

COUNCIL ASSESSMENT PANEL MEETING

11 August 2021

AGENDA 8.2

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| Applicant: Susan Bastian & Brian West | Landowner: S E P Bastian & B R West |
| Agent: Graham Burns – Masterplan SA Pty Ltd | Originating Officer: Damon Huntley |
| Development Application: | 19/1064/473 |
| Application Description: Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying) | |
| Subject Land: Lot:80 Sec: P4013 DP:92095 CT:6122/499 | General Location: 11 Onkaparinga Valley Road Balhannah Attachment – Locality Plan |
| Development Plan Consolidated : 08 August 2019 Maps AdHi/20 and AdHi/61. | Zone/Policy Area: Watershed (Primary Production) Zone - Onkaparinga Slopes Policy Area / Balhannah/Oakbank (Rural Surrounds) Policy Area |
| Form of Development: Non-complying | Site Area: 12.1 hectares |
| Public Notice Category: Category 3 Notice published in The Advertiser on 27 March 2020 | Representations Received: Three (3) Representations to be Heard: One (1) |

1. EXECUTIVE SUMMARY

The proposal seeks Development Plan Consent for the development of two (2) detached tourist accommodation buildings at 11 Onkaparinga Valley Road, Balhannah.

The subject land is approximately 12.3 ha and exhibits an unconventional shape, particularly along its south-western boundary which is aligned with a portion of the Onkaparinga River. The land has frontage of 295 metres to Spoehr Road and approximately 18 metres frontage to Onkaparinga Valley Road and contains an existing detached dwelling surrounding gardens, swimming pool and outbuilding.

The subject land is located within the Watershed (Primary Production) Zone and notwithstanding the land straddles two policy areas, the proposed development is situated entirely within the Onkaparinga Slopes Policy Area.

The proposal is a non-complying Category 3 form of development and three (3) representations were received during the Public Notification period. One (1) representation was in opposition, one (1) representation was in support of the proposal and a third representation was received from SA Power Networks (SAPN) and advisory in nature in respect of SAPN's sub-station infrastructure adjacent to the site on Onkaparinga Valley Road.

The proposal purports two modestly sized tourist accommodation units, each of low profile design and accommodating up to four (4) guests in two bedrooms.

As per the Adelaide Hills Council Assessment Panel delegations, the CAP is the relevant authority for Category 3 development where representors want to be heard.

The main issues relating to the proposal pertain to the elements raised within the public notification process and the matters regarding non-compliance of additional 'stand-alone' tourist accommodation within the Zone and coinciding matters of mandatory referral to the Environment Protection Authority in respect of increased potential for impact upon the Watershed from increased/intensified development.

Following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending the Council Assessment Panel **seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT** Development Plan Consent.

2. DESCRIPTION OF THE PROPOSAL

The proposal is for the development of a small scale tourist accommodation facility comprising the establishment of two single-storey self-contained units, associated landscaping and minor earthworks.

Each unit is to have floor area dimensions of 13.3 metres length x 7.2 metres width and 2.7 metres wall height/5.1 metres roof ridge height. The buildings are to be accessed from Spoehr Road on the western aspect of the property by way of a new gravel and formalised driveway of approximately 260 metres that meanders to the accommodation. The accommodation access is separate to the existing dwelling access which is off Onkaparinga Valley Road.

The proposed development incorporates new landscaping to be established in 'islands' generally between the villas and about the driveway area, and notably, upon the north-western boundary where the landscaping provides a buffer of screening vegetation between the eastern most villa and an adjacent dwelling upon Lot 11.

The proposed villas are 'mirror imaged' each having the opposite orientation of deck, verandah and their internal layout. The floor plan includes two guest rooms with separate ensuites and shared open-plan kitchen, dining and lounge areas, making each villa appropriate for up to four guests. Each villa has two dedicated vehicle parking spaces. The villas are proposed to be used for short term accommodation for periods up to 28 days.

The proposed accommodation buildings are to be sited as follows:

Eastern villa: is to be situated 13 metres from the nearest part of the northern side property boundary and 118 metres from the southern side property boundary and will have a setback distance of 247 metres from the Spoehr Road frontage. The building will have a setback of over 400 metres to Onkaparinga Valley Road and a setback of no less than 280 metres from the nearest rear boundaries of adjoining allotments fronting Onkaparinga Valley Road.

Western villa: is to be situated 88 metres from the nearest part of the northern side property boundary and 62 metres from the southern side property boundary and will have a setback distance of 154 metres from the Spoehr Road frontage. The building will have a setback of over 500 metres to Onkaparinga Valley Road and a setback of no less than 360 metres from the nearest rear boundaries of adjoining allotments fronting Onkaparinga Valley Road.

The nearest sensitive receptors (dwellings) on adjoining allotments are situated 113 metres to the north and 314 metres south of the proposed villas. The adjoining premises to the south is subject of the Category 3 representation opposing the proposal.

External finishes for the tourist accommodation include horizontally expressed compressed fibre-cement ‘weatherboard’ style wall cladding, and corrugated Colorbond roof sheets. The buildings are to feature ‘muted colours’, however the specific details of the external colour scheme have not been provided.

The accommodation villas are separated by some 100 metres, with proposed native vegetation landscape screening situated generally between the two villas to provide additional buffer against views from the north and east.

The application proposes the installation of two (2) 22,000 litre water storage tanks for capture of roof-stormwater and to provide water to the accommodation villas, in combination with 5000 litres dedicated firefighting water supply.

Notwithstanding the initial versions of the proposal sought to establish two separate on-site aerobic wastewater treatment and disposal systems, the proposal has been amended to include the connection of the tourist accommodation villas as well as the existing dwelling to the sewer infrastructure that crosses the subject land near the Onkaparinga Valley Road frontage.

An easement for electricity distribution infrastructure also crosses the subject land.

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

3. BACKGROUND AND HISTORY

| APPROVAL DATE | APPLICATION NUMBER | DESCRIPTION OF PROPOSAL |
|---------------|--------------------|---|
| 30 July 2004 | 04/679/473 | Verandah attached to dwelling |
| 25/02/2010 | 10/135/473 | In-ground Swimming Pool |
| 10/10/2011 | 11/645/473 | Masonry pillars x 2 (maximum height of 1.8m) |
| 17 April 2013 | 12/60/473 | Boundary realignment (2 allotments into 2) – DAC relevant authority |

In respect of the current development application, the Applicant has provided updated drawings and documentation relating to the design, landscaping, and connection to the SA Water sewer network since public notification.

4. REFERRAL RESPONSES

- **SA CFS**

The SA Country Fire Service have identified the site Bushfire Attack Level as BAL-19 for both accommodation villas and has provided a ‘no objection’ response to the proposal, directing that (4) standard conditions in line with the mandatory provisions of the *Minister’s Code: Undertaking development in Bushfire Protection Areas* are attached to any Development Plan Consent granted (refer to recommended conditions 8 to 11).

The CFS have further recommended the following:

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. (refer recommended advisory note 8)

- **EPA**

The EPA provided its initial consultation response on 30 April 2020, recommending refusal. Identifying that the existing dwelling on the site relies upon an on-site wastewater disposal system and in terms of water quality impact, the EPA have noted that the proposed development would represent the equivalent of multiple dwellings on a single allotment, and in consideration of the cumulative impacts anticipated from additional wastewater loading at the site, the EPA had taken the position that the proposed development was unable to demonstrate a neutral or beneficial impact on water quality.

Following substantial discussion with the applicant and a revision of plans and details by the applicant, the multiple on-site wastewater treatment and disposal systems were abandoned in favour of connection to the SA Water sewer. The sewer line passes through the subject land in close proximity to the Onkaparinga Valley Road frontage of the property, and the proposed connection includes two new totally enclosed pumping stations and infrastructure across the Onkaparinga River affixed to the bridge structure that forms part of the existing driveway access for the dwelling.

In respect of demonstrating neutral or beneficial results to water quality in the Watershed Area, the applicant has also committed as part of this proposal's requirements to connect the existing dwelling to the sewer infrastructure and decommission the existing on-site waste system.

The revised proposal was re-referred to the EPA on 22 March 2021 with the EPA returning its revised response on 29 June 2021. This provided support of the proposal acknowledging the revisions produce a superior outcome resulting in *a neutral or beneficial impact on water quality of the Mount Lofty Ranges given the connection of accommodation units and the existing dwelling to the SA Water sewer network and the proposed management of roof and site run-off.*

The EPA have recommended two conditions and three advisory notes in respect of any Development Plan Consent granted (refer to recommended conditions 5 & 13 and advisory notes 3 to 5).

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

- **AHC EHU**

An application for an on-site wastewater works approval (Wastewater Application No. 20/W214/473) was lodged to Council on 14 September 2020. As a result of the revised application detail, particularly in respect of the proposed connection to SA Water Corporation sewer services, the waste system application has become redundant.

- **AHC Engineering**

Internal referral response from Council's Technical Officer received 16 April 2021:
No objections to the proposal, with the following conditions sought:

1. Property access and egress is adequate, a bitumen crossover to be installed to a width that accommodates traffic entering the property and to a minimum depth of 2 metres
2. The proposed access to the property to be the only point of entry all other accesses are to be made redundant.
3. No stormwater discharge requirements.

Refer to recommended conditions 14, 17, and 18.

5. CONSULTATION

The application was categorised as a Category 3 form of development in accordance with Section 38(2) (c) of the *Development Act 1993* requiring formal public notification and a public notice. Three (3) representations were received during the public notification period, two from adjoining land owners. Of these, one (1) representation opposes the proposal, one (1) was in support of the proposal and the third representation from SA Power Networks is of an advisory nature regarding the Authority's nearby power infrastructure.

The following representor wishes to be heard:

| Name of Representor | Representor's Address | Property | Nominated Speaker |
|-------------------------|---------------------------|----------|-------------------|
| Andrew and Kate Cowling | 38 Spoehr Road, Balhannah | | TBA |

The applicants and their representative, Mr Graham Burns of Masterplan, will be in attendance.

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

- Impact on residential amenity through loss of privacy
- Negative impacts upon the Onkaparinga River
- Impact on the natural and rural character of surrounding area
- Impact upon Scenic Routes
- Development within 60 metres from the top of the bank either side of the Onkaparinga River
- Bushfire risks, and
- Inaccurate representation of boundaries on the application plans.

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

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

6. PLANNING & TECHNICAL CONSIDERATIONS

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

i. The Site's Physical Characteristics

The subject land forms an irregular shaped rural allotment comprising an area of approximately 12 hectares. The land currently gains vehicle access appurtenant to the existing detached dwelling, at the east of the site via an existing drive way from Onkaparinga Valley Road. The existing dwelling is located some 187 metres from the eastern boundary fronting Onkaparinga Valley Road, and an existing outbuilding is located in close proximity to the northern side boundary at an approximate distance of 44 metres from the residence.

At the western boundary of the site, there is an existing gate which allows a point for entry from Spoehr Road, however, while vehicles are able to enter the site through this gate, there is currently no formal all-weather driveway passing through this access point.

Land levels vary across the site as a result of undulating terrain between both Onkaparinga Valley Road, and Spoehr Road. The Onkaparinga River passes through the lower eastern side of the subject land and makes a turn to the west where it runs virtually parallel to the southern boundary inside of the property. The site features areas of large River Red Gum trees, many of which form extended rows along the side boundaries of the site, and the sloping banks of the Onkaparinga River.

ii. The Surrounding Area

The subject land is located at the south-eastern periphery of the township of Balhannah. Given that the subject land adjoins the outer edge of the township, the surrounding area presents a mixture of both residential settlement, and larger rural land holdings.

Land sizes range between approximately 700 square metres in the township settlement area, to larger parcels in the order of 16 hectares such as the adjoining property located at 38 Spoehr Road. The surrounding area is highly influenced by the nature and function of Onkaparinga Valley Road, with frequent levels of traffic travelling north and south.

The locality has a predominant rural character, with vineyard and orchards contributors to the character of the surrounding area.

iii. Development Plan Policy considerations

a) *Policy Area/Zone Provisions*

The subject land lies within the Watershed (Primary Production) Zone - Onkaparinga Slopes Policy Area, Watershed (Primary Production) Zone - Balhannah/Oakbank (Rural Surrounds) Policy Area. The following policies are considered to be the most relevant provisions within the Adelaide Hills Council Development Plan relating to the proposed development:

Onkaparinga Slopes Policy Area 11

The proposed development lies wholly within the Watershed (Primary Production) Zone's Onkaparinga Slopes Policy Area (11) and these provisions seek:

- *to retain low density rural development and land uses specifically through the avoidance of uses which would require division of land into smaller holdings.*
- *avoidance of activities such as forestry and intensive animal keeping, and*
- *an emphasis upon low intensity general farming activities.*

It is noted that the south-eastern portion of the subject land is located within the Balhannah/Oakbank (Rural Surrounds) Policy Area however no portion of the proposed development nor any critical site components (with the exception of sewer pipework) are located within this Policy Area. For this reason no further consideration has been given to the specific provisions of the Balhannah/Oakbank (Rural Surrounds) Policy Area.

Objective 1 of the Onkaparinga Slopes Policy Area is considered to be the relevant Policy Area provision, and is considered to be relatively well accorded insofar that the proposal does not seek to divide land and buildings into separate holdings, which has been reinforced through the commitment to integrate the servicing of the proposed and existing buildings with a view to the long term future operation of the land as a whole and the environmental benefit to the Watershed in this proposal.

As a result of the existing pattern of land (formation of the surrounding allotments) and land uses which have been established, it is unlikely that the subject land, or many of the smaller allotments laying within the zone would revert to primary production activities, other than hobby scale activities or land uses which generally maintain the rural character of the area.

Watershed (Primary Production) Zone (W(PP))

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

- to maintain and enhance natural resources of the Mount Lofty Ranges particularly water resources.
- to protect the long term sustainability of primary production activities.
- to enhance amenity and landscape value through preservation and restoration of native vegetation.
- to enhance the amenity and landscape of the south Mount Lofty Ranges for the enjoyment of residents and visitors and to support and develop the tourism industry with accommodation, attractions & facilities and increase visitation and overnight stays in the region.

In particular, the provisions reinforce the avoidance of pollution of surface or underground water resources and maintenance of a pleasant, attractive rural landscape, with the following are considered to be the relevant Watershed (Primary Production) Zone provisions:

Objectives: 1, 2, 5 & 6

PDCs: 1, 2, 3, 4, 9, 10, 11, 14, 15, 16, 17, 29, 32, 35, 36, 70

Fundamentally the zone remains accommodating of many forms of development where it can be assured that there are no unreasonable impacts particularly in terms

of the sustainability of primary production activity and enhancement of amenity and local rural and natural landscapes, where the natural surface and underground water resources of the Mount Lofty Ranges Watershed are protected.

Protection of the watershed zone resources, in this instance also coincides with the procedural matters of the zone, identifying development of additional dwellings and new 'stand-alone' tourism accommodation as non-complying forms of development and the mandatory referral to the Environment Protection Authority (EPA) upon the basis of increased potential for impacts upon water resources.

This proposal initially presented issues which the EPA could not support in respect of increasing pollution potential within the Watershed Area through increased on-site wastewater disposal and increased stormwater discharge. The revisions made to the application have substantially addressed those concerns of the EPA.

The proposal now incorporates logical and technical solutions to the issues which reflects an overall improvement in environmental performance over and above the existing 'status quo' of the subject site.

