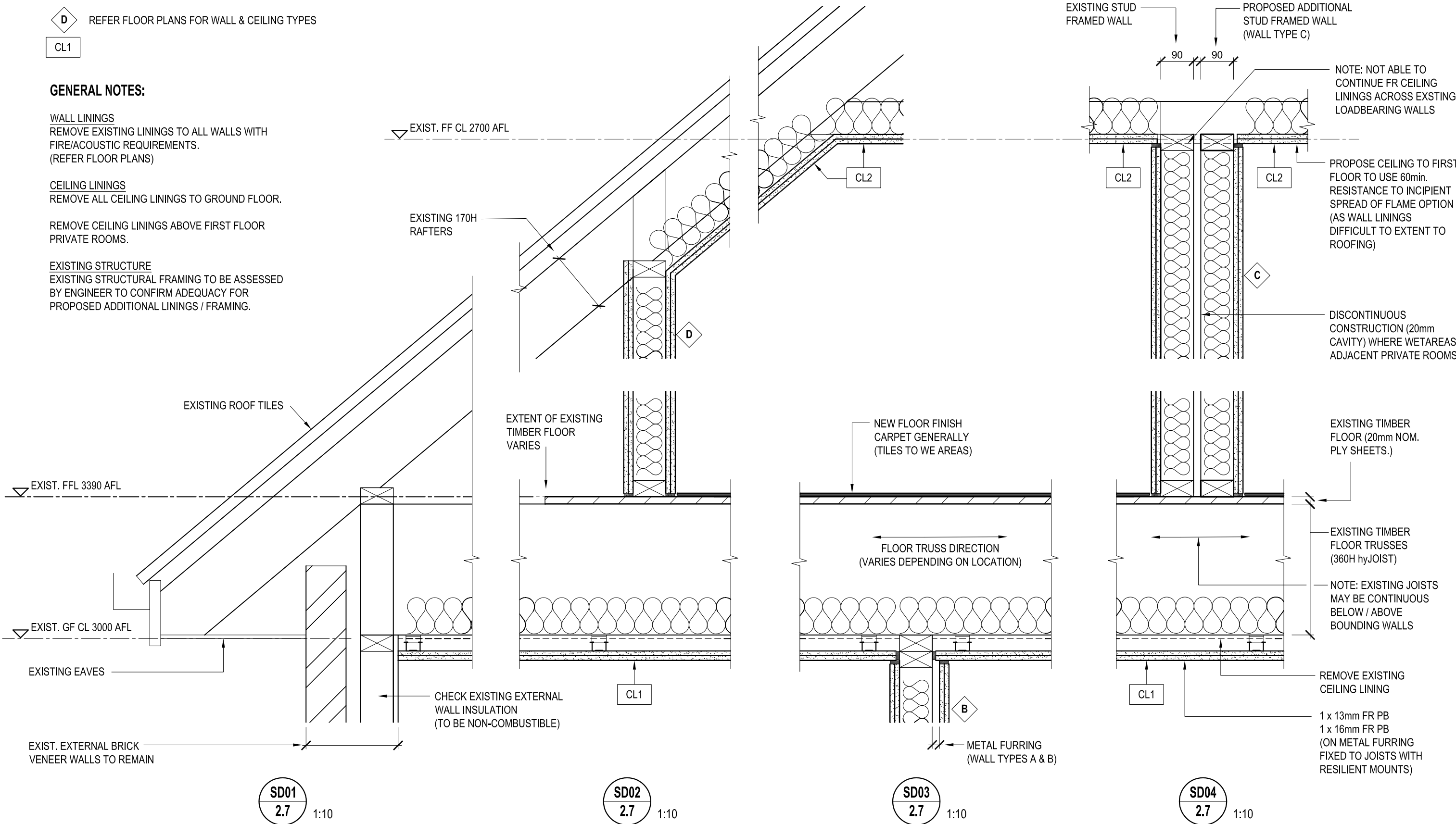
GENERAL NOTES:

WALL LININGS
REMOVE EXISTING LININGS TO ALL WALLS WITH
FIRE/ACOUSTIC REQUIREMENTS.
(REFER FLOOR PLANS)

CEILING LININGS
REMOVE ALL CEILING LININGS TO GROUND FLOOR.

REMOVE CEILING LININGS ABOVE FIRST FLOOR
PRIVATE ROOMS.

EXISTING STRUCTURE
EXISTING STRUCTURAL FRAMING TO BE ASSESSED
BY ENGINEER TO CONFIRM ADEQUACY FOR
PROPOSED ADDITIONAL LININGS / FRAMING.



PRELIMINARY
NOT FOR CONSTRUCTION

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SILVER LAKE
SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

SILVER LAKE RD MYLOR SA

Scale: 1:1000 (A3)

Proj. / Draw. No: **1817 DA2.8**

PROPOSED SECTION DETAILS

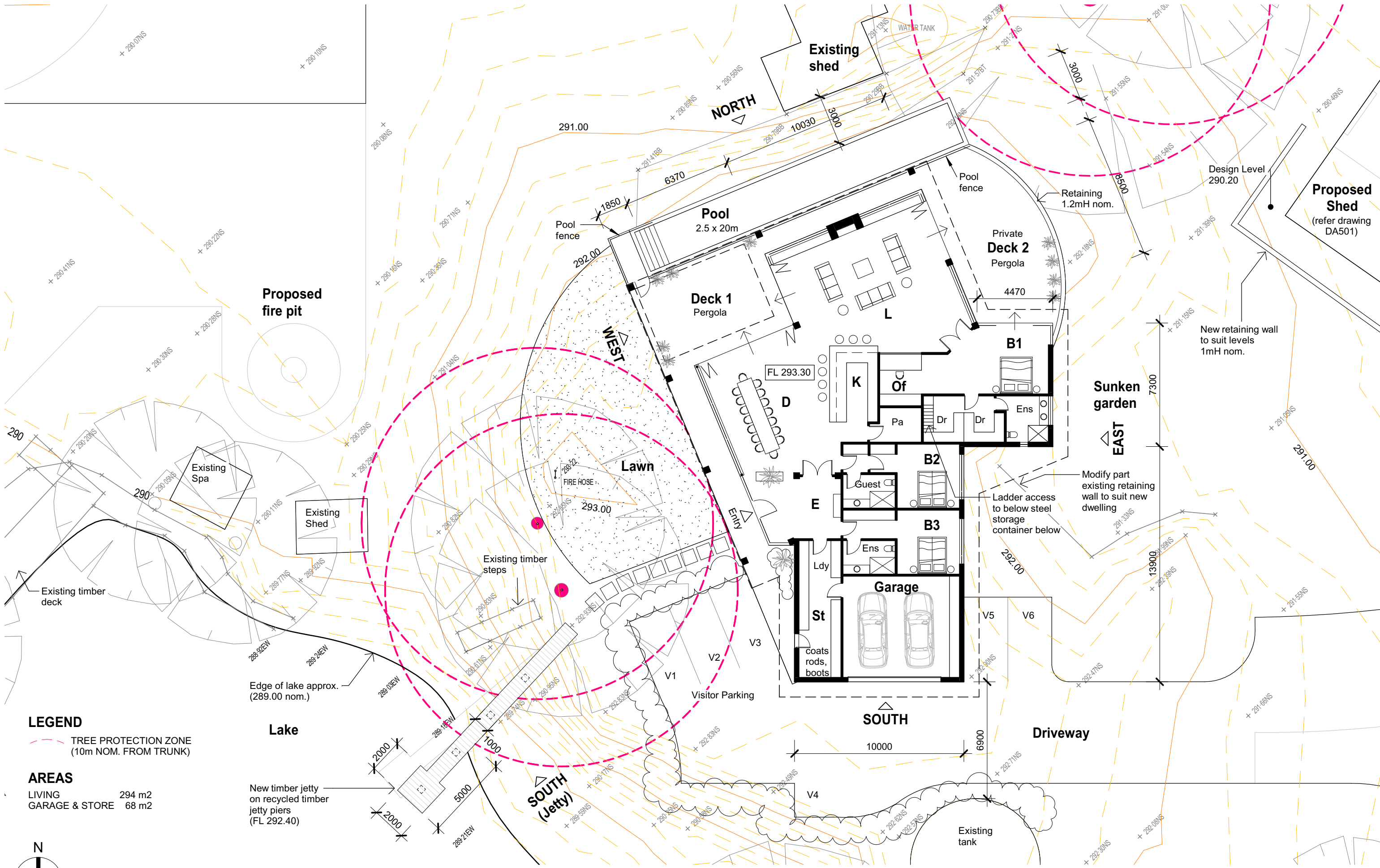
Proj. Area: **B&B (Existing Dwelling)**

25.02.2020

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2.8

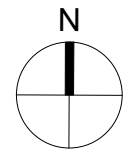


LEGEND

— TREE PROTECTION ZONE (10m NOM. FROM TRUNK)

AREAS

LIVING 294 m2
GARAGE & STORE 68 m2



SCALE 1:200 @ A3

0 2 4 6 8 10 M
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SILVER LAKE
SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 200 (A3)

for RUDY GOMEZ

Proj. / Draw. No: **1817 DA3.1**

PROPOSED NEW DWELLING
FLOOR PLAN

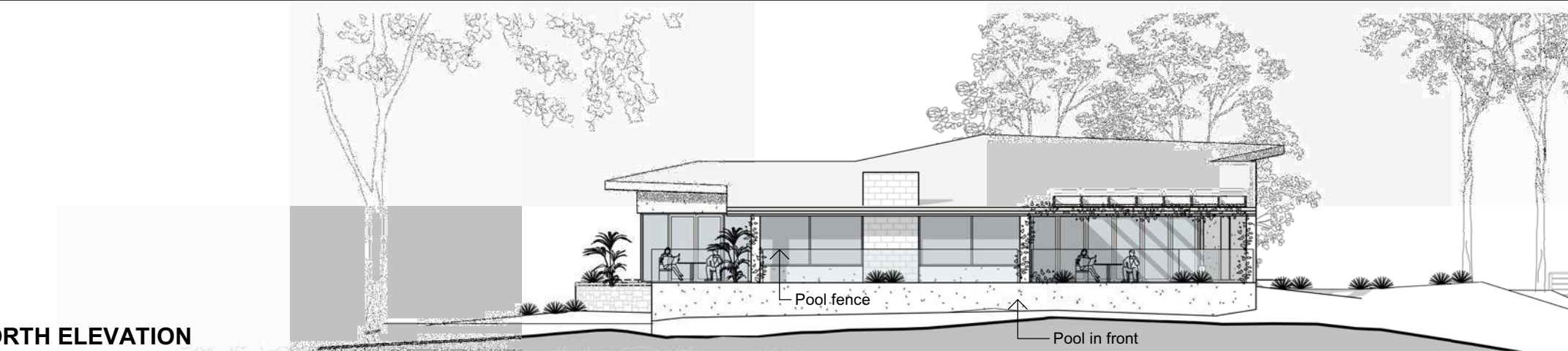
Proj. Area: **NEW DWELLING**

25.02.2020

Rev:

3.1

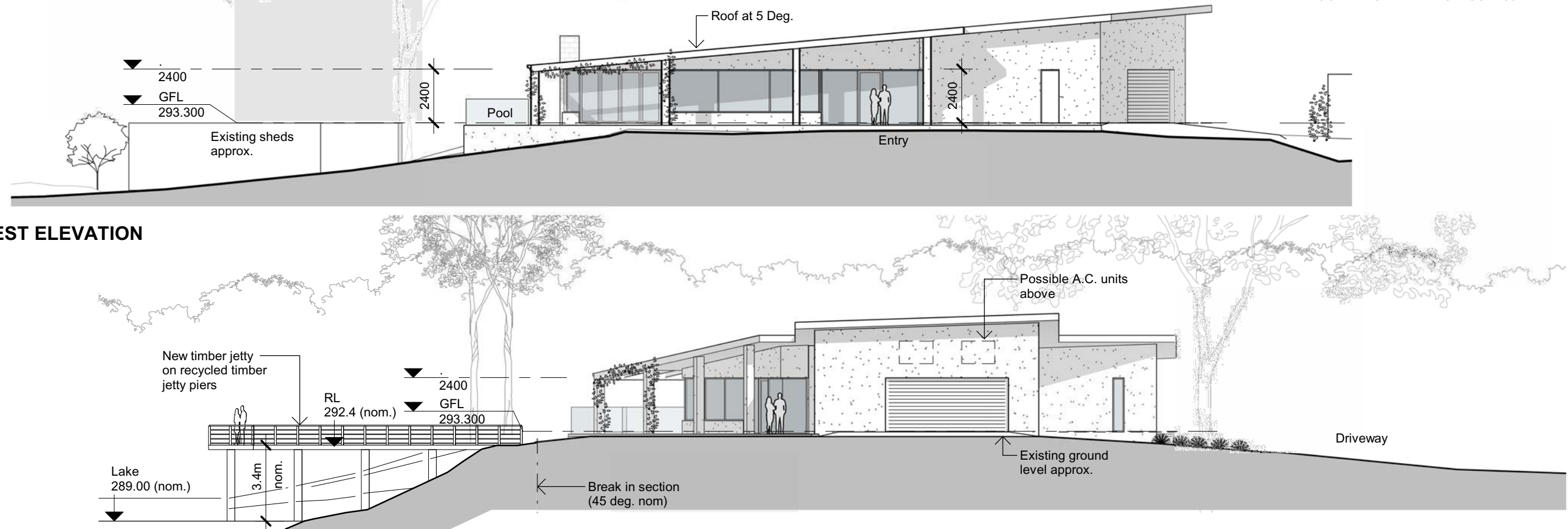
NORTH ELEVATION



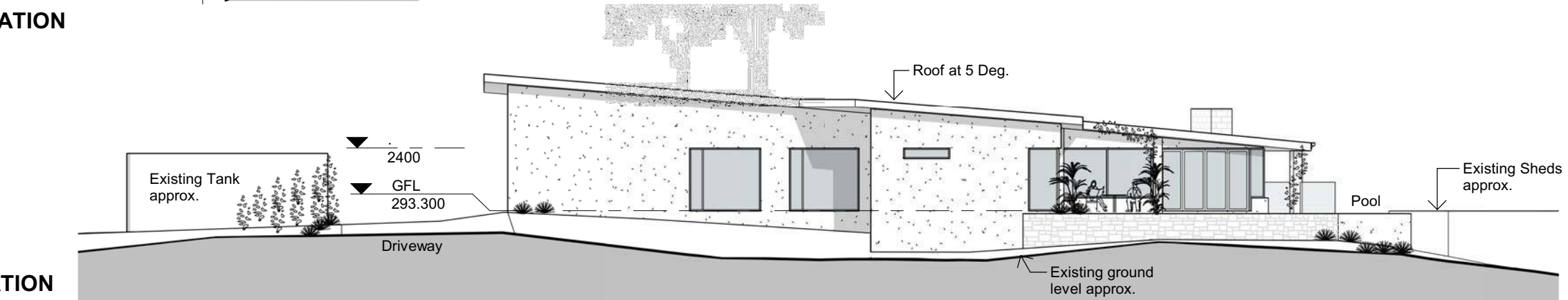
EXTERNAL FINISHES

EXTERNAL WALLS	TEXTURE COAT FINISH GREY/GREEN NATURAL
ROOF CLADDING	CORRUGATED METAL ROOF MID - DARK GREY OR SIMILAR TO APPROVAL
GUTTERS	HALF ROUND, COLORBOND DARK GREY OR SIMIALR
FASCIAS	PAINTED TIMBER DARK GREY OR SIMIALR
WINDOWS	TO BE ALUMINIUM FRAMED, WITH POWDERCOAT FINISH TO MATCH COLORBOND MONUMENT OR SIMILAR. OPENING PANE LOCATIONS & TYPES TO BE CONFIRMED WITH CLIENT.
POOL FENCE	GLASS 1200H MIN.

WEST ELEVATION



SOUTH ELEVATION



EAST ELEVATION

SCALE 1:200 @ A3

0 2 4 6 8 10 M
ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

HANNAFORD CONSULTING
m: 0401 693 552 hannaforconsulting@bigpond.com

SILVER LAKE
SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 200 (A3)

Proj. / Draw. No: **1817 DA3.2**

for RUDY GOMEZ

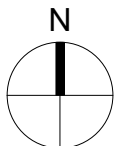
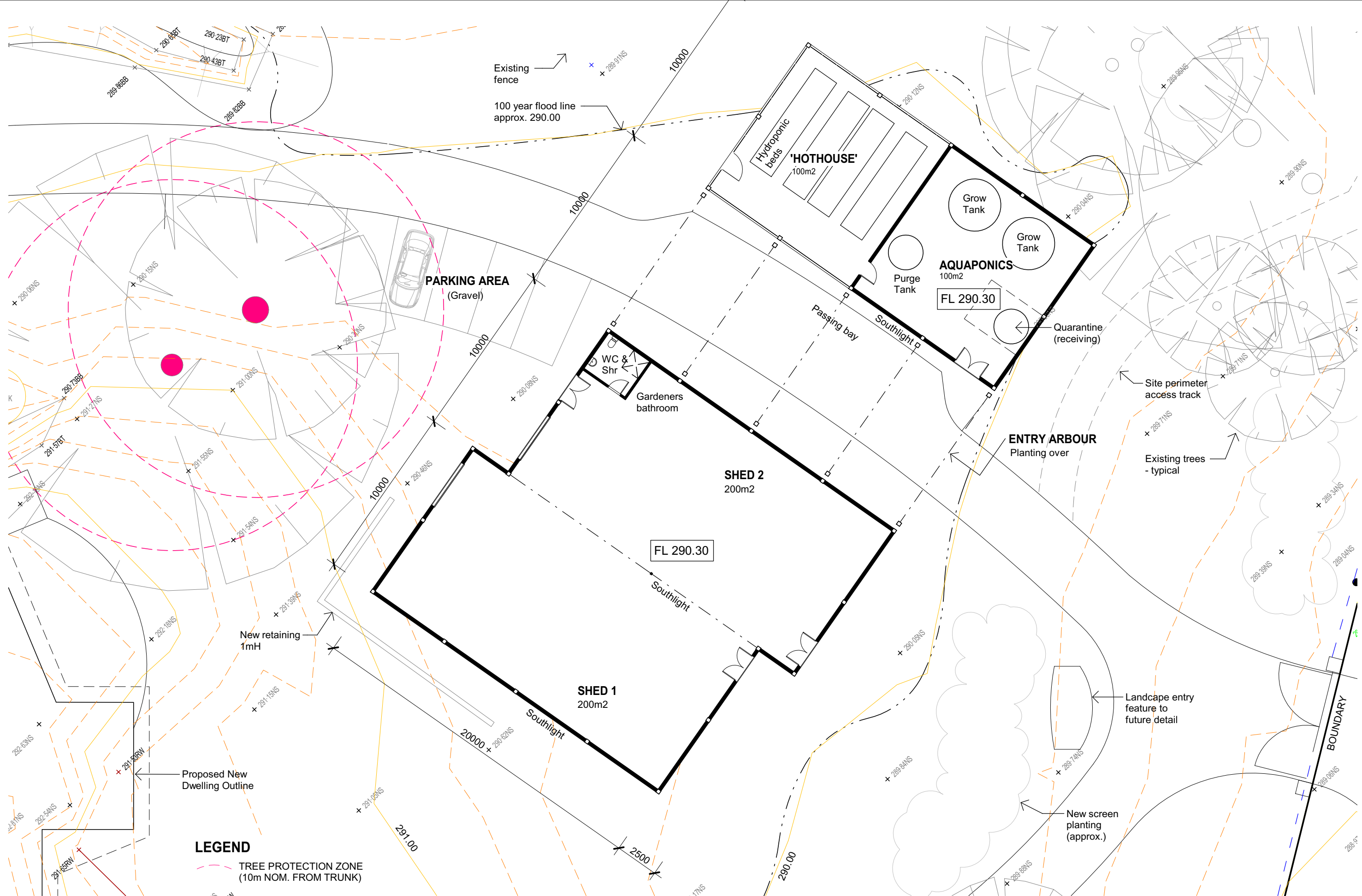
PROPOSED NEW DWELLING
ELEVATIONS

Proj. Area: **NEW DWELLING**

25.02.2020

Rev:

3.2



NOTE: ALL AREAS ARE
INDICATIVE ONLY

SCALE 1:200 @ A3

0 2 4 6 8 10 M

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 200 (A3)

for RUDY GOMEZ

Proj. / Draw. No: **1817 DA4.1**

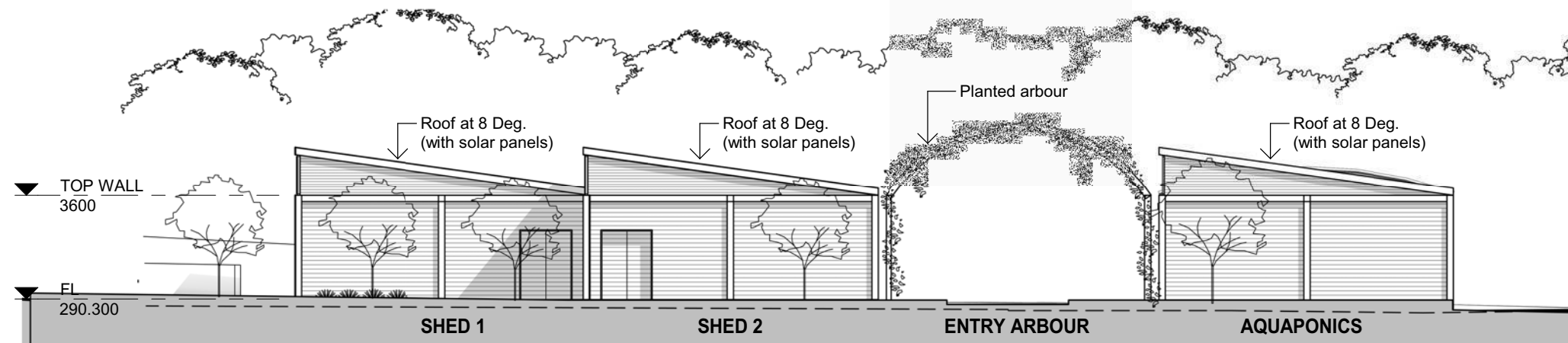
SHEDS FLOOR PLAN

Proj. Area: **NEW SHEDS**

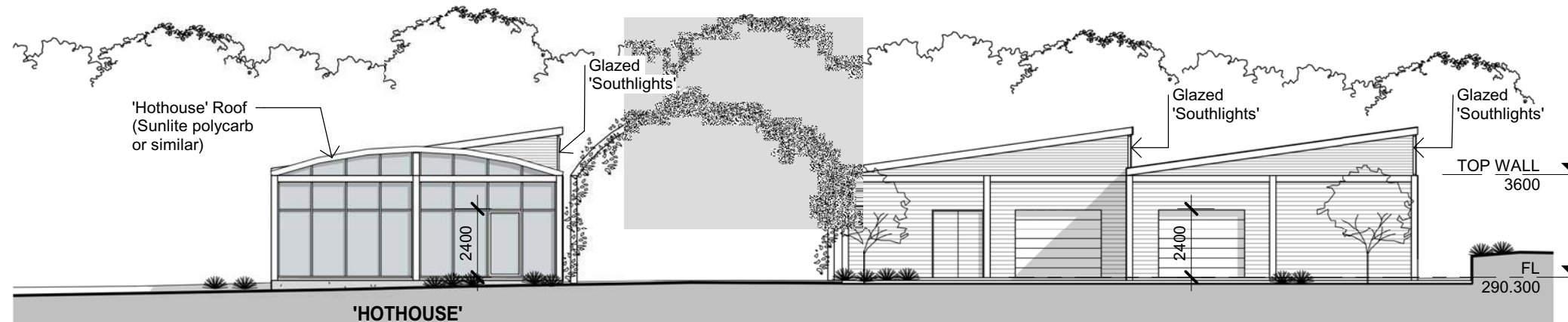
14.04.2020

Rev:

4.1



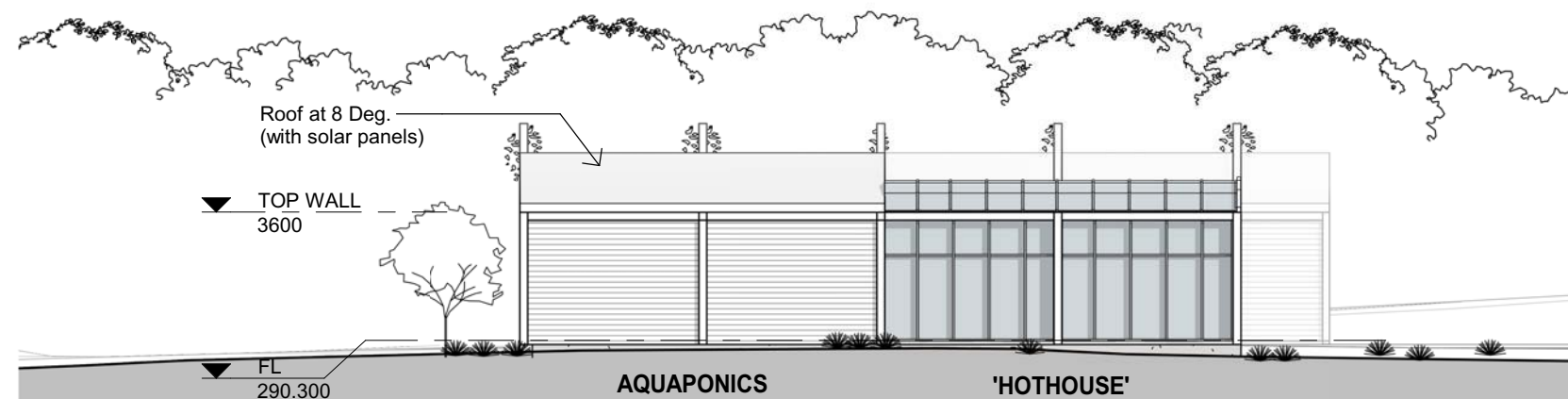
SOUTH EAST ELEVATION



NORTH WEST ELEVATION



SOUTH WEST ELEVATION



NORTH EAST ELEVATION

FINISHES LEGEND

EXTERNAL FRAME	LARGE SCALE HARDWOOD (FIRE RESISTANT)
EXTERNAL WALLS	METAL COLORBOND WALL CLADDING MID GREY/GREEN (NATURAL EARTH TONES)
ROOF CLADDING	CORRUGATED METAL ROOF CLADDING COLORBOND (MID-DARK GREY) OR SIMILAR TO APPROVAL
GUTTERS	HALF ROUND, COLORBOND MONUMENT (DARK CHARCOAL) OR SIMILAR
FASCIAS	PAINTED TIMBER, TO MATCH NEW DWELLING
ARBOUR	PAINTED STEEL, TO MATCH COLORBOND MONUMENT OR SIMILAR
WINDOWS	ALUMINIUM FRAMED, WITH POWDERCOAT FINISH TO MATCH COLORBOND MONUMENT OR SIMILAR. OPENING PANE LOCATIONS & TYPES TO BE CONFIRMED WITH CLIENT.