Accordance with Zone

The proposal is not offensive or prejudicial to the objectives of the W(PP) Zone or the Objectives of the Onkaparinga Slopes Policy Area, which both emphasise sustainability of water resources and not undermining the potential for primary production land uses to prevail.

The proposed development will not have any adverse effect upon water resources, having adequate stormwater and effluent management provisions, and contributes to improvement of the existing effluent management on the land, which has been confirmed by the EPA's final referral response.

Both the Zone and the Policy Area identify that the landscape quality and amenity is to be enhanced for the enjoyment of residents and visitors and in this respect, the proposal incorporates landscaping which will assist in screening the proposed accommodation buildings from prominent, clear and direct view, and enhancing the landscape generally.

It is not considered that the proposal will adversely impact the pleasant rural aesthetics of the locality, particularly at such close interface with the Township Zone, which contextually supports the proposed development also.

Form of Development

The development of small scale, low profile tourist accommodation appears generally consistent with the zone provisions, particularly where it avoids negative impacts to the landscape and water resources. By their very nature, tourist accommodation more commonly responds with a higher degree of land management than many other forms of development largely through seeking to enhance the guests' experience and amenity of the site.

The low profile nature of the buildings is not unreasonable within the landscape and in respect to the opposing representation, the form of the development is not considered to impinge upon the characteristics established in the locality. The separation of the proposed accommodation villas to sensitive receptors is substantial, with in excess of 113 and 314 metres respectively separating the two closest dwellings and the proposed tourist accommodation. The location of the tourist villas also achieves significant setback distances to public roads.

Accordingly, the proposal is not considered to be out of context or detract from the scenic qualities of the locality.

The proposal does not prejudice or compromise any undertaking of desirable activities within the zone such as primary production activities on neighbouring allotments should it occur. As foreshadowed previously in this report, the existing pattern of allotments and land uses generally will not realise future primary production activities other than low intensity/hobby scale activities.

Two allotments adjoining to the north and south-west stand apart due to their size and relative capability to support activities of greater scale. In particular the northern allotment contains an established orchard demonstrating this principle.

Appearance of Land and Buildings

The proposed buildings will be finished in appropriate materials confirming non-reflective material selection, extensive shading from the buildings' large 800mm surrounding eaves and modest built form. However colours of external materials should be conditioned to be comprised of natural shades and muted colours in order to blend with the surrounding natural and rural environment (refer recommended condition 2).

Conservation

The proposal has comprehensively addressed the matters of preservation, protection and enhancement of the Watershed Area.

The development proposes setbacks from the Onkaparinga River which surpass the threshold described in Zone PDC 4 by a substantial degree. The proposal does not purport any influence upon existing native vegetation or sensitive areas such as the riverbank or areas susceptible to flood inundation or, higher volumes of run-off which exist on the land.

The proposed driveway access is also set out in a fashion which is reasonably consistent with the contour of the land so as not to be a visual impediment in respect of Zone PDC 9.

The proposal incorporates further landscaping annotated as comprising native species indigenous to the area as sought by Zone PDC 10, propagating additional habitat for native fauna, birdlife and generally supporting greater biodiversity.

b) Council Wide provisions

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

- Appropriate segregation of certain forms of development within appropriate zones or areas.
- Orderly and sustainable development.
- Avoidance of incompatible land uses.
- Appropriate limitations to design, height, bulk and visual/aesthetics.

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

Tourism Development

Objectives: 1, 2, 3, 5, 6, 7, 8 & 9

PDCs: 1, 3, 4, 7, 10, 18, & 28

The proposed development is considered to generally pursue the intent of the Tourism Development provisions. The development is considered to be appropriate within the context of the site, particularly at such close interface to the outskirts of the Balhannah township and its scale and intensity of use is such that it should remain inconspicuous within its surrounding environment and locality.

With regard to its proximity to townships, it has a high degree of accessibility to many of the hills towns including, and beyond Balhannah, affording guests the opportunity to enjoy the attractions and food/wine and farm-gate produce experiences in the region.

The proposal brings guests into contact with the peaceful natural and rural environment within the district and is not considered to create any negative impacts to the natural environment. The proposal appropriately avoids the more sensitive environmental features of the land, particularly the Onkaparinga River and its banks and pools.

The development also seeks to further enhance the environmental features of the site, creating some further buffering and separation and in turn enhancing habitat for native fauna, birdlife and generally supporting environmental improvement and biodiversity.

Siting and Visibility

Objective: 1

PDCs: 1, 5, 7 & 9

Orderly and Sustainable Development

Objectives: 3 & 4

PDCs: 1 & 5

Further to the provisions regarding built form and design already addressed above, the proposal does not in any way jeopardise the continuance of adjoining authorised land uses. The proposal does not prejudice the achievement of the provisions of the Development Plan insofar as they relate to water resource preservation and security and the potential for primary production pursuits upon larger arable rural areas within the zone.

The siting of the building is considered to be appropriate to insulate the development well within the allotment. The proximity of the eastern accommodation unit to the northern boundary and nearby sensitive receptor had potential to be a concern, however this has not been raised although the public notification process from the adjoining owner. The landscaping treatment employed upon that northern shared boundary is considered to have substantial value for attenuating direct impacts and views of the proposed development.

The separation distance to the southern boundary and sensitive receptor are comparatively large and in this instance it is also considered that the visual impact is substantially mitigated by the existing vegetation along the Onkaparinga River and within the subject land.

Also foreshadowed earlier in this report is the higher degree of land management availed by tourism developments, and it is considered the separation distances proposed and the inherent management of the site by the landowner residing on the same site, will ensure that peaceful amenity of the site is maintained.

Hazards

Objectives: 1, 2 & 5

PDCs: 1, 7, 8 & 11

Specifically in respect of bushfire hazard related matters, the proposal demonstrates relatively simple design and built form which avoids the risk of trapping burning material and embers in the event of bushfire.

The site is readily accessible by CFS appliances, with reasonably short driveways, and emergency vehicle access and egress accommodated in the proposal design.

The plans and details demonstrate water tanks for firefighting water storage with a capacity 22,000 litres each. The provision of fittings in accordance with the Minister's Building Standard MBS 008 for active firefighting features are to be conditioned (refer recommended CFS Conditions 9 & 10).

The passive fire resistance features of the design and construction of the proposed building will be assessed at Building Rules assessment stage to accord the Building Code of Australia and relevant standards called up thereunder.

7. SUMMARY & CONCLUSION

The proposal is to construct two (2) single-storey self-contained tourist accommodation villas, along with associated landscaping and minor earthworks. The proposed villas provide a tourist accommodation facility in an area of rural character whilst also situated in close proximity to the township of Balhannah.

Whilst the proposal will result in a partial change to the use of the land, the accommodation villas are located on a large site, well separated from boundaries, and therefore it is considered the proposal will not result in amenity impacts to the occupants of nearby residential dwellings. There will be a negligible increase to traffic movements to and from the site with on-site car

parking provided for both accommodation villas. Therefore, there will be minimal impact to the local roads.

The proposal is for purpose-built buildings in an architectural style that is considered to be of a low and sympathetic profile. Furthermore, landscaping surrounding the environs of the accommodation villas will allow the buildings to be further screened from the view of neighbouring properties. Given that the accommodation villas and the existing residence are to be connected to the SA Water sewer network, the proposed development will not give rise to adverse water quality impacts.

The proposal is sufficiently consistent with the relevant provisions of the Development Plan, and it is considered that the proposal is not seriously at variance with the Development Plan. In the view of staff, the proposal has sufficient merit to warrant consent. Staff therefore recommend that Development Plan Consent be **GRANTED**, subject to conditions and the concurrence of the State Commission Assessment Panel.

8. RECOMMENDATION

That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and seeks the CONCURRENCE of the State Commission Assessment Panel to GRANT Development Plan Consent to Development Application 19/1064/473 by Susan Bastian & Brian West for Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying) at 11 Onkaparinga Valley Road Balhannah subject to the following conditions:

(1) Development In Accordance With The Plans

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

- Amended State of Effect prepared by Graham Burns of MasterPlan pp 1-13 dated 25 May 2021 (received by Council dated 25 May 2021)
- Amended Site Plan prepared by MasterPlan dated Dec 2019 (received by Council dated 25 May 2021)
- Amended Enlargement Plan prepared by MasterPlan dated March 2020 (received by Council dated 25 May 2021)
- Amended Elevations (Tourist Accommodation Villas) (received by Council dated 25 May 2021)
- Amended Floor Plan (Tourist Accommodation Villas) (received by Council dated 25 May 2021)
- Amended System Design Schematic Layout - Overall Drawing Sheets Plan & Locations prepared by Land Energy Drawing No. 12269.LOC.1 Sheet 1 of 1 dated 17 April 2021 (received by Council dated 25 May 2021)
- Amended West Villa, Main Drains & Pump Station Plan prepared by Land Energy Drawing No. 12269.LAY.1C Sheet 1 of 4 dated 30 April 2021 (received by Council dated 25 May 2021)
- Amended East Villa, Pumped Sewer Rising Main Plan prepared by Land Energy Drawing No. 12269.LAY.1C Sheet 2 of 4 dated 30 April 2021 (received by Council dated 25 May 2021)

- Amended Main Residence Wastewater Inflow Point Plan prepared by Land Energy Drawing No. 12269.LAY.1C Sheet 3 of 4 dated 30 April 2021 (received by Council dated 25 May 2021)
- Amended Bridge Crossing & Sewer Connection Plan prepared by Land Energy Drawing No. 12269.LAY.1C Sheet 4 of 4 dated 30 April 2021 (received by Council dated 25 May 2021)
- Amended Detailed Plumbing Layout Plans West Villa & East Villa prepared by Land Energy Drawing No. 12269.DET.1B Sheet 1 of 1 dated 07 September 2020 (received by Council dated 25 May 2021)
- Amended Entrance Enlargement Plan prepared by MasterPlan dated March 2021 (received by Council dated 30 March 2021)
- E-mail written by Graham Burns of MasterPlan relating to proposed number of days for accommodation booking dated 23 July 2021 (received by Council dated 23 July 2021).

(2) External Materials and Finishes

All external materials and finishes shall be of subdued colours which blend with the natural features of the landscape and be of a low-light reflective nature.

NOTE: Browns, greys, greens and beige are suitable and galvanised iron and zincalume are not suitable.

(3) Gravel Car Parking Designed In Accordance With Australian Standard AS 2890.1:2004

All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, and line-marked in accordance with Australian Standard AS 2890.1:2004. Line marking and directional arrows shall be clearly visible and maintained in good condition at all times. Driveways, vehicle manoeuvring and parking areas shall be constructed of compacted gravel prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.

(4) Car Parking Directional Signage

Directional signs indicating the location of car parking spaces shall be provided on the subject land and maintained in a clear and legible condition at all times.

(5) Tourist Accommodation to be Connected to SA Water Sewer Network

Prior to the issue of a certificate of occupancy, the two accommodation villas must be connected to SA Water network in accordance with the wastewater management system and sewer connection plans prepared by Land Energy Pty Ltd referenced in Condition 1.

(6) Soil Erosion Control

Prior to construction of the approved development straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during periods of rainfall.

(7) Timeframe For Landscaping To Be Planted

Landscaping detailed in Enlargement Plan (prepared by Masterplan dated March 2020) shall be planted in the planting season following occupation and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

(8) CFS Access Requirements

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

- **Access to the building sites 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.**
- **Vegetation to be established along the access road shall be carefully selected and designed in accordance with the following:**
 - i. No Understorey vegetation shall be established within 3 metres either side of the access road (understorey is defined as plants and bushes up to 2 metres in height);**
 - ii. Grasses shall be reduced to a maximum height of 10cm for a distance of 3 metres (or to the property boundary, whichever comes first); and**
 - iii. Mature trees with a single stem habit, are permitted within this fuel reduced zone, providing they are maintained to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.**

(9) CFS Water Supply

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

Minister's 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 building shall be available at all times for bushfire fighting purposes.**
- **The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.**

- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of noncombustible 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.

(10) CFS Access To Dedicated Water Supply

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

- The water supply outlet shall be easily accessible and clearly identifiable from the access way.
- 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.

(11) CFS Vegetation / Landscaping

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

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the buildings (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 maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 - ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 - iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 - iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the buildings.
 - 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 buildings (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 buildings such as windows, decks and eaves.
 - ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

(12) CFS Conditions To Be Completed Prior To Occupation

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

(13) Prior to Building Rules Consent Being Granted – Requirement for Soil Erosion And Drainage Plan (SEDMP)

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

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

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

(14) Stormwater Roof Runoff To Be Dealt With On-Site

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

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

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

(15) Maximum Number of Guests for Tourist Accommodation

Each tourist accommodation villa shall accommodate a maximum of four (4) guests at any given time.

(16) Tourist Accommodation

The person(s) having the benefit of this consent shall refrain from permitting the use of the building (or any part thereof) for the provision of long term accommodation or, as a separate dwelling. The tourist accommodation shall be used and operated on a short term rental arrangement with a maximum stay per occupancy not exceeding 28 days. Accommodation bookings for periods between 7 days and 28 days shall not exceed 10 percent of the total number of bookings per accommodation unit in any calendar year.

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

(17) Removal of Redundant Crossovers

Any existing crossing places along Spoehr Road shall be considered redundant and shall be closed off prior to the occupation of the development herein-approved.

(18) Sealing of Vehicle Access

The vehicle and cross-over as detailed on Entrance Enlargement Plan (dated 1 March 2021) shall be sealed in Hotmix bitumen, concrete, brick paving or similar material, from the edge of the sealed carriageway of Spoehr Road to the property boundary prior to the occupation of the development herein-approved.

NOTE: The access shall be constructed to ensure no construction materials are deposited onto the carriageway of Spoehr Road.

NOTES

(1) Development Plan Consent

This Development Plan Consent (DPC) is valid for a period of twelve (12) months commencing from the date of the decision or, if an appeal has been commenced, the date on which it is determined, whichever is later.

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

(2) Water Storage Tanks

A water storage tank (and any supporting structure) which:

- a) is not part of a roof drainage system; or
- b) has a total floor area exceeding ten (10) square metres; or
- c) is not wholly above ground; or
- d) has a part higher than four (4) metres above the natural surface of the ground, will require Council approval.

(3) EPA Information Sheets

Any information sheets, guideline documents, codes of practice, technical bulletins, are referenced in this decision can be accessed on the following web site:
<http://www.epa.sa.gov.au/pub.html>

(4) EPA Environmental Duty

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

(5) EPA Sewer Pump Station Requirements

The pipeline and automatic control system of the sewer pump station should be designed and constructed to minimise any potential overflow/discharge of sewerage to the environment.

(6) Erosion Control during Construction

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

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

The applicant is advised that any proposal to clear, remove limbs or trim native vegetation on the land, unless the proposed clearance is subject to an exemption under the Regulations of the Native Vegetation Act 1991, requires the approval of the Native Vegetation Council. For further information visit:

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

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

(8) Bushfire Survival Plan – Tourist Accommodation

A BUSHFIRE SURVIVAL PLAN (BSP) shall be displayed in the accommodation. This BSP shall be 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.

(9) CFS Bushfire Attack Level

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

The Bushfire hazard for the area has been assessed as BAL 19 (applicable for Tourist Accommodation Villa's 1 & 2).