SCALE 1:200 @ A3

0 2 4 6 8 10 M

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SILVER LAKE SITE REGENERATION & DEVELOPMENT

SILVER LAKE RD, MYLOR SA

Scale: 1 : 200 (A3)

Proj. / Draw. No: **1817 DA4.2**

for RUDY GOMEZ

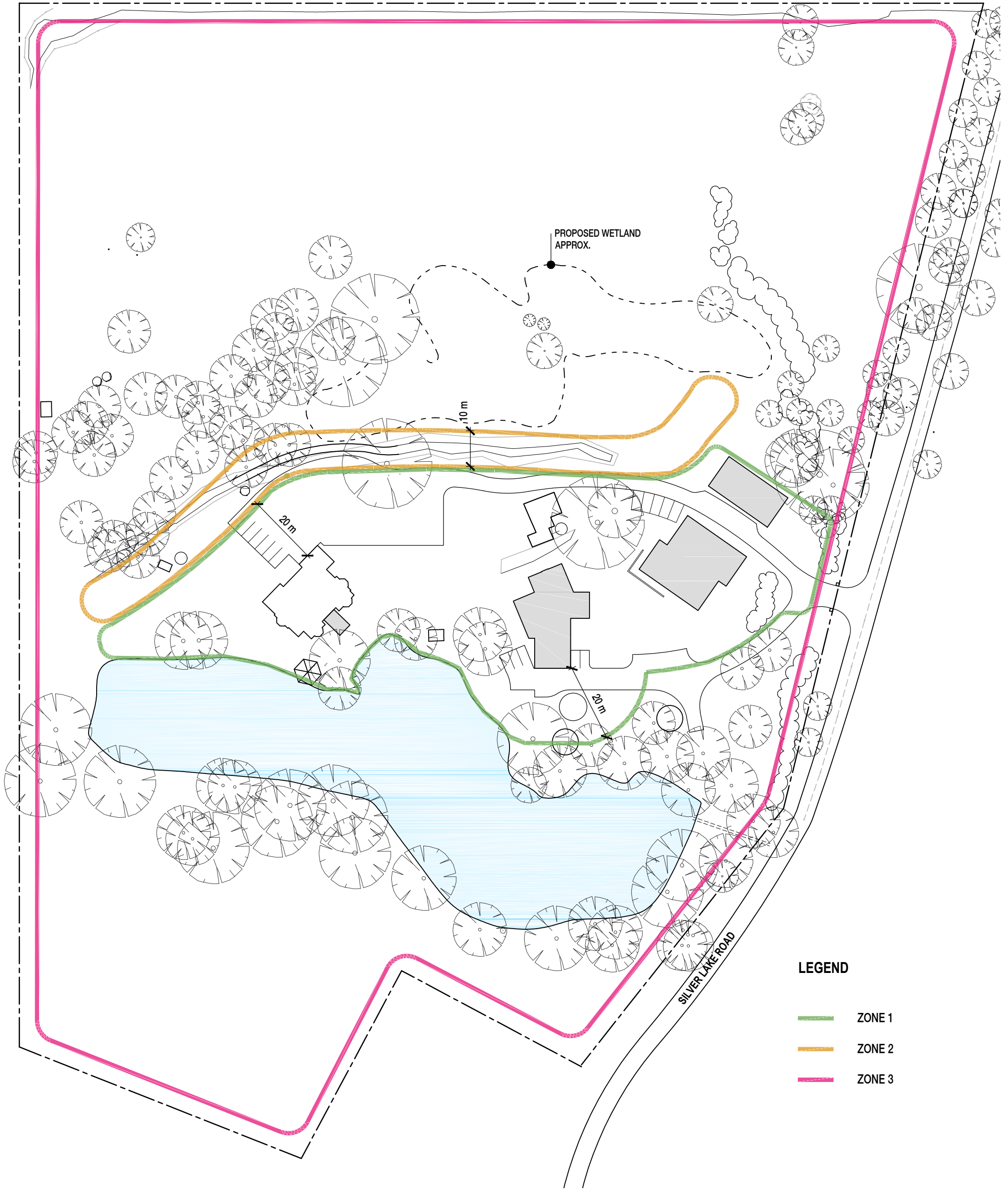
PROPOSED SHEDS ELEVATIONS

Proj. Area: **NEW SHEDS**

14.04.2020

Rev:

4.2

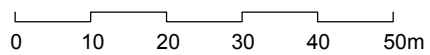


LEGEND

- ZONE 1
- ZONE 2
- ZONE 3



SCALE 1:1000



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SILVER LAKE
SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

PROPOSED
MANAGEMENT ZONES

5.1

ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

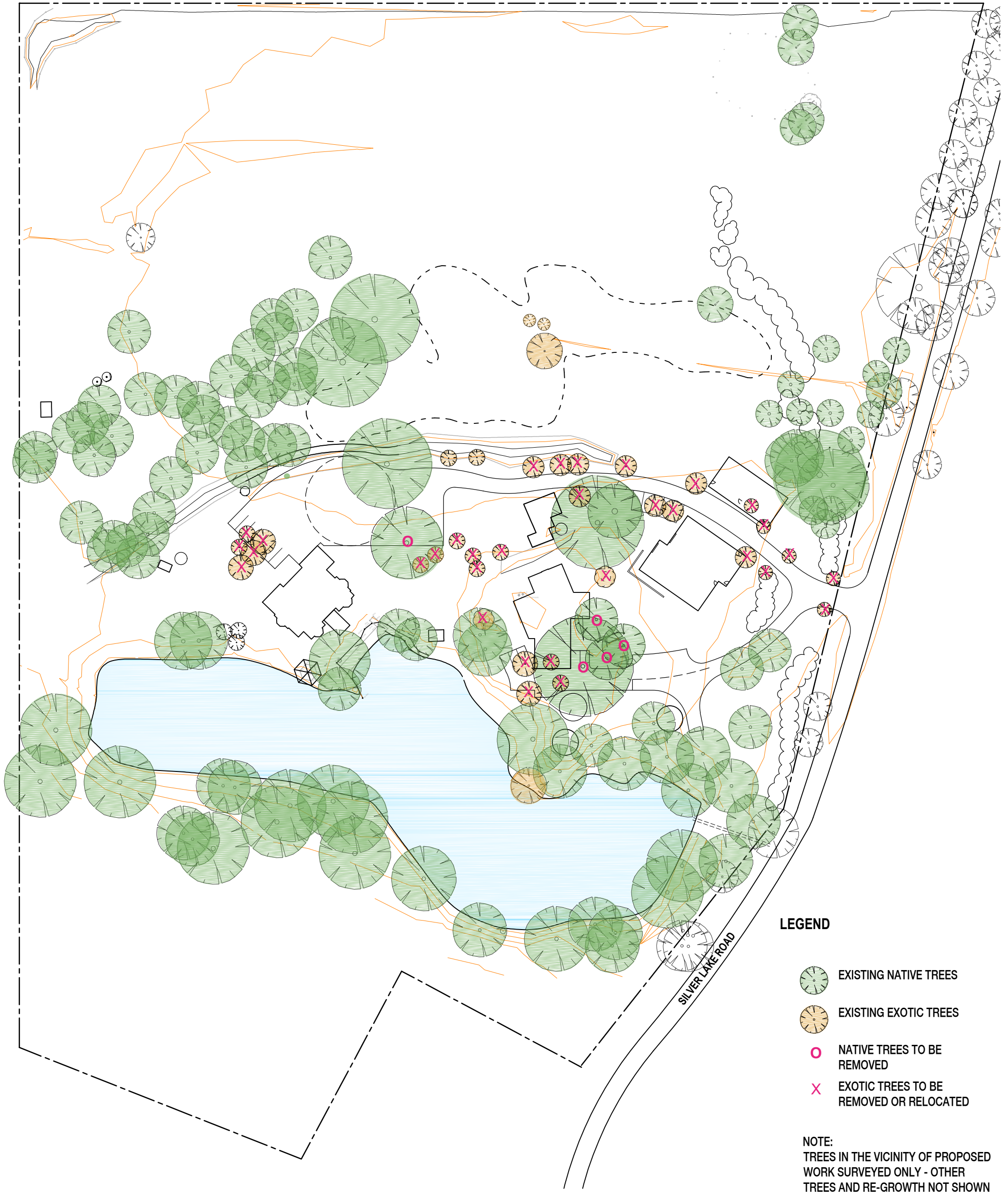
SILVER LAKE RD MYLOR SA

Scale: 1:1000 (A3)

Proj. / Draw. No: **1817 DA5.1**

Proj. Area: **SITE**

25.02.2020 Rev:



SCALE 1:1000
0 10 20 30 40 50m

HANNAFORD CONSULTING
m: 0401 693 552 hannaforconsulting@bigpond.com

SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

PROPOSED NATIVE & EXOTIC TREES

5.2

ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

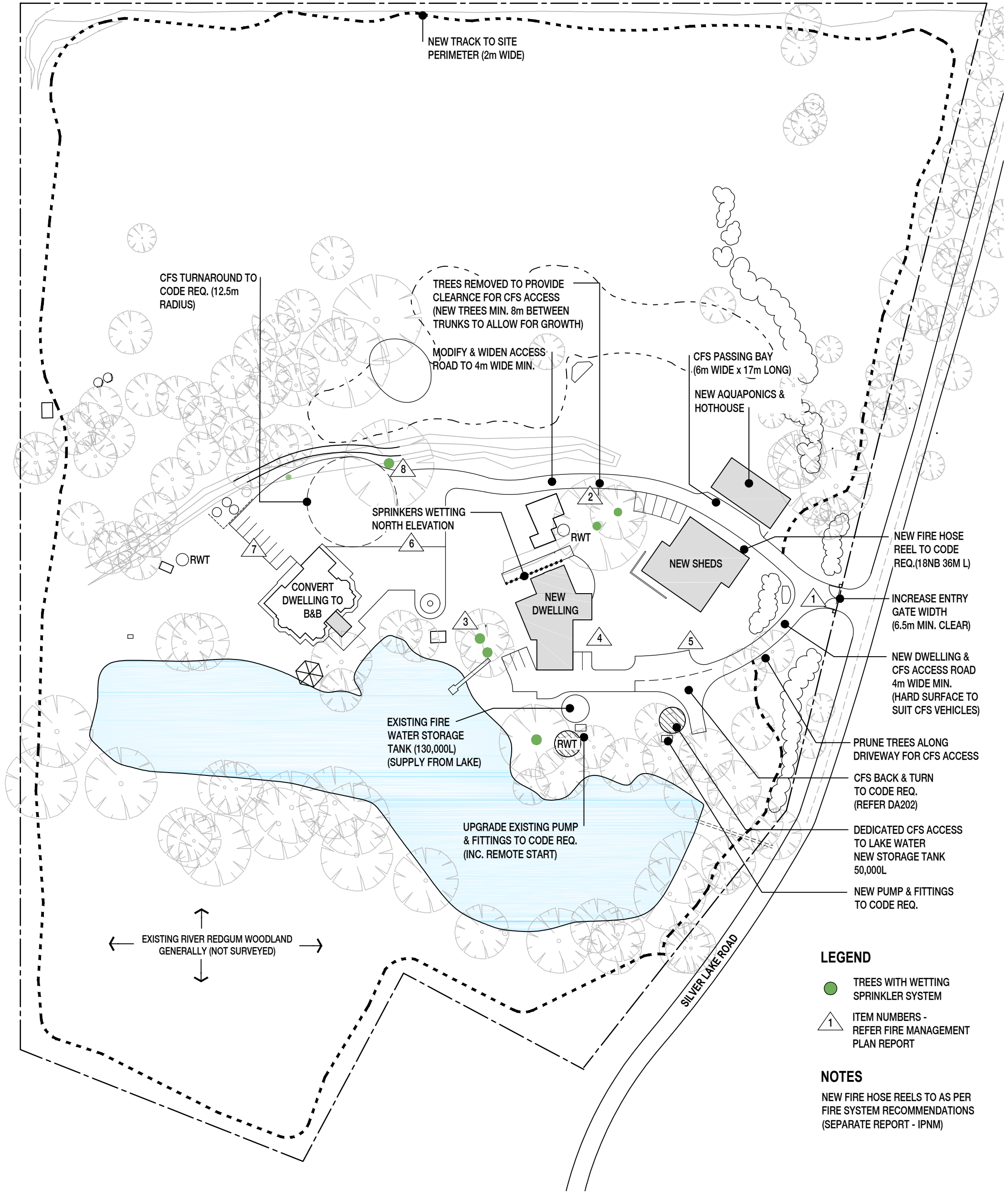
SILVER LAKE RD MYLOR SA

Scale: 1:1000 (A3)

Proj. / Draw. No: **1817 DA5.2**

Proj. Area: **SITE**

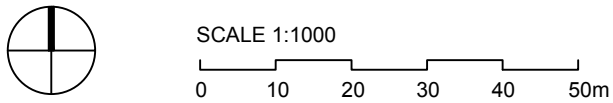
25.02.2020 Rev:

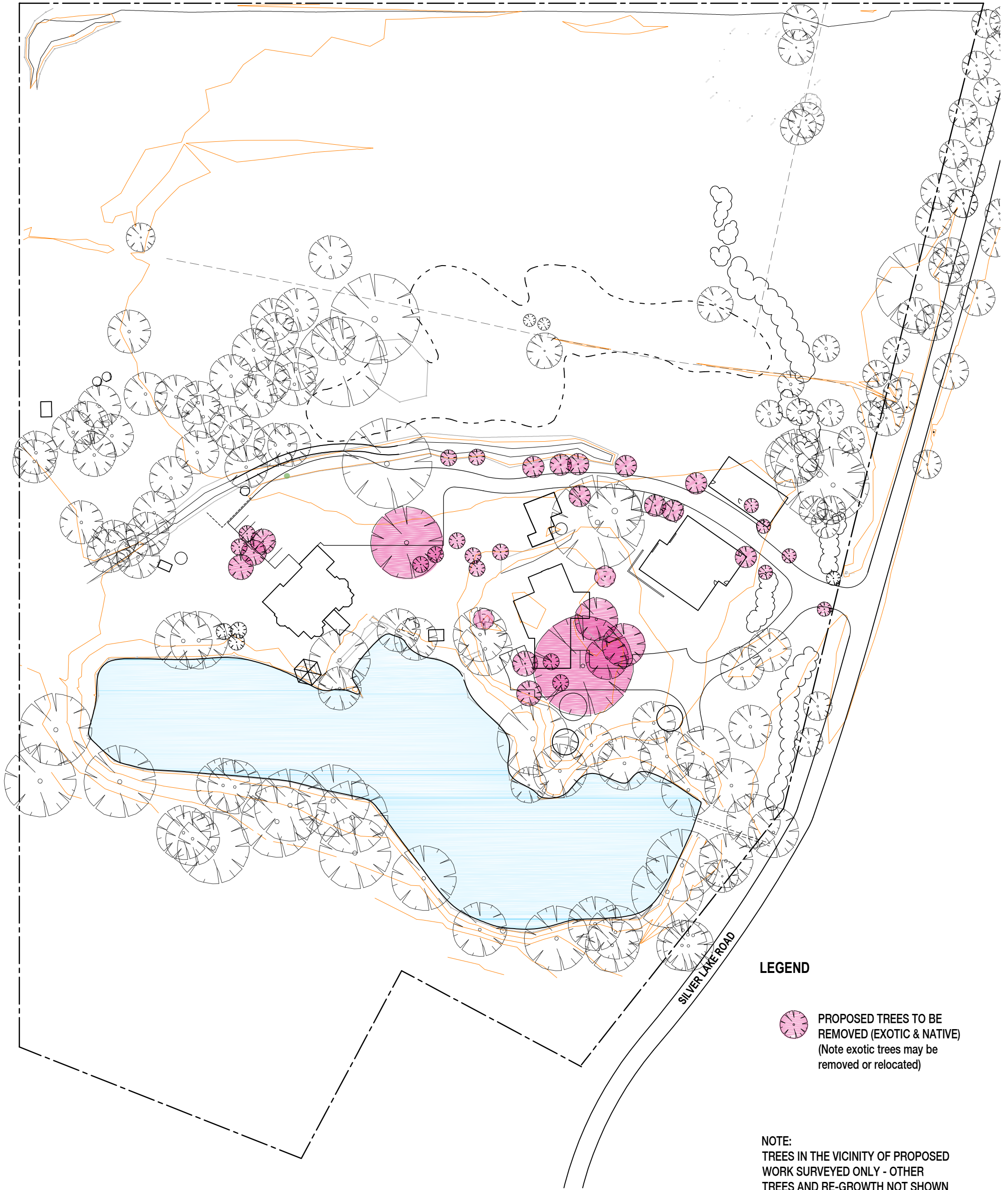


- LEGEND**
- TREES WITH WETTING SPRINKLER SYSTEM
 - ITEM NUMBERS - REFER FIRE MANAGEMENT PLAN REPORT


NOTES

NEW FIRE HOSE REELS TO AS PER FIRE SYSTEM RECOMMENDATIONS (SEPARATE REPORT - IPNM)





LEGEND

 PROPOSED TREES TO BE REMOVED (EXOTIC & NATIVE)
(Note exotic trees may be removed or relocated)

NOTE:
TREES IN THE VICINITY OF PROPOSED
WORK SURVEYED ONLY - OTHER
TREES AND RE-GROWTH NOT SHOWN



SCALE 1:1000

0 10 20 30 40 50m

HANNAFORD CONSULTING
m: 0401 693 552 hannaforconsulting@bigpond.com

SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

PROPOSED TREES TO BE REMOVED

5.4

ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

SILVER LAKE RD MYLOR SA

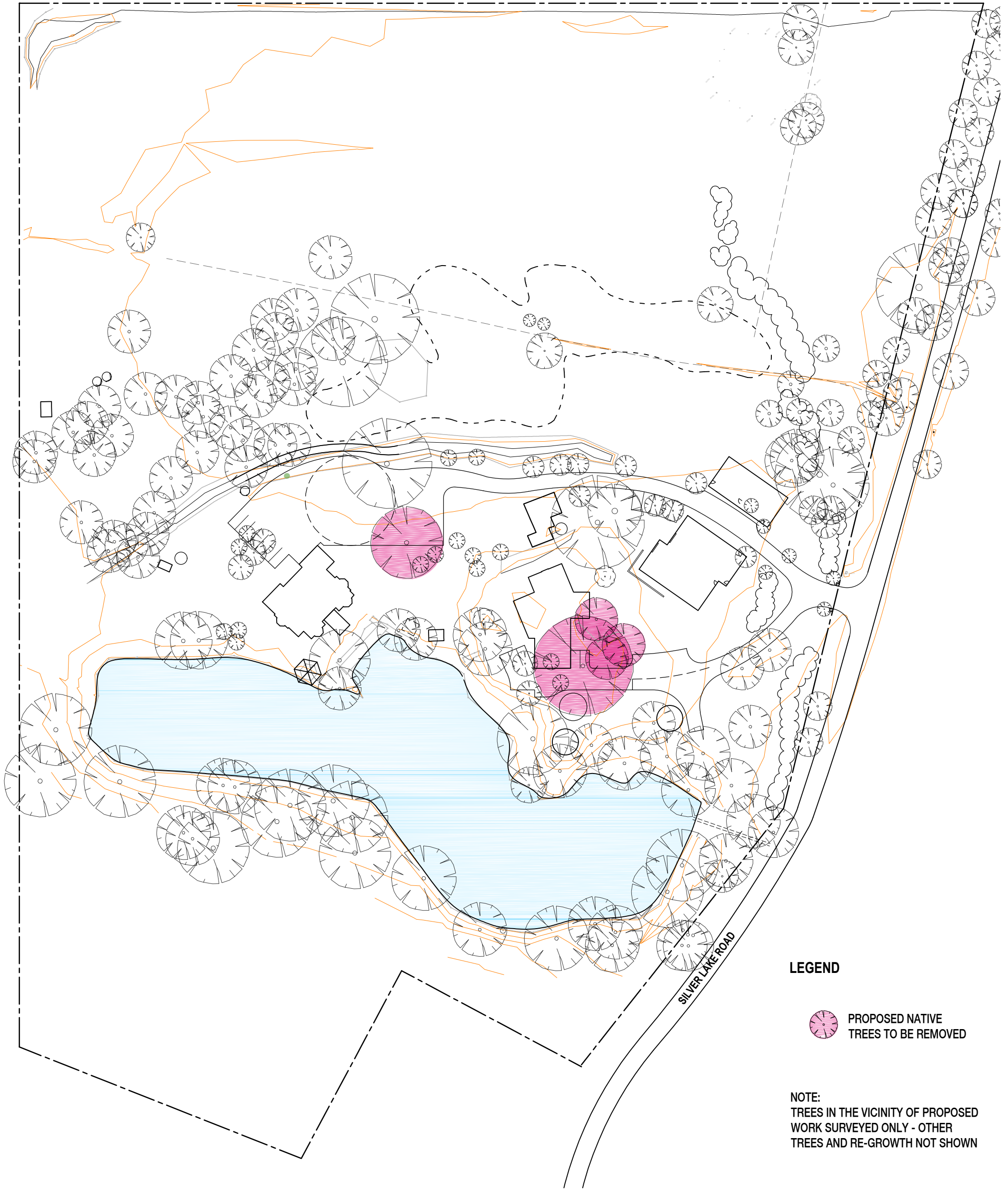
Scale: 1:1000 (A3)

Proj. / Draw. No: **1817 DA5.4**


Proj. Area: **SITE**

25.02.2020

Rev:



LEGEND

 PROPOSED NATIVE
TREES TO BE REMOVED

NOTE:
TREES IN THE VICINITY OF PROPOSED
WORK SURVEYED ONLY - OTHER
TREES AND RE-GROWTH NOT SHOWN



SCALE 1:1000
0 10 20 30 40 50m

HANNAFORD CONSULTING
m: 0401 693 552 hannaforconsulting@bigpond.com

SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

PROPOSED TREES TO BE REMOVED

5.5

ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

SILVER LAKE RD MYLOR SA

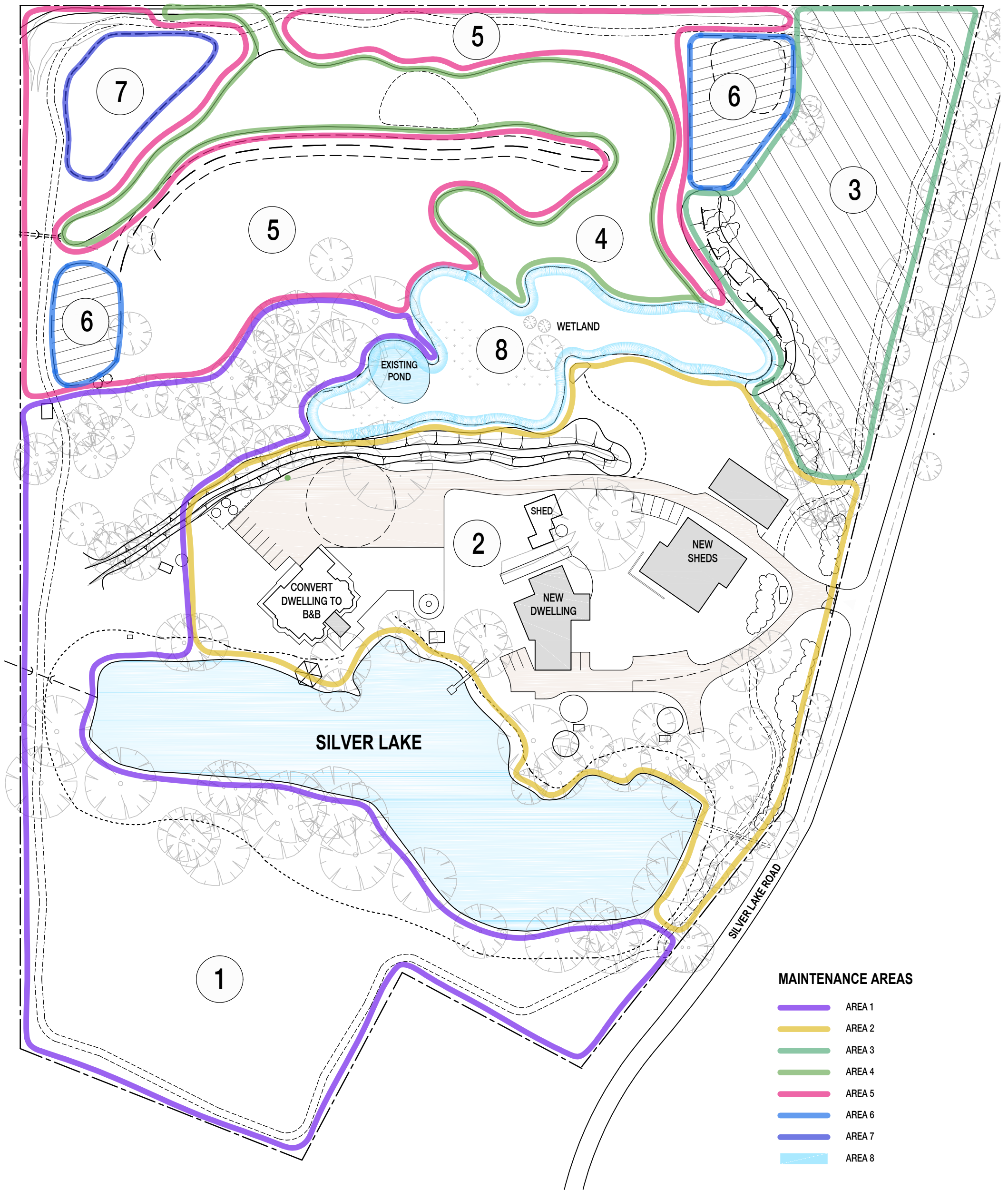
Scale: 1:1000 (A3)

Proj. / Draw. No: **1817 DA5.5**

Proj. Area: **SITE**

25.02.2020

Rev:



MAINTENANCE AREAS

- AREA 1
- AREA 2
- AREA 3
- AREA 4
- AREA 5
- AREA 6
- AREA 7
- AREA 8



SCALE 1:1000

0 10 20 30 40 50m

HANNAFORD CONSULTING
m: 0401 693 552 hannaforconsulting@bigpond.com

SILVER LAKE SITE REGENERATION & DEVELOPMENT

for RUDY GOMEZ

PROPOSED LANDSCAPING MAINTENANCE AREAS

6.1

ADELAIDE HILLS COUNCIL
RECEIVED 20/04/2020

SILVER LAKE RD MYLOR SA

Scale: 1:1000 (A3)

Proj. / Draw. No: 1817 DA6.1

Proj. Area: SITE

25.02.2020 Rev:

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: **20/366/473**

My Name: Dr Clare Bradley

Postal Address: PO Box 632, Mylor, SA 5153

Contact No:

Email:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: . supports the proposed development

My interests are: . owner of local property

The address of the property affected is:

88 Leslie Creek Road, Mylor Postcode: 5153

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

As a Mylor community member, I have heard a number of different opinions about the proposed development at Silver Lake and now having read through the extremely comprehensive and detailed application, I lodge my support for this proposal. If only more landowners paid this much attention to the weed load, water quality and fire mitigation for the property as the Gomez family appear to have done. Of course, the proof will be in the implementation of the proposal and I trust Council will adequately control compliance. I wish Cartwheel Resources all the best with their development and hope that the business brings a community-wide benefit to the village of Mylor and surrounds.

My objections (if any) could be overcome by:

N/A

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

Date: 28/09/2020



The closing time and date for Representations is 5.00pm on 02 October 2020

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

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: **20/366/473**

My Name: BOB BLUNDEN

Postal Address: PO Box 714 MYLOR 5153 (165 SILVER LAKE RD, MYLOR)

Contact No: [REDACTED]

Email: [REDACTED]
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ☒ supports the proposed development ~~OR opposes the proposed development~~
(cross out whichever does not apply)

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

The address of the property affected is:

.....Postcode:.....

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

WELL CONSIDERED AND ENVIRONMENTALLY SYMPATHETIC PROPOSAL THAT IS WORTHY
OF COUNCIL AND COMMUNITY SUPPORT NOT A PROBLEM FOR ME AS A SILVER LAKE RD RESIDENT
I HOPE ALL DEVELOPMENT IN THE AREA WILL ADDRESS WATER QUALITY, FIRE MITIGATION ETC IN
My objections (if any) could be overcome by: THE FUTURE

(cross out whichever does not apply)

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

OR

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

Date: 29 SEPT 2020

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Non-complying

My objections (if any) could be overcome by:

(cross out whichever does not apply)

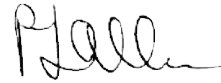
I do wish to be heard in support of my representation by appearing personally
by being represented by the following person.....

OR

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

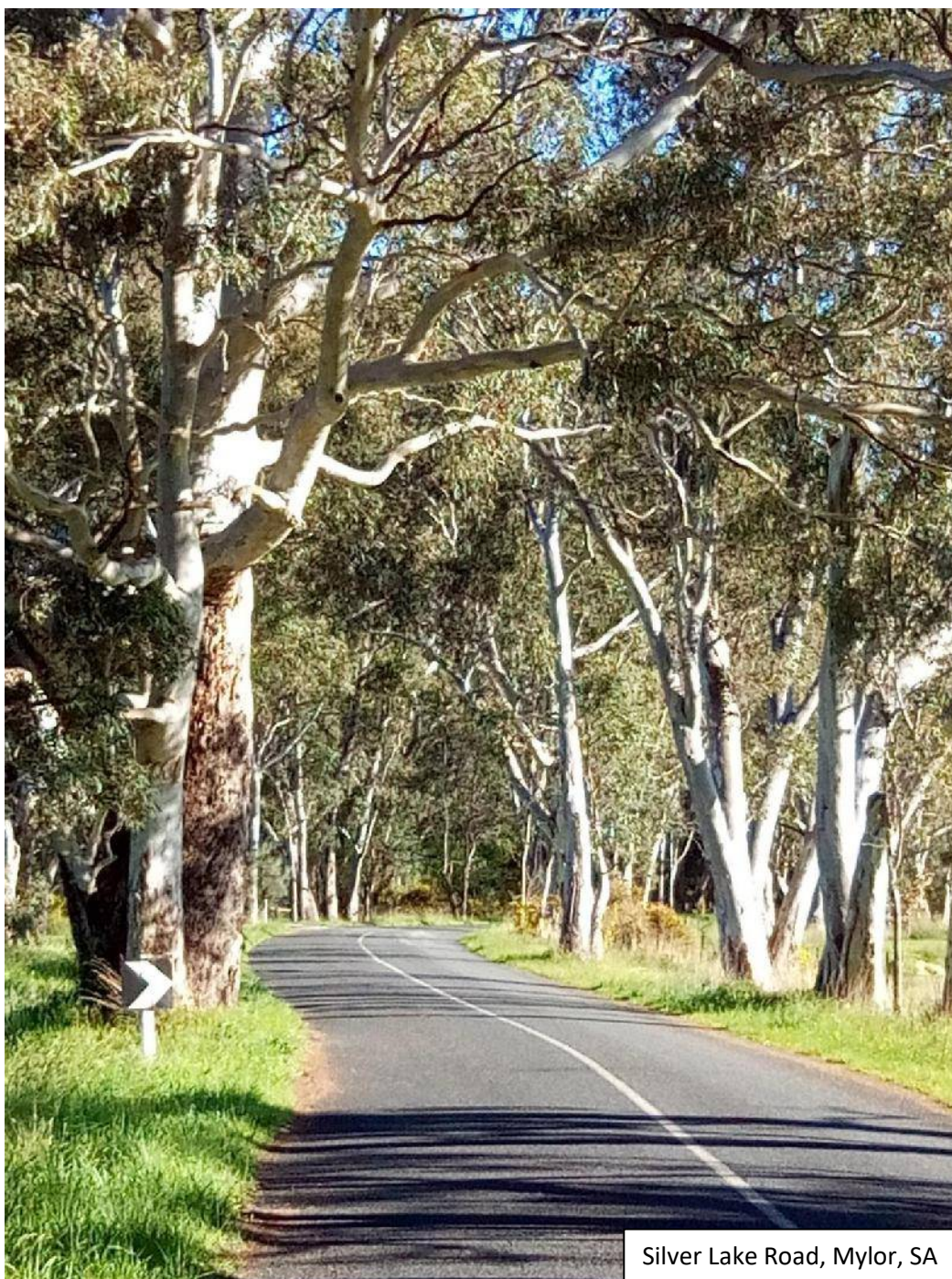
Date:

Signature:



The closing time and date for Representations is 5.00pm on 02 October 2020

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



Silver Lake Road, Mylor, SA

A Detailed Community Submission

by Concerned Mylor Residents

Opposing

the Proposed Category 3 Development (20/366/473)

by Cartwheel Resources Pty Ltd

at 118 Silver Lake Road MYLOR SA 5153

**A Public Response to the Proposed Category 3 Development (20/366/473)
by Cartwheel Resources Pty Ltd
at
118 Silver Lake Road MYLOR SA 5153**

We do fully oppose the proposed Category 3 (non-complying) development application (Development No. 20/366/473) by Cartwheel Resources Pty. Ltd., at 118 Silver Lake Road Mylor, SA 5153 (**the Development**).

We are concerned that the Development will have a detrimental impact on the existing Mylor community and environment by the removal significant and other trees, by an increase in noise and traffic, by the environmental impact on water resources and the natural environment, and by the lowering of property values.

General

The objections, comments, concerns and questions detailed in the sections below apply to the proposed Category 3 (non-complying) Development (20/366/473) application for a tourist facility, new residence and more at 118 Silver Lake Road, Mylor, SA 5153, commonly known as “Silver Lake”.

There are three primary issues to be considered:

1. The landscape character of the Adelaide Hills that is promoted for tourism by the SA State Government and the Adelaide Hills Council is slowly changing. Whilst tourism is increasing, it is slowly destroying the very Adelaide Hills landscape that is being promoted. This application is an example of that change.
2. The impact on local residents who have chosen to live in a quiet rural landscape of the Adelaide Hills, some raising their families here, but in particular the impact on the small township of Mylor and its environs. Residents living in the vicinity of Silver Lake Road have already experienced increased traffic and noise from the Mylor Baptist Adventure Camp expansion. If further tourist activities are developed it changes the nature and character of Mylor from a rural, living environment that residents have chosen to live in and raise their families, into an urbanised, commercialised and exclusive environment with negative social impacts for the local community.

3. The Development proposal specifies numerous measures of capacity (quantity, size, distance, volume, etc.) with regards to many aspects of the development - e.g. the number of people (overnight and day visitors), the number of functions, bedrooms and carparks, and areas. These various capacities could be developed into a business 'specification' (a 'limitation of capacities') for the development and ongoing business and agreed upon by all interested parties.

Should the development proceed, what checks will the Adelaide Hills Council (the Council) implement to ensure that no agreed/permitted/licensed capacity will be varied or exceeded? For example, who will monitor the tourism and function events to ensure that the venue is being used only in the manner specified in the development application?

We seek assurances therefore, should the development proceed, that the Council will be responsible for the implementation of policies and practices for monitoring the development and ongoing running of the business for any variation from the agreed 'specification' of the business and any environmental impacts resulting there from.

We also seek assurances, should the development proceed, that if for any financial/business reason or change of ownership of the property or business or other reason or reasons the operator may seek to vary/exceeded any agreed/permitted capacity, that the Council will prohibit such request.

Referring to the **Statement of Effect** by Botten Levinson Lawyers

The following points are concerns raised by local residents and were discussed at an open meeting on 12th September 2020, in the Mylor Hall. Each point is identified by the page number of the developer's application, followed by the item number as stated in the "Statement of Effect" section of the application.

- Page 4 - 7 *"The land has an area of 6.647ha ..."*
On page 54 of the 251-page application document, the area is stated as 6.6371 ha and on page 140 it is stated as 14-hectares. Which is it?
- Page 4 - 17.9 What breeds of fish will be released into the Lake? If they escape into the Onkaparinga, what will be the environmental impact and will there be a risk to the water quality of Mt Bold Reservoir? Who will monitor this potential problem in this water catchment zone (Watershed (Primary Production) Zone)?
- Page 4 - 19 Two residents are located southeast of the Lake property, one to the southwest. Two larger properties are located to the east and three properties are located south of the Lake property along Pillinda Lane. Is the Applicant suggesting that other residents across Pillinda Lane and Silver Lake Road will not be impacted? These residents have all voiced concern about **the Development**.
- Page 4 - 21 A tourist development is not rural living. A tourist development will affect neighbours even if it is small. How will Council monitor the actual use of the property once a tourist facility is established? The use of the term 'predominant use' "will remain for rural living purposes" is too vague and not at all clear.
- Page 4 - 22.3 The Lake property used to be a more natural eco-system, but the previous cutting down of significant red gums and other native trees by the current property owner has already detracted from its natural appearance. Creating a "park like" appearance will change it from a natural to an urban park-like appearance. Residents live in the Adelaide Hills to enjoy the natural eco-system and environment. If we wanted to live next to a park we would move to Adelaide City. Hence, it could be argued that the appearance and environmental qualities of this natural environment would decline/deteriorate if it was changed to a park-like appearance.
A continuation of tree reduction on the property is moving yet further away from a 'natural environment and eco-system'.
- Page 5 - 23.1 *"constructing a new dwelling on the land"*.
The Development proposal states that *"The new dwelling is of a relatively modest in size"* (sic) yet has a living area of 294 square metres. This 'modest size' dwelling is only 68 square metres smaller than the *"existing substantial two-storey detached dwelling"* which has a living area of 362 square metres over two floors. 68 square metres is the size of the garage and store in the proposed new dwelling. We agree that 'substantial' is a better adjective than 'modest'. Really, the new dwelling is quite substantial, and its size should not be downplayed.

Page 5 - 23.2 Where will 40 guests be accommodated at a function, inside or outside? There is probably sufficient room inside to accommodate 40 guests. If guests are outside and on the southern or eastern side of the existing house, noise will be amplified across the lake and annoy the nearby residents. This amplification of sound across the Lake (by dogs, people, and machinery) has been experienced by neighbours for over thirty years. In the past, neighbours have not objected to the occasional function at the Lake and they were notified by the previous Lake owner prior to the event.

Concerning the proposed Conservatory, *"The building addition is to be sited in a location where it is not readily visible from the public realm"*. The designated area for the Conservatory is readily seen from the public road and adjoining properties.

Page 5 – 23.4 The plans show the replacement jetty is 3.4m above the Lake RL 289m plus the height of the handrails (e.g. a further 1.1m). A jetty of this height will have a significant visual impact detracting from the natural quality of Silver Lake.

Page 6 - 24.6 The proposed plant and equipment buildings may be above the 1:100 ARI flood level but if they were there in 1992, they would be under a significant amount of water. During the 1992 flood, the fence posts in that vicinity were not visible and some had popped out of the waterlogged ground. A local resident attempted to drive her car through the flood waters, but her car stopped and the children in the car escaped through the open windows. As the flood water rose, the car floated and was starting to be swept away, when a neighbour waded out to the car, very dangerous, and tied a length of rope between the B pillar of the car and a tree on the side of the Silver Lake Road. The flood waters overflowed the door tops and filled the car. The car was written-off.



Silver Lake entrance in a typical annual flood. photo 2016

With Climate Change contributing to increased flooding events across Australia and the world that are more extreme, a flood like this one may become more common place.

- Page 6 - 25 *"There is ample room for car parking to take place"*. Is there? We can only count seven parking spaces to the northwest of the existing residence, five to the west of the proposed sheds and five adjacent to the new private residence (which are presumably not for public/tourist use). Is this parking enough to accommodate 40 guests inside the property? Off road parking outside the property is limited with uneven and often soft ground, not easily accessed and it can be dangerous negotiating a culvert, scouring and tree branches including large fallen gums.
- Page 6 - 27.1 *Typha domingensis*, bulrush, is an Australian native plant and its removal is subjected to the Native Vegetation Act. Any removal should follow the guidelines outlined in the Ormsby Report, i.e. remove 20% each year and replant. The following year removal should be dependent on the success of the revegetation work along the Lake edges. 100% removal of the bulrush at the one time will destroy wildlife habitat. Who will monitor that the safe, gradual removal of the bulrushes is carried out according to the guidelines? Will it be Council?
- Page 6 - 27.2 Brown colouration and leaf and bark debris are common in most Australian woodland lakes and is part of the natural eco-system. The colouration is difficult to remove. If it is an intention of the developer to remove mature red river gums (and any other eucalypt species) because they drop leaf and bark debris into the lake, then this cannot be allowed to happen. Removal of mature red river gums must not be allowed to occur under any circumstances.
- Page 6.- 27.3 Many species of waterfowl call Silver Lake their home. With over thirty years of observation by close neighbours, flocks of twenty to thirty ducks have flown into the Lake at any one time. The sound of over twenty ducks landing on the Lake is unmistakable and a delight to watch. Those numbers have halved after Mr Gomez's attempt to aerate the Lake water. White Face Herons nest in the old red gums annually. Moor Hens, Native Hens, Reed Warblers nest in the bulrushes annually. See the bird list attached at the end of this document.
- Page 6 - 27.5 The noise levels of any pumps and circulation activities must not disturb neighbours nor birdlife. The environs of Silver Lake are very quiet and well below the background noise of any city environment and that of a country town. The exceptions to this are the sounds of the wildlife.

Reducing the discolouration of the Lake water would be a major achievement. Circulating water through the wetland might help. It is a natural occurrence in most woodland lakes, particularly, in this case, with hundred-year-old (plus) red gums surrounding Silver Lake. It would be madness to remove these old red gums just to avoid leaves dropping into the Lake. On hot windy days, the Lake is often covered with leaves blown there from these significant trees as well as from other trees on the property and neighbouring properties.

Page 7 - 27.6 At present the bulrush species provides habitat for many species of birdlife, reptiles and a number of frog species. Bulrush species can be managed while still providing habitat for native wildlife. Guidelines have recommended that eradication of bulrushes, while difficult, can be removed by hand or by using of herbicide which can pollute the water and therefore is a risk to wildlife. If herbicides are used at Silver Lake, it is a risk to wildlife in this water catchment zone. Any removal of Bulrushes growing in Silver Lake must comply with the recommendations outlined in the Ormsby report.

Page 8 - 32 The removal of old growth trees must be avoided. Mr Gomez's contractors have already removed a number of old red gums that have been estimated to be over three hundred years old. Previous owners have considered these trees to be an asset to the Silver Lake property and not a major fire risk. It was a sad day when chain saws cut down these trees.



Tree removal. photo 2017

An invasive woody weed, *Populus spp.*, exists on the southern side of the Lake. Previous owners, with assistance of neighbours, have controlled these trees in years gone by. Since property ownership by Cartwheel Resources Pty Ltd, these poplars have spread and if not contained will invade neighbouring properties. This situation is not acceptable.

Page 8 - 36 What measures will be taken to treat the waste from large numbers of fish? Will this be a problem? The “hobby aquaponics” set-up with wastewater being used for a hydroponic system should not be a problem.

Page 9 – 40.3 Sections of the Silver Lake property flood annually.



Silver Lake entrance in a typical annual flood, photo 2016

Page 9 - 42.1 The “maintenance and enhancement of the natural resources” should include retaining all endemic trees, such as the old red gums and other significant trees, that are older than 50 years. It should include securing the natural eco-system of Silver Lake in order to retain the existing wildlife habitat. Cartwheel Resources Pty Ltd installed aerators on the Lake and when they were operational the water birds left the lake. The aerators have not been operated in the past couple of years and a number of water birds have returned but it appears that they are not in the same numbers as before the operation of the aerators.

Page 10 - 42.2 In order to retain the existing good quality of the water, pollutants such as herbicides should not be used on the property.

Page 10 - 42.3 In order to retain “the maintenance and enhancement of the pleasant, attractive rural landscape” exotic plant species would have to be removed, no new exotics planted and native plant species planted that will enhance the Mount Lofty Ranges landscape. Silver Lake is part of the landscape that is enjoyed by neighbours and users of the Silver Lake Road, like horse riders, cyclists and walkers. Many existing exotic plant species benefit the visual amenity of the Silver Lake property.

Page 10 - 42.4 A tourist venture like that proposed for Silver Lake will have a negative impact in many ways, not least from increased noise, increased traffic, increased demand on water, both potable and wastewater. “a substantial tourism industry with accommodation, attractions and facilities” should be grouped with similar uses in townships like Hahndorf.

Page 10 - 42.7 The proposed plant and equipment outbuildings are substantial additional buildings (600m²) and positioned close to Silver Lake Road (approx. 20m). They will have detrimental visual impact that should be screened at the very least with native vegetation. Barrie Ormsby's report details suitable screening for these building.

Page 10 – Overview

Parts of the area described flood regularly.



Silver Lake north eastern corner looking south west, in flood. photo 2016

Page 13 - 63, 64, 65, 66

These tourist/corporate functions appear small, but several potential issues should be clearly addressed.

Firstly, noise has been a problem in the past on rare occasions when there has been a wedding and several birthday parties. The owner of Silver Lake at that time informed neighbours of these events and that some noise would be experienced. The neighbours tolerated the noise as these occasions were rare. It must be an imposed requirement of any proposed function to have curfew (of say 10pm) and that noise levels must be low. Evening and night-time functions must be held inside in order to reduce noise, particularly considering the amplification of noise across Silver Lake to neighbouring residents.

Secondly, the parking for larger events at the Lake should be confined to the Silver Lake property site as there is no convenient roadside parking.

Thirdly, traffic is an existing problem which has increased with the development of the Baptist Adventure Camp at the end of Silver Lake Road. Traffic is at its worst in the morning and afternoon when Camp staff are going to and from work. Camp drop off and pick up can result in a continual flow of traffic, including buses and large coaches, which disrupts the rural living nature of Silver Lake Road. Some motorists have been seen to find it difficult to negotiate the Road particularly when encountering other traffic such as oncoming buses or cars and when sharing the

road with walkers, horse and bike riders. Local residents use Silver Lake Road regularly for walking, horse and bike riding. The local residents desire this road to remain a country road and not be reconstructed into a major road with kerbs and foot paths.

Page 14 - 68 Clause 68 states *“As noted above, a substantial dwelling already exists on the land. Further, in 2017 the Council granted development plan consent for a second residential use building (in the form of a dependant residence) on the land. Thus, the proposal will result in there being only 1 dwelling on the land, with the conversion of the existing dwelling to a tourist/small function facility.”*

'Two dwellings on a single allotment' is one type of development that is non-complying in the Watershed (Primary Production) Zone. To argue that the current dwelling accommodation is a 'tourist/small function facility' and ceases to be a dwelling is an interesting technicality.

The SA Development Regulations 2008 states **“multiple dwelling** means 1 dwelling occupied by more than 5 persons who live independently of one another and share common facilities within that dwelling”. It could be argued then, that the tourist/function facility is still a dwelling.

If the proposed new dwelling is constructed, there will be two buildings of similar use. The lawyers seem to focus on the term dwelling to side-track from the fact that there will be two significantly sized buildings on the site to accommodate people, with one solely for commercial use. The new proposed three-bedroom building is of significant size and appears not to be a dependent (assisted-living) dwelling as previously proposed. The proposed new dwelling is of a size like that of the existing dwelling (only 68 square metres smaller).

Page 14 - 71.4 The construction of the proposed outbuildings will be clearly visible from Silver Lake Road. According to the designs they are significant additional buildings, in terms of size (600m²), use and proportion. Is the setback sufficient and what screening will be required?

Page 15 - 73 The Ormsby report details proposed planting and maintenance and should be followed. Significant native trees should not be removed.



Long grass on southern side of Silver Lake. The grass was eventually cut once it had dried off. The drying grass was a fire hazard concern to neighbours. photo 2017

Page 15 - 74 The Ormsby report details proposed planting and maintenance and should be followed.



Long grass and weeds invading into a neighbouring property. photo Oct 2020

- Page 15 - 77 Due to their location, the proposed outbuildings will not be “unobtrusive” from Silver Lake Road. These building will be clearly visible from Silver Lake Road.
- Page 16 - 80 How will the proposed changes to the Lake, maintain and protect the existing heritage characteristics of the Lake, if the intention is to create an urban park-like appearance of the lake and surrounding site? A park-like appearance is not compatible with the heritage characteristics of Silver Lake.
- Page 16 - 81 & 82
The proposed wetland, redirection of drainage ditches on the north of the Lake property thereby directing water into the wetland and treatment of Lake water through the wetland as described in the application are very positive aspects of this application. A maintenance regime is clearly described in the Ormsby report and must be adhered to, in order to achieve the outcome described in the application. Who will monitor the maintenance regime and assure accountability of the Silver Lake owner? Who will set standards and limits? This needs to be considered by Council.
- Page 17 - 86 Reference is made to “appropriately located car parking”. What does this mean? How many car parks are required for the new dwelling? How many car parks will be provided for the tourist development and are they all shown on the plans? There are 5 labelled “PARKING” another 7 at the rear of the existing dwelling that are presumably parking and five adjacent to the new private residence (which are presumably not for public/tourist use). Are 12 car parking spaces adequate for 40 guests?
The new dwelling (Living 294m²) is referred to as not large in floor area, but according to the plans is very close in floor area to the existing dwelling (Living 362m²).
- Page 20 - 97 *“The construction and use of the proposed development will not result in any nuisance or loss of amenity to the community generally nor to any immediate neighbours. Indeed, the proposed development will enhance the amenity and landscape of the locality.”* This clause has been written without any input from the local residents and considering the items detailed in this submission it is clearly incorrect and misleading.

The Mylor neighbourhood is a quiet, close knit community. Residents are involved in community activities of their interest such as CFS, Mylor Red Cross, Mylor Parkland Bushcare, Mylor Yoga, Mylor Oval, art group, church groups, the 3Cs club and the Mylor Heritage group.

Concerns by local residents are that the development will lead to increased noise, increased traffic, a detrimental change to the natural environment and the removal of old red gums and other trees. Also of concern is that the proposed maintenance regime will prove no better than the regime that has been exhibited to date.

Local residents work together to support and assist each other with activities on their properties such as fire prevention, personal projects involving larger physical activities and professional advice. Local community social events occur annually. Mr Gomez has attended only one of these events soon after his purchase of the Silver Lake property. As we understand he has not lived at the Silver Lake property and therefore has had limited contact with the local residents and the community. We would welcome his genuine involvement in our community.

Historically, water from Silver Lake has been shared by two neighbours for greening their properties as a fire prevention measure and for firefighting purposes. The amount of water used has been estimated to average less than 1% of the capacity of the Lake. Soon after Mr Gomez purchased the Silver Lake property, he (via property manager Darren Hoppe) requested that the pumps used to supply this water be removed, making the water unavailable to those neighbours. While it was Mr Gomez's right to do this, it clearly demonstrates his unwillingness to be community minded.

The development of this proposed commercial tourist activity will not only impact on local residents but will increase the demand on Silver Lake Road, already stressed by recent increased activity from the staff and attendees of the Mylor Baptist Adventure Camp.

Referring to the **reports by consultants**

The following additional points address references in the consultants' reports in the Development Application and page numbers relate to that PDF document.

Silver Lake. Site Regeneration & Development by Hannaford Consulting

Page 25 (PDF) The Proposed Site Plan 1.1 for the Silver Lake property, developed by Hannaford Consulting for the purpose of site regeneration and development does not include any planned works for the southern side of the Lake property except for the establishment of a 2 metre wide boundary dirt track (exposing the mineral soil recommended for bush fire prevention purposes) along the perimeter of the property. According to the site plan this boundary track would require removing trees of the River Redgum Woodland along Boundaries (84.19) and (289.55). It may also require removal of mature gum trees along Boundaries (59.14) and (56.63). This needs to be established and detailed in the proposal to enable the assessment of environmental and social impacts as part of this Category 3 development proposal. These Red Gums must be preserved as stated earlier. The social impacts that are likely to be experienced by neighbours on the southern side, whose properties adjoin the Silver Lake property would include unpleasant visual effects of looking out over a dirt track, noise and dust nuisance created by maintenance vehicles and machinery operated from the boundary track and loss of the enjoyment of the previously natural environment on the southern side of the Silver Lake property.

As well as the noise from the use of the track by maintenance vehicles, their use will create a dust problem in summer. Local residents experience dust from Pillinda Lane and while this is not a major problem due to distance and screening, a maintenance track close to the property boundaries of local residents, will no doubt be an issue. A paved or sealed track is incongruent with the rural nature of the existing locality, it may lead to surface erosion as a result of rainfall and is not acceptable.



The south west corner of Silver Lake has Red Gums close to the boundary with one significant gum growing a little over one metre from the fence line. These gums should not be removed. photo Oct 2020

Page 28 (PDF) The proposed site section 1 (1.4) shows planned screening planting to hide the view of the three proposed outbuildings and of the new dwelling at the entrance of the Silver Lake property and along Silver Lake Road. The supposedly enhanced views for the public will be effectively screened off, as has already been done with Photinia spp. and other tree planting along the boundaries of neighbouring properties on the southern side of the property and on the southern section boundary on Silver Lake Road. This indicates clearly that any supposedly enhanced views will be effectively screened from view by the public to achieve privacy and exclusivity of the site. It is doubtful that supposedly enhanced views of the property will be of social benefit, other than for the Silver Lake owner and his guests and the tourists.