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

9. ATTACHMENTS

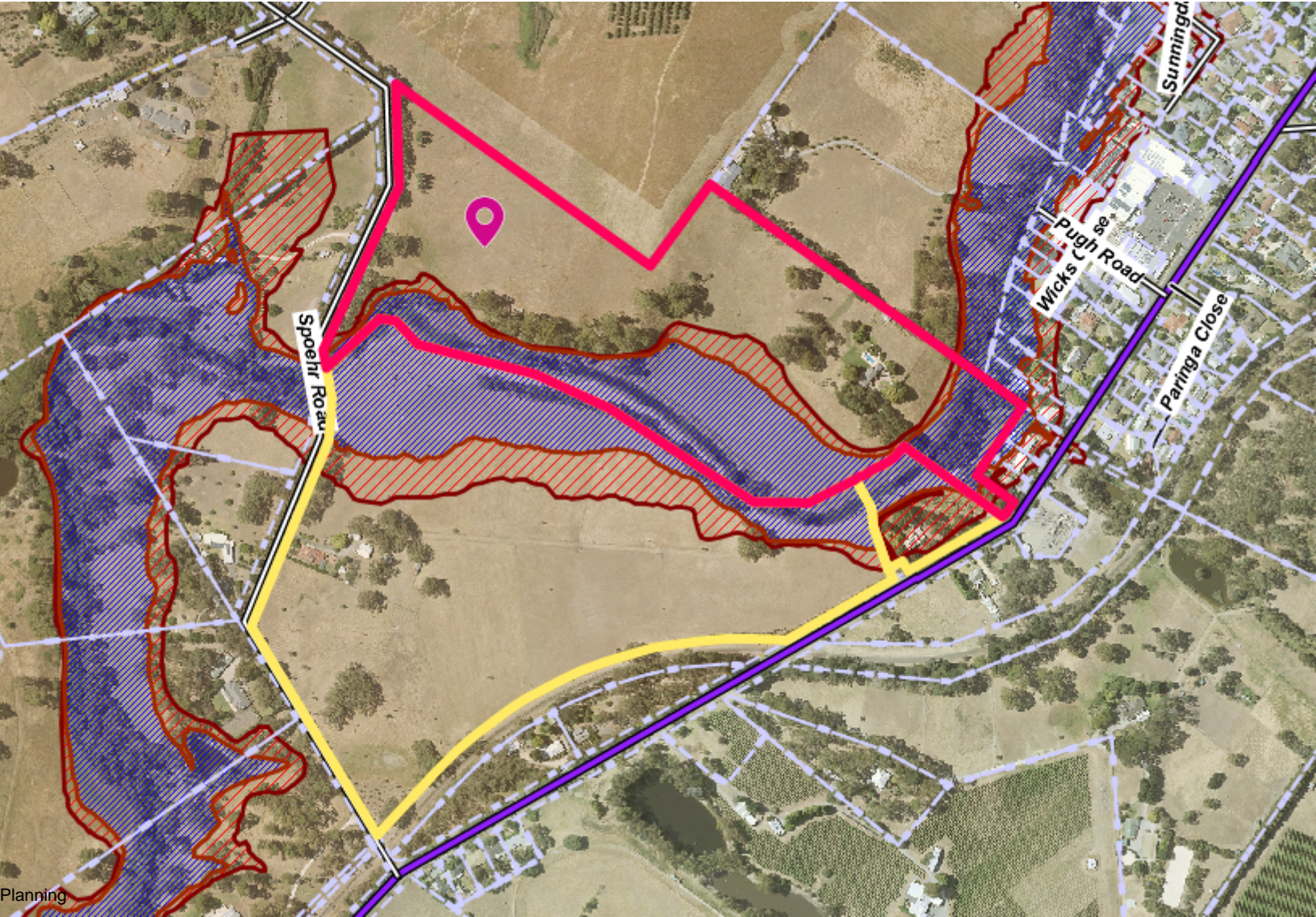
Locality Plan
Proposal Plans
Applicant's Professional Reports
Referral Responses
Representations
Applicant's response to representations
Publically Notified Plans

Respectfully submitted

Concurrence

Damon Huntley
Statutory Planner

Deryn Atkinson
Assessment Manager



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Scale = 1:6032.880

200 m



Annotations

- Subject Land
- Representor Land 2
- Representor Land 1

Planners Summary

- PlanningSummary

AHC Core

- RoadsStreetView
 - ADJOINING LGA RD
 - AHC & PRIVATE
 - AHC RD
 - DPTI RD
 - PRIVATE RD
 - SHARED RD
- Roads

Flood Study Data

- TorrensFloodZones_20Yr
- TorrensFloodZones_100Yr
- OnkaFloodPlain10Yr
- FloodPlain100Year

Stormwater Updated

CWMS

Zones_ Policy & Landuse

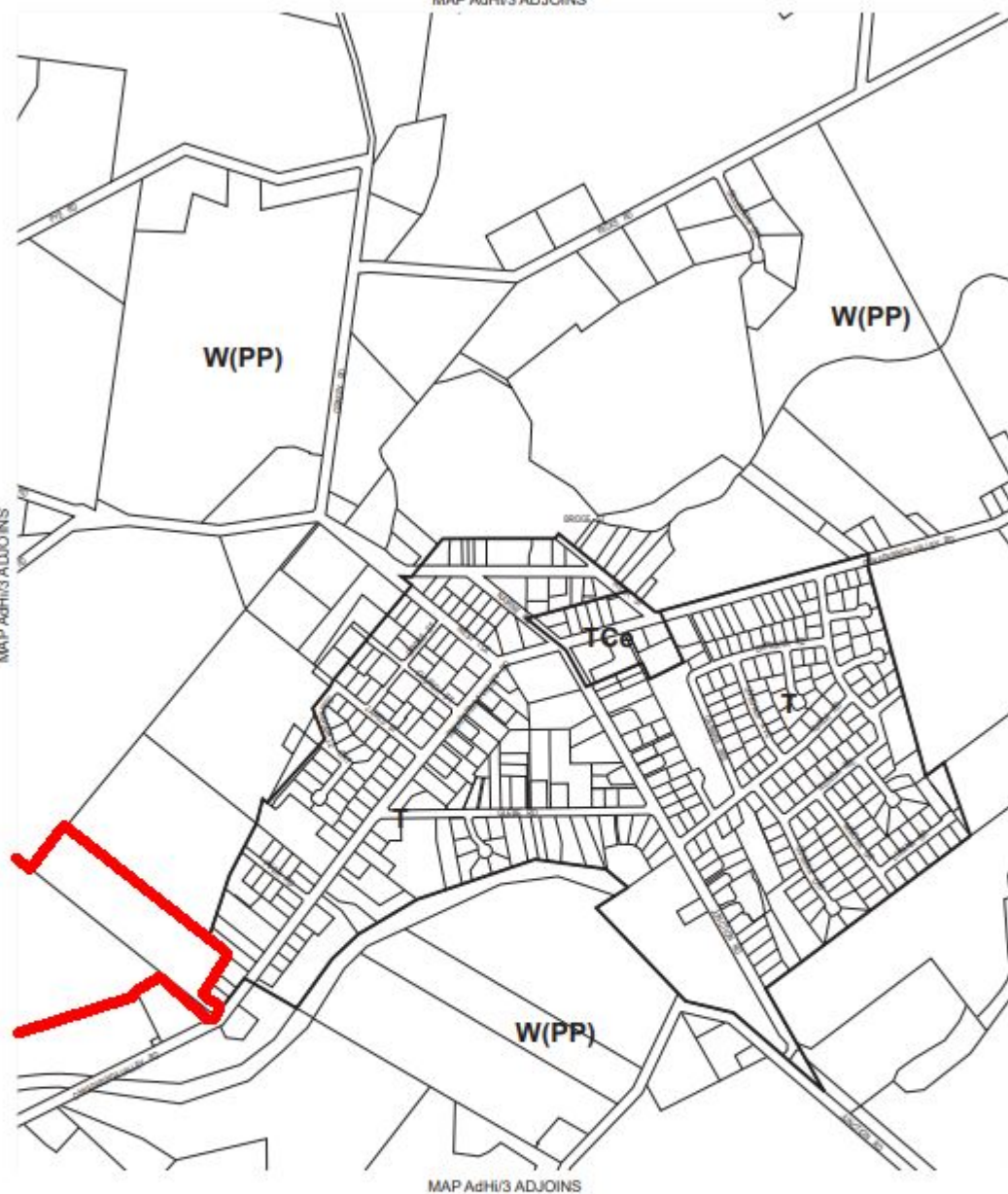
DrillHoles (Bores) & Surface Water

Rec Trails & Rd Res with Rec Significance

MAP AdHi/3 ADJOINS

MAP AdHi/3 ADJOINS

MAP AdHi/19 ADJOINS



BALHANNAH

NOTE: For Policy Areas See MAP AdHi/61

T Township Zone
 TCe Town Centre Zone
 W(PP) Watershed (Primary Production) Zone

— Zone Boundary
 - - - Development Plan Boundary

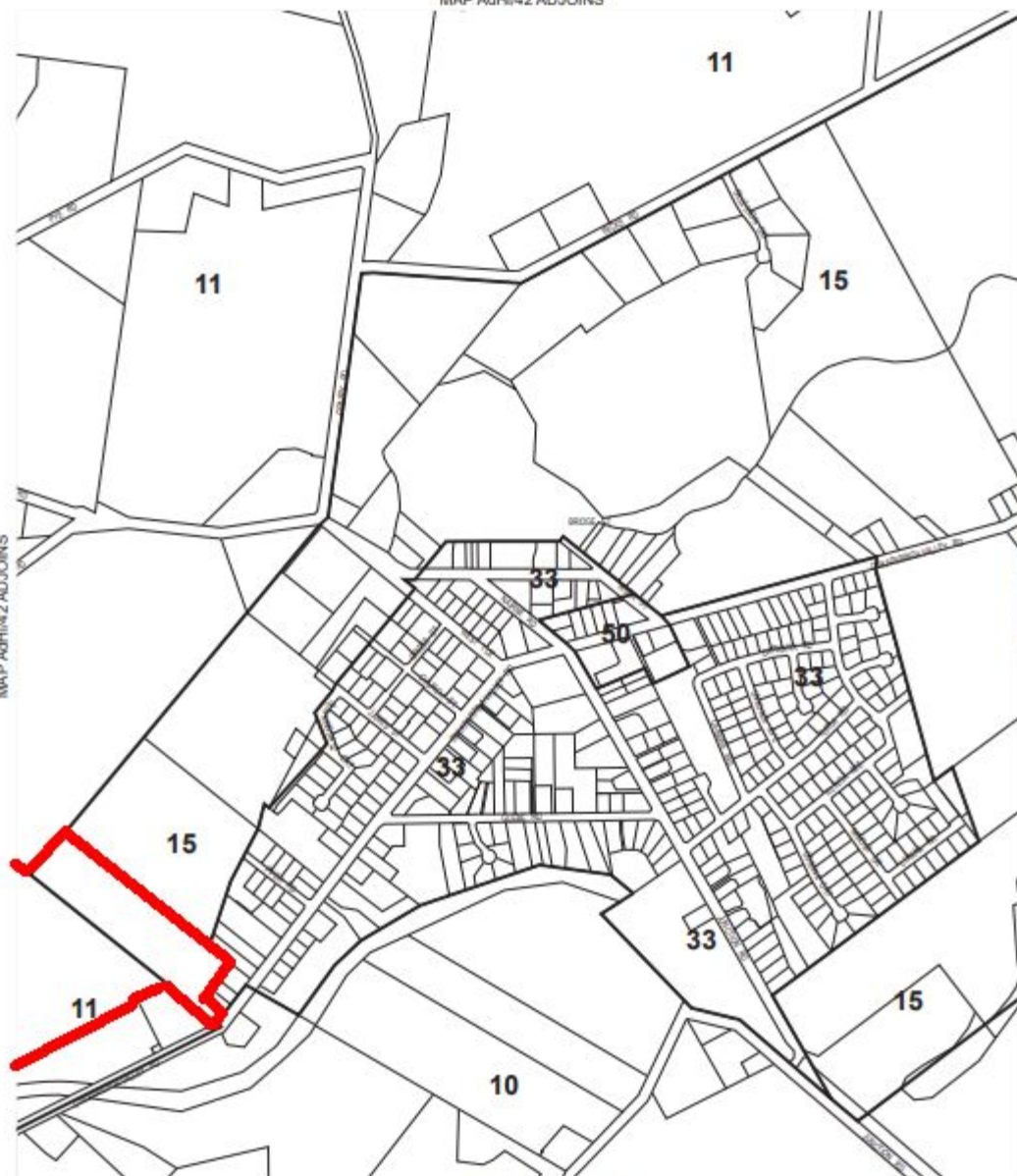
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ADELAIDE HILLS COUNCIL ZONES MAP AdHi/20

Consolidated - 8 August 2019



BALHANNAH

NOTE: For Zones See MAP AdHi/20

- 10 Onkaparinga Valley
- 11 Onkaparinga Slopes
- 15 Balhannah/Oakbank (Rural Surrounds)
- 33 Township (Balhannah)
- 50 Town Centre (Balhannah)

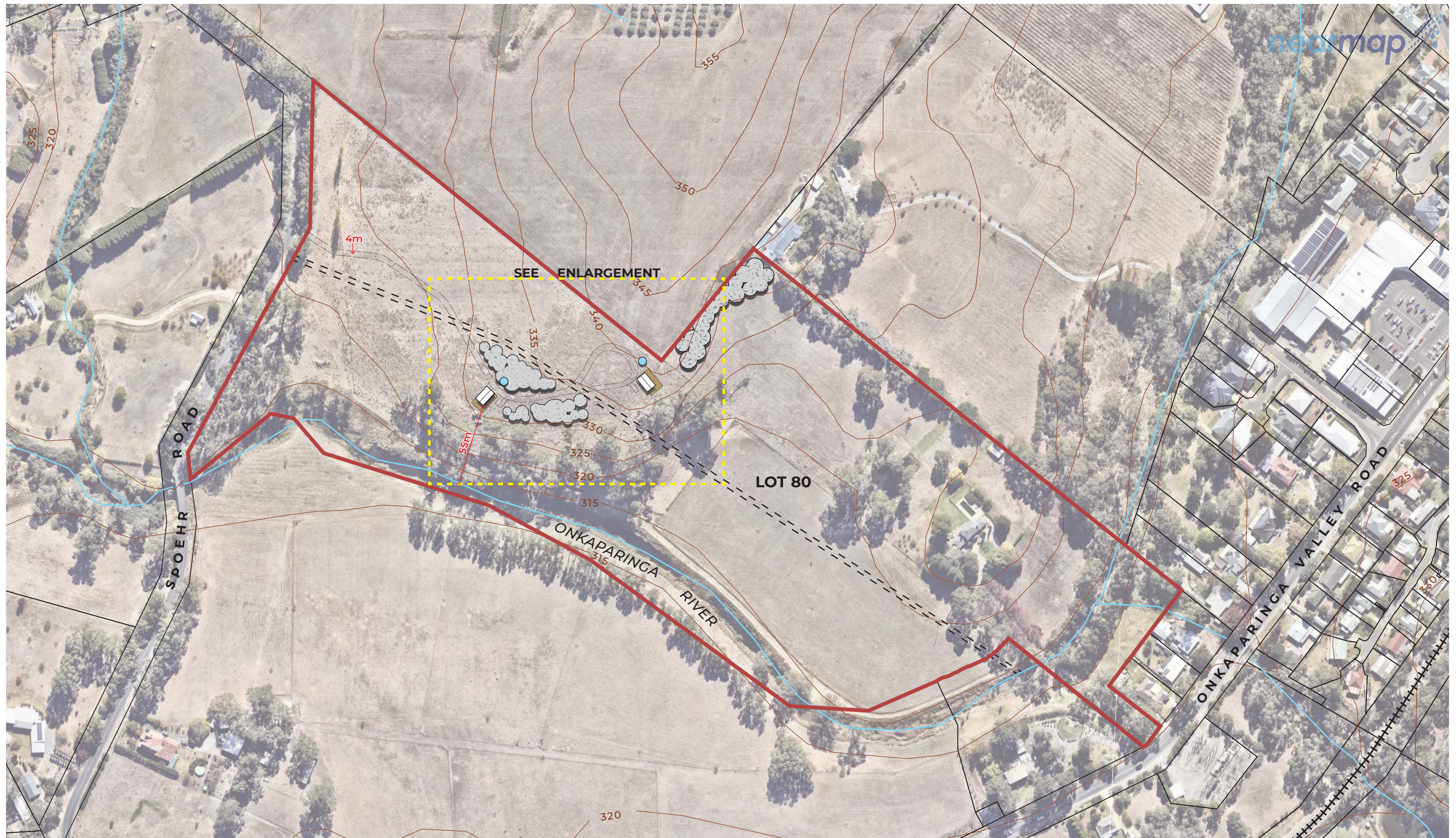
Scale 1:10000

0 500metres



ADELAIDE HILLS COUNCIL POLICY AREAS MAP AdHi/61

- Policy Area Boundary
- - - Development Plan Boundary



- Subject site
- Contours (5.0 metre intervals)
- Watercourse
- Railway
- Note: Nearmap image dated 23 April 2019.
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Site Plan

TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



1:2500 @ A3

0 50m

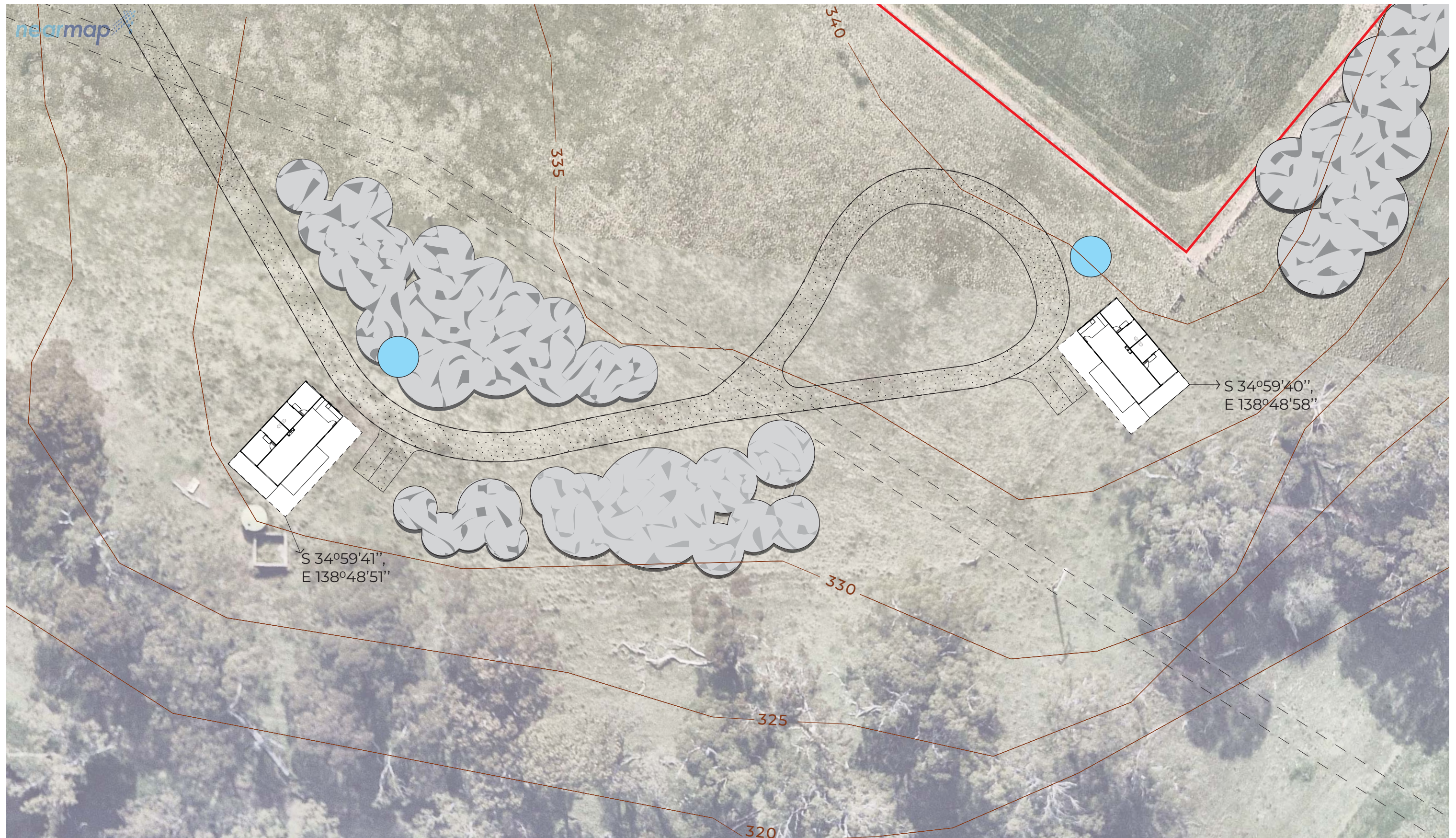
AMENDED 25/05/2021

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© DEC 2019 BL:51429-S1-3C





- Subject site
- Contours (5.0 metre intervals)
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Note: Geographic Image refers to Nearmap image dated 28 September 2019.

Enlargement Plan TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



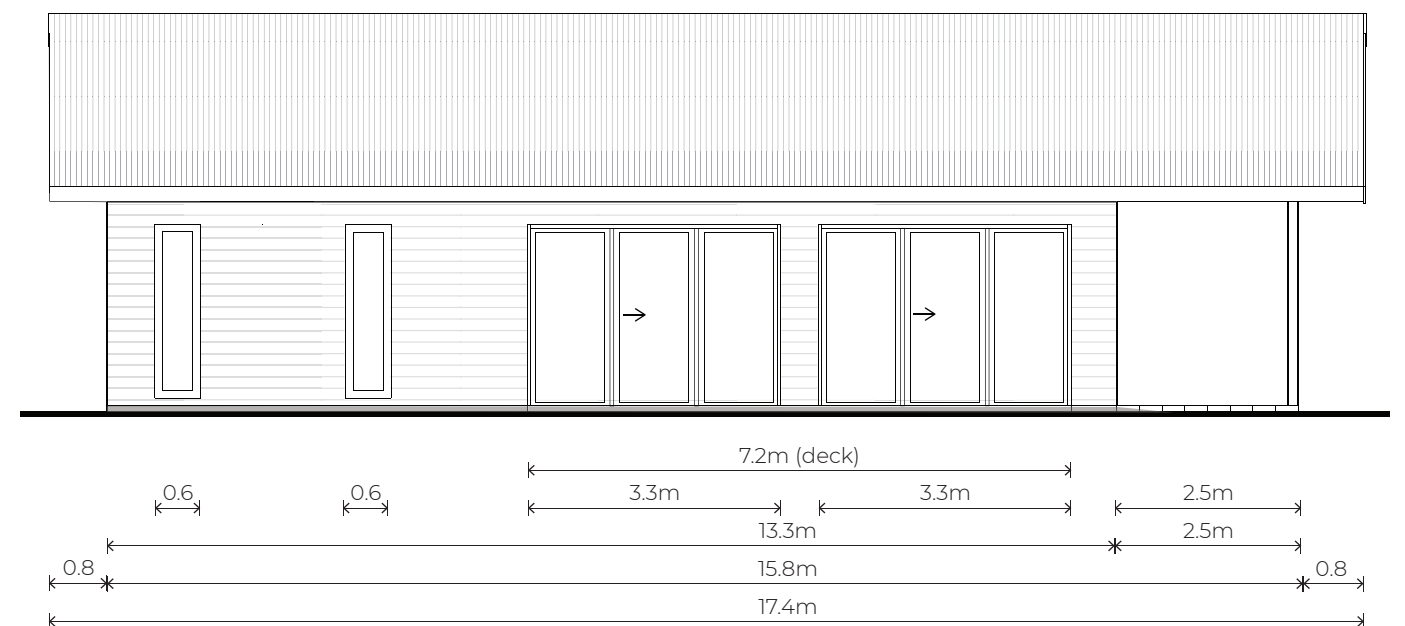
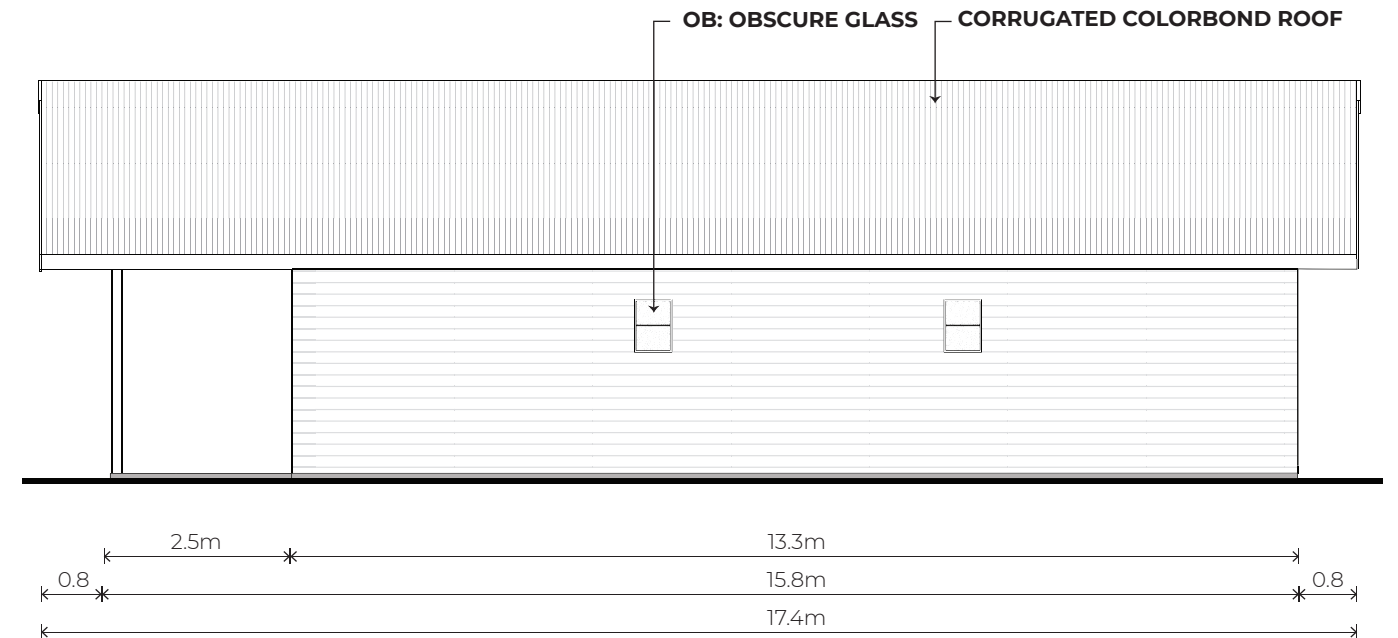
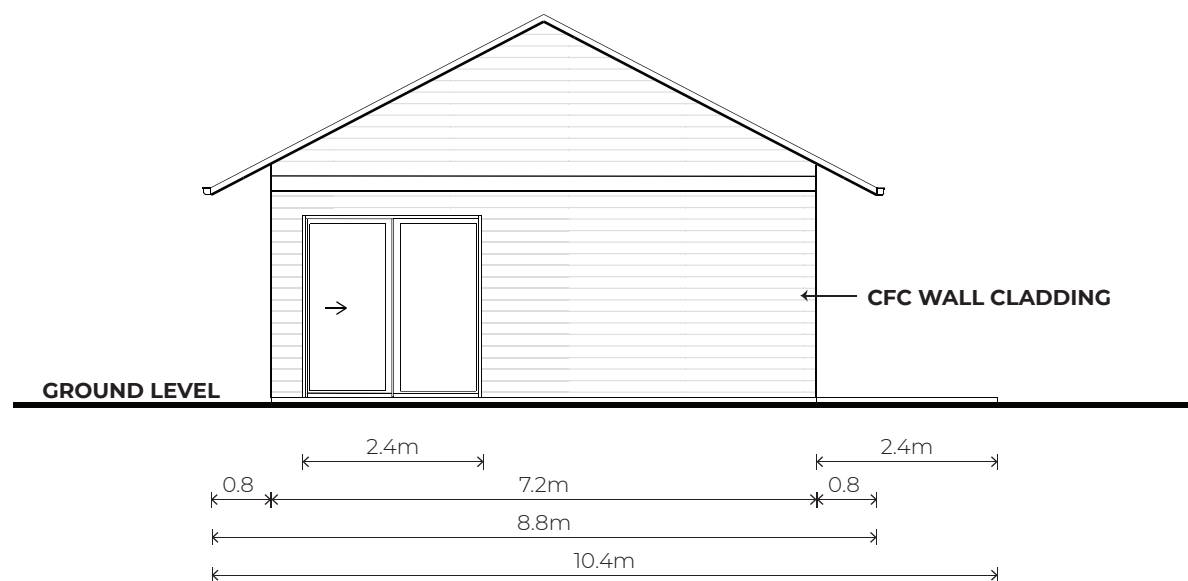
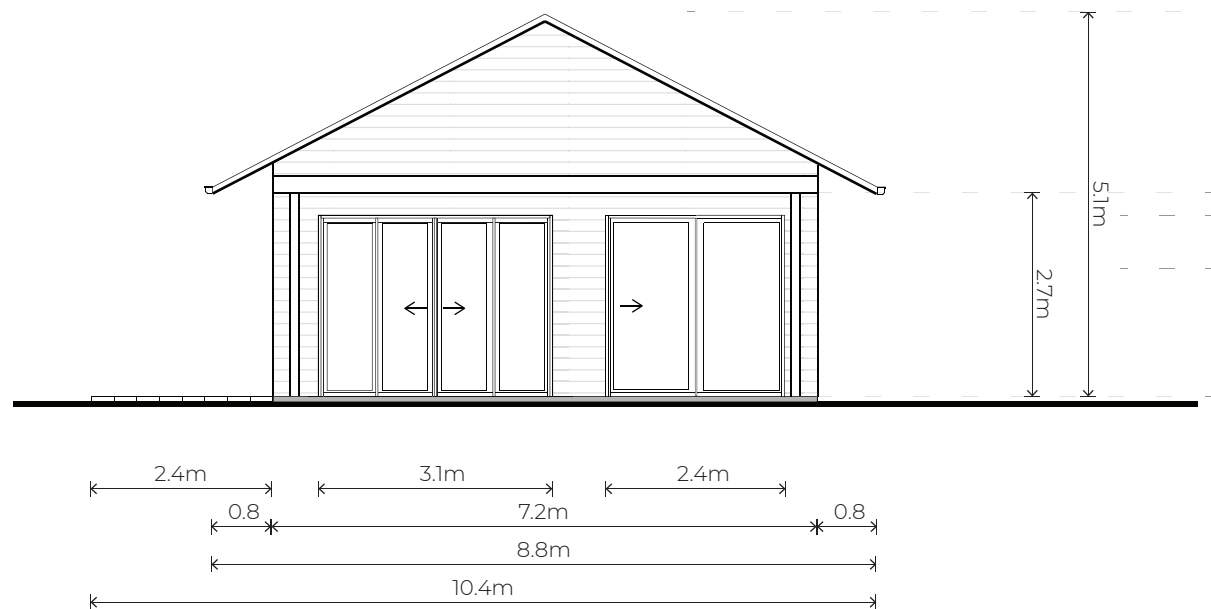
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AMENDED 25/05/2021

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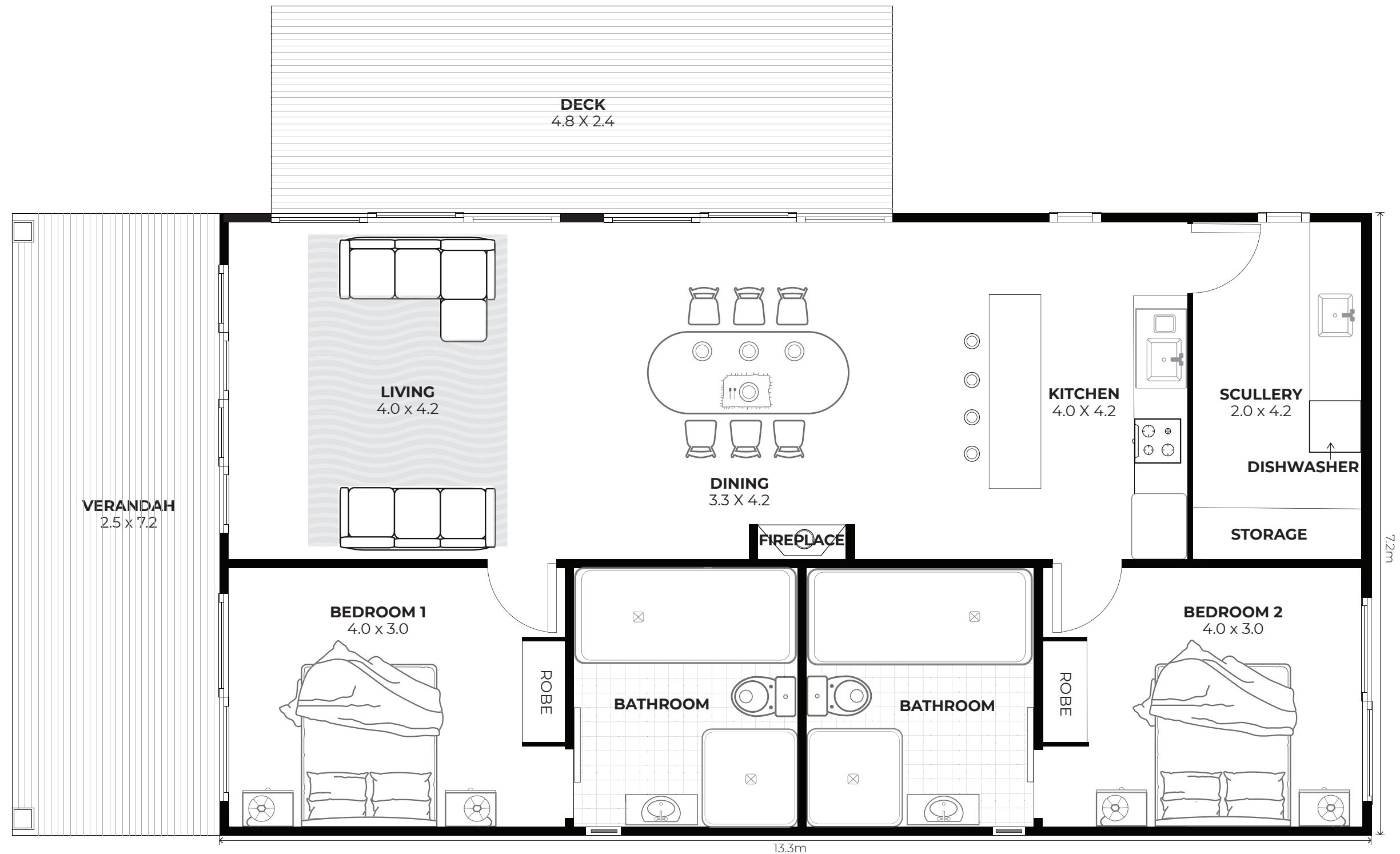
ELEVATIONS 1:100 @ A3

Tourist Accommodation Villas

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN & BRIAN WEST

AMENDED 25/05/2021



FLOOR PLAN 1:50 @ A3

Tourist Accommodation Villas

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN & BRIAN WEST

AMENDED 25/05/2021



- Subject site
- Contours (5.0 metre intervals)
- Electricity easement
- Gravel driveway

Note: Metromap image dated 12 January 2021

Entrance Enlargement (1 March 2021)
TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



AMENDED 30/03/2021

Damon Huntley

From: Graham Burns <GrahamB@masterplan.com.au>
Sent: Friday, 23 July 2021 9:42 AM
To: Damon Huntley
Cc: Susan Bastian; Brian West
Subject: FW: Sue Bastian - DA 473/1064/19

Follow Up Flag: Follow up
Flag Status: Completed

[EXTERNAL]

Hi Damon:

I refer to our recent discussions and confirm that my client agrees to a condition being imposed on the planning consent which specifies that the period of occupation in the accommodation units does not exceed 7 days for any one booking. However if any bookings are made for periods between 7 days and 28 days, such bookings shall not exceed 10 percent of the total number of bookings per accommodation unit in any calendar year.

I trust that this arrangement can be accommodated in the approval.

Regards,

Graham Burns
0413 832 602

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STATEMENT OF EFFECT (AMENDED 25 MAY 2021)

Small Scale Tourism Development

AT: 11 Onkaparinga Valley Road, Balhannah

FOR: Sue Bastian and Brian West

1.0 INTRODUCTION

This Statement of Effect is prepared in relation to an application by Sue Bastian and Brian West to develop a tourist accommodation facility consisting of two (2) single storey self-contained, short term, bed and breakfast style accommodation units. The development site is located to the rear of 11 Onkaparinga Valley Road, Balhannah.

The proposal is a *non-complying* form of development. Council has resolved to continue with the further assessment of the application on the basis of the Statement of Support submitted with the application. It has requested that a Statement of Effect now be prepared.

This Statement of Effect is prepared in accordance with Regulation 17 (5) of the *Development Regulations 2008*. Sub-regulation (5) specifies that the Statement must include:

- “(a) a description of the nature of the development and the nature of its locality;
 - (b) a statement as to the provisions of the Development Plan which are relevant to an assessment of the proposed development;
 - (c) an assessment of the extent to which the proposed development complies with the provisions of the Development Plan;
 - (d) an assessment of the expected social, economic and environmental effects of the development on its locality; and
 - (e) any other information specified by the relevant authority when it resolves to proceed with an assessment of the application (being information which the relevant authority reasonably requires in the circumstances of the particular case),
- and may include such other information or material as the applicant thinks fit.”



2.0 NATURE OF DEVELOPMENT AND NATURE OF LOCALITY

2.1 Development

The application proposes to develop two (2) small-scale tourist accommodation buildings with approximately 100 metres of separation between them. Each accommodation unit has two double bedrooms and separate en-suite facilities which will allow not more than four persons per accommodation building. The tourist accommodation has been designed and sited to complement the rural character and scenic features of the locality.

The tourist accommodation units will be single storey, low in profile and externally clad in muted colours to minimise their visual impact on the surrounding rural landscape. External cladding will consist of corrugated Colorbond and CFC wall cladding in keeping with the traditional building styles which feature throughout the area. The units have wide verandas to shade outdoor decks and to further reduce any perceptions of bulk. The proposal is shown on the accompanying set of drawings (**Appendix C**).

The accommodation buildings will be setback over 150 metres from Spoehr Road, and much further again from Onkaparinga Valley Road.

Both buildings have been carefully sited on an elevated part of the site to capture attractive rural views in various directions, but especially towards and beyond the Onkaparinga River.

The accommodation buildings are located above the 330-metre contour level, where they will be more than 20 metres above pool level of the Onkaparinga River (310 metres). These contours are shown on the Site Plan (**Appendix B**). Both accommodation buildings will be setback more than 50 metres from the edge of the Onkaparinga River.

Each accommodation building will be accessed via a single gravel driveway from Spoehr Road. The driveway has been positioned in relation to the slope of the land to minimise the need for cut and fill. Furthermore, the driveway will be screened by existing vegetation which is well established along Spoehr Road. The driveway surface will be porous and used primarily by the occupants of the tourist accommodation units and persons servicing the units. Surface water runoff from the driveway will be minimal. At its closest point, the driveway will be approximately 65 metres from the Onkaparinga River and separated from this watercourse by a dense band of native vegetation.

The accommodation units and the driveway will be located in parts of the site that are clear of native vegetation. Additional landscaping will be planted shown on the Site Plan to screen and enhance the buildings' rural setting. Our Site and Locality Plan is attached in **Appendix B**. Of particular relevance are the remnant stands of native vegetation which align the river and are a notable feature of the locality.

The applicants' residence on Allotment 80 is connected to reticulated power and water supplies and a septic tank and soakage trench. The proposed accommodation units will be connected to the reticulated power and water supply services, but it is intended that they be used with minimal reliance on these



services. In this regard, each accommodation building will be connected to a 22,000-litre water tank and will also be fitted with roof-top solar panels.

Both accommodation units and the applicants' residence will be connected to the sewer system for Balhannah township. Details of this aspect of the proposed development have been prepared by Land Energy Pty Ltd at **Appendix D**.

2.2 Locality

The subject land is identified as Certificate of Title Volume 6122; Folio 499, Lot 80 and is known as 11 Onkaparinga Valley Road, Balhannah.

A copy of the Certificate of Title for the land is provided in **Appendix A**.

An existing single-storey residence is sited in the south-east corner of the site and is currently occupied by the owners of Lot 80 and the applicants in this matter. Access to the residence is via Onkaparinga Valley Road, and then by bridge across the River Onkaparinga. The residence is well screened by native and non-native vegetation to the north, east and west.

The subject land is provided with a frontage to Onkaparinga Valley Road to the south-east and Spoehr Road to the north-west. The residence is not identified as a Local or State Heritage Place. The allotment is serviced by SA Water and reticulated power but not reticulated sewer services.

The land is traversed by the Onkaparinga River watercourse which runs east to west along the southern boundary of the subject site. Existing vegetation is most concentrated along Spoehr Road and the watercourse. This vegetation consists mainly of blue and red gums along with small pockets of low-lying native bush.

The landform consists of a low valley on the southern side of the Onkaparinga River watercourse rising to the northern boundary. The portion of land proposed to accommodate the two accommodation units is relatively flat, exhibiting a slight rise (front to back) of approximately 1.0-metre. This is the logical location for development to occur, because it can achieve the required watercourse setbacks for both construction, flood mitigation and waste management purposes, and be sufficiently separated and screened from neighbouring residences.

The subject site is in the Watershed (Primary Production) Zone. It also straddles Balhannah/Oakbank (Rural Surrounds) Policy Area 15 and Onkaparinga Slopes Policy Area 11 on Policy Areas Map AdHi/61 of the Development Plan. Despite the Watershed (Primary Production) objectives, there are numerous dwellings throughout the locality and a large variation in the allotment patterns and sizing. Historically, land would have been farmed in larger property holdings and used for primary production purposes. Over time, the larger holdings have been divided into smaller allotments, purchased and developed for rural-residential and solely residential purposes.



The average allotment size within the locality is now in the order of 10 hectares, with some allotments as small as 2,448 square metres. Consequently, few if any properties are now used solely for primary production purposes.

It is also relevant to note that the subject site abuts the Township Zone which contains much smaller allotments used for urban type purposes. Residential development in Balhannah consists mainly of low to medium density housing on smaller allotments, and non-residential uses such as retail shops, local commercial and service industries, medical facilities, and community facilities particularly along Onkaparinga Valley Road.

The proximity and accessibility of the Adelaide Hills to the metropolitan area has seen a steady increase in wine and food tourism throughout the region. This has been followed by a subsequent demand for short-term and overnight accommodation throughout the Adelaide Hills. Balhannah, being centrally located in the Adelaide Hills region and easily accessible to Adelaide via Greenhill Road and the South Eastern Freeway, is an ideal location for short term accommodation.

3.0 RELEVANT PROVISIONS OF THE DEVELOPMENT PLAN

The relevant Development Plan for assessment purposes is the Adelaide Hills Council Development Plan, consolidated version dated 8 August 2019.

The provisions of that Development Plan which are most relevant to an assessment of the proposal's planning merits are:

3.1 Design and Appearance

- Council-wide Objective 1 and Principle 1, 12 (High Design Standard responding to local environment); and
- Council-wide Principle 9 (Development on Suitable Land).

3.2 Hazards

- Council-wide Objectives 2 (Development sited away from natural hazards);
- Council-wide Objectives 4 and Principle 3 (Flooding);
- Council-wide Objectives 5 and Principles 6, 8 and 9 (Siting of Development); and
- Council-wide Principle 7 (Minister Bushfire Code).



3.3 Interface Between Land Uses

- Council-wide Objectives 1 and 3 (Incompatible Development);
- Council-wide Objective 2 (Amenity); and
- Council-wide Principle 2, 4, 16 (Siting).

3.4 Natural Resources

- Council-wide Objectives 2 and Principle 2, 4 and 5 (Protection of Natural Resources);
- Council-wide Objective 3 and Principle 9 (Sustainable use of Natural Resources);
- Council-wide Objective 6 and Principle 49 (Development Siting);
- Council-wide Objective 8, 14 and Principles 37 and 38 (Conservation and Protection of Native and Non-Native Vegetation); and
- Council-wide Objective 4 & Principle 10 11, 35 (Water Quality).

3.5 Orderly and Sustainable Development

- Council-wide Objectives 8 (Rural Appearance and Character);
- Council-wide Principles 3 (Economic expansion);
- Council-wide Principles 7 (Underutilised land); and
- Council-wide Principles 9 (Suitable land use).

3.6 Siting and Visibility

- Council-wide Objective 1 (Amenity);
- Council-wide Principle 1, 2, 3 and 6 (Unobtrusive Siting of Buildings);
- Council-wide Principle 4 (Cut and Fill);
- Council-wide Principle 9 (Unobtrusive Siting of Driveways); and
- Council-wide Principles 10 (Landscape Screening).



3.7 Sloping Land

- Council-wide Principle 4 (Accessibility); and
- Council-wide Principle 7 (Effluent Drainage System).

3.8 Tourism Development

- Council-wide Objectives 1 & Principles 2 and 19 (Environmentally Sustainable and Innovative Tourism);
- Council-wide Objectives 3 and 6 & Principles 1, 2, 3, 7, 9 (Tourism which Enhances local Amenity);
- Council-wide Objective 5 & Principle 11, 12, 13, 16 and 18 (Primary Production Suitability and Sustainability);
- Council-wide Objective 7 & Principles 4 (Overnight Stay);
- Council-wide Objective 9 (Access to Tourist Accommodation);
- Council-wide Principle 5 (Infrastructure Associated with Tourism Development);
- Council-wide Principle 10 and 21 (Carparking Associated with Tourism Accommodation); and
- Council-wide Principle 14 (Tourism Development in Association with Tourist Destinations).

3.9 Transport and Access

- Council-wide Principles 14 (Vehicle Manoeuvring);
- Council-wide Principle 25 (Access from Public Roads);
- Council-wide Principle 26 (Safe and Convenient Access);
- Council-wide Principle 32 and 36 (Siting and Design); and
- Council-wide Principle 34 (Carparking Requirements).