Plan 1.4 gives an indication what might be seen from Silver Lake Road – it looks like an industrial complex.

Page 48 (PDF) The Site Regeneration & Development plan 6.1, lists 8 maintenance areas for site development and ongoing upkeep on the Proposed Landscape and Maintenance Areas plan 6.1. These maintenance areas will require ongoing significant people power, machinery, plant and equipment use for their establishment and maintenance. The increased activity and noise level created by said people, machinery, plant and equipment and in the establishment and ongoing maintenance of this project is unclear, with no standards or limits stated or stipulated. It is anticipated that the activity and noise nuisance levels will be considerable given the size and scale of this development.

The negative impacts of this commercial establishment and activity will be experienced by the neighbouring community and is expected to significantly decrease the enjoyment and amenity of living in a rural living zone. Again, there is no stated plan for site regeneration and development activities on the southern and western side of the property i.e. "Maintenance Area 1" other than establishment of the boundary track, which runs adjacent to several neighbouring property boundaries. This needs to be provided by Cartwheel Resources Pty Ltd before the social and environmental impact of this Category 3 development proposal can be assessed.

Silver Lake Bushfire Management & Vegetation Review by Environments by Design

Page 99 (PDF) The table on Page 51 lists a series of exotic plants that if planted in significant numbers would change the indigenous nature of the existing landscape. Many landscapes with these exotic species can be found in Stirling and while they are attractive in Stirling, they do not fit with the Mylor landscape that is outside the township.

Water Resources Report by Water Technology

Page 149 (PDF) - 4.2 Lake Flow System

"The lake can be topped up if necessary from an on-site bore during summer. "

In the past, two neighbouring residents have had access to water from Silver Lake to maintain their gardens in a green state for fire prevention and for firefighting use for over 30 years. When the Silver Lake property was transferred to Cartwheel Resources Pty Ltd the property manager requested that the neighbours remove their pumps. An electric pump and a firefighting petrol pump shared by the two neighbours were removed.

Annual evaporation at Mt Bold is quoted as 1,560mm (Estimating the Impact of Current Farm Dams Development on the Surface Water Resources of the Onkaparinga River Catchment. South Australia. Department of Water, Land and Biodiversity Conservation).

Observation of evaporation of Silver Lake shows a surface level variation of 400mm in an average year to 1100mm in dry years between winter and summer. Given the Lake surface area of 8,400 m² the quantity of water needed to top-up the Lake is between 3,360m³ (3.36ML) to 9,240m³ (9.24ML). Can the on-site bore supply this quantity of water and is a water license in place and how will pumping this quantity of water from the aquifer affect neighbouring bores? One should also ask if good-quality bore water should be used to top up a water body of inferior water for purely aesthetic reasons.

Birds in the vicinity of Silver Lake

Common Name	Scientific Name
Australian Magpie	<i>Gymnorhina tibicen</i>
Australian Reed Warbler	<i>Acrocephalus australis</i>
Australian White Ibis	<i>Threskiornis molucca</i>
Australian Wood Duck	<i>Chenonetta jubata</i>
Black-shouldered Kite	<i>Elanus axillaris</i>
Brown Goshawk	<i>Accipiter fasciatus</i>
Brown Headed Honeyeater	<i>Myioboltonia brevirostris</i>
Chestnut Teal	<i>Anas castanea</i>
Common Bronzewing	<i>Phaps chalcoptera</i>
Crescent Honeyeater	<i>Phylidonyris pyrrhoptera</i>
Crimson Rosella	<i>Platycercus elegans</i>
Dusky Moorhen	<i>Gallinula tenebrosa</i>
Eastern Rosella	<i>Platycercus eximius</i>
Galah	<i>Eolophus roseicapilla</i>
Grey Currawong	<i>Strepera versicolor</i>
Grey Fantail	<i>Rhipidura albiscapa</i>
Grey Shrike-thrush	<i>Colluricincla harmonica</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
Little Grassbird	<i>Poodytes gramineus</i>
Little Lorikeet	<i>Glossopsitta pusilla</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Raven	<i>Corvus mellori</i>
Little Wattlebird	<i>Anthochaera chrysoptera</i>
Long-billed Corella	<i>Cacatua tenuirostris</i>
Magpie-lark	<i>Grallina cyanoleuca</i>
Masked Lapwing	<i>Vanellus miles</i>
Mistletoebird	<i>Dicaeum hirundinaceum</i>
Musk Lorikeet	<i>Glossopsitta concinna</i>
New Holland Honeyeater	<i>Phylidonyris novaehollandiae</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Peregrine Falcon	<i>Falco peregrinus</i>
Purple Swamphen	<i>Porphyrio porphyrio</i>
Purple-crowned Lorikeet	<i>Glossopsitta porphyrocephala</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
Red Wattlebird	<i>Anthochaera carunculata</i>
Red-browed Finch	<i>Neochmia temporalis</i>
Sacred Kingfisher	<i>Todiramphus sanctus</i>
Scarlet Robin	<i>Petroica boodang</i>

Silvereye	<i>Zosterops lateralis</i>
Southern Boobook	<i>Ninox boobook</i>
Spotless Crakes	<i>Porzana tobuensis</i>
Spotted Pardalote	<i>Pardalotus punctatus</i>
Striated Pardalote	<i>Pardalotus striatus</i>
Striated Thornbill	<i>Acanthiza lineata</i>
Sulphur-crested Cockatoo	<i>Cacatua galerita</i>
Superb Fairy-wren	<i>Malurus cyaneus</i>
Tawny Frogmouth	<i>Podargus strigoides</i>
Wedge-tailed Eagle	<i>Aquila audax</i>
White-browed Treecreeper	<i>Climacteris affinis</i>
White-faced Heron	<i>Egretta novaehollandiae</i>
White-naped Honeyeater	<i>Meliphaga lunata</i>
White-throated Treecreeper	<i>Cormobates leucophaea</i>
White-winged Chough	<i>Corcorax melanorhamphos</i>
Willie Wagtail	<i>Rhipidura leucophrys</i>
Yellow-faced Honeyeater	<i>Caligavis chrysops</i>
Yellow-tailed Black-Cockatoo	<i>Calyptorhynchus funereus</i>

Reptiles and Mammals in the vicinity of Silver Lake

Common Name	Scientific Name
Blue Tongued Lizard	<i>Tiliqua nigrolutea</i>
Brush Tailed Possum	<i>Trichosurus vulpecula</i>
Eastern Brown Snake	<i>Pseudonaja textilis</i>
Grass Skink	<i>Lampropholis guichenoti</i>
Heath Goanna	<i>Varanus rosenbergi</i>
Koala	<i>Phascolarctos cinereus</i>
Marbled Gecko	<i>Christinus marmoratus</i>
Rakali (Native Water Rat)	<i>Hydromys chrysogaster</i>
Red Bellied Black Snake	<i>Pseudechis porphyriacus</i>
Ring Tailed Possum	<i>Pseudocheirus peregrinus</i>
Short-Beaked Echidna	<i>Tachyglossus aculeatus</i>
Western Grey Kangaroo	<i>Macropus fuliginosus</i>
Micro Bat	
Numerous Frogs	



Heath Goanna walking through a Pillinda lane property and into Silver Lake. photo 2019

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: **20/366/473**

My Name: **for and on behalf of the Mylor Community** (names and signatures below)

Postal Address: (see below)

Contact No: (see below)

Email: n/a

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

Our representation: . ~~supports the proposed development~~ **OR** opposes the proposed development
(cross out whichever does not apply)

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

The address of the properties affected are:

Numerous (see below)

Postcode: 5153

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

Presented in the attached document

Our objections could (in part) be overcome by:

The first step in overcoming our objections would be the timely facilitation of a **community-developer mediation meeting** with a skilled facilitator. This could take place at the Mylor Hall and we would request it take place without the attendance of Mr Gomez's legal counsel and other consultants. The purpose of the meeting would be to share openly our personal histories, values, visions, (desired) experiences and outcomes of living (and wanting to live) in Mylor. This kind of meeting between residents and developer could provide a chance for Mr Gomez to get to know the Mylor community in the vicinity of his property and to evaluate together what the social, environmental and economic effects from the development might be from our different perspectives. The purpose of the meeting would be to properly hear and come to understand the various perspectives and hopefully find some common ground.

(cross out whichever does not apply)

We do wish to be heard in support of my representation by appearing personally by being represented by ~~the following person~~ a group of residents, each speaking to different aspects of their and this submission.

OR

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

Date: 29/09/2020

Signatures: **Presented in the attached document**

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Ian Hobbs
6 Pillinda Lane (PO Box 625)
Mylor SA 5153

30/09/2020

Marie Molinaro
Statutory Planner/Planning and Development
Adelaide Hills Council

Dear Ms Molinaro,

**RE: Development application at 118 Silver Lake Road, Mylor, SA by Cartwheel Resources Pty Ltd
Development Number 20/366/473**

This non-complying development is situated in the Watershed Primary Production Zone (Water Protection Area) in Mylor. It has been zoned as such, because planners have wanted to minimise the impact on a water catchment area and the infrastructure, such as roads and drainage. The general tone of the Application such as *"the proposed development will not result in and nuisance or loss of amenity to the community generally nor to any immediate neighbours"* is incorrect and misleading. The Applicant has not consulted the immediate neighbours and therefore does not know what our views are.

The Applicant has prepared a lengthy detailed application which is challenging to review thoroughly in two weeks. The issues resulting from approving such a development are many, both to the local residents and the broader community and are detailed in the attached report, 'Detailed Community Submission', they include:

1. water security for South Australia's largest reservoir,
2. water supply to the proposed development,
3. aquifer security for existing land holders,
4. is the power supplied to the property adequate?
5. increased traffic on Silver Lake Rd, a road designed for rural living,
6. increased noise affecting local residents,
7. increased dust affecting local residents,
8. degradation/destruction of native vegetation in a unique eco-system,
9. social impact on the existing neighbours and the broader community,
10. lack of respect for local heritage,
11. existing poor land management suggests poor future management and
12. giving a developer approval to develop a commercial enterprise that is incongruent with the existing community culture and activities.

I also draw your attention to "Appendix 1", "Adelaide Hills Council Development Plan items" in particular the items displayed in red as this application appears to contravene all of those points. The Adelaide Hills Council, Watershed (Primary Production) Zone, Fact Sheet should also be considered as the Silver Lake property is located in a "Water protection Area". See attachments.

Approving this tourist development that is non-complying with the Watershed Primary Production Zone (Water Protection Area), is dis-respectful to the families that have lived in the locality, many for decades, and the neighbourhood community that has developed mutual trust of and support for each other. The existing residents have contributed to the welfare of the broader community by volunteer activities strengthening the social fabric that makes Mylor what it is today. Mylor is a quiet, pleasant community in which to live – it is not busy Hahndorf.

This is our home and our community. I request that you reject this Application.

Yours sincerely

Ian Hobbs

Attachments:

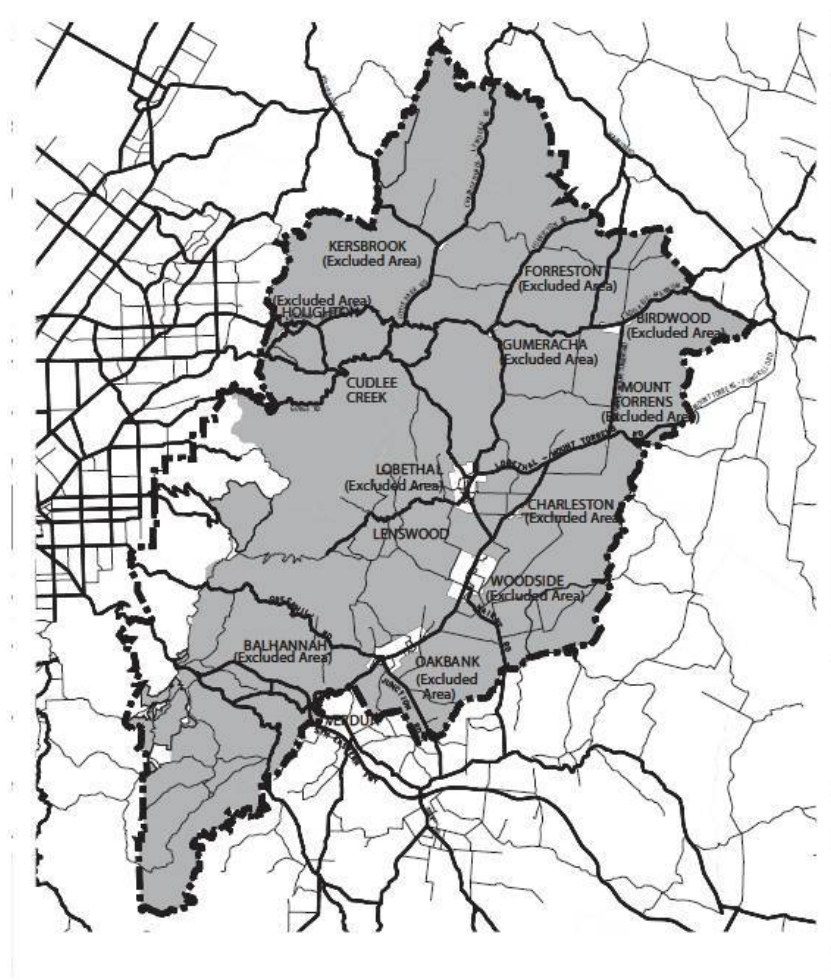
1. Appendix1, Adelaide Hills Council Development Plan items.
2. Native Vegetation Council Guideline, Clearance of Common Reeds
3. "I do fully oppose the propose non-com[plying Category 3 application (Development No 20/366/473)
4. A detailed Community Submission
5. Watershed (primary Production0 Zone, AHC Fact Sheet

Watershed (Primary Production) Zone Fact Sheet

OVERVIEW

The Watershed (Primary Production) Zone (W(PP)) makes up the majority of the Adelaide Hills Council Area (refer map below). The Zone's objectives and principles aim to prevent development that may lead to deterioration in the quality of surface or underground water within the Mount Lofty Ranges Watershed and also maintain land in primary production.

The quality of Adelaide's water depends upon the effectiveness of pollution controls in these watersheds. The watershed supplies up to 60% of metropolitan Adelaide's drinking water, and therefore it is of extreme importance that watersheds are managed sustainably.



NOTE: This illustrated boundary may not accurately reflect the definition for the Mount Lofty Ranges Watershed set out in the Regulations under the Water Resources Act 1997.



— Development Plan Boundary

ADELAIDE HILLS COUNCIL
MT LOFTY RANGES WATERSHED AREA

FORMS OF DEVELOPMENT THAT ARE NOT APPROPRIATE (NON-COMPLYING) IN THE W(PP) ZONE

In order to regulate activities which are detrimental to the supply of high quality water, density and pollution controls over land use and land division must be enforced.

Types of development that are non-complying in the Zone include:

- Land division creating any new allotments
- Two dwellings on a single allotment
- Alterations and additions to dwellings exceeding 50% of the floor area (unless criteria regarding distances from watercourses and waste control systems are met)
- Dwellings that are located within a 1:100 year flood area or less than 25m from a watercourse
- Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990)

Please refer to Council's Development Plan for a complete list of non-complying development.

PRINCIPLES OF DEVELOPMENT CONTROL

All proposed development is expected to satisfy the following principles:

- Water Conservation
 - All buildings/structures should generally be 25 metres away from any watercourse and not within the 1:100 year flood plain;
 - Septic tanks must be a minimum of 10 metres from a watercourse and irrigation areas a minimum of 50 metres away from a watercourse
 - Excavation and filling of land should be limited to 1.5 metres in height
 - The slope/gradient of a site should not exceed 1 in 4
- Materials used
 - Buildings should be clad in materials which are non-reflective and which do not detract from the amenity and character of the area. They should blend in with the natural environment.
 - Natural tones are preferred (e.g. browns, greens and greys)
- Waste System Requirements
 - The majority of the Zone is not connected to the 'mains' sewer system. Therefore an alternative on-site waste water dispersal system must be approved before any new dwelling can be approved.

PLEASE NOTE

The information provided in this Fact Sheet is only intended to be a summary. All applications are considered on their individual merits and therefore situations may vary.

Contact details

Development & Regulatory Services
Duty Planner
(08) 8408 0400

Further information

Adelaide Hills Council
mail@ahc.sa.gov.au
ahc.sa.gov.au
PO Box 44
Woodside SA 5244

I do fully oppose the proposed non-complying **Category 3** application (Development No. **20/366/473**) by Cartwheel Resources Pty. Ltd., at **118 Silver Lake Road Mylor (the Development)**.

I am concerned that this proposed development will have a detrimental effect on the existing Mylor community by removing significant trees, increasing noise and traffic, environmental impact on water resources and the natural environment, and lowering property values.

I have the following objections, concerns and questions relating to the proposed Category 3 development.

1. Business/Economic Impact

Is this business venture viable? What is the likelihood of its success? What will be the impact on the existing residents if the venture fails?

- 1.1. While not directly addressed in the planning application it is a worthwhile question to ask, "What evidence exists to support the development of tourist accommodation and associated function venue at this address when there already exists such facilities throughout the Adelaide Hills, such as in Hahndorf, Aldgate and Verdun?".
- 1.2. There are major concerns regarding the visual and environmental impact left behind if such a venture should fail. In the event that this failure should occur, the resultant "white elephant" could have a profound negative impact on land and property values in the area.
- 1.3. The Development proposal specifies numerous measures of capacity (quantity, size, distance, volume, etc.) with regards to many aspects of the development - e.g. the number of people (overnight and day visitors), the number of functions, bedrooms and carparks, and areas. These various capacities could be developed into a business 'specification' (a 'limitation of capacities') for the development and ongoing business and agreed upon by all interested parties.

Should the development proceed, what checks will the Adelaide Hills Council (the Council) implement to ensure that no agreed/permitted/licensed capacity will be varied or exceeded? For example, who will monitor the tourism and function events to ensure that the venue is being used only in the manner specified in the development application?

We seek assurances therefore, should the development proceed, that the Council will be responsible for the implementation of policies and practices for monitoring the development and ongoing running of the business for any variation from the agreed 'specification' of the business and any environmental impacts resulting there from.

We also seek assurances, should the development proceed, that, if for any financial/business reason or change of ownership of the property or business or other reason or reasons the

operator may seek to vary/exceed any agreed/permitted capacity, that the Council will prohibit such request.

- 1.4. Similarly, the above-mentioned self-imposed limits must not be able to be varied by any new owner of the property or business should the property be sold or otherwise disposed of.
- 1.5. I seek assurances therefore, that should this development proceed, the Adelaide Hills Council (the Council) will be responsible for the implementation of policies and practices for monitoring the development for any "specification creep" of the business and any environmental impacts resulting there from.

2. Planning

The Category 3 development application (Development No. 20/366/473) submitted to Council is a well presented 251-page document with expert opinions on planning and other parameters that favour the development. Will Adelaide Hills Council seek independent opinions on this development?

The Category 3 Development Application submitted to the Council is a well presented 251-page document with expert opinion and planning that favours the development. In so doing it raises multiple issues and concerns:

- 2.1 Changing the use of the property with a Category 3 development, i.e. tourist accommodation facility and function centre, when all other surrounding properties are rural, residential, or agricultural in nature.
- 2.2 The development of a second dwelling on a single allotment in a Watershed (Primary Protection) Zone is one of the criteria which makes this application a Category 3. Should this application succeed, will Council be consistent in the application of its planning rules with regards to any future application for two dwellings on a single allotment?
- 2.3 Another criterion making this application Category 3 non-complying is "Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990)" (AHC RESIDENT-PLANNING-Fact-Sheet-Watershed-Zone document, Oct. 2018). This means that the conversion of the existing dwelling (built c. 1995) to tourist accommodation use is non-complying.
- 2.4 Major concerns exist around water use, water disposal, water management and water development. The opinion given within the submission is just one opinion that does not offer an alternate view or opinion and the submission does not contain an Environmental Impact Statement. What impact will this development have on the surrounding locality?

I implore Adelaide Hills Council to seek alternative studies and opinions that consider the welfare of the community and environment.
- 2.5 Silver Lake Road is a country road. It has no defined gutters or edges. There are no associated footpaths (nor do the residents want them) resulting in people using the roadway to walk their dogs, ride their bikes or horses. Traffic already exceeds levels that are comfortable to residents. There is no formal report regarding monitoring of existing road use. Parts of the road are submerged following minor flooding events including water over the roadway into 118 Silver Lake Road.



Silver Lake entrance in a typical annual flood, 2016

2.6 The Aquaponics proposal does not include details of fish species to be cultivated (although reference was made to the use of PIRSA recommendations). It is of concern that if non-native fish species are bred and escape due to excess overflow or flooding, it has the potential to be devastating to the ecosystem of the Onkaparinga River (e.g. European Carp). An Environmental Impact Study and risk assessment is both required and requested. Who will monitor the proposed fish breeding to ensure the safety of the Onkaparinga waterway?

3. Environmental Impact

There are many environmental impacts that concern the broader community such as water quality, native vegetation removal, increased noise and traffic and reduced visual amenity.

3.1. In the event of power outage (not infrequent for the area) the proposed Bio-cycle Waste Management System is inoperable. Not only would this system need to be of a size to handle a Bed and Breakfast facility catering for up to 14 guests plus ground-staff, it would also need to be sufficient in capacity to cope with an additional 40+ people when functions are underway, PLUS the occupants of an extra residence. If the Bio-cycle Waste Management System fails or a related pump fails or flooding occurs above the 100 years flood level as it did in 1992, effluent may escape over a neighbour's property and flow into the Onkaparinga River and downstream to the Mt Bold Reservoir, part of Adelaide's main water supply. Has an EPA study been commissioned?

3.2. Visually, the proposed second dwelling, large sheds and aquaponics-hothouse building will be in plain view from Silver Laker Road and this will only be exacerbated should existing trees be removed. The proposed aquaponics and hydroponics building adjacent to the entrance is out of keeping with existing residences on acreage which are mostly set back at least 50 metres from the roadway. The aesthetics when driving along Silver Lake Road will decline.

- 3.3. It is noted in the proposed development application that there will be “maintenance tracks” and “walking paths” around Silver Lake and the property. The representative map implies that several large gum trees will be removed to enable this to occur. As these trees contribute to the existing ecosystem by housing bird nests, brush tail possums and native bee populations there will be an environmental impact. Again, has an EPA study been requested into this matter?
- 3.4. Of major concern to the immediate neighbours is noise nuisance. From past experience, the neighbours appreciate all too well how sound travels over the lake.
- 3.5. There will be substantial noise during the development phase with earthworks, tree lopping and chipping, lake dredging and building construction - although probably 6 – 12 months, this will be relatively short term.
- 3.6. Ongoing, will be the noise from the B&B, wedding celebrations and other events, the Manager’s residence, plant operation and from ongoing property and plant maintenance. Noise from the increased vehicle traffic on Silver Lake Road is also a concern.
- 3.7. With up to 50% occupancy of the B&B (according to the application’s Site and Soil Report) there is a potential for over 2,500 visitor bed-nights, or 7 visitors every night of the year! Day events of up to 40 people (including the overnight guests), 12 times per year add to the potential noise level.
- 3.8. The proposal gives the impression that the surrounds of Mylor are devoid of bird life. This impression is incorrect. There have been at over 65 different bird species observed in the area, many taking up nesting in the spring. Interestingly, the use of aerators in Silver Lake was observed to be deleterious to bird life at the lake. It was further observed that many species of bird have not returned since the use of aerators ceased.
- 3.9. There is concern that the animal-carrying capacity of the Silver Lake property will be severely impacted by the intended conversion of the property surrounds to be “park like”. Vehicle use in the property’s vegetated areas and ongoing grass maintenance by mowing, is a threat to animals including fledglings, insects, lizards and snakes and potentially slow-moving koalas. Noise will effectively drive these animals and birds away.
- 3.10. There is concern for trees suffering root compaction due to vehicular use. There is concern over the local disposal of dredged silt from the lake, which will contain heavy metals (due to the lake being a flooded gold mine). Dredging will also disturb the remains of the bodies of people who have drowned in the lake and which were never recovered (there have been at least nine such drownings).
- 3.11. There is a dust-nuisance concern (e.g. when drying washing on an outside line), with dust from the boundary track and walking trails being stirred up from the bare ground by wind and moving vehicles. This applies mainly in the late spring, summer, and early autumn months.

All of this will contribute to a degradation of the natural environment and the rural setting chosen by surrounding residents as a desirable place to live.

4. Community

- 4.1. Mylor is a small but tight knit community. The proposed development does not contribute in a positive fashion to that community. It is unlikely to provide employment to any residents either during the development phase or the running phase of the project. As Mylor has no supply outlets for catering materials or food supplies it again is unlikely to have a beneficial impact on the community. To bring in building materials and catering supplies, road use will increase again contributing to both traffic and noise.
- 4.2. The proposed development is of a type that is unsuitable for a rural living and watershed zone and is better suited to the Hahndorf area.
- 4.3. Mylor residents have lived in this locality, many for decades and raised their families. This is our home. We chose to live in a natural rural environment. We do not choose to live next to a commercial tourist development.

For these reasons I am opposed to the proposed Category 3 development of 118 Silver Lake Road as a tourist facility comprising tourist accommodation, an additional residence, a function facility, shedding and aquaponics facility, accompanied by a significantly degraded landscape.

Yours Sincerely,

Name:

Signature:

Date:

Native Vegetation Council Guideline

Clearance of Common Reeds (*Phragmites australis*) & Bulrushes (*Typha domingensis*) under Regulation 5(1)(zj)

Native Vegetation Information Sheet No. 22

Updated August 2015

BACKGROUND

Common Reeds (*Phragmites Australis*) and Bulrushes (*Typha domingensis*) are often major components of freshwater wetlands in South Australia. They provide important habitat for birds and other native fauna, are important contributors to erosion control and can assist in pollution abatement programs.

In many areas, however, the distribution of these plants has increased due to sedimentation in watercourses and hydrological changes associated with weirs, barrages and other structures. There is now an increasing incidence of reeds and rushes colonising areas such as boat launching areas and designated pumping sites at locations such as along the River Murray. Encroachment of these native species into artificial drainage channels can also create problems.