3.10 Waste

- Council-wide Objective 2 & Principles 2 and 11 (Treatment of Waste);
- Council-wide Principles 12, 14 and 15 (Siting of Wastewater Treatment systems); and
- Council-wide Principles 13 and 16 (Effluent Disposal).



3.11 Watershed (Primary Production) Zone

- Zone Objective 2 and Principle 36 (Water Quality);
- Zone Objective 6 (Sustainable Tourism Industry);
- Zone Principles 1 and 2 (Unobtrusive Buildings);
- Zone Principle 3 (Water Supply and Effluent Disposal);
- Zone Principle 4 (Watercourse Setbacks);
- Zone Principle 9 (Unobtrusive Driveways);
- Zone Principle 10, 23, 30 and 37 (Native Vegetation);
- Zone Principles 11, 14, 15 and 39 (Rural Character, Natural and Rural Landscape Character); and
- Zone Principle 70 (Non-Complying Development).

4.0 DEVELOPMENT PLAN COMPLIANCE

The Development Plan explicitly supports tourism development throughout the Council area (as expressed by the Council-wide provisions cited in Section 3.7 above) and in the Watershed (Primary Production) Zone with reference to Zone Objective 6. These provisions must be considered against all other relevant provisions of the Development Plan, having regard to the nature of the development and its location in relation to its locality.

In this context, we consider that the primary issues for consideration are:

- land use, and in particular whether tourism development of the kind proposed is suitable for the site and locality;
- bushfire protection, given that the site is located in an area of high bushfire risk according to Figure AdHiBPA/7 of the Development Plan;
- flood protection, given that the site is located in an area of high flood risk according to Figure AdHiFPA/10 of the Development Plan;
- water and wastewater management, given that the site is located in the Mount Lofty Ranges Watershed Area (but not within the more sensitive Watershed Area 1);
- design and siting considerations; and
- primary production and land use interface considerations.



4.1 Land Use Suitability

The Watershed (Primary Production) Zone lists 6 objectives, including Objective 6 which states:

6. **The development of a sustainable tourism industry with accommodation, attractions and facilities which relate to and interpret the natural and cultural resources of the South Mount Lofty Ranges and increase the opportunities for visitors to stay overnight.**
[our underlining for emphasis]

Council-wide Tourism Development Objective 7 also envisages increased opportunities for visitors to stay overnight. The proposal delivers short term accommodation so that visitors can stay overnight in order to experience the wines produced in the locality such as Shaw and Smith and Nepenthe which are nearby, local produce sold nearby and in farmers' markets, along with the region's numerous attractions, such as Cleland and Gorge Wildlife Parks, market gardens, vineyards and orchards. The region is also renowned for its cool climate wines available for tasting and sale at cellar doors, as well as boutique breweries, heritage buildings, art galleries, craft shops, scenic drives, cycling trails and walking paths.

The subject land sits adjacent to and abuts Balhannah which is contained within a Township Zone. Due to the distance of the accommodation units and minor nature of the tourist accommodation, it is not foreseen that the proposal will impact on existing neighbouring uses within the locality. Rather, the proximity of the accommodation units to Balhannah provides greater opportunity for the township to benefit from the proposed development by attracting visitors who are likely to visit shops and cafes, and purchase goods sold within the town.

Balhannah is superbly positioned as an entry into the region and its proximity to many other towns makes it an ideal base for exploring the hills. The site itself is approximately 30 kilometres from Adelaide and about 30 minutes driving time, making it conveniently accessible to the Adelaide metropolitan area.

The site is moreover particularly suitable for its intended use, as the proposal will operate in association with the property's continued use for small-scale livestock grazing as envisaged by Council-wide Tourism Development Principles 13 and 14. Some consequential re-fencing of the paddocks may be required to separate the livestock from vehicles associated with the accommodation buildings, but this is of little to no consequence in planning terms.

The location of the accommodation units on the site was determined having regard to each building site's relatively flat nature. No native vegetation will be removed as part of the development. Indeed, the sites were selected for their intended use because they are devoid of vegetation but surrounded by native and non-native vegetation to enhance the natural setting and scenic appeal to visitors staying in the units. The proposal furthermore includes landscaping to frame and screen the accommodation units while also maintaining panoramic views of the Onkaparinga River and surrounding locality.

Each accommodation unit can also be safely accessed from Spoehr Road via a private driveway which will be formed to follow the contours of the site as to minimise visual impact from adjoining properties and Spoehr Road.



4.2 Bushfire Protection

Each accommodation unit will be connected to a 22,000-litre rainwater tank, as indicated on the attached Site Plan. The average annual rainfall for the area is 875 millimetres which is expected to be more than enough to service each unit. Should the need arise, the rainwater tanks can be topped up from either SA Water mains which will be connected to the accommodation units or the property's bore water entitlement.

Council-wide Hazard Principle 9 requires tourist accommodation to be sited away from trees and shrubs, away from rugged terrain and to be easily accessible. The sites selected for both accommodation units are clear of vegetation, close to multiple sealed roads (Spoehr Road, with secondary access via Onkaparinga Valley Road), away from mature stands of vegetation and on moderately sloping land. They will also be setback from existing hazardous vegetation which aligns the watercourse, as detailed in **Appendix B**.

Council-wide Hazard Principle 7 requires development in a High Bushfire Protection Area to accord with the mandatory provisions of the Minister's Code: Undertaking Development in Bushfire Protection Areas and Minister's Specification (SA 78). The mandatory provisions are detailed in Parts 2.3.3.1, 2.3.4.1 and 2.3.5 of the Code. With reference to the Code's mandatory provisions, each accommodation unit will be:

- safely and conveniently accessed from a bitumen sealed public road, namely Spoehr Road;
- the private driveway connecting onto Spoehr Road will be gravel surfaced to provide all weather access, situated away from hazardous vegetation and will have a minimum formed width of 4.0 metres, all as detailed on the Site Plan;
- the driveway incorporates a generously proportioned turning circle loop at the eastern end to allow for firefighting services to travel in a continuous forward movement;
- the positions of the dedicated water supply tanks will be easily accessible, located adjacent to the driveway and each unit. The tanks are clearly identified on the application Site Plan; and
- the accommodation units are separated from native and non-native vegetation on the site, with the area surrounding the units grassed and maintained to a low height to prevent the accumulation of fire-fuel loads.

In all relevant respects, the proposal has been appropriately and well designed and sited having regard to the site's location in a Bushfire Protection Area and having particular regard to the relevant 'Bushfire Protection' provisions of the Development Plan and the Minister's Code.

4.2 Flood Protection

The accommodation buildings are located well above the 330-metre contour level, where they will be more than 20 metres above pool level of the Onkaparinga River (310 metres). These contours are shown on the Site Plan. Both accommodation buildings will also be setback more than 50 metres from the edge



of the River. The development site is elevated well above the Onkaparinga River and is located outside of the area susceptible to flooding as depicted in Figure AdHiFPA/10 of the Development Plan.

In all relevant respects, the proposal has been appropriately and carefully sited having regard to its location outside the Extreme Flood Hazard area identified in the Development Plan as well as having particular regard to the relevant flood provisions of the Development Plan.

4.3 Water and Wastewater Management

The development seeks to be environmentally sustainable and consistent with Council-wide, Natural Resources Principle 10. With regard to this provision, each villa will be connected to a 22,000-litre rainwater tank. Should water supply from the tanks be depleted in circumstances such as extended dry periods, each villa will have a back-up connection to the SA Water mains supply which is connected to the subject land. This connection will only be activated when required, to minimise reliance on the SA Water mains supply.

The short term accommodation units and the applicant's dwelling will be connected into the Balhannah township sewerage system, as shown on the accompanying set of drawings prepared by Land Energy Pty Ltd at **Appendix D**. This will ensure that the development delivers a beneficial impact on water quality.

Watershed (Primary Production) Zone Objective 2 and Principles 3(a) and 36 requires buildings to have a year-round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health and maintain quality water resources and protect the natural system. This is given further expression within Council-wide Natural Resources Objectives 2, 3, 4 and Principles 1 and 2 which requires the protection and enhancement of South Australia's ground water, surface water and watercourses. With regard to all of the above, the proposal will satisfy the relevant Development Plan provisions.

4.4 Design and Siting

The two accommodation units were carefully sited on the subject land to complement its setting and to take advantage of the outstanding rural and valley views. While views from the accommodation units will be panoramic, the units are very small in scale and low in profile and have been sited below the ridgeline of the adjoining properties so as not to skyline. They will have a minimal impact on the landscape as viewed from Onkaparinga Valley Road, Spoehr Road and Woodcock Road. The accommodation units will also be set back more than 360 metres from Onkaparinga Valley road and over 150 meters from Spoehr Road.

The closest accommodation unit is sited approximately 50 metres from the Onkaparinga River but at a substantially higher elevation than river pool level. This provides a sufficient distance from and above the flood zone while also positioning the site to nestle into the topography of the land. As outlined previously, the sites selected for each accommodation unit are the most logical positioning on the site. This is due to the relatively flat nature of development location thereby necessitating minimal cut and fill.



The driveway has also been designed to follow the contours of the landscape to further reduce the need for cut and fill and will be surfaced with porous material to minimise water runoff.

Moreover, the proposal retains all existing landscaping. The accommodation units are sited with regard to the existing native vegetation on the site, which will screen the accommodation units from adjoining properties and roadways. It is the intention of the proponents to further soften the accommodation units' positioning in the landscape through the establishment of more native planting, in keeping with the vegetated and rural character of the locality.

The accommodation units are low in profile and will be externally clad in corrugated Colorbond roofing and CFC sheeting; materials that are in keeping with the traditional building styles of the region and in keeping with the rural character of the locality. Each accommodation unit is designed with a veranda and deck to further articulate and shade the building and minimise its visual impact on the locality.

It is concluded that the proposal:

- will not impact the amenity or character of the locality by the appearance of the land or the buildings proposed on the land (Council-wide, Siting and Visibility Objective 1 and Council-wide Tourism Development Objectives 3 and 6 and Principles 1,2 ,3, 7 and 9);
- has been carefully designed and sited to ensure that the buildings and associated structures will be unobtrusively sited and will blend naturally into the landscape (Council-wide Siting and Visibility Objective 1 and Council-wide Siting and Visibility Principles 1, 2, 3 and 6);
- will minimise the amount of cut and fill required for each building and associated site works (Council-wide Design and Appearance Principle 9 and Siting and Visibility Principles 4);
- will be in keeping with the appearance and semi-rural character of the surrounding locality (Watershed (Primary Production) Zone Principles 11, 14 and 15); and
- will protect and enhance the natural resources and environmental condition of the area (Council-wide Natural Resources Objective 1).

4.5 Primary Production and Land Use Interface

Watershed (Primary Production) Zone Objective 3 calls for the long-term sustainability of rural production in the south Mt Loft Ranges. This objective is given further expression by Council-wide Interface between Land Uses Objectives 1 and 3 and Principle 15. These provisions encourage development that will be compatible with surrounding uses and promote development that would not diminish the opportunity for existing land uses to continue to operate.

While the dimensions of the site would make it difficult for the property to operate independently as an economically viable farming enterprise, the site's use for small scale tourist accommodation in association with its continuing use for part-time primary production purposes will assist in maintaining the south Mount Lofty Ranges' sustainability for agricultural purposes.



In this context, the proposal satisfies the relevant Development Plan provisions which encourage the continuation of rural and primary production sustainability throughout the Council area.

5.0 ECONOMIC AND ENVIRONMENTAL EFFECTS

5.1 Social Effects

Each villa will be capable of accommodating not more than four (4) persons at one time. Due to the limited size of the tourist accommodation units, the development is expected to have a neutral social effect on the locality. This is largely because persons occupying each accommodation unit will be short term 'residents' only, and therefore unlikely to have close ties with the local community. For this reason, guests are unlikely to form connections with the local community or engage in the day to day life of the local community.

5.2 Economic Effects

The accommodation units will be available throughout the year, except on catastrophic fire risk days.

The development is expected to have a positive effect on the locality by:

- generating local employment at the construction stage for local trade persons, and post-construction for cleaners, gardeners and maintenance persons;
- creating additional demands for local produce such as food, wine and beverages, as well as arts and crafts;
- putting to effective and efficient use a vacant parcel of rural land which can only be used for small scale primary production; and
- adding to the supply and quality of short-term accommodation in the Adelaide Hills, consistent with State and local government economic policy.

5.3 Environmental Effects

The proposal is expected to have a neutral to positive effect on its locality because:

- it will deliver a beneficial impact on water quality by connecting both accommodation units and the applicants' residence to Balhannah's sewerage system;
- solar panels will be installed onto the roofs of both units to reduce reliance on the electricity grid;
- all native and non-native vegetation will be retained, with additional native landscaping to be planted;



- each villa will be provided with adequate water supplies, namely rainwater and bore water for domestic use and firefighting purposes; and
- each villa will 'touch the ground lightly' and the driveway will follow existing contour lines, thereby minimising the need for cut and fill.

6.0 CONCLUSION

Based on our assessment of the proposal against the provisions of the Development Plan, we conclude that the proposed small-scale tourist accommodation facility proposed for Allotment 80 at 11 Onkaparinga Valley Road Balhannah, is not seriously at variance with the Development Plan. Indeed, we conclude that the proposal complies with the provisions of the Development Plan in almost every respect, even though it is a *non-complying* development in the Watershed (Primary Production) Zone.

We are of the opinion that the application is therefore deserving of Development Plan Consent, subject to the Development Assessment Commission's concurrence of that consent.

Graham Burns MPlA (Fellow)
B/A in Planning

25 May 2021

APPENDIX A

Certificate of Title

REAL PROPERTY ACT, 1886



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6122 Folio 499

Parent Title(s) CT 5669/482, CT 5782/936
Creating Dealing(s) RTC 12016435
Title Issued 29/10/2013 **Edition** 2 **Edition Issued** 27/10/2017

Estate Type

FEE SIMPLE

Registered Proprietor

SUSAN ELAINE PUTNAM BASTIAN
BRIAN RICHARD WEST
OF 11 ONKAPARINGA VALLEY ROAD BALHANNAH SA 5242
AS JOINT TENANTS

Description of Land

ALLOTMENT 80 DEPOSITED PLAN 92095
IN THE AREA NAMED BALHANNAH
HUNDRED OF ONKAPARINGA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A ON DP 92095 TO THE MINISTER FOR INFRASTRUCTURE (T 3900329)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D ON DP 92095 TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (T 1792402)

Schedule of Dealings

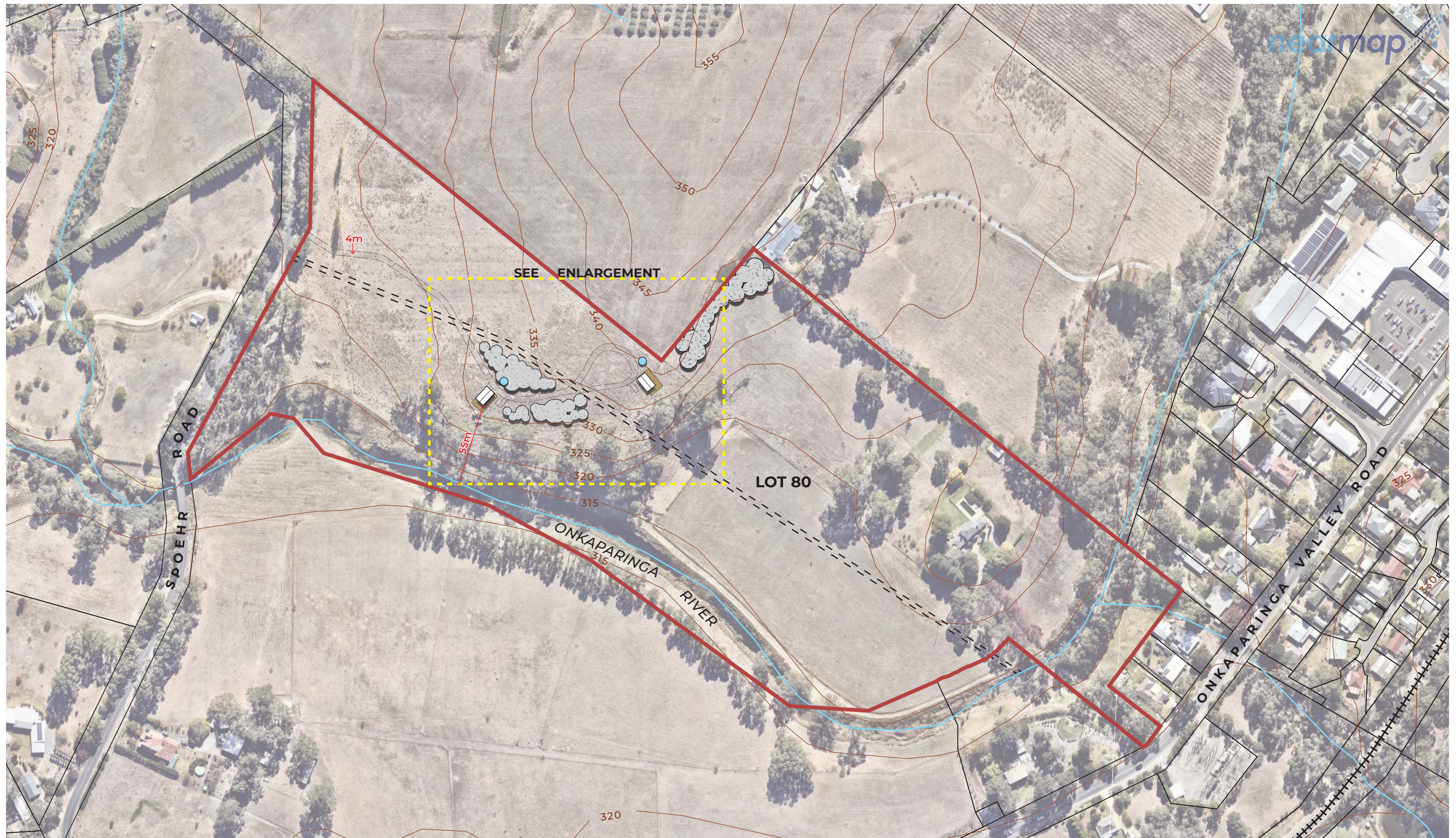
| Dealing Number | Description |
|----------------|--|
| 12814917 | MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141) |

Notations

| | |
|----------------------------------|-----|
| Dealings Affecting Title | NIL |
| Priority Notices | NIL |
| Notations on Plan | NIL |
| Registrar-General's Notes | NIL |
| Administrative Interests | NIL |

APPENDIX B

Site and Locality Plan



- Subject site
 - Contours (5.0 metre intervals)
 - Watercourse
 - Railway
 - Electricity easement
 - Accommodation units
 - Native vegetation landscape screening
 - Firefighting water tank (22000 litres)
 - Gravel driveway
- Note: Nearmap image dated 23 April 2019.

Site Plan

TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



1:2500 @ A3

0 50m

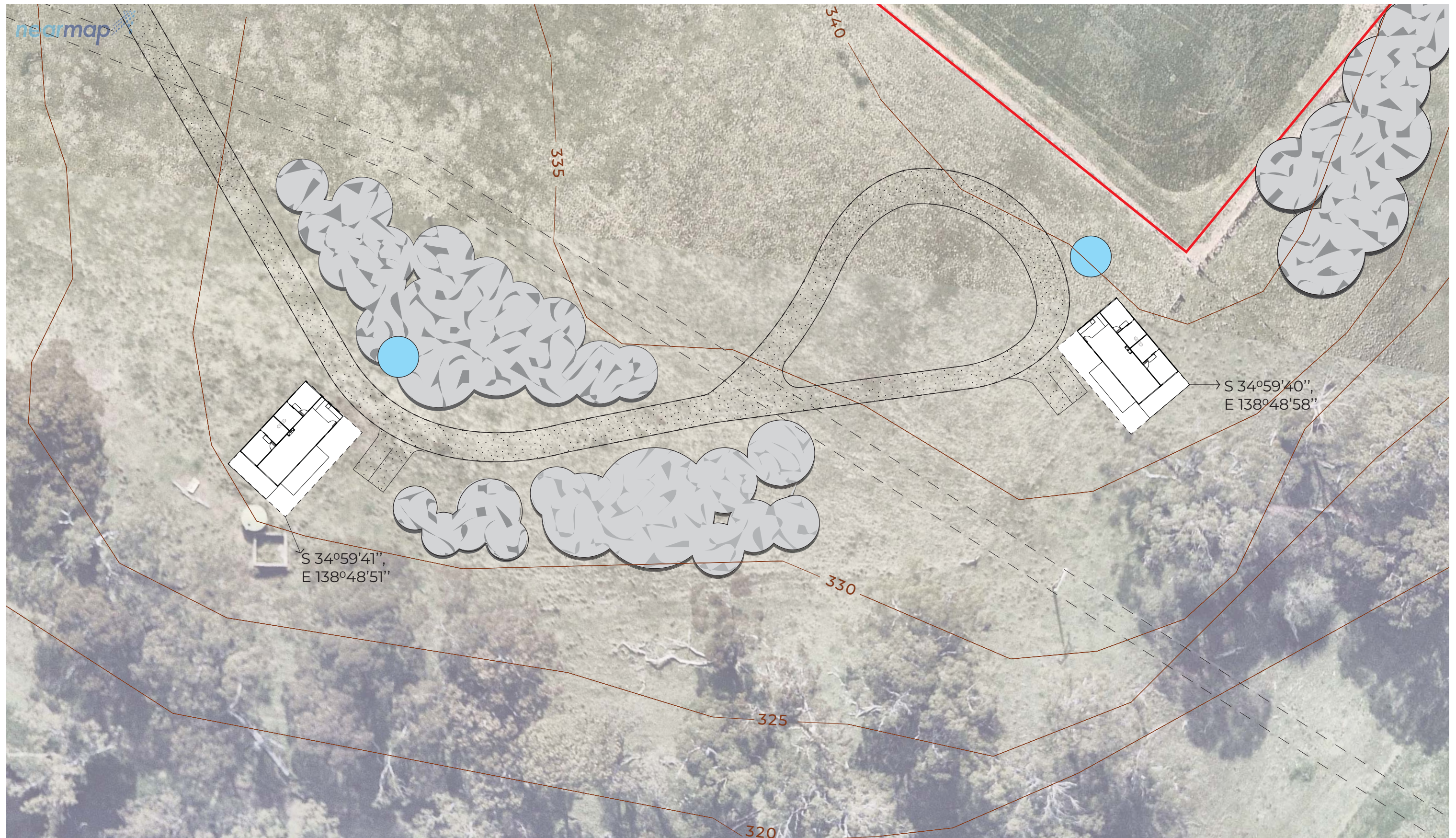
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SA | NT | QLD

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- Subject site
- 320— Contours (5.0 metre intervals)
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Note: Geographic Image refers to Nearmap image dated 28 September 2019.

Enlargement Plan TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



1:500 @ A3
0 10m

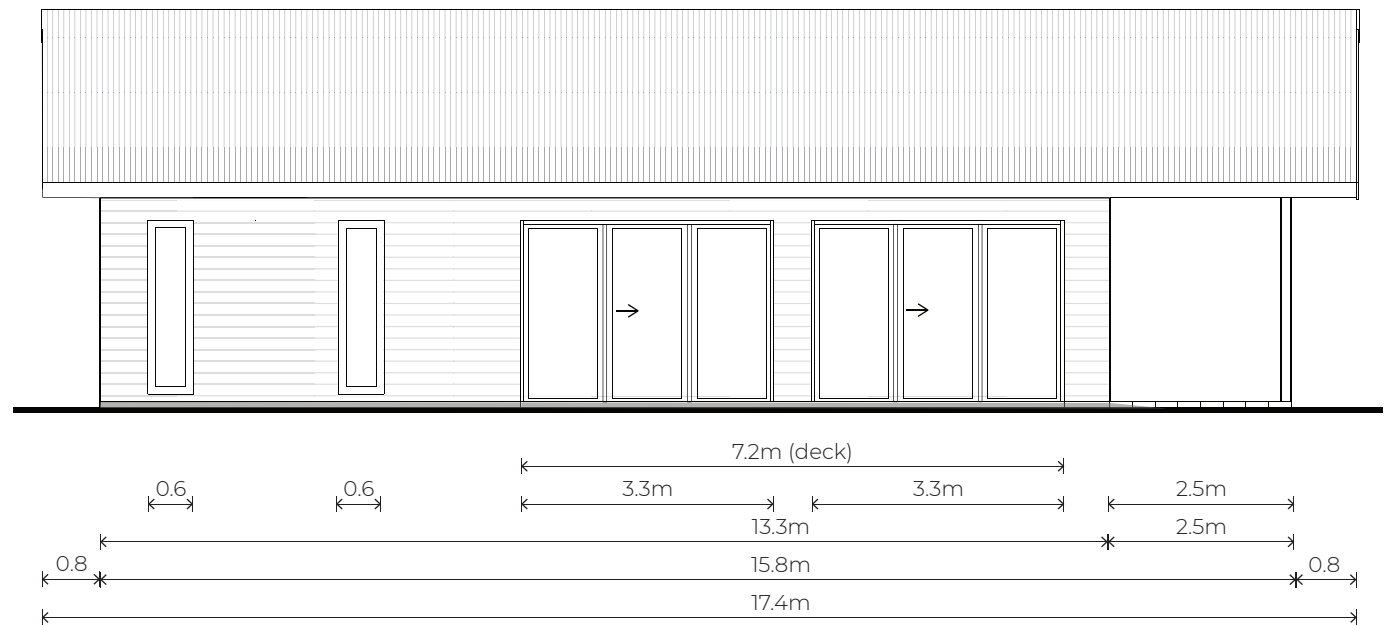
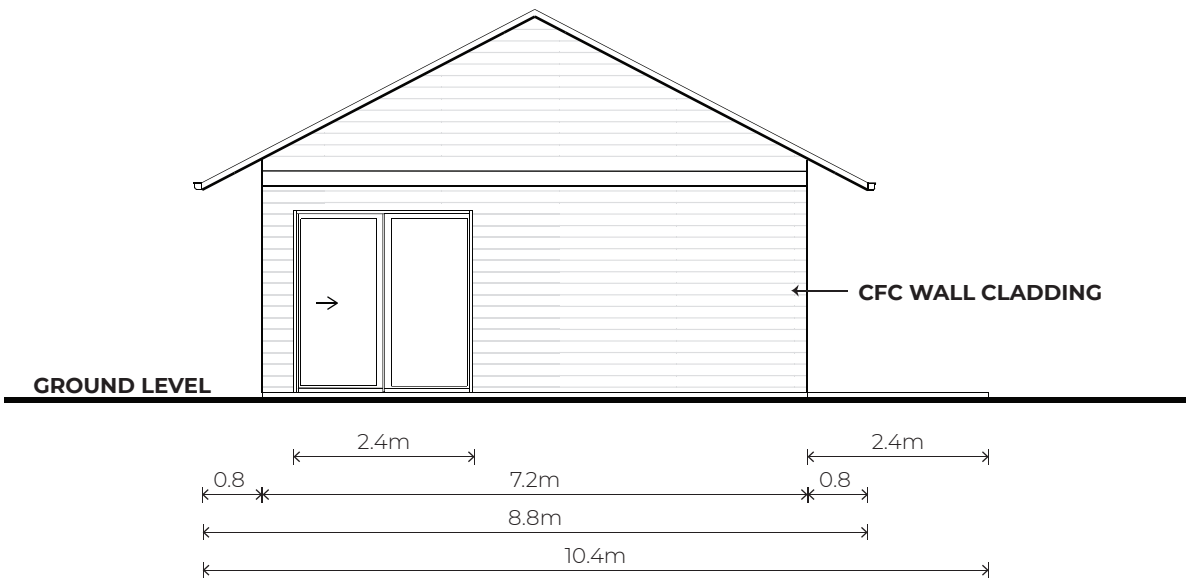
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APPENDIX C

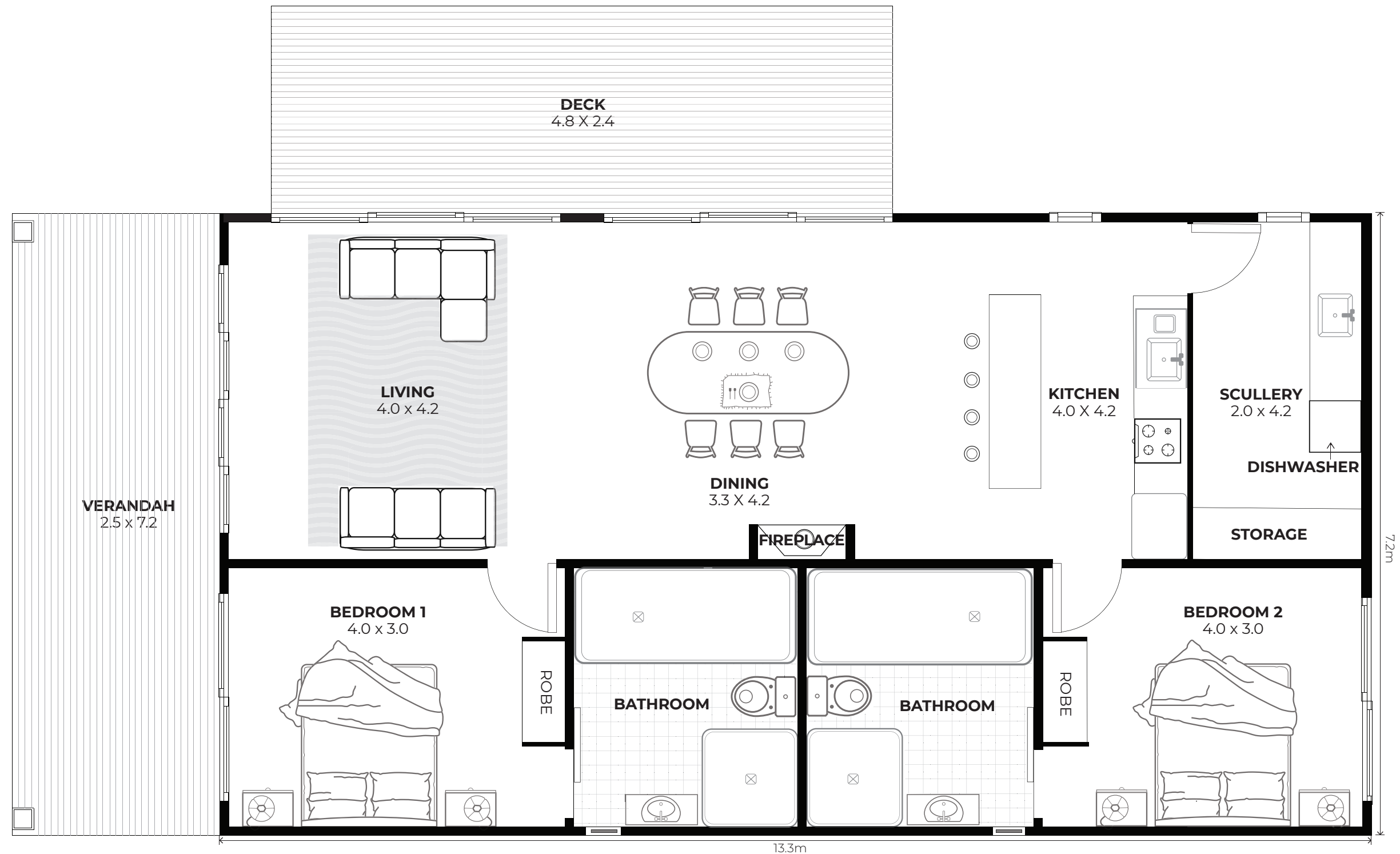
Architectural Plans



Tourist Accommodation Villas

FOR SUE BASTIAN & BRIAN WEST

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FLOOR PLAN 1:50 @ A3

Tourist Accommodation Villas

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN & BRIAN WEST

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APPENDIX D

Drawings prepared by Land Energy Pty Ltd



**LAND
ENERGY**

PTY LTD
Environmental
Science and
Engineering
Post Office Box 651
McLaren Vale 5171
South Australia
Phone(08) 8557 8787
Mobile(0418) 823 432

To: Masterplan

22 May 2021

Attn: Mr Graham Burns
cc: Dr Sue Bastian

Total # pages: 9

From: Phillip Baker

Status: Official Use Only

Project: Balhannah Tourist Villas

Project Code: SBT 12269

Subject: EPA Further Information
Request Ref: 35001

eMail: grahamb@masterplan.com.au

Website: www.landenergy.com.au

eMail: phaker@landenergy.com.au

☐ Note

☐ Statement

☐ Document Transmittal

☐ Notification

☐ Proposal

☒ Requested Information

This document may contain confidential information. If you receive this transmission in error please notify us immediately.