The clearance of Common Reeds and Bulrushes is exempt under the *Native Vegetation Act 1991*, through Regulation 5(1)(zj), **provided that this complies with the following guideline.**



Common Reed (*Phragmites australis*)

NATIVE VEGETATION COUNCIL GUIDELINE

1. Subject to any other Act or Regulation, *Phragmites Australis* and *Typha domingensis* may be cleared where the clearance is of regrowth or colonising growth at:
 - **existing** boat ramps, pumping sites or other existing lawfully established sites where access to open water is essential for the functioning of those sites;
 - artificial channels lawfully established for water diversion or flood mitigation purposes where the clearance is necessary to maintain the design function of the channel; and
 - constructed farm dams where reed or rush species have become established over time.
2. In all cases the clearance of regrowth or colonising growth must be kept to the minimum needed for the designated operation of the site, and must not go beyond the boundaries of the area initially cleared at the site. Any proposed clearance in excess of 100 square metres must be referred to the Native Vegetation Council Secretariat and is not to proceed under this guideline unless endorsed by the Secretariat.
3. The method of clearance must be chosen so as to have minimum impact on the site and on adjoining native vegetation.
4. Any clearance of these species outside of the sites as designated above, or any clearance of other species associated with *Phragmites australis* or *Typha domingensis*, must be discussed with the Native Vegetation Council Secretariat and is likely to require the consent of the Native Vegetation Council by means of a clearance application.



Bulrush (*Typha domingensis*)

5. Drought Circumstances

Reduced access to water during drought years places natural ecosystems, and the plants and animals they support, under greater stress and the risk of damage if they are not protected and carefully managed. At these times, clearance of native vegetation and associated habitats needs to be kept to an absolute minimum in order to maximise the potential for regeneration when higher rainfall and periods of greater water flow return.

Notwithstanding that principle, the Native Vegetation Council recognises that some clearance of reed and rush species may be necessary to allow for the continuation of existing lawful commercial activities. The following guideline applies during drought circumstances:

In periods of drought, where clearance beyond 100 square metres may be necessary to provide continued access to existing structures or water pumping facilities, clearance is permitted subject to

- continued compliance with Points 3 and 4 above, **and**
- all other necessary approvals being obtained, **and**
- that any clearance undertaken to facilitate ongoing use of facilities during this abnormal period is permitted to regenerate when normal river flows and lake levels are re-established.

FURTHER INFORMATION

Guidelines issued in relation to the clearance or management of native vegetation are legally enforceable. The guidelines set out methodologies for dealing with native vegetation that is causing problems in certain circumstances. Adhering to the guidelines will ensure that there is no breach of the *Native Vegetation Act 1991*.

Specific information or advice about native vegetation issues should be sought from the Native Vegetation Council Secretariat on (08) 8303 9777 or email nvc@sa.gov.au.

Native Vegetation Management Unit, Department of Environment,
Water and Natural Resources: GPO Box 1047 ADELAIDE 5001:
phone 8303 9777: email nvc@sa.gov.au

www.environment.sa.gov.au/nativevegetation



Native Vegetation Council



Government
of South Australia

My objections (if any) could be overcome by:

(cross out whichever does not apply)

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

OR

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

Date:

Signature:

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke at the end.

The closing time and date for Representations is 5.00pm on 02 October 2020

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

I express below my concerns regarding the proposed development application 20/336/473 at 118 Silver Lake Road, Mylor 5153 on behalf of Mr Rudi Gomez of Cartwheel Resources Pty Ltd. I have approached this objection in accord with the document prepared by Mr Gomez's lawyers at Botten Levinson Lawyers.

On its surface this proposal may appeal to the warm, fuzzies of any person who has a love of the environment and bird life conservation. However, if one looks at the bigger picture behind this development it will soon become apparent that there are many issues underlying this proposal that are incongruent with Adelaide Hills Council Planning and Development.. Issues that can have long term and far reaching negative consequences as a result of what is being proposed by Mr Gomez.

It is on this basis that I strongly oppose this development application and sincerely hope that council will look at the bigger picture and vote in favour of preserving our Adelaide Hills Council farming, Conservation areas and its communities for their intended activities. That is production of food and fibre and water catchment for the greater Adelaide community.

MORE DETAILED DESCRIPTION AND NATURE OF PROPOSED DEVELOPMENT AND ASSOCIATED WORKS

22.3 improve the appearance and environmental qualities of the land to appear more natural and "park like"

A 'park like' appearance is not (in my opinion) congruent with a natural environment. Previous cutting down of significant red gums and other native trees by the property owner has moved the environment further away from the natural appearance around the lake and over the broader property. A continuation of tree reduction around the lake is moving further away from a natural environment and eco-system.

22.4 using portion of the land for tourist accommodation/small function type purposes;

This type of activity is not congruent with maintaining the land in this zone as per the Adelaide Hills Council's (AHC) article Council's Development Plan / Policy PRIMARY PRODUCTION LANDS DPA / PLANNING POLICY REVIEW (<https://www.ahc.sa.gov.au/ahc-resident/Pages/Planning-and-Building/Development-Plan-Policy.aspx>). Several places in this document state an aim to protect our diminishing and valuable 'food bowl' and primary production in the AHC area.

I refer to the Adelaide Hills Council's Watershed (Primary Production) Fact sheet

Overview (page1)

"The Zone's objectives and principles aim to prevent development that may lead to deterioration in the quality of surface or underground water within the Mount Lofty Ranges Watershed and also maintain land in primary production."

May I remind you of this stated aim to protect our land for the production of food and fibre and protecting it for the local and greater community.

23.1 *“constructing a new dwelling on the land. “*

As this property is within the Watershed (Primary Production) Zone (W(PP)) it is subject to rules and regulations under state and local council regulation - hence the reason it is classed a NON-COMPLYING application. It is also NON-COMPLYING as per the Adelaide Hills Council Planning document and the Adelaide Hills Council's Watershed (Primary Production) Fact Sheet (AHC W(PP) Fact sheet).

“FORMS OF DEVELOPMENT THAT ARE NOT APPROPRIATE (NON-COMPLYING) IN THE W(PP) ZONE (AHC W(PP) Fact Sheet Page 2)

In order to regulate activities which are detrimental to the supply of high quality water, density and pollution controls over land use and land division.”

“Types of development that are non-complying in the Zone include:

- Two dwellings on a single allotment
- Dwellings that are located within a 1:100 year flood area or less than 25m from a watercourse
- Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990) “

The proposed new residential dwelling on the Developer's property will be a second dwelling on W(PP) land.

Even though the Developer argues at item 68 (Page 14 of 'the application')

“As noted above, a substantial dwelling already exists on the land. Further, in 2017 the Council granted development plan consent for a second residential use building (in the form of a dependant residence) on the land. Thus, the proposal will result in there being only 1 dwelling on the land, with the conversion of the existing dwelling to a tourist/small function facility.”

I propose that there will be 2 dwellings on the property with a higher than average household occupancy plus additional invited guests and visitors on a regular basis. All this activity is proposed to occur within a watershed catchment zone that is meant to supply clean drinkable water to more than 50% of Adelaide's population. Therefore, on this basis alone consent should NOT be given for this development proposal.

24.3 *“the southern of the two new proposed outbuildings will be used for hobby fish growing/aquaponics; “*

Other reports state that these activities will be housed in the Northern two new proposed buildings. Which is it to be and which will be of least disturbance (noise and equipment wise) to the near neighbours immediately abutting this property?

25. *“There is ample room for car parking to take place in association with the proposed development.”*

This is questionable as there are only 17 carparks drawn on the proposed site plan which at most would supply parking for 34 guests (assuming a minimum 2 persons per vehicle). There is limited roadside parking outside the property if it is to be required which will pose a danger to local traffic and to people attending these events. People who visit this area think it is a quiet little country road and seem to have very little idea how their behaviours will impact local residents nor do they have any idea how the volume and types of vehicles that use this road may pose a danger to them.

26. *“A series of driveways will access various areas on the land.”*

The extent of these walkways and driveways will further impinge on the habitats and breeding and feeding environs of birds and animals. In addition they will also infringe on the privacy of those residents who share a common fence line with this property.

27.3 *“there are some fish in the Lake, and some waterbirds such as water hen. There are also native duck and other species present at various time;”*

The numbers and species of birds being eluded to here by the applicants are much greater and of much greater significance than is stated. This is a significant sight for the breeding and housing of many water and other birds and should not be disturbed in any way by increased noise levels associated with public events, property operations and maintenance. In fact some of these species are listed as endangered and vulnerable.

27.4 *“it is reported that there is up to 2m of sediment on the invert of the lake, which has accumulated over more than 100 years. It is intended to remove this sediment by a suction dredge”*

Is Council and the applicant aware that there have been at least 9 drownings in the Lake. There are human remains of possibly 9 people at the base of this lake. Unfortunately, these people drowned, and it is not known if any have never been recovered. How do we know that none of these remains are of indigenous persons? Dredging of the lake will disturb the resting place of these deceased people.

In addition, how do we know that dredging the lake will not open a presently blocked or reduced flow (by nature) spring and thus release more water into the lake? What if the consequence is a reduced the amount of water being available to other properties, the residence of which are reliant on this underground water system for their production of food and fibre for the greater community? Disturbing the underground aquifer could result in a lowered water table.

27.5 *"it is also intended to circulate water from the Lake to the proposed wetland that is to be established in the northern section of the land. It is expected that that circulation process - and other works - will reduce the discolouration of the water in the Lake and improve water quality"*

The Lake's brownish water discolouration is inherently part of the natural eco-system of most Australian waterways. To clarify the water is a hopeless task such that even if all the lake's surrounding gums were to be removed to prevent tannins from entering the lake water, and filtering the lake water to remove the discolouration, tannins will continue to wash into the lake from the surrounding soil and be added by leaves from neighbouring trees outside the property.

27.6 *"it is proposed that the existing stands of bulrush be removed from the Lake"*

Should this application be approved the bulrush removal must be in compliance with Barrie Ormsby's report and must be monitored by Council or some authorised body. If not governed I am concerned there will be a rush by the owner to 'beautify' (their words) the lake and go counter to Barry Ormsby's staged removal of the bulrush and therefore have a long term effect on the bird life (in particular the vulnerable and endangered species) that inhabit the lake surrounds.

28. *"The **proposed wetland** will involve the following works:*

28.1 *the construction of a wetland with areas of open water, shallow reed beds and shallow marsh areas to the north of the main entrance roadway;*

28.2 *the wetland will receive water (solar pumped) from the Lake, which will then be recirculated back to the Lake. It will also receive run-off from the north western sections of the land, as well as run-off from adjacent properties that drain through the land. It is proposed that the wetland will be kept active throughout the year;"*

and

29.6 *"to create a visually attractive and interesting landscape feature which can be experienced and enjoyed by visitors etc. A bird hide will enable bird watching to be undertaken and enjoyed with minimal disturbance to bird life."*

I suggest that these activities will only be available to the select few who pay for the privilege to visit the property and those who are invited by the residents of the property and not the broader community as is eluded to further on in the document.

32. *"The proposal includes the implementation and ongoing maintenance of a **landscaping program**, for all of the land, which, amongst other things, includes the proposed selective removal of certain non-native and **native trees**. That program is detailed in the Ormsby report."*

If red gums, can these be legally removed as per environment and native vegetation?

34. *"Other works include:"*

- 34.1 *"a walking trail around the perimeter of the Lake for the use of guests" at the tourist accommodation/small function facility; and*
- 34.2 *"a track suitable for use by small vehicles and mowing machinery around the perimeter of the land (as shown on plan DA 1.1)" to provide access mainly for maintenance activities. "This trail will also function as a longer distance walking trail"*

On its south and southwestern side these walking tracks will literally be at the back door of residents' properties immediately abutting the Silver Lake. This will be an incredible infringement on their privacy and enjoyment to live in peace and undisturbed harmony with their surrounds. It will not allow them to live their life in the quiet and relatively undisturbed manner that they have become accustomed to over the past 25 to 30 plus years since taking up residence at their properties.

- 35. *"It is proposed to establish **small orchard activities** in the more elevated areas of the northern land, consistent with the land being used for primary production."*

Will this produce be on sold as 'food bowl' produce? If it is not on sold it surely does not qualify as primary production. And therefore it does not qualify as 'primary production' land use.

- 36. *"A limited, hobby based aquaponics facility for growing fish (resulting in the harvesting of less than 1 tonne of live fish per year) linked with the growing of foodstuffs on the land is to be established, again consistent with the land being used for productive purposes. The use of the Lake for 'fish growing' is a form farming."*

Once again this appears to be production for personal use and catering purposes and is NOT 'food & fibre bowl production' nor farming in keeping with the stated aim of the Adelaide Hills Council as per the ADELAIDE HILLS COUNCIL RURAL/PRIMARY PRODUCTION AREAS PLANNING POLICY CHANGES PRIMARY PRODUCTION PRIORITY AREAS MAPPING

The Adelaide Hills Council's document 'ADELAIDE HILLS COUNCIL RURAL/PRIMARY PRODUCTION AREAS PLANNING POLICY CHANGES PRIMARY PRODUCTION PRIORITY AREAS MAPPING' States that the aim of the Adelaide Hills Council district is for the preservation of the diminishing 'food and fibre bowl' production in the Adelaide Hills Council district. I question whether the production of food in this development is the nature of 'food bowl' production as they claim it to be. The degree of food production proposed is more consistent with production for private and personal use rather than food bowl production to be on-sold and to be consistent with a benefit to the greater community.

Also Objective 3 the Adelaide Hills Council Development Plan states

". . . 3. "The long-term sustainability of rural production in the south Mount Lofty Ranges."

- 55. *"There are 9 Objectives under that heading, most of which are specifically relevant to this part of the proposal. "Generally speaking, the proposed development meets those Objectives." For example, the proposal will provide for environmentally of sustainable and innovative tourism in the form of an existing building that can readily be converted for accommodation purposes and to also be used as a functions centre. The use and location of that building is consistent with Objective 1 that seeks environmentally sustainable and innovative tourism. It also clearly meets Objective 2 which "seeks*

tourism development that assists in public appreciation of significant natural and cultural features including local heritage places.” Given the existing use of the building as a residence and also the rural living nature of the locality, the new uses proposed will not adversely affect the use of agricultural land for primary production. Further, there will also be increased opportunity for visitors to stay overnight - Objective 7.”

Just below these 9 Objectives on page 97 of the AHCDP (Tourism Development) there are many issues that are not in line with the proposed objectives, principals and outcomes set out the AHCDP. One of these is at Item 6 under the Principals of Objectives at Item 6 that

. . . “Major tourism developments should generally be located within designated areas or existing townships, towns or cities.”

Clearly the property at which this development is proposed is not situated within an existing township, town or city. It is Rural Living, Watershed (Primary Production) which is as an area designated to harvest water for the Mt Bold reservoir which supplies water to the greater Adelaide community.

Also on page 97 AHCDP “Tourism Development in Association with Dwelling(s)” states that

9 ... “should not detrimentally affect residential amenity.”

10 “Car parking for tourist accommodation associated with a dwelling should ensure that:

(b) the bedrooms of residential neighbours are suitably shielded from noise and headlight glare associated with guest vehicle movements

Both these items will be infringed and affect all residents abutting and bordering the property boundary.

In addition page 98 of the AHCDP Tourism Development Outside Townships states that

13 Tourism developments in rural areas should be sited and designed to minimise impacts and have a functional or locational link with either of the following:

- (a) the surrounding agricultural production or processing*
- (b) the natural, cultural or historical setting of the area.*

I believe there no such connection to surrounding agricultural production nor the natural, cultural or historical setting of the area.

At no time throughout the document is there mention of any association with tourism relating to the local heritage of the site which predominately hinges around Indigenous settlement, European settlement and the history of previous mining activities at the property. There is only mention of ‘beautification’ of the environs rather than an appreciation for the natural beauty of the environment as it currently is and as nature intended it to be.

14 Tourism developments in rural areas should primarily be developed in association with one or more of the following:

- (a) agricultural, horticultural, viticultural or winery development*
- (c) public open space and reserves*

15 Where appropriate, tourism developments in areas outside townships should:

- (a) adapt and upgrade existing buildings of heritage value*

The size and extent of accommodation to accommodate up to 14+ people does not seem to be congruent with nor sympathetic to surrounding neighbours, the natural environment and all the bird, plant and animal life that exist on this property. The noise levels associated with wedding celebrations, parties, conferences and property machinery and equipment (ie drunk and disorderly guests, public address systems (loud speaker systems), loud music and perhaps bands, air conditioners, pumps, generators, property maintenance equipment etc) will disturb the relatively quiet and undisturbed environment that currently exists in the area. Previous activities by the current owner that have been associated with noise generated from automated devices has shown a decline in bird life inhabiting the lake environs. In addition those who are not familiar with the hills area do not have an awareness as to how much noise travel throughout the terrain particularly on summer evenings.

56. *"The uses proposed on the land and the proposed improvements to the Lake are more generally consistent with Policy Area Objective 3. That Objective seeks that recreational or visitor facilities should be compatible with the character and protection of the Mount Lofty Ranges Watershed and the character and amenity of the locality."*

Do tourists not seek to be in the raw and natural, untouched environment of nature rather than something that has built and 'beautified' by man? It seems to me that they experience man-made beauty and parks now in the cities and they seek to escape these environs to something that is untouched and natural at every opportunity possible!

57. *"There are then a number of Council Wide (Tourism Development) Principles of Development Control (PDC) which are generally met by the proposed development. Whilst it is not proposed to discuss all of them the following points are made:"*

- 57.1 *"PDC 1: Tourism development should have a functional or locational link with its natural, cultural or historical setting."*

The development proposal doesn't appear to me to demonstrate how it is associated with the historic lake other than overlooking the lake. I believe the applicants have not elaborated on how it will be used specifically in relation to the lake, its evolution and history. By its very nature the proposal as it stands does not cover PDC1.

- 57.2 *"PDC 2: Tourism development and any associated activities should not damage or degrade any significant natural and cultural features. The use proposed will not damage any areas"*

The proposed development will, I suggest, damage the natural environment as I have elaborated at Item 55 above . . . The size and extent of accommodation to accommodate up to 14+ people (plus extras for conferences, weddings and birthdays) does not seem to be congruent with and sympathetic to the natural environment and all the bird, plant and animal life that exist on this property. Some of the bird species that inhabit this environment are currently listed as vulnerable, rare and endangered. The noise levels associated with wedding celebrations, parties, conferences and property machinery and equipment (ie drunk and disorderly guests, public address systems (loud speaker systems), loud music and perhaps bands, air conditioners, pumps, generators, property maintenance equipment etc) will disturb the relatively quiet and undisturbed environment that currently exists in the area. Previous activities by the current owner that have been associated with noise generated from automated devices has shown a decline in bird life inhabiting the lake environs since this event.

57.3 *“PDC 3: Tourism development should ensure that its scale, form and location will not overwhelm, over commercialise or detract from the intrinsic natural values of the land on which it is sited or the character of its locality.”*

This tourism development neither sustains nor enhances the local character, visual amenity and appeal of the area. In fact, it could be seen to detract from the local character of the area which is low density building and a Watershed (Primary Production) Zone. In fact it will, by its very existence, most certainly change the character, over commercialise and detract from the intrinsic natural values and natural beauty of the land on which it is sited plus change and overwhelm the character of this unique locality!

This development will also set a precedent for this type of development to be done throughout the districts of the AHC which may long term, end in development of the likes of Mt Barker! Perish the thought! We know how much of our prime arable land has been stolen from ‘food and fibre’ production for housing and development and how much it detracts from the intrinsic values and beauty of the land.

58. *“ ... a tourist accommodation/small function facility will also assist in achieving the goals in PDC 7 (a) - enhancing the character in the locality and (d) enhancing the visual amenity”.*

This point may be so in the eyes of the applicants and those who have prepared the documents for this application. However, for me personally this is not a desirable outcome for the property nor, I may suggest, for many other inhabitants of Mylor. Most residents come to this environment to get away from this sort of noise and activity!

In general the proposed tourism development may appear on the surface to achieve the goals of PDC 7 to protect an area of exceptional natural value and have a design that is in response to the enhancement of environmental values. But what is the bigger picture to the environment beyond the boundaries of this individual property particularly when we are talking about changing the course of a natural water flows into the Onkaparinga River and using water resources that are spring fed.

(page 149 Water Technology (Water Resources Report) item 4.2 Lake Flow System states that ... *“It is understood that the water level of the existing Silver Lake is maintained by both natural spring inflow, and by surface flows from the natural catchment of the lake during winter. The lake can be topped up if necessary from an on-site bore during summer”*

How will this affect neighbouring properties that are truly contributing to ‘food bowl’ production which is a stated council objective in the ADELAIDE HILLS COUNCIL RURAL/PRIMARY PRODUCTION AREAS PLANNING POLICY?

59. *“Council Wide (Tourism Development) PDC 14 is satisfied in terms of:*

Tourism developments in rural areas should primarily be developed in association with one or more of the following:

- (a) agricultural, horticultural, viticultural or winery development*
- (b) a heritage place or area - the Lake*
- (c) walking ... trails.”*

The proposed development does not satisfy all of PDC 14

- (a) It is none of the following agricultural, horticultural, viticultural or winery development. It is not food bowl production. It is production for personal use as previously stated.
- (b) The lake is a heritage place and should be preserved as a natural habitat untouched by human beautification
- (c) Provision for walking around the perimeter of the small property is hardly a walking trail. Besides this proposal will interfere with the privacy of neighbouring residents as the track is proposed to be right on their property boundaries and will when entertaining their guests for private and immediate community social events and other activities.

Nor does it satisfy PDC 8 The proposed new building does not meet the requirement of *“ensuring consistency in appearance, building themes, materials, and links between buildings that are consistent with the existing building on the site”*.

There is a mismatch between the existing building and the new proposed buildings on the site.

61. *“Further, the overall development proposed is consistent with Zone Objective 5, viz:*

The enhancement of the amenity and landscape of the south Mount Lofty Ranges for the enjoyment of residents and visitors.”

62. *“In summary, the Development Plan provisions support the use of the land for tourist accommodation.”*

How can this amenity be enjoyed by local and broader community residents as is set out in Item 61 & 62, when it is within a gated perimeter? It is a private property and therefore does not allow unlimited access for local residents (of Mylor and the broader local community) to enjoy the outcomes of this proposal. It can also be seen in the proposal that the development is targeting visitors and tourist accommodation, not local residents.

Due to the scope and size of the proposed new dwelling and outbuildings it will not enhance the amenity of the landscape and end up being another man made blot on the landscape..

63. *"The tourist accommodation building is also proposed to be used for 'small functions' associated with the tourism accommodation use in the form of corporate retreats, small weddings and birthday parties generally of less than 40 persons, including overnight guests."*

In particular, issues of noise, disturbance to the wildlife environment associated with these adjunct activities on a regular basis (essentially monthly at the moment) have been addressed above at item 57.2.

There will also be noise issues with partying events and associated loud speaker systems, music bands, loud music etc. This will be a major issue for nearby residents particularly if held outside in the summer months. The lake itself acts as an 'amphitheatre' increasing the noise capacity.

68. *"As noted above, a substantial dwelling already exists on the land. Further, in 2017 the Council granted development plan consent for a second residential use building (in the form of a dependant residence) on the land. Thus, the proposal will result in there being only 1 dwelling on the land, with the conversion of the existing dwelling to a tourist/small function facility. "*

This item is also covered in in the earlier part of my response to item 23.1 of this document in that there would clearly be 2 dwellings on this property.

69. *"PDC's 23 - 26 for the Zone, under the heading "Residential Development", are relevant."*

Surely this is by its very nature is a "Commercial Development"

Page 116 of the AHCDP states that the OBJECTIVES of commercial developments should *"minimise any adverse impacts upon the amenity of the locality within the zone"* and *"provide development that contributes to the desired character of the zone"*. Additionally the "DESIRED CHARACTER" should, where there are *"adjoining residential areas will include measures to minimise the transfer of noise and other impacts"*

71. *"Other provisions also seek that dwellings (indeed buildings generally) should be:*

71.2 limits the need for Native Vegetation removal;

71.8 driveways blended sympathetically into the landscape."

To enable the new dwelling to be built in the proposed site and the vehicle access road/track that is to be created around the outer perimeters of the property will potentially require many significant Red Gums to be removed. Some of these trees have brush tail possums living and breeding in their hollows. It is proposed in Item 73 that there will be significant new plantings. However it will take decades for hollows to develop in these trees (assuming they are replaced with like plantings) for

possums to inhabit. Removing these trees will be disastrous and add to the already fragile nature of this environment and therefore we cannot allow these trees to be removed.

73. *"In this instance it is noted some trees will be removed so as to allow for the construction of the dwelling in its setting adjacent the Lake. However, significant additional plantings are proposed - the Ormsby report and the Environments by Design report collectively detail this aspect of the proposal - and see also the plans 1817 DA 1.1 "Site Regeneration & Development" and the Site Plan 1817 DA 1.1."*

Once again it will take years for these trees to provide suitable habitat for birds and creatures on this property.

92. *"The proposed development will have no negative social effects."*

As discussed above the proposed development will have negative social effects for those people in a near vicinity to the property due to noise pollution. Noise pollution associated with celebrations and events will also extend to the broader community particularly in summer months as noise echoes and travels exponentially throughout the valleys in the district. An instance of how noise carries throughout the terrain is that traffic noise from the freeway at Hahndorf can be heard at night by properties abutting the proposed development site.

96. *"The proposed development will take place in a manner which does not interfere with the effective and proper use of other land in the locality."*

Of concern is the effect that this development will have on underground waterflows to neighbouring properties and the underground aquifer if water is being extracted from the property's spring fed bore to supplement the lake and wetland areas in times of low rainfall and increased climate change events.

97. *"The construction and use of "the proposed development will not result in any nuisance or loss of amenity to the community generally nor to any immediate neighbours." Indeed, the proposed development will enhance the amenity and landscape of the locality."*

I strongly oppose this statement. In fact I know this development will result in a nuisance factor for me and others in the near vicinity and will diminish the lifestyle I/we have enjoyed in 22 years that I have lived here.

98. *"The proposed development, by increasing the range of tourist accommodation and associated function opportunities in the south Mount Lofty Ranges area, will strengthen the tourism appeal of that region and will assist the local economy, including the nearby township of Mylor."*

The assistance of this development to assist the local Mylor economy will be negligible in the bigger picture. Caterers and food supplies for events will (more than likely) be brought in from outside the

township. Other services and supplies such as linen, cleaners, property maintenance contractors etc will also, more than likely, be supplied from outside the immediate community.

102. *“Also the proposed development will provide economic benefit by providing employment during the construction of the proposed development.”*

This is short term employment which will more than likely be brought in from outside the local area. Where will the long term gains for employment be?

103. *“The proposed development will deliver significant environmental benefits in terms of the works proposed in relation to the Lake, the construction of new wetlands, the implementation of a detailed landscaping plan and the implementation of a detailed Bushfire Management Plan.”*

On the surface this proposal creates the warm, fuzzies for the environment. However once again I highlight the long term effects of this proposal on the local aquifers and surrounding properties who are really producing food and fibre for the greater community particularly when spring fed water systems are drawn on to maintain this system in a place where nature has not intended it to be. If nature intended it to be a wetland it would have created a wetland.

CONCLUSION

In conclusion the proposed development at 118 Silver Lake Road, Mylor is Non-Compliant primarily due to the erection of a second dwelling (almost as large as the existing dwelling) in a Watershed Catchment and Watershed (Primary Production) Zone. It is primarily for this reason and for all the other concerns and reasons alluded to above, that I vehemently oppose approval of the proposed commercial development at 118 Silver Lake Road, Mylor by Council or indeed government.

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

(see weblink [https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor\(20.366\) Public Notification Documents.pdf](https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor(20.366) Public Notification Documents.pdf) for a copy of the proposal)

Development Number: **20/366/473**

My Name: Franke Hobbs

Postal Address: PO Box 625, Mylor SA 5153

Contact No: [REDACTED]

Email: [REDACTED]

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ~~supports the proposed development~~ **OR** opposes the proposed development
(cross out whichever does not apply)

My interests are: ~~owner of local property~~ ^{and} ~~OR~~ occupier of local property
~~a representative of a company OR Other~~
~~organisation affected by the proposal OR a private citizen~~
(cross out whichever does not apply)

The address of the property affected is:

6 Pillinda Lane, Mylor Postcode: 5153

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

As per attached letter, appendix 1, Detailed Community by concerned Mylor residents and additional individual response to Dev. App. 20.366.473

My objections (if any) could be overcome by:

Timely facilitation of a community-developer mediation meeting and as stated in the Mylor Community submission form
(cross out whichever does not apply)

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

OR

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

Date: 2/10/20

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Frauke Hobbs
6 Pillinda Lane (PO Box 625)
Mylor SA 5153

02/10/2020

To Marie Molinaro

Statutory Planner/Planning and Development

Adelaide Hills Council

Dear Ms Molinaro,

RE Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

As the joint owner of a neighbouring property to the Silver Lake residence, 118 Silver Lake Rd, Mylor I am writing in response to the proposed tourism development application for the Silver Lake property. Our property borders the Silver Lake residence on the southern side and via two sides of our property, where I have been a local resident for 30 years.

The proposed Category 3 tourism development of Silver Lake in the rural living zone/Watershed Area 1 of Mylor is of great concern and I object to it going ahead for the reasons stated in this letter and in the attached two documents 'Detailed Community Submission by Concerned Mylor Residents', and 'Individual Response to Dev. App. 20.366.473' which detail individual and shared concerns of myself, my neighbours and other Mylor residents.

My personal objections are based on the anticipated significant increase of the overall activity and noise level created by people, plant, equipment and machinery in the establishment and ongoing maintenance of this commercial project in a rural living area, which has not been addressed in the development application and with no standards or limits stated or stipulated. It is anticipated that the activity and noise nuisance levels will be considerable and intrusive, given the size and scale of this development for tourism accommodation, function centre operation, fish farming, wetland and 'park-lands' infrastructure set-up and maintenance. The negative social impacts of this commercial establishment and activity will be experienced by the neighbouring community and are expected to significantly decrease the enjoyment and amenity of living in this rural living environment.

It is of particular concern that site vegetation and development activities planned on the southern side of the Silver Lake property have not been detailed in the development application other than the establishment of a two metre wide dirt boundary track and a 'walking trail' along two sides of our property and that of two other neighbours. The visual, noise, environmental and activity impact directly in front of neighbouring properties cannot be clearly established from the Application and is likely to be detrimental. It is of concern that no detailed site vegetation and development plan has been prepared for the southern side of the Lake where the amenities of neighbours bordering the Silver Lake property has already been adversely affected through the following:

- The removal of a communal pump at the Lake that was in place for over 30 years for bush fire prevention purposes for a couple of small neighbouring properties

- The planting of an unsightly Photinia hedge directly along the boundary of these properties to block concerned residents' view of the lake
- The application of herbicide via spraying onto our property fences and into our gardens
- Poor and insufficient maintenance practices of the southern side of Silver Lake, which is overgrown with long grass and weeds, including an invasive woody weed, Poplar
- The installation of Flood lights in trees of the southern side of the Silver Lake property to light up the surroundings, including back yards of immediate neighbours at night, followed by the suggestion to build a colour bond fence directly in front of neighbouring fences to block out the intrusive lights and to further block the view of Silver Lake and its surroundings

Based on these past actions the negative social, environmental, and economic effects of the proposed tourism development of Silver Lake for surrounding residents needs to be carefully reviewed. Overall, it could be expected that the proposed tourism and aquaponics operation will have a negative impact on the quality of living and enjoyment in the rural country surrounding. This will result in a negative economic effect on the market value of neighbouring properties, if they border on or are in the vicinity of a commercial, urbanised, visually, and socially exclusive operation.

The additional demands on Silver Lake Rd as the main access road to the proposed tourism development site are also of great concern and need to be considered in assessing the tourism development application. As a recreational user of this road I am acutely aware of the poor state of the road surface, lack of safe pedestrian use options due to several sharp corners and crests of this small country road, that is already struggling to cope with the significantly increased traffic flows in recent years. This road has an 80 km speed limit and is not fit for purpose to cater as access road for a tourism and function centre, which adds to the negative social impacts for residents and visitors.

Overall, the proposed tourism development for Silver Lake challenges and contravenes numerous Adelaide Hills Council Development Plan items and principles, which I have highlighted in red and listed in Appendix 1, attached to this letter. Based on these numerous non-complying/contravening items alone, the Silver Lake tourism development application must not be approved.

In summary, my assessment of the Silver Lake tourism development application is that it will set the precedent for inappropriate commercial, urbanised, and exclusive land and property use in a prime rural living and Watershed area in the Adelaide Hills. As a non-complying development, it would have negative social, economic, and environmental effects to rural living in Mylor and especially in the vicinity of the Silver Lake property. It does not meet the requirements for the Category 3 development proposal and should not be approved by Adelaide Hills Council.

Yours sincerely



Frauke Hobbs

Appendix 1

Frauke Hobbs - Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Adelaide Hills Council Development Plan items of relevance to the Silver Lake Tourism Development Application, plus Watershed (Primary Production) Zone Fact sheet

Below are references to several items that are contravened or challenged by the Silver Lake Tourism Development Application, see concerned items in red

PRINCIPLES OF DEVELOPMENT CONTROL, pp 97-99

2 Tourism development and any associated activities should not damage or degrade any significant natural and cultural features.

3 Tourism development should ensure that its scale, form and location will not overwhelm, over commercialise or detract from the intrinsic natural values of the land on which it is sited or the character of its locality.

5 Any upgrading of infrastructure to serve tourism development should be consistent with the landscape and the intrinsic natural values of the land and the basis of its appeal.

6 Major tourism developments should generally be located within designated areas or existing townships, towns or cities.

7 Tourism developments should:

(a) enhance the character of the locality in which they are to be located

(b) be compatible with the cultural and heritage values of the locality and the Region

(c) be designed and sited to be compatible with the local environment

Tourism Development in Association with Dwelling(s)

9 Tourist facilities developed on the site of a dwelling should not detrimentally affect residential amenity.

10 Car parking for tourist accommodation associated with a dwelling should be provided at the rate of one space for each guest room or suite of rooms, and ensure that:

(b) the bedrooms of residential neighbours are suitably shielded from noise and headlight glare associated with guest vehicle movements

Frauke Hobbs

Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Appendix 1

Frauke Hobbs - Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

18 Tourism development in rural areas should occur only where it:

- (a) incorporates a separation distance or buffers to avoid conflict with existing rural industries or agriculture or otherwise is **designed to overcome the potential impacts associated with the adjoining land use (such as noise, dust, spray drift, odour and traffic)**
- (b) will not give rise to demands for infrastructure and services, especially on public lands, that are inappropriate to the primary purpose of the zone and/or policy area.

SIGNIFICANT TREES, p 86

OBJECTIVES

- 1 The conservation of significant trees, in Metropolitan Adelaide, that provide important aesthetic and environmental benefit.
- 2 The conservation of significant trees in balance with achieving appropriate development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes:
 - (a) makes an important contribution to the character or amenity of the local area; or
 - (b) is indigenous to the local area and its species is listed under the *National Parks and Wildlife Act 1972* as a rare or endangered native species
 - (c) represents an important habitat for native fauna
 - (d) is part of a wildlife corridor of a remnant area of native vegetation
 - (e) is important to the maintenance of biodiversity in the local environment
 - (f) forms a notable visual element to the landscape of the local area.

Conservation, p 279?

Buildings should not be located within areas of native vegetation.

30 Buildings near native vegetation should be sited only where there is an existing cleared area of sufficient size to ensure the safety of the proposed structures from fire hazard without the need for further clearance.

31 No change of land use should occur in or near areas of native vegetation which are likely to adversely impact on the vegetation.

Frauke Hobbs

Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Appendix 1

Frauke Hobbs - Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

35 No development or change in land use should occur where its proximity to a swamp or wetland, whether permanently or periodically inundated, has the potential to damage or interfere with the hydrology or water regime of the swamp or wetland.

36 Development should take place in a manner which will not interfere with the utilisation, conservation or quality of water resources and protects the natural systems that contribute to natural improvements in water quality.

TABLE ADHI/5 - NON-COMPLYING EXEMPTIONS, p 342

(a) Is not located on land subject to flooding as shown on Figures AdHiFPA/1 to 19 or other areas subject to flooding or inundation by a 1 in 100 year average return interval flood event or situated on land fill which would interfere with the flow of flood waters.

(b) Is connected to an approved sewerage or common effluent disposal scheme or has an existing, or approved, on-site waste water treatment and disposal method which complies with the Standard for the Installation and Operation of Septic Tank Systems in South Australia (including Supplements A & B) as prepared by the South Australian Health Commission;

(c) Does not have any part of a septic tank effluent drainage field or any other waste water disposal area (eg irrigation area) located within 50 metres of a watercourse identified on a current series 1:50 000 Government standard topographic map **and when locating tourist accommodation for eleven guests or more any effluent generated is not disposed onto land:**

- I. In a high rainfall zone (>900 mm/year);
- II. **Within 200 metres of a major watercourse (3rd or higher order);**

(d) Does not have a waste water disposal area located on any land with a slope greater than 20 percent (1 in 5), or depth to bedrock or seasonal or permanent watertable less than 1.2 metres;

(e) Does not have a septic tank or any other waste water treatment facility located on land likely to be inundated by a 10 year return period flood event;

(f) Is sited at least 25 metres from any watercourse identified on a current series 1:50 000 Government standard topographic map;

(g) In the case of tourist accommodation, has a secure, potable water supply that can provide at least 125 litres per person per day (including staff) that meets the South Australian Health Commission standards.

Frauke Hobbs

Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Appendix 1

Frauke Hobbs - Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

COMMERCIAL ZONE, pp 116-117

DESIRED CHARACTER

The zone will be developed to accommodate a variety of activities to service the local community and visitors to the region including light industry, service industry, service trade premises, petrol filling stations, small shops related to commercial premises, and local offices. Development will be of a high standard and incorporate landscaping to soften the visual impact of buildings and provide shade to car parking areas.

Development adjoining residential areas will include measures to minimise the transfer of noise and other impacts. Particular attention will be paid to the character of development and management of traffic throughout the zone in order to reduce the impact on nearby residential areas.

The Mount Lofty Ranges Watershed Area is of importance to Adelaide's public water supply system. The maintenance and enhancement of water quality and prevention of pollution is a priority and given the multi-use nature of the water supply catchments, a balance between best practice watershed protection and development is required.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development

Additions and alterations to an existing form of development listed as non-complying in this table

Exceptions

Except where the total floor area of the addition or alteration does not exceed 25 per cent of the total floor area of that form of development as at 24 October 2017.

.Dwelling

Except for a dwelling which is ancillary to a business activity on the same site

Development adjoining residential areas will include measures to minimise the transfer of noise and other impacts. Particular attention will be paid to the character of development and management of traffic throughout the zone in order to reduce the impact on nearby residential areas.

The Mount Lofty Ranges Watershed Area is of importance to Adelaide's public water supply system. The maintenance and enhancement of water quality and prevention of pollution is a priority and given the multi-use nature of the water supply catchments, a balance between best practice watershed protection and development is required.

Frauke Hobbs

Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Appendix 1

Frauke Hobbs - Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

Watershed (Primary Production) Zone Fact Sheet

Page 1

The watershed supplies up to 60% of metropolitan Adelaide's drinking water, and therefore it is of extreme importance that watersheds are managed sustainably.

Page 2

FORMS OF DEVELOPMENT THAT ARE NOT APPROPRIATE (NON-COMPLYING) IN THE W(PP) ZONE

In order to regulate activities which are detrimental to the supply of high quality water, density and pollution controls over land use and land division k.

Types of development that are non-complying in the Zone include:

Two dwellings on a single allotment

- Dwellings that are located within a 1:100 year flood area or less than 25m from a watercourse
- Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990)

Frauke Hobbs

Submission regarding Development Application 20/366/473, 118 Silver Lake Road, Mylor by Cartwheel Resources

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: **20/366/473**

My Name: **for and on behalf of the Mylor Community** ~~(names and signatures below)~~ *Franke Hobbs*

Postal Address: ~~(see below)~~ *PO Box 625, Mylor SA 5153*

Contact No: ~~(see below)~~

Email: 

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

Our representation: ~~supports the proposed development~~ **OR** opposes the proposed development
(cross out whichever does not apply)

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

The address of the properties affected are:

Numerous (see below)

Postcode: 5153

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

Presented in the attached document

Our objections could (in part) be overcome by:

The first step in overcoming our objections would be the timely facilitation of a **community-developer mediation meeting** with a skilled facilitator. This could take place at the Mylor Hall and we would request it take place without the attendance of Mr Gomez's legal counsel and other consultants. The purpose of the meeting would be to share openly our personal histories, values, visions, (desired) experiences and outcomes of living (and wanting to live) in Mylor. This kind of meeting between residents and developer could provide a chance for Mr Gomez to get to know the Mylor community in the vicinity of his property and to evaluate together what the social, environmental and economic effects from the development might be from our different perspectives. The purpose of the meeting would be to properly hear and come to understand the various perspectives and hopefully find some common ground.

(cross out whichever does not apply)

We do wish to be heard in support of my representation by appearing personally by being represented by the ~~following person~~ a group of residents, each speaking to different aspects of their and this submission.

OR

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

Date: 29/09/2020



Signatures: **Presented in the attached document**

The closing time and date for Representations is 5.00pm on 02 October 2020

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

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

Development Number: **20/366/473**

My Name: **MARTIN G'LEART**

Postal Address: **P.O. Box 1505, MYLOR 5153**

Contact No:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ~~supports the proposed development~~ OR opposes the proposed development
(cross out whichever does not apply)

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

The address of the property affected is:

18 PILLINDA LANE, MYLOR Postcode: **5153**

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

Change of use of detached dwelling to tourist accommodation (noise), plus the construction of a new detached dwelling. (non compliance with watershed zone, clearance of native vegetation)

My objections (if any) could be overcome by:

Not having tourist accommodation and building a new detached dwelling with the removal of native trees. (two dwellings on a single allotment).

(cross out whichever does not apply)

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

OR

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

Date: **2-10-2020**

Signature: **M G'Leart**

The closing time and date for Representations is 5.00pm on 02 October 2020

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

see attached notes →

In relation to Development Number: 20/366/473

My major concerns relate to the "Change of use of detached dwelling to tourist accommodation", - the noise from this, and the crowds of people in a quiet residential setting. How will these numbers and the time of their activity be controlled?

If this tourism venture failed, and if the construction of a new dwelling was allowed, there would effectively be two dwellings on a single allotment in the Watershed Zone, this appears to be at odds with Adelaide Hills Council planning rules.

The vegetation consultant contracted appears to have not recorded two rare native species, *Eucalyptus dalrympleana* subsp. *dalrympleana* and *Eucalyptus viminalis* subsp. *viminalis*. These were present when I inspected trees with the previous owner a few years ago. Sadly I know of at least two trees that have recently been lost in part due to the swampy local soil and in strong winds. Clearance of native trees (even if legal) can have a consequence of destabilising the remaining ones, so I am opposed to the removal of more trees for new buildings. Seedling of these species if naturally regenerating (they should be) should be allowed to grow and not be removed.

The foliage of these remnant trees form an important ecosystem that supports many bird and animal species, further clearance of trees could compromise these species. Rated birds present at Silver Lake include the Crested Shriketit (Rare), White – winged Chough (Rare), Peregrine Falcon (Rare), Yellow – tailed Black Cockatoo (Vulnerable), Grey Currawong (Endangered).

There is a large *Eucalyptus camaldulensis* with hollows that support a family of Brush – tailed Possums that grows by Silver Lakes western boundary. This tree is adjacent to the proposals Zone 1 Redgum Woodland (where the possums feed). I would recommend that if a boundary track was made that it avoids this tree, - at least to prevent soil compaction and spread of *Phytophthora*.

I am not opposed to the revegetation plans for the lake edge but this needs to be done over time and not all at once (as recommended). How will this be overseen as part of the western end of the lake was cleared of *Typha* a short time ago?! The lake edge *Typha* support Spotless Crane (Rare), and Lewins Rail (Vulnerable), and many other waterbirds, including Reed Warblers who arrive every spring. Rakali (Australian Water Rat) are also present and need to be protected.

Martin O'Leary

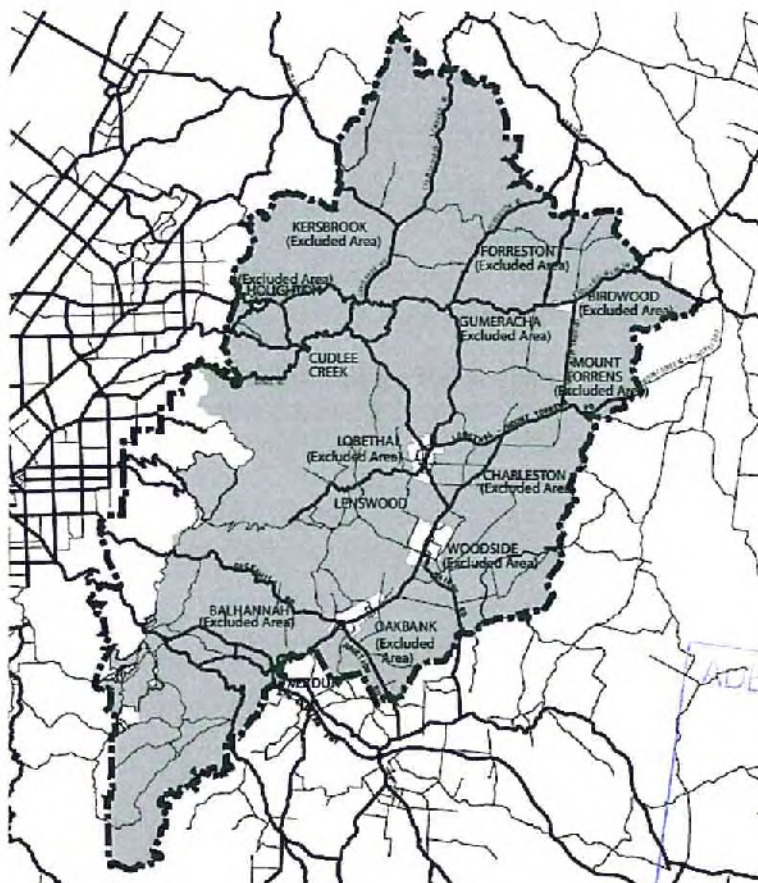


Watershed (Primary Production) Zone Fact Sheet

OVERVIEW

The Watershed (Primary Production) Zone (W(PP)) makes up the majority of the Adelaide Hills Council Area (refer map below). The Zone's objectives and principles aim to prevent development that may lead to deterioration in the quality of surface or underground water within the Mount Lofty Ranges Watershed and also maintain land in primary production.

The quality of Adelaide's water depends upon the effectiveness of pollution controls in these watersheds. The watershed supplies up to 60% of metropolitan Adelaide's drinking water, and therefore it is of extreme importance that watersheds are managed sustainably.



NOTE: This illustrated boundary may not accurately reflect the definition for the Mount Lofty Ranges Watershed set out in the Regulations under the Water Resources Act 1997.

— Development Plan Boundary



ADELAIDE HILLS COUNCIL
MT LOFTY RANGES WATERSHED AREA

FORMS OF DEVELOPMENT THAT ARE NOT APPROPRIATE (NON-COMPLYING) IN THE W(PP) ZONE

In order to regulate activities which are detrimental to the supply of high quality water, density and pollution controls over land use and land division must be enforced.

Types of development that are non-complying in the Zone include:

- Land division creating any new allotments
- Two dwellings on a single allotment
- Alterations and additions to dwellings exceeding 50% of the floor area (unless criteria regarding distances from watercourses and waste control systems are met)
- Dwellings that are located within a 1:100 year flood area or less than 25m from a watercourse
- Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990)

Please refer to Council's Development Plan for a complete list of non-complying development.

PRINCIPLES OF DEVELOPMENT CONTROL

All proposed development is expected to satisfy the following principles:

- Water Conservation
 - All buildings/structures should generally be 25 metres away from any watercourse and not within the 1:100 year flood plain;
 - Septic tanks must be a minimum of 10 metres from a watercourse and irrigation areas a minimum of 50 metres away from a watercourse
 - Excavation and filling of land should be limited to 1.5 metres in height
 - The slope/gradient of a site should not exceed 1 in 4
- Materials used
 - Buildings should be clad in materials which are non-reflective and which do not detract from the amenity and character of the area. They should blend in with the natural environment.
 - Natural tones are preferred (e.g. browns, greens and greys)
- Waste System Requirements
 - The majority of the Zone is not connected to the 'mains' sewer system. Therefore an alternative on-site waste water dispersal system must be approved before any new dwelling can be approved.

PLEASE NOTE

The information provided in this Fact Sheet is only intended to be a summary. All applications are considered on their individual merits and therefore situations may vary.

Contact details
Development & Regulatory Services
Duty Planner
(08) 8408 0400

Further information
Adelaide Hills Council
mail@ahc.sa.gov.au
ahc.sa.gov.au
PO Box 44
Woodside SA 5244



South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

(see weblink [https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor \(20/366\) Public Notification Documents.pdf](https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor (20/366) Public Notification Documents.pdf) for a copy of the proposal)

ADELAIDE HILLS COUNCIL

RECEIVED

2 OCT 2020

Development Number: 20/366/473

My Name: Kars Sluiter

Postal Address: P.O. Box 131 Mylor SA 5153

Contact No:

Email:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ~~supports the proposed development~~ **OR** opposes the proposed development
(cross out whichever does not apply)

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

The address of the property affected is:

136 Boyle Swamp Rd Mylor Postcode: 5153

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

as per enclosed addendum

My objections (if any) could be overcome by:

(cross out whichever does not apply)

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

OR

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

Date: 2/10/2020

Signature: 

The closing time and date for Representations is 5.00pm on 02 October 2020

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

To whom it may concern.

I have lived and worked in the Edinburg Hills for decades starting as a field officer for a stock feed company in 1968 visiting and advising mainly intensive farming methods (Pigs and Poultry) and have seen the improvement of the environment as pigging and a lot of dairy farms have been banned from the Hills.

However the human species is the worst of all for ruining the environment and no amount of engineering etc. compensates for the only species capable of cooping in their own nest, which is only increased by increased population pressures.

I have been to meetings regarding tourist areas and the pressure people put on natural vegetation etc, always seems to be overlooked.

In my view the ^{proposal} ~~proposed~~ to heritage list the Edinburg Hills should already have been lost because of the continued growth of miniature West Lake developments, it is not why a tourist would want to come here.

This area has the possibility to be the last 'green span' between Metro St. & Metro Mt Barker because of its category 1 water shed zoning and allowing more and more housing and associated infrastructure makes a mockery of the planning regulations.

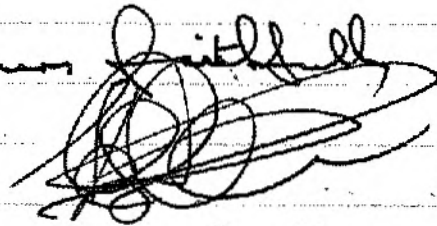
I have already been approached by a previous owner as to whether I had any potable water as he said when asked why

The kids had left the taps on on the rainwater tanks. By bringing more & more people in from outside who have not been brought up on tanks will only make this possibility worse, although they probably have the funding to have water cisted in

I have a strip of native vegetation on the Western boundary parallel to the star of the Lake, and this is one of the links of access to the Mt. Ball Reserve from the Outkaparinga River. A family of Choughs live and breed in this area, and have done for years (video of them visiting me can be sent in request upon receipt of an adequate link) are these to be excluded because of someones desire to exclude gum leaves from a lake in the middle of a eucalyptus oasis.

Please excuse the handwriting of an older author who ridden local, but I hope it is legible enough, as this is the longest response I have written in years.

Yours faithfully,



R.D.A. D.P.T.

Kars, Shuter.

I do fully oppose the proposed non-complying **Category 3** application (Development No. **20/366/473**) by Cartwheel Resources Pty. Ltd., at **118 Silver Lake Road Mylor (the Development)**.

I am concerned that this proposed development will have a detrimental effect on the existing Mylor community by removing significant trees, increasing noise and traffic, environmental impact on water resources and the natural environment, and lowering property values.

I have the following objections, concerns and questions relating to the proposed Category 3 development.

1. Business/Economic Impact

Is this business venture viable? What is the likelihood of its success? What will be the impact on the existing residents if the venture fails?

- 1.1. While not directly addressed in the planning application it is a worthwhile question to ask, "What evidence exists to support the development of tourist accommodation and associated function venue at this address when there already exists such facilities throughout the Adelaide Hills, such as in Hahndorf, Aldgate and Verdun?".
- 1.2. There are major concerns regarding the visual and environmental impact left behind if such a venture should fail. In the event that this failure should occur, the resultant "white elephant" could have a profound negative impact on land and property values in the area.
- 1.3. There are concerns that, should this development proceed, any self-imposed limits as to the number of people (overnight and day visitors), number of functions, number of bedrooms, sizes and capacities of various sorts mentioned in the application, will be exceeded or sort to be exceeded to meet financial pressures for example. This could be called "specification creep". Who will monitor the tourism and function events to ensure that the venue is being used only in the manner specified in the application?
- 1.4. Similarly, the above-mentioned self-imposed limits must not be able to be varied by any new owner of the property or business should the property be sold or otherwise disposed of.
- 1.5. I seek assurances therefore, that should this development proceed, the Adelaide Hills Council (the Council) will be responsible for the implementation of policies and practices for monitoring the development for any "specification creep" of the business and any environmental impacts resulting there from.

2. Planning

The Category 3 development application (Development No. 20/366/473) submitted to Council is a well presented 251-page document with expert opinions on planning and other parameters that favour the development. Will Adelaide Hills Council seek independent opinions on this development?

The Category 3 Development Application submitted to the Council is a well presented 251-page document with expert opinion and planning that favours the development. In so doing it raises multiple issues and concerns:

- 2.1 Changing the use of the property with a Category 3 development, i.e. tourist accommodation facility and function centre, when all other surrounding properties are rural, residential, or agricultural in nature.
- 2.2 The development of a second dwelling on a single allotment in a Watershed (Primary Protection) Zone is one of the criteria which makes this application a Category 3. Should this application succeed, will Council be consistent in the application of its planning rules with regards to any future application for two dwelling on a single allotment?
- 2.3 Another criterion making this application Category 3 non-complying is "Tourists accommodation and ancillary uses to be located in a new building (or dwelling built after 14 September 1990)" (AHC RESIDENT-PLANNING-Fact-Sheet-Watershed-Zone document, Oct. 2018). This means that the conversion of the existing dwelling (built c. 1995) to tourist accommodation use is non-complying.
- 2.4 Major concerns exist around water use, water disposal, water management and water development. The opinion given within the submission is just one opinion that does not offer an alternate view or opinion and the submission does not contain an Environmental Impact Statement. What impact will this development have on the surrounding locality?

I implore Adelaide Hills Council to seek alternative studies and opinions that consider the welfare of the community and environment.
- 2.5 Silver Lake Road is a country road. It has no defined gutters or edges. There are no associated footpaths (nor do the residents want them) resulting in people using the roadway to walk their dogs, ride their bikes or horses. Traffic already exceeds levels that are comfortable to residents. There is no formal report regarding monitoring of existing road use. Parts of the road are submerged following minor flooding events including water over the roadway into 118 Silver Lake Road.



Silver Lake entrance in a typical annual flood, 2016

2.6 The Aquaponics proposal does not include details of fish species to be cultivated (although reference was made to the use of PIRSA recommendations). It is of concern that if non-native fish species are bred and escape due to excess overflow or flooding, it has the potential to be devastating to the ecosystem of the Onkaparinga River (e.g. European Carp). An Environmental Impact Study and risk assessment is both required and requested. Who will monitor the proposed fish breeding to ensure the safety of the Onkaparinga waterway?

3. Environmental Impact

There are many environmental impacts that concern the broader community such as water quality, native vegetation removal, increased noise and traffic and reduced visual amenity.

- 3.1. In the event of power outage (not infrequent for the area) the proposed Bio-cycle Waste Management System is inoperable. Not only would this system need to be of a size to handle a Bed and Breakfast facility catering for up to 14 guests plus ground-staff, it would also need to be sufficient in capacity to cope with an additional 40+ people when functions are underway, PLUS the occupants of an extra residence. If the Bio-cycle Waste Management System fails or a related pump fails or flooding occurs above the 100 years flood level as it did in 1992, effluent may escape over a neighbour's property and flow into the Onkaparinga River and downstream to the Mt Bold Reservoir, part of Adelaide's main water supply. Has an EPA study been commissioned?
- 3.2. Visually, the proposed second dwelling, large sheds and aquaponics-hothouse building will be in plain view from Silver Laker Road and this will only be exacerbated should existing trees be removed. The proposed aquaponics and hydroponics building adjacent to the entrance is out of keeping with existing residences on acreage which are mostly set back at least 50 metres from the roadway. The aesthetics when driving along Silver Lake Road will decline.
- 3.3. It is noted in the proposed development application that there will be "maintenance tracks" and "walking paths" around Silver Lake and the property. The representative map implies that several large gum trees will be removed to enable this to occur. As these trees contribute to the existing ecosystem by housing bird nests, brush tail possums and native bee populations there will be an environmental impact. Again, has an EPA study been requested into this matter?
- 3.4. Of major concern to the immediate neighbours is noise nuisance. From past experience, the neighbours appreciate all too well how sound travels over the lake.
- 3.5. There will be substantial noise during the development phase with earthworks, tree ^{lopping} ~~loping~~ and chipping, lake dredging and building construction - although probably 6 – 12 months, this will be relatively short term.
- 3.6. Ongoing, will be the noise from the B&B, wedding celebrations and other events, the Manager's residence, plant operation and from ongoing property and plant maintenance. Noise from the increased vehicle traffic on Silver Lake Road is also a concern.
- 3.7. With up to 50% occupancy of the B&B (according to the application's Site and Soil Report) there is a potential for over 2,500 visitor bed-nights, or 7 visitors every night of the year! Day events of up to 40 people (including the overnight guests), 12 times per year add to the potential noise level.
- 3.8. The proposal gives the impression that the surrounds of Mylor are devoid of bird life. This impression is incorrect. There have been ~~4~~ over 65 different bird species observed in the area, many taking up nesting in the spring. Interestingly, the use of aerators in Silver Lake was observed to be deleterious to bird life at the lake. It was further observed that many species of bird have not returned since the use of aerators ceased.

- 3.9. There is concern that the animal-carrying capacity of the Silver Lake property will be severely impacted by the intended conversion of the property surrounds to be "park like". Vehicle use in the property's vegetated areas and ongoing grass maintenance by mowing, is a threat to animals including fledglings, insects, lizards and snakes and potentially slow-moving koalas. Noise will effectively drive these animals and birds away.
- 3.10. There is concern for trees suffering root compaction due to vehicular use. There is concern over the local disposal of dredged silt from the lake, which will contain heavy metals (due to the lake being a flooded gold mine). Dredging will also disturb the remains of the bodies of people who have drowned in the lake and which were never recovered (there have been at least nine such drownings).
- 3.11. There is a dust-nuisance concern (e.g. when drying washing on an outside line), with dust from the boundary track and walking trails being stirred up from the bare ground by wind and moving vehicles. This applies mainly in the late spring, summer, and early autumn months.

All of this will contribute to a degradation of the natural environment and the rural setting chosen by surrounding residents as a desirable place to live.

4. Community

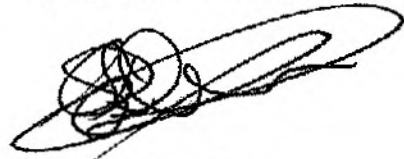
- 4.1. Mylor is a small but tight knit community. The proposed development does not contribute in a positive fashion to that community. It is unlikely to provide employment to any residents either during the development phase or the running phase of the project. As Mylor has no supply outlets for catering materials or food supplies it again is unlikely to have a beneficial impact on the community. To bring in building materials and catering supplies, road use will increase again contributing to both traffic and noise.
- 4.2. The proposed development is of a type that is unsuitable for a rural living and watershed zone and is better suited to the Hahndorf area.
- 4.3. Mylor residents have lived in this locality, many for decades and raised their families. This is our home. We chose to live in a natural rural environment. We do not choose to live next to a commercial tourist development.

For these reasons I am opposed to the proposed Category 3 development of 118 Silver Lake Road as a tourist facility comprising tourist accommodation, an additional residence, a function facility, shedding and aquaponics facility, accompanied by a significantly degraded landscape.

Yours Sincerely,

Name: *Kate Smith*

Date: *2/10/2020*



Signature:

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

(see weblink [https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor \(20.366\) Public Notification Documents.pdf](https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor (20.366) Public Notification Documents.pdf) for a copy of the proposal)

ADELAIDE HILLS COUNCIL

Development Number: **20/366/473**

RECEIVED

My Name: Jane Hartwig

, 2 OCT 2020

Postal Address: 41 Hampton Road Mylor

SCANNED

Contact No:

07 OCT 2020

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ~~supports the proposed development~~ **OR** opposes the proposed development
(cross out whichever does not apply)

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

The address of the property affected is:

I live at 41 Hampton Road Mylor 5153 and walk along Silver Lake Road about 5 times per week.

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

① Silver Lake Road is already hazardous to walk along because it is (a) narrow (b) 80km speed limit (c) no foot paths (d) busy at time
Extra traffic will add to the hazard.

② multiple dwellings in this water Protection Zone are not allowed - in
My objections (if any) could be overcome by: order to protect the ailing Onkaparinga River
I would dearly love to build another dwelling on my 6 acres but know that it is forbidden. If this development is

(cross out whichever does not apply) approved I will apply for a
~~I do wish to be heard in support of my representation by appearing personally~~ multiple
~~by being represented by the following person~~ dwellings permit

OR

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

Date: 1/10/20 Signature: [Signature]

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Council will have failed to prioritise the River's health so there will be no reason why all local residents cannot cash in from then on.

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

1. Silver Lake Road. I live in Hampton Road and walk along Silver Lake Road about 5 times a week. The road is already hazardous to walk along because it is/h

(a) narrow

(b) currently an 80 kmph zone

(c) no footpaths

(d) busy at times

Extra traffic will add to the hazard for pedestrians.

2. Multiple dwellings in this Water Protection Zone are not permitted - in order to protect the ailing Onkaparinga River. I would very much like to build another dwelling on my 6 acre block but have not applied because of the zoning. If this development is approved I may well apply for a multiple dwelling approval for my block, confident of getting approval because the precedent has been set.

The Council will have failed to prioritise the River's health so there will no reason why all local residents should not cash in on the opportunity.

 1/10/20

my ^{main} objections cannot be overcome because I believe the River should be protected by enforcing the current zoning, and that zoning should apply to one and all.

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

ADELAIDE HILLS COUNCIL
RECEIVED

, 2 OCT 2020

Development Number: 20/366/473

My Name: Poppy Kentish

Postal Address: PO Box 633 Mairdour SA 5215

Contact No:

Email:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: **supports the proposed development OR opposes the proposed development (cross out whichever does not apply)**

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

The address of the property affected is:

99 Silverlake Rd Mylor Postcode: 5153

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

community disruption - Environmental impacts -
change of land use/zoning

My objections (if any) could be overcome by:

NOT removing significant trees, building on the end of
property; reduced green numbers on B&B
(cross out whichever does not apply)

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

OR

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

Date: 25/9/20

Signature: Poppy Kentish

The closing time and date for Representations is 5.00pm on 02 October 2020

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

The Statutory Planner
Marie Molinaro
Po Box 44
Woodside
SA 5244

25th Sept 2020

Dear Sir/Madam,

I, and other concerned citizens and Mylor, have the following objections and questions relating to the proposed Category 3 development at 118 Silver Lake Road Mylor.

Business.

While not directly addressed in the planning application, I wish to know what evidence exists to support the development of a function centre and Bed and Breakfast facility at this address when there already exists such facilities at Hahndorf?

I have major concerns regarding the visual and environmental impact left behind should such a venture fail. If this should occur, the resultant "white elephant" would have a profound negative impact on land and property values in the area.

Planning

The submission to council is a well presented 251-page document with expert opinion and planning that favours the development. I have major concerns that –

- 1) Changing the use of the property with a category 3 development when all other surrounding properties are rural, residential, or agricultural in nature.
- 2) Development of a second residence on the property when in previous applications from surrounding properties these applications have been declined by Council. I wish for Council to be consistent in their application of their planning rules.
- 3) I have major concern around water use, water disposal and water development. The opinion given within the submission does not offer any alternate view or opinion and does not contain an Environmental Impact Statement.
- 4) Silver Lake Road is a country road. It has no defined gutters or edges. There are no associated footpaths (nor do the residents want them) resulting in people using the roadway to walk their dogs, ride their bikes or horses. Traffic already exceeds levels that are comfortable to residents. There is no formal report regarding monitoring of existing road use. Parts of the road are submerged following minor flooding events including water over the roadway into 118 Silver Lake Road.
- 5) The Aquaponics proposal does not include detail of fish species to be cultivated. Any non-native fish species escaping from excess overflow or flooding has the potential to be devastating to the ecosystem of the Onkaparinga River (E.g. European Carp). An environmental impact study is both required and requested.

Environmental

- 1) A considerable level of additional effluent will be created from such a development. If effluent escapes into the Onkaparinga River via Silver Lake overflow, it will flow downstream to Mt Bold Reservoir. Has an EPA study been commissioned?

2) Visually the proposed extra building will be plainly evident from Silver Laker Road and our adjoining property and this will only be exacerbated should existing gum trees be removed.

3) The proposed Aquaponic buildings adjacent to the entrance are out of keeping with existing residences on acreage which are all set back at least 50+ metres from the roadway. The aesthetics when driving along Silver Lake Road will be ruined permanently.

4) I note in the proposed development that there will be "walking paths" around Silver Lake and the property. The representative map implies that several large gum trees will be removed to enable this to occur. As these trees contribute to the existing ecosystem by housing bird nests and native bee populations there will be an environmental impact. Again, has an EPA study been requested into this?

5) There will be substantial noise during the development phase and as sound bounces off water this will be transmitted over a large area affecting many properties. On-going property maintenance will also have a profound effect on elevated noise levels.

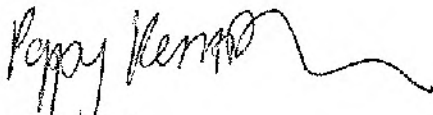
6) The proposal gives the impression that the surrounds of Mylor are devoid of bird life. Nothing is further from the truth. There have been at least 65 different bird species observed in the area. Many taking up nesting in the spring. I have observed that the use of aerators in Silver Lake is a detractor to many bird species.

Community

- 1) Mylor is a small but tight knit community. The proposed development does not contribute in a positive fashion to that community. It is unlikely to provide employment to many residents either during the development phase or in the operation of business. As Mylor has no supply outlets for catering materials or food supplies it again is unlikely to have a beneficial impact on the community. To bring in building materials and catering supplies, road use will increase again contributing to both traffic and noise.

For these reasons I am opposed to the development of 118 Silver Lake Road as a Category 3 Facility composing an additional residence, a function room and Aquaponics facility.

Yours Sincerely



Poppy Kentish

South Australian Development Act 1993 ADELAIDE HILLS COUNCIL
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

RECEIVED

, 2 OCT 2020

Development Number: 20/366/473

My Name: Alexandra Kentish

Postal Address: PO Box 632, Hahndorf 5245

Contact No: 08 8541 1234

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

This representation is in relation to the application by: Cartwheel Resources Pty Ltd

Nature of Development: Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)

Proposed to be located at: 118 Silver Lake Road, Mylor SA 5153

My representation: supports the proposed development OR opposes the proposed development (cross out whichever does not apply)

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

The address of the property affected is:

99 Silver Lake Rd. Mylor Postcode: 5153

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

Change of land use, environmental impacts,
Community disruption.

My objections (if any) could be overcome by:

Not removing trees, buildings on other end of property,
Reduced noise.

(cross out whichever does not apply)

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

OR

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

Date: 25/9/20

Signature: Alex Kentish

The closing time and date for Representations is 5.00pm on 02 October 2020

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South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

ADELAIDE HILLS COUNCIL

RECEIVED

, 2 OCT 2020

SCANNED

07 OCT 2020

Development Number: 20/366/473

My Name: David Parker

Postal Address: PO Box 706 Mylor SA 5153

Contact No:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: ~~supports the proposed development~~ OR opposes the proposed development
(cross out whichever does not apply)

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

The address of the property affected is:

132 Silver Lake Road Mylor SA Postcode: 5153

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

Refer to attached documents

My objections (if any) could be overcome by:

(cross out whichever does not apply)

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

OR

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

Date: 29/9/20

Signature: David Parker

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Response to Category 3 Development Application Development Number 20/366/473

The following comments and concerns apply to the Category 3 development application for 118 Silver Lake Road, Mylor, SA 5153, commonly known as "Silver Lake".

There are two primary issues to be considered:

1. The landscape character of the Adelaide Hills that is promoted for tourism by the SA State Government and the Adelaide Hills Council is slowly changing. Whilst tourism is increasing, it is destroying the very Adelaide Hills landscape that is being promoted. This application is an example of that change.
2. The impact on local residents who have chosen to live in a quiet rural landscape of the Adelaide Hills, some raising their families in particular the small township of Mylor and its environs. Residents living in the vicinity of Silver Lake Road have already experienced increased traffic and noise from the Mylor Baptist Adventure Camp expansion. If further tourist activities are developed it changes the nature and character of Mylor from a rural, living environment that residents have chosen to live in and raise their families, into an urbanised, commercialised and exclusive environment with negative social impacts for the local community.

Statement of Effect by Botten Levinson Lawyers

The following points are concerns raised by local residents and were discussed at an open meeting on 12th October 2020, in the Mylor Hall. Each point is identified by the page number of the developer's application, followed by the item number as stated in the "Statement of Effect" section of the application.

Page 4 - 17.9 What breed of fish will be released into the Lake? If they escape into the Onkaparinga River, will that pollute the river system and Mt Bold Reservoir? Who will monitor this potential problem in this Watershed (Primary Production) Zone?

Page 4 - 19 Two residents are located southeast of the Lake property, one to the southwest. Two larger properties are located to the north and west as well as three properties east on the other side of Silver Lake Road. Is the Applicant suggesting that other residents across Pillinda Lane and Silver Lake Road will not be impacted? They have all voiced concern about this proposed Development.

Page 4 - 21 A tourist development is not rural living. A tourist development will affect neighbours even if it's small. How would Council monitor the actual use of the property once it's set up? The use of the term 'predominant use' would be for rural living purposes and is too vague and unclear.

Page 4 - 22.3 The Lake property is already a natural eco-system. Creating a "park like" appearance will change it from a natural to an urban park like appearance. Residents live in the Adelaide Hills to enjoy the natural eco-system. If we want to live next to a park we would move to City. Hence, it could be argued that the appearance and

environmental qualities of this natural environment would decline/deteriorate if it was changed into a park like appearance.

- Page 5 - 23.2 Where will 40 guests be accommodated at a function, inside or outside? We are not aware that there is sufficient room to accommodate 40 guests inside. If guests are outside and on the southern or eastern side of the existing house the noise level will be amplified by the lake and annoy residence in the vicinity of the Lake. The amplification of sound from the Lake property across the Lake has been experienced by neighbours for over thirty years. Neighbours have not objected to the occasional function which has occurred once every few years and they were notified by the Lake owners before the ownership by Cartwheel Resources Pty Ltd.
- Page 5 - 23.4 The plans show the replacement jetty is 3.4m above the Lake RL 289m plus the height of the handrails (e.g. a further 1.1m). A jetty of this height will have a significant visual impact detracting from the natural quality of Silver Lake.
- Page 6 - 24.6 The proposed plant and equipment buildings may be above the 1:100 ARI flood level but if they were there in 1992, they would be under a significant amount of water. During the 1992 flood, the fence posts in that vicinity were not visible and some had popped out of the waterlogged ground.
- Page 6 - 25 I can only count seven parking spaces to the northwest of the existing residence and five to the west of the proposed sheds. Is this parking enough to accommodate 40 guests inside the property? Off road parking outside the property is not easily available and can be dangerous negotiating a culvert, scouring and tree branches including large fallen gums.
- Page 6 - 27.1 *Typha domingensis*, bulrush, is an Australian native plant and removal is subjected to the Native Vegetation Act 1991, through regulation 5(1) (zj). Any removal should follow the guidelines outlined in the Ormsby Report, i.e. remove 20% each year and replant. The following year removal should be dependent on the success of the revegetation work along the Lake edges. 100% removal of the bulrush will destroy wildlife habitat. Who would monitor that the safe, gradual removal of the bulrushes is carried out according to the guidelines? Would it be Council?
- Page 6 - 27.2 Brown colouration and leaf and bark debris are common in Australian woodland lakes and is part of the natural eco-system. The colouration is difficult to remove. Is it implied in this point that the mature red river gums may be removed because they are dropping leaf and bark debris into the lake? Removal of mature red river gums must not be allowed to occur.
- Page 6. - 27.3 Many species of waterfowl call Silver Lake their home. With over thirty years of observation, flocks of twenty to thirty ducks have flown into the Lake at any one time. The sound of over twenty ducks landing on the Lake is unmistakable and a delight to watch. Those numbers have halved after Mr Gomez's attempt to aerate the Lake water. White Face Herons nest in the old red gums annually. Moor Hens, Native Hens, and Reed Warblers nest in the bulrushes annually. See attached bird list at the end of this document.

Page 6 - 27.5 Noise levels of any pumps and circulation activities must not disturb neighbours. The environs of Silver Lake are very quiet and well below the background noise of any city environment and that of a country town. The exception to this is the sounds of the wildlife.

Reducing the discolouration of the Lake water would be a major achievement. Circulating water through the wetland would help. It is a natural occurrence in woodland lakes, particularly, in this case, with hundred-year-old (plus) red gums surrounding Silver Lake. It would be madness to remove these old red gums just to avoid leaves dropping into the Lake. On windy days, the Lake is often covered with leaves blown there from these significant trees as well as from other trees on the property and neighbouring properties.

Page 7 - 27.6 At present the bulrush species provides habitat for many species of birdlife, reptiles and a number of frog species. Bulrush species can be managed while still providing habitat for native wildlife. Guidelines have recommended that eradication of bulrushes, while difficult, can be removed by hand or by using of herbicide which can pollute the water and therefore is a risk to wildlife. If herbicides are used at Silver Lake it is a risk in this water catchment zone to wildlife. Any removal of Bulrushes growing in Silver Lake must comply with the recommendations outlined in the Ormsby report.

Page 8 - 32 The removal of old growth trees must be avoided. Mr Gomez's contractors have already removed a number of old red gums that have been estimated to be over one hundred years old. Previous owners have considered these trees to be an asset to the Silver Lake property and not a major fire risk. It was a sad day when chain saws cut these trees down.

An invasive woody weed, *Populus spp.*, exists on the southern side of the Lake. Previous owners, with assistance of neighbours, have controlled these trees in years gone by. Since property ownership by Cartwheel Resources Pty Ltd, these poplars have spread and if not contained will invade neighbouring properties. This situation is not acceptable.

Page 8 - 36 What measures will be taken to treat the waste from large numbers of fish? Will this be a problem? The "hobby aquaponics" set-up with wastewater being used for a hydroponic set-up should not be a problem.

Page 9 – 40.3 Sections of the Silver Lake property flood annually.

Page 9 - 42.1 The "maintenance and enhancement of the natural resources" should include retaining all endemic trees, such as the old red gums and other significant trees, that are older than 50 years. It should include securing the natural eco-system of Silver Lake in order to retain the existing wildlife habitat. Cartwheel Resources Pty Ltd installed aerators on the Lake and when they were operational the water birds left the lake. The aerators have not been operated in the past couple of years and a number of water birds have returned but it appears that they are not in the same number as before the operation of the aerators.

Page 10 - 42.2 In order to retain the existing good quality of the water, pollutants such as herbicides should not be used on the property.

Page 10 - 42.3 In order to retain "the maintenance and enhancement of the pleasant, attractive rural landscape" exotic plant species would have to be removed, no new exotics planted and native plant species planted that will enhance the Mount Lofty Ranges landscape. Silver Lake is part of the landscape that is enjoyed by neighbours and users of the Silver Lake Road, like horse riders, cyclists and walkers. Many existing exotic plant species do have a beneficial impact on the Silver Lake property.

Page 10 - 42.4 A tourist venture like that proposed for Silver Lake will have a negative impact in many ways, not least from increased noise, increased traffic, increased demand on water, both potable and wastewater.

Page 10 - 42.7 The proposed plant and equipment outbuildings are substantial additional buildings (600m²) and positioned close to Silver Lake Road (approx. 20m). They will have detrimental visual impact that should be screened at the very least with native vegetation. Barrie Ormsby's report details suitable screening for these building.

Page 13 - 63, 64, 65, and 66

These tourist/corporate functions appear small but several issues should be clearly addressed. Firstly, noise has been a problem in the past on rare occasions when there has been a wedding and several birthday parties. The owner of Silver Lake at that time informed neighbours of these events and that some noise would be experienced. The neighbours tolerated the noise as these occasions were rare. Proposed functions must have curfew of midnight and noise levels must be low, particularly considering the amplification of noise across the Lake to neighbouring residents.

Secondly the parking for larger events at the Lake should be confined to the Silver Lake property site as there is no convenient roadside parking.

Thirdly, traffic is an existing problem which has increased with the development of the Baptist Adventure Camp at the end of Silver Lake Road. Traffic is at its worst in the morning and afternoon when Camp staff are going to and from work. Camp drop off and pick up can result in a continual flow of traffic, including buses and large coaches, which disrupts the rural living nature of Silver Lake Road. Some motorists have been seen to find it difficult to negotiate the Road particularly when encountering other traffic such as oncoming buses or cars and when sharing the road with walkers, horse and bike riders. Local residents use Silver Lake Road regularly for walking, horse and bike riding. The local residents desire this road to remain a country road and not be reconstructed into a major road with kerbs and foot paths.

Page 14 - 68 *"As noted above, a substantial dwelling already exists on the land. Further, in 2017 the Council granted development plan consent for a second residential use building (in the form of a dependant residence) on the land. Thus, the proposal will result in there being only 1 dwelling on the land, with the conversion of the existing dwelling to a tourist/small function facility."*

If the proposed new dwelling is constructed, there will be two buildings of similar use. The lawyers seem to focus on the term 'dwelling' to side-track from the fact that

there will be two significantly sized buildings on the site to accommodate people, with one solely for commercial use. The new proposed three-bedroom building is of significant size and appears not to be a dependent dwelling as proposed previously. The proposed new dwelling has a similar footprint to the existing dwelling.

Page 14 - 71.7 The construction of the proposed outbuildings will be clearly visible from Silver Lake Road. According to the designs they are significant additional buildings, in terms of size (600m²), use and proportion. Is the setback sufficient and what screening will be required?

Page 15 - 73 The Ormsby report details proposed planting and maintenance and should be followed. Significant native trees should not be removed.

Page 15 - 74 The Ormsby report details proposed planting and maintenance and should be followed.

Page 15 - 77 The location of the proposed outbuildings will not be "unobtrusive" from Silver Lake Road. These building will be clearly visible from Silver Lake Road.

Page 16 - 80 How would the proposed changes to the Lake, maintain and protect the existing heritage characteristics of the Lake, if the intention is to create an urban park like appearance of the lake and surrounding site? A park like appearance is not compatible with the heritage characteristics of Silver Lake.

Page 16 - 81 & 82

The proposed wetland, redirection of drainage ditches on the north of the Lake property thereby directing water into the wetland and treatment of Lake water through the wetland as described in the application are very positive aspects of this application. A maintenance regime is clearly described in the Ormsby report and must be adhered to, in order to achieve the outcome described in the application. Who will monitor the maintenance regime and assure accountability of the Silver Lake owner to set standards and limits? This needs to be considered by Council.

Page 17 - 86 Reference is made to "appropriately located car parking". What does this mean? How many car parks will be required for such a tourist development and are they all shown on the plans? There are 5 labelled "PARKING" and another 7 at the rear of the existing dwelling that are presumably parking. Are 12 car parking spaces adequate for 40 guests? The new dwelling (Living 294m²) is referred to as not large in floor area, but according to the plans is larger in floor size then the existing dwelling (Living 250m²).

Page 20 - 97 *"The construction and use of the proposed development will not result in any nuisance or loss of amenity to the community generally nor to any immediate neighbours. Indeed, the proposed development will enhance the amenity and landscape of the locality."* This clause has been written without any input from the local residents and considering the items detailed in this submission it is clearly incorrect and misleading.

The Mylor neighbourhood is a quiet, close knit community. Residents are involved in community activities of their interest such as CFS, Mylor Red Cross, Mylor Parkland

Bushcare, Mylor Yoga, Mylor Oval, art group, church groups, and the Mylor History Group.

Concerns by local residents are that the development will lead to increased noise, increased traffic, a detrimental change to the natural environment, the removal of old red gums trees and to a maintenance regime that is no better than the existing poor regime.

Local residents work together to support and assist each other with activities on their properties such as fire prevention, personal projects involving larger physical activities and professional advice. Local community social events occur annually. Mr Gomez has attended only one of these events soon after his purchase of the Silver Lake property. As we understand he has not lived at the Silver Lake property and therefore has had limited contact with the local residents and the community.

Historically, water from Silver Lake has been shared by two neighbours for greening their properties as a fire prevention measure and for fire fighting purposes. The amount of water used has been estimated to average less than 1% of the capacity of the Lake. Soon after Mr Gomez purchased the Silver Lake property, he (via property manager Darren Hoppe) requested that the pumps used to supply this water be removed, making the water unavailable to those neighbours. While it was Mr Gomez's right to do this, it clearly demonstrates his unwillingness to be community minded.

Developing this commercial tourist activity will also impact on local residents and increase the demand on Silver Lake Road, already stressed by increased activity from the staff and attendees of the Mylor Baptist Adventure Camp.

The Development Application PDF- other consultant reports in the application

The following additional points address references in the consultants' reports in the Development Application and page numbers relate to that PDF document.

Silver Lake. Site Regeneration & Development by Hannaford Consulting

Page 25(PDF) The Proposed Site Plan 1.1 for the Silver Lake property, developed by Hannaford Consulting for the purpose of site regeneration and development does not include any planned works for the southern side of the Lake property except for the establishment of a 2 metre wide boundary dirt track (exposing the mineral soil recommended for bush fire prevention purposes) along the perimeter of the property. According to the site plan this boundary track would require removing trees of the Red Rivergum Woodland along Boundaries (84.19) and (289.55). It may also require removal of mature gum trees along Boundaries (59.14) and (56.63). This needs to be established and detailed in the proposal to be able to assess environmental and social impacts as part of this Category 3 development proposal. These Red Gums must be preserved as stated earlier. The social impacts that are likely to be experienced by neighbours on the southern side, whose properties adjoin the Silver Lake property would include unpleasant visual effects of looking out over a dirt track, noise and dust nuisance created by maintenance vehicles and machinery

operated from the boundary track and loss of the enjoyment of the previously natural environment on the southern side of the Silver Lake property.

As well as the noise from the use of the track by maintenance vehicles, their use will create a dust problem in summer. Local residents experience dust from Pillinda Lane and while this is not a major problem due to distance and screening, a maintenance track close to the property boundaries of local residents will no doubt be an issue. A paved or sealed track is incongruent with the rural nature of the existing locality; it may lead to surface erosion as a result of rain fall and is not acceptable.

Page 28(PDF) The proposed site section 1 (1.4) shows planned screening planting to hide the view of the three proposed outbuildings and of the new dwelling at the entrance of the Silver Lake property and along Silver Lake Road. The supposedly enhanced views for the public will be effectively screened off, as has already been done with Photinia spp. and other tree planting along the boundaries of neighbouring properties on the southern side of the property and on the southern section boundary on Silver Lake Road. This indicates clearly that any supposedly enhanced views will be effectively screened from view to achieve privacy and exclusivity of the site. It is doubtful that supposedly enhanced views of the property will be of social benefit, other than for the Silver Lake owner and his guests and the tourists.

Page 48(PDF) The Site Regeneration & Development plan 6.1, lists 8 maintenance areas for site development and ongoing upkeep on the Proposed Landscape and Maintenance Areas plan 6.1. These maintenance areas will require ongoing significant people power, machinery, plant, and equipment use for their establishment and maintenance. The increased activity and noise level created by people, plant, equipment and machinery in the establishment and ongoing maintenance of this project is unclear, with no standards or limits stated or stipulated. It is anticipated that the activity and noise nuisance levels will be considerable given the size and scale of this development.

The negative impacts of this commercial establishment and activity will be experienced by the neighbouring community and is expected to significantly decrease the enjoyment and amenity of living in a rural living zone. Again, there is no stated plan for site regeneration and development activities on the southern and western side of the property i.e. "Maintenance Area 1" other than establishment of the boundary track, which run adjacent to several neighbouring property boundaries. This needs to be provided by Cartwheel Resources Pty Ltd before the social and environmental impact of this Category 3 development proposal can be assessed.

Page 99 (PDF) The table on Page 51 lists a series of exotic plants that if planted in significant numbers would change the indigenous nature of the existing landscape. Many landscapes with these exotic species can be found in Stirling and while they are attractive in Stirling, they do not fit with the Mylor landscape that is outside the township.

Birds in the vicinity of Silver Lake

Common Name	Scientific Name
Australian Magpie	<i>Gymnorhina tibicen</i>
Australian Reed-Warbler	<i>Acrocephalus australis</i>
Australian White Ibis	<i>Threskiornis molucca</i>
Australian Wood Duck	<i>Chenonetta jubata</i>
Black-shouldered Kite	<i>Elanus axillaris</i>
Brown Goshawk	<i>Accipiter fasciatus</i>
Brown Headed Honeyeater	<i>Mlithreptus brevirostris</i>
Chestnut Teal	<i>Anas castanea</i>
Common Bronzewing	<i>Phaps chalcoptera</i>
Crescent Honeyeater	<i>Phylidonyris pyrrhoptera</i>
Crimson Rosella	<i>Platycercus elegans</i>
Dusky Moorhen	<i>Gallinula tenebrosa</i>
Eastern Rosella	<i>Platycercus eximius</i>
Galah	<i>Eolophus roseicapilla</i>
Grey Currawong	<i>Strepera versicolor</i>
Grey Fantail	<i>Rhipidura albiscapa</i>
Grey Shrike-thrush	<i>Colluricincla harmonica</i>
Laughing Kookaburra	<i>Dacelo novaeguineae</i>
Little Black Cormorant	<i>Phalacrocorax sulcirostris</i>
Little Grassbird	<i>Poodytes gramineus</i>
Little Lorikeet	<i>Glossopsitta pusilla</i>
Little Pied Cormorant	<i>Phalacrocorax melanoleucos</i>
Little Raven	<i>Corvus mellori</i>
Little Wattlebird	<i>Anthochaera chrysoptera</i>
Long-billed Corella	<i>Cacatua tenuirostris</i>
Magpie-lark	<i>Grallina cyanoleuca</i>
Masked Lapwing	<i>Vanellus miles</i>
Mistletoebird	<i>Dicaeum hirundinaceum</i>
Musk Lorikeet	<i>Glossopsitta concinna</i>
New Holland Honeyeater	<i>Phylidonyris novaehollandiae</i>
Pacific Black Duck	<i>Anas superciliosa</i>
Peregrine Falcon	<i>Falco peregrinus</i>
Purple Swamphen	<i>Porphyrio porphrio</i>
Purple-crowned Lorikeet	<i>Glossopsitta porphrocephala</i>
Rainbow Lorikeet	<i>Trichoglossus haematodus</i>
Red Wattlebird	<i>Anthochaera carunculata</i>
Red-browed Finch	<i>Neochmia temporalis</i>
Sacred Kingfisher	<i>Todiramphus sanctus</i>

Scarlet Robin	Petroica boodang
Silvereye	Zosterops lateralis
Southern Boobook	Ninox boobook
Spotless Crakes	Porzana tobuensis
Spotted Pardalote	Pardalotus punctatus
Striated Pardalote	Pardalotus striatus
Striated Thornbill	Acanthiza lineata
Sulphur-crested Cockatoo	Cacatua galerita
Superb Fairy-wren	Malurus cyaneus
Tawny Frogmouth	Podargus strigoides
Wedge-tailed Eagle	Aquila audax
White-browed Treecreeper	Climacteris affinis
White-faced Heron	Egretta novaehollandiae
White-naped Honeyeater	Meliphaga lunata
White-throated Treecreeper	Climacteris leucophaea
White-winged Chough	Corcorax melanorhamphos
Willie Wagtail	Rhipidura leucophrys
Yellow-faced Honeyeater	Caligavis chrysops
Yellow-tailed Black-Cockatoo	Calyptorhynchus funereus

Reptiles and Mammals in the vicinity of Silver Lake

Common Name	Scientific Name
Blue Tongued Lizard	Tiliqua nigrolutea
Brush Tailed Possum	Trichosurus vulpecula
Eastern Brown Snake	Pseudonaja textilis
Grass Skink	Lampropholis guichenoti
Koala	Phascolarctos cinereus
Marbled Gecko	Christinus marmoratus
Rakali (Native Water Rat)	Hydromys chrysogaster
Red Bellied Black Snake	Pseudechis porphyriacus
Ring Tailed Possum	Pseudocheirus peregrinus
Short-Beaked Echidna	Tachyglossus aculeatus
Western Grey Kangaroo	Macropus fuliginosus
Micro Bat	
Numerous Frogs	

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification
Non-complying

CLAYTON VALLEY COUNCIL

RECEIVED

2 OCT 2020

SCANNED

07 OCT 2020

Development Number: 20/366/473

My Name: JANE BAILES, PETER BAILES

Postal Address: PO Box 668 MYLOR

Contact No:

Email:

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

This representation is in relation to the application by: Cartwheel Resources Pty Ltd

Nature of Development: Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)

Proposed to be located at: 118 Silver Lake Road, Mylor SA 5153

My representation: ~~supports the proposed development~~ OR opposes the proposed development
(cross out whichever does not apply)

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

The address of the property affected is:

11 PILLINDA LANE, MYLOR Postcode: 5153

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

Please see attached sheets.

My objections (if any) could be overcome by:

Substantial reduction in proposed development
so it is compliant with AMC development plan.

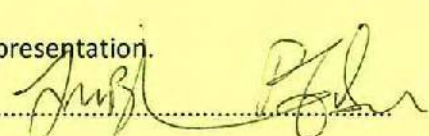
(cross out whichever does not apply)

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

OR

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

Date: 2 Oct 2020

Signature: 

The closing time and date for Representations is 5.00pm on 02 October 2020

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

Opposition to proposed development: 20/366/473

2 Oct 2020

Background

The site is a designated 'local heritage place'.

The site is within 100m of the Onkaparinga river.

Flooding events are not uncommon, the last flooding even was 2016.

The site has significant wildlife including echidnas, kangaroos, koala and rare birds and reptiles.

Main points of objection

The proposed development would lower the 'local heritage' value of the site and detract from any future potential tourism opportunities.

The proposed development would have a devastating impact on the water catchment area with potential flooding and run-off flowing into the Onkaparinga river.

The Adelaide Hills Council Development plan should reject the proposal outright. Failure to do so would undermine the integrity of the development process.

Specific objections

The proposal is non-compliant in many aspects with reference to Adelaide Hills Council Development Plan, 8 August 2020

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 26: Design and Appearance.

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

Objection:

The proposed new buildings will be between the front street boundary and the local heritage place (the whole site is a local heritage place)

Visual impact: The proposal will not be of minimal impact on the area as stated in the proposal. Specifically, there are three large sheds each of 200m²

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 37: Heritage Places

1 The conservation of State and local heritage places.

3 Conservation of the setting of State and local heritage places.

Objection:

1. Southern boundary perimeter track will impact on wildlife and the site as a local heritage place: The habitat loss of woodland is not accounted for in the plan.

PJB
21/10/20

Amr
21/10/20

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 40: Historic conservation area

- 1 The conservation of areas of historical significance.
- 5 Development that contributes to desired character.

And

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 64: Natural Resources

- 1 Retention, protection and restoration of the natural resources and environment.

Objection:

Environmental impact

If an additional dwelling is built there is potential for further clearance of vegetation around the dwelling. This will have an even greater impact.

A clearance of up to 20m is possible under bushfire protection regulations.

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 88: SITING AND VISIBILITY

- 1 Protection of scenically attractive areas, particularly natural and rural landscapes

Objection:

A second dependent relative dwelling would normally have a much smaller footprint (70m²).

The proposed dwelling is 293m² in addition to three large sheds each of 200m²

Ref: Adelaide Hills Council Development Plan, 8 August 2020

Page 108: Waste

1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.

2 Development that includes the treatment and management of solid and liquid waste to prevent undesired impacts on the environment including, soil, plant and animal biodiversity, human health and the amenity of the locality.

Objection:

An independent, council initiated, opinion of the impact should be sought given the close proximity of the area to the Onkaparinga river.

Signed: Jane Bailes, Peter Bailes

PO Box 668

Mylor

SA 5153

P Bailes 2/10/20
Am 2/10/20

South Australian Development Act 1993
REPRESENTATION ON APPLICATION - Category 3 Notification

Non-complying

ADELAIDE HILLS COUNCIL

(see weblink [https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor\(20.366\) Public Notification Documents.pdf](https://www.ahc.sa.gov.au/ahc-resident/Documents/DA-Public-Notification/118 Silver Lake Road Mylor(20.366) Public Notification Documents.pdf) for a copy of the proposal)

RECEIVED

, 2 OCT 2020

Development Number: 20/366/473

My Name: Jane Seale

Postal Address: 280 Strathallbyn Rd Mylor

SCANNED

07 OCT 2020

Contact No:

Email:

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

This representation is in relation to the application by: **Cartwheel Resources Pty Ltd**

Nature of Development: **Change of use of detached dwelling to tourist accommodation facility with associated functions (maximum 12 per year for a maximum of 40 persons) (together with alterations & additions to the building) construction of a new detached dwelling, in-ground swimming pool, jetty, removal of ground mounted solar array, clearing & re-vegetating Silver Lake (Local Heritage Place), construction of a wetland system, outbuildings for "hobby" aquaponics & vehicle and equipment storage, associated landscaping & earthworks (non-complying)**

Proposed to be located at: **118 Silver Lake Road, Mylor SA 5153**

My representation: mostly supports the proposed development OR ~~opposes the proposed development~~
(cross out whichever does not apply)

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

The address of the property affected is:

Postcode:

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

① changing the rules around single dwelling properties, the fairness of making an exception for this application or a change in ->

My objections (if any) could be overcome by:

(cross out whichever does not apply)

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

OR

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

Date: 2/10/2020

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 02 October 2020

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

rules that will allow others in the district to be granted permission for a second dwelling or further subdivision.

② more upkeep on ~~the road~~ Silver Lake road will be necessary.

③ provided that all council requirements are met about the environmental impact the property owner is entitled to have on their property what they want.

Sarah Davenport

From: Barrie Ormsby <b.ormsby@bigpond.net.au>
Sent: Monday, 31 May 2021 3:04 PM
To: Mail
Cc: Ian Hannaford
Subject: FW: Part 1 (of 2) Representations - DA 20/366/473 - 118 Silver Lake Road, Mylor (BLL 218335)

Attention: Sarah Davenport, Vanessa Nixon.

Re: DA 20/366/473 - 118 Silver Lake Road, Mylor (BLL 218335)- Responses to Representations

Subject: RE: Part 1 (of 2) Representations - DA 20/366/473 - 118 Silver Lake Road, Mylor (BLL 218335)

Hi Sarah, Vanessa,

The current/ final version of the DA has changed significantly from the original as presented to Council and as subsequently provided to responders. Many of the issues raised have been resolved or deleted from the DA. The report "*Landscape Development and Maintenance Report*", now dated 22 February 2021 (part of the DA documentation) has been extensively revised and updated to reflect changes to the proposed Silver Lakes development. An additional report has also been prepared - "*Silver Lakes Development – Stormwater Quality Issues Report*", dated 22 February 2021, which fully detailed the operation and management of all stormwater in and flowing through and from the Silver Lakes site. This was prepared to resolve a number of issues of concern to EPA, and to satisfy EPA that the proposed management of stormwater will have an overall beneficial impact on the quality of stormwater within and that discharged from the property.

The original DA also lacked some detail and included some misleading statements and information that gave rise to some un-necessary concerns, particularly by EPA, such as "Excess wastewater from the hydroponics system may be discharged into the wetland", when in fact that particular system is designed to be a closed system, with no wastewater produced.

The following comments were provided/prepared in response to the issues and objections contained in the representations received, and to assist in the meeting with respondents on Saturday 29th May 2021.

1. Stormwater, Impacts on Catchment. In relation to stormwater, wastewater, etc (all aspects of the DA that could have an impact on water quality in the catchment), the DA has been examined in detail by the EPA, and was finally approved by them in a letter on 17th March 2021. In discussion with EPA, and in answer to their concerns, an additional report was prepared "*Silver Lakes Development – Stormwater Quality Issues Report*", dated 22 February, which provides detailed explanations to illustrate how the property-wide stormwater system would operate and so would have no detrimental impact on the Onkaparinga River or the catchment, and in which some minor changes were made to the concept design.
2. Domestic Wastewater. The wastewater system (treatment and disposal of household effluent) was examined in considerable detail by EPA, and further refinements and detail were made and provided to EPA by the consultant Ross Fitzgerald. The system as designed has considerable capacity to handle all eventualities, including capacity to store excess effluent for a period in the event of a breakdown or other circumstances until it could be removed if necessary by truck.
3. Dredging of Lake, Jetty. The proposed dredging of the lake has been removed from the current DA, but may be considered at some time in the future in a separate DA. A detailed study of lake and sediment has been commissioned recently in relation to possible dredging, and any future dredging proposal will be subject to approval by EPA. The proposed construction of a jetty has been removed from the DA and will be considered in any future Lake DA.

4. Aquaponics System, Ducks. The proposed aquaponics system is a closed system; that is, water from the fish tank will be circulated through a growing bed producing vegetables and herbs, which removes nutrients and waste produced by the fish, and the cleaned water returned to the fish tank. Fish species will be as approved by PIRSA, the size of the fish tank will be approx 2000 litres and production may be no more than 20 kg per 12 month cycle. Wastewater from the proposed keeping/breeding of ducks was a concern to EPA – the proposal to keep and breed ducks have been removed from the DA.
5. Production of Food. Any food produced in the property, from the proposed aquaponics system and orchards, will be purely for the use and consumption of the owners and visitors to the property.
6. Large Events. The proposal for occasional large events of up to forty people (not associated with the B & B dwelling) has been deleted from the DA.
7. Perimeter Track. The location of the southern section of the “perimeter track” as shown in the drawings is a mistake not picked up in the documentation process. The landscape architect has always intended that this section of track on the south side of the lake would follow the route of the lake walking path in this area, much closer to the lake and as such would not require the removal of any trees in a relatively level and open area. There will not be any perimeter track located next to any southern boundary fences or close to the existing dwellings in this area. No trees will be removed to construct the track anywhere in the property, except possibly small seedling/sapling red gums in various areas as necessary, and several immature *Acacia melanoxylon* (blackwood) at the eastern end of the lake (between the lake bank and the boundary fence), where access is very limited. It should be noted that the “perimeter track” was part of recommendations in relation to bushfire management and suppression; the track to provide access for small vehicles in an emergency (not full sized fire trucks). It is also intended to provide some access for small machinery to carry out as-needed maintenance, such as small mowers, for access for weed control and removal, and access for maintenance of the wastewater disposal area and infrastructure. Vehicle or machinery use of the track will be very infrequent, and mainly associated with maintenance activities (mowing, weed control, etc), and so very unlikely to cause any dust problems in summer.
8. Grazing A large part of the Silver lake property is at present grazed by a small number of cattle and two alpacas, in part as a means to remove excess vegetation and to minimise fire hazard. All grazing will cease as part of the development.
9. Grazing. There are some remnant native plant species in this grazed area (various sedges and other wetland species, tea tree, etc). The present grazing has a severe impact on these existing native plants, suppressing their regeneration and endangering their survival in this site. Removal of grazing will allow many of these plants to grow and spread, and enhance the environmental value of these areas.
10. Grazing, Impact on Water Quality. The removal of the grazing animals from the property will eliminate the present pugging and disturbance of the soil during winter in areas that are very poorly drained. Together with the elimination of the manure that the animals produce, it is expected that this will improve the quality of runoff from the property, which at present drains directly to the Onkaparinga River. Most of the runoff from this northern part of the property, as well as the runoff from approx 9 ha of properties to the west that at present flows through the property, will now be directed through the overland flow areas and the proposed wetland, which will have the potential to remove any contaminants present in the water and so improving the quality of stormwater leaving the property.
11. Bushfire Hazard. It is important to realise that, that any proposed development in a high fire hazard region, appropriate bushfire management and the management of all vegetation (grass, shrubs and trees) on the property to minimise fire hazard has to be demonstrated and documented in the DA. The very detailed and varied maintenance regime proposed in the DA is intended to minimise any accumulation of material that would become a fire hazard in summer, while at the same time allowing the retention and re-establishment of desirable native vegetation wherever desirable, particularly the very environmentally valuable understory, to occur and become a feature of the property. The redirection of stormwater flows in the two drains in the northern part of the property, which at present flow direct to Silver Lake Road and the river, to flow through the property as a very shallow overland flow and then into the proposed wetland, will allow a significant area to be established with perennial (evergreen) wetland and marsh vegetation that will act, together with the proposed wetland, to create a fire break in the northern part of the property. Selected mowing of these areas at suitable times during the year will remove any build-up of flammable material, while still maintaining the desired environmental diversity for plants and fauna. (This kind of environment is very limited in the property at present). Minimising the fire hazard on the Silver Lake property by good management of flammable vegetation may also provide some protection for the two properties and houses that adjoin the southern boundary, given that the direction of spread of many bushfires is from the north.

12. Wetland and Marsh. Part of the environmental objectives for the development of the property is to provide some significant areas of wetland and marsh habitat, by the construction of a small wetland and significant areas of ephemeral (seasonal) marsh, by constructing a wetland (using water circulated from the lake) and by the diversion of two existing drains which run through the property from west to east, to flow out over some areas to create areas of marsh. Much of the original wetland and marsh habitat in South Australia has been lost through development for agricultural and urban development, and any replacement of this habitat in any area is highly desirable and environmentally very valuable.
13. Typha. The purpose of removing Typha (bulrush) from the lake, in a staged programme as outline in the Landscape Report, is not to remove it completely but to enable the planting of and establishment of a much wider range of wetland/aquatic species, that, as well as improving the appearance of the lake throughout the year (Typha is completely deciduous in winter, dying back to dry leaf material), will significantly improve and enhance habitat diversity, to attract a wider range of bird species and provide better habitat for fish and other aquatic fauna. Replanting will not be an easy task, as the banks are very steep below the water line, providing only a very narrow marginal area in which to plant. The proposed removal of the Typha and replanting methodology is described in detail in the Landscape Report in Sections 1.5.2 to 1.5.4, including a list of wetland species (all local species) that are proposed to be planted.
14. Landscape Development and Landscape Character. Much has been made in the respondent's objections to the descriptive term "park land" (this term is not used in the "*Landscape Development ... Report*") with the assumption that this implies that the property will be intensively maintained and mown such as is normal practice in a well maintained urban park. This is not the case or the intention behind the proposed development and maintenance of the property. The proposed maintenance of the property is fully described in the report "*Silver Lakes Development – Landscape Development and Maintenance Report*", dated 22 February 2021, Section 5.0. The character of the landscape that will develop over time will be the outcome of the different maintenance regimes that will be carried out in each of 8 different maintenance areas or zones, as described in detail in this report. The intent or objectives of the differing maintenance regimes are: - (1.) – to reduce fire hazard by minimising the build-up of flammable material, (2.) – retain and encourage regeneration of as much native vegetation as possible by very selective maintenance while still minimising fire hazard (as described in the report), (3.) - create a landscape with much increased habitat diversity and values, consistent with other objectives, and (4.) – develop a landscape that is as natural and visually attractive as possible, and is consistent and in keeping with its surrounding landscape and local native vegetation.
15. Landscape Maintenance. For the purposes of maintenance, the property is divided into 8 areas, with a different maintenance regime in each area (as detailed in the Landscape Report). The only area that will receive detailed maintenance such as irrigation of lawns and regular mowing is Zone 2, surrounding the two residential buildings and sheds, as would be (or should be) normal practice around most homes and buildings in a bushfire prone area. This is in part for bushfire protection, as well as for aesthetic reasons. Eucalyptus (river red gum) woodlands are particularly adept at carrying and sustaining wild fires, so the objective for these areas (Zone 1) will to minimise fuel build-up at ground level (grasses and leaf and dropped woody material) by mowing as required in response to growth and seasonal conditions, and so reducing this material to a fine mulch lying close to the ground surface that will be less able to carry a fire. Zone 3 (north-east corner) contains areas of low tea tree, sedges and some native grasses, so mowing in this area will be very selective, to create an informal mosaic of regularly mown grass with clumps of existing tea tree and sedges retained, to preserve the habitat values of these existing native species. Weed control of Watsonia, Blackberry and Gorse will be carried out in this area and where needed throughout the property. The maintenance required in the other areas are detailed in the report. The noise arising from the described maintenance activities, particularly mowing, would be no more than would be normal or expected from the maintenance of any similar rural property, particularly for the reduction of flammable material in the lead up to the bushfire season.
16. Lake Heritage Status. The lake is an artefact of historical gold mining activities, and its subsequent long use by the community up to recent times as a local water hole and recreation place for swimming, boating, sporting events, picnicking, parties, etc. The existing shape, extent and appearance of the lake will not be changed except to establish a wider range of wetland plants at the water edge, and replacing much of the existing Typha to enhance both its appearance and its habitat diversity. No earthworks or alterations to the banks will be carried, and any future dredging, if approved, will not impact on the appearance or shape/layout of the lake.

17. Flooding. All buildings and the wastewater disposal area are to be located above the 1 in 100 year ARI flood level, as determined by flood mapping information provided by Council. The photos of flooding provided by respondents at the entrance to Silver Lakes provided by respondents which show shallow flooding at the entrance to the property (in 1992?), are perhaps indicative of a 1 in 10 year ARI flood, as this roughly coincides with the extent of flooding as shown in flood maps provided in the Water Resources Report (Water Technology), which shows flooding along Silver Lake Road with some minor flooding into the property. This could cause short-term access problems into Silver Lakes. Any flood up to a 100 year flood would have no impact on the viability of the landscape of the property below the 100 year level.
18. Human Remains in Lake? Interesting. I would have assumed that any bodies from drowning in the lake would have been recovered by police. I have found a newspaper report of the drowning of a young man in the lake in 1948; water police subsequently recovered the body from 12 feet of water by dragging with grappling irons.

If there are any further questions arising from the residents submissions, please contact Ian Hannaford or Barrie Ormsby.

For consideration.

Regards, Barrie.



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