Dear Graham,

Re: Development No. 473/1064/19 V1 – 11 Onkaparinga Valley Road, Balhannah, 5242

I refer to correspondence from the South Australia Environment Protection Authority, dated 08 April 2021 in relation to the above matter, which has been referred to me for response. The information requested is provided below in the same order as the issues raised in the letter.

1. *Updated Statement of Effect to be provided by Masterplan.*
2. Our understanding of the nature of the proposed gravel driveway is that it will be no different to any other unsealed access track or driveway in the vicinity, including that of the driveway servicing the existing dwelling. The surface of this type of track is porous, and would be no more likely to produce surface runoff than any of the surrounding land surfaces. Given that this driveway will have relatively light vehicle use, and would not be grazed by the cattle residing on the property, it is considered that any surface runoff from the track would be less contaminated (if at all) than runoff from the surrounding ground, or indeed from other properties in the area.

Section 8 of the SA Environment Protection (Water Quality) Policy 2015 – *Application of policy*, sub-section (2), states that "This policy does not apply in relation to the discharge of uncontaminated stormwater...". I would submit that runoff from what amounts to a farm track, to the extent that it might occur, would constitute uncontaminated stormwater, and would therefore not fall under the provisions of the water quality policy.

3. Appointment of building contractors and other trades is presumably not feasible until development and other approvals have been received, in order to provide a degree of certainty for all parties involved. Consequently, details of construction works and site management will not be available until contractors are appointed and engineering construction designs have been drawn up.

However, in discussion with members of the building trades and from previous experience, it would be expected that the construction company or architect responsible for the project would be required to ensure the incorporation of appropriate measures such as swale drains, hay-bale barriers or silt fences along the topographical contours downslope of each villa during construction, in order to prevent contaminated stormwater runoff from the construction sites. Guidelines and reference material such as the *Code of Practice for the Building and Construction Industry* (SA EPA – 1999), and the *Handbook for Pollution Avoidance on Building Sites - Second Edition* (SA EPA – 2004), provide guidance and specifications for such runoff mitigation and prevention measures.

CONVEYED VIA: ☐ OpFax ☐ eFax ☐ Post ☐ Courier ☐ Hand ☒ eMail

AMENDED 25/05/2021

4. The set of drawings listed below has been prepared as part of the detailed design work for the proposed wastewater management system and sewer connection, which will provide the information requested under the heading *Wastewater Management*.

| | |
|--------------|---|
| 12269.LOC.1 | System Design Schematic Layout – Overall Drawing Sheets & Locations (1:1500 @ A3) |
| 12269.LAY.1C | Sheet 1 of 4 - West Villa, Main Drains & Pump Station (1:200 @ A3) |
| 12269.LAY.1C | Sheet 2 of 4 - East Villa, Pump Sewer Rising Main (1:200 @ A3) |
| 12269.LAY.1C | Sheet 3 of 4 - Main Residence Wastewater Inflow Point/Existing Septic Tank (1:200 @ A3) |
| 12269.LAY.1C | Sheet 4 of 4 - Bridge Crossing & Sewer Connection (1:200 @ A3) |
| 12269.DET.1B | Detailed Plumbing Layout Plans – West Villa & East Villa (1:100 @ A3) |

(These drawings should be plotted/printed at *Actual Size* to ensure accurate scaling.)

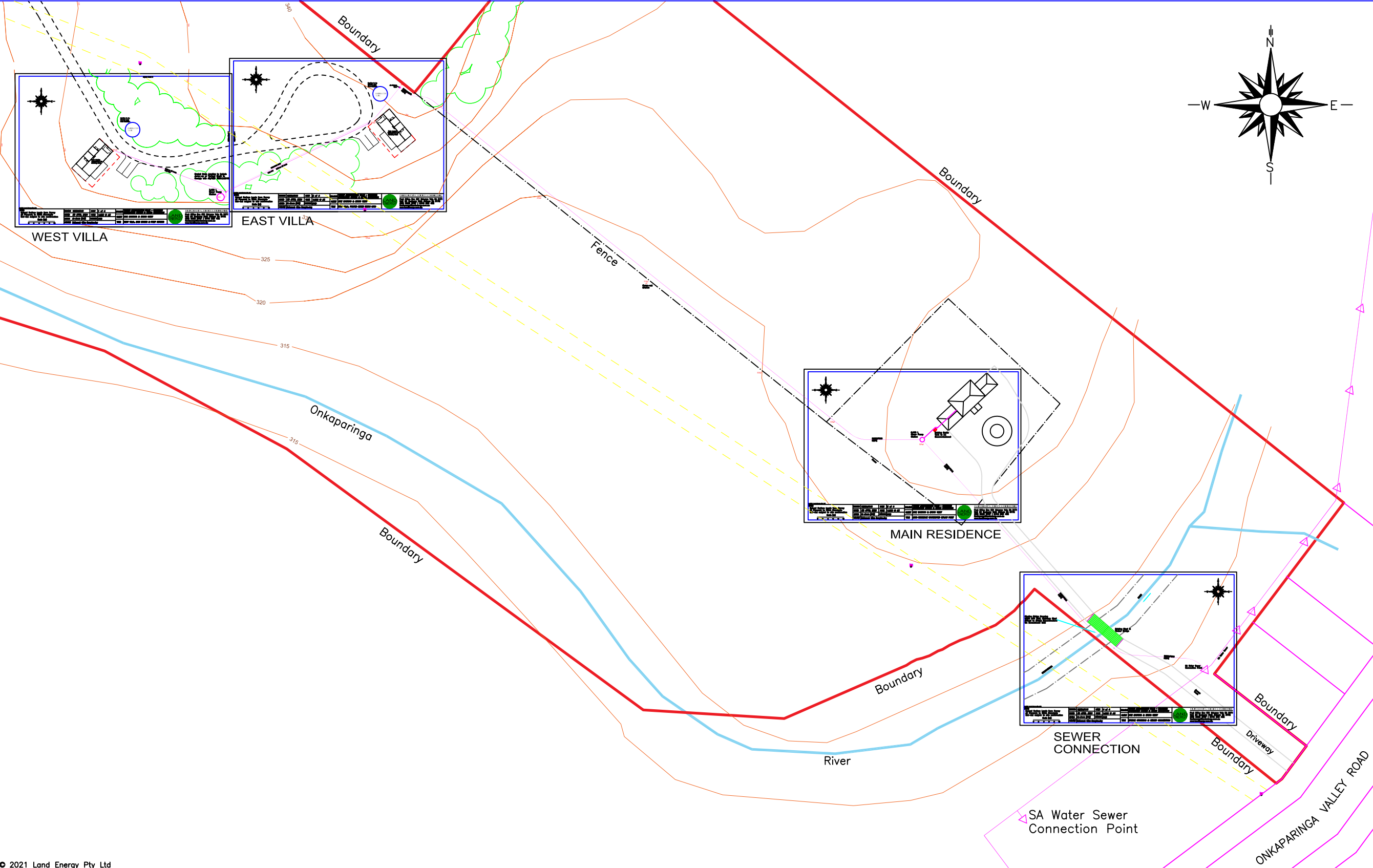
Attachment 1 is from a published Location SA Sanitary Drainage Plan and provides further information on the proposed SA Water sewer connection and related infrastructure.

I trust that this information will be adequate for your requirements, please contact me if further explanation or additional detail is required.

Sincerely,



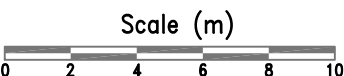
Phillip Baker
Principal Environmental Engineer
Land Energy Pty Ltd



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NOTES:

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| | | | | | |
|----------|-------------------------------|---------|-------------|---------|---|
| DRAWING | 12269.LOC.1 | SHEET | 1 of 1 | PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH WASTEWATER SYSTEM & SEWER CONNECTION |
| ISSUED | 17 April 2021 | SCALE | 1:1500 @ A3 | CLIENT | SUE BASTIAN & BRIAN WEST |
| LEVELS | As shown (AHD) | CHECKED | PAB | TITLE | SYSTEM DESIGN SCHEMATIC LAYOUT – OVERALL DRAWING SHEETS & LOCATIONS |
| CAD.FILE | Balhannah Villas Baseplan.dwg | | | | |

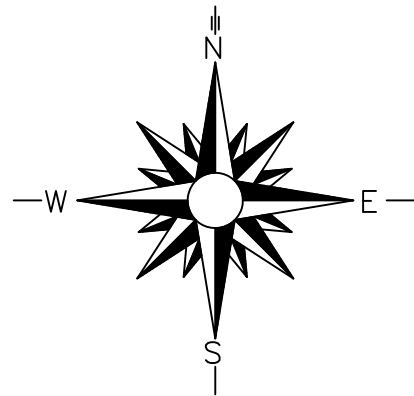


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www.landenergy.com.au

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Adjoins Sheet 3

335



Overflow to be
Directed away
From Buildings

RAINWATER
TANK

Refer drawing
12269.DET.1B for
Plumbing Detail

331.6

Minimum 2% Grade
100ø PVC

Graded Drain Junction to include
Jump-up or Vertical Shaft to
Comply with AS/NZS 3599.2:2018

3,150 L
Sewer Pump
Station

331

Adjoins Sheet 2

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NOTES:

Natural Surface Levels from Survey
All Pipework to WSAA Standards
Set-out subject to site confirmation

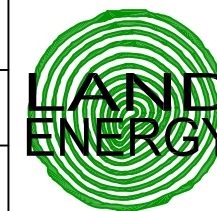
Scale (m)



AMENDED 23/05/2021

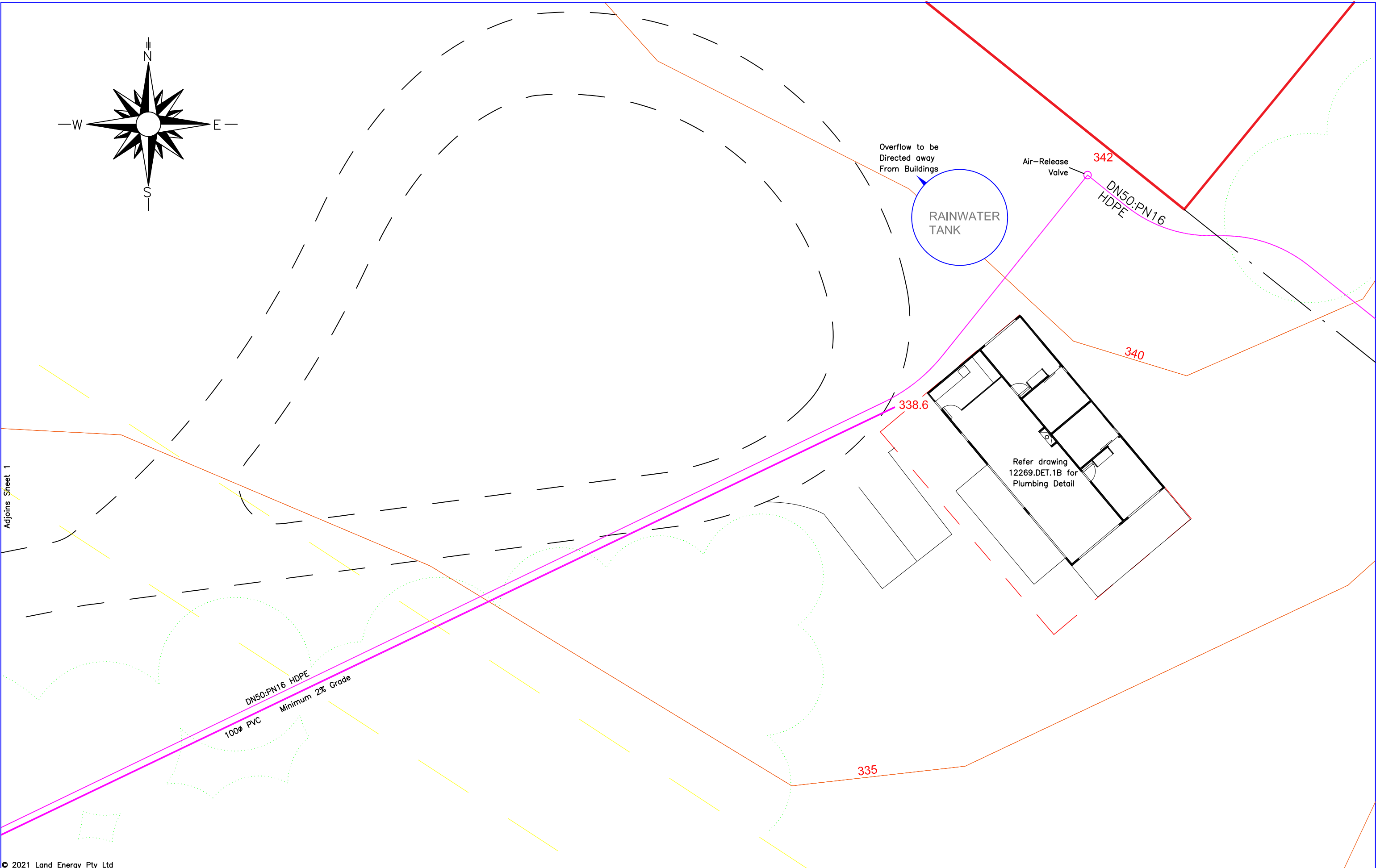
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|----------|-------------------------------|---------|------------|
| DRAWING | 12269.LAY.1C | SHEET | 1 of 4 |
| ISSUED | 30 APRIL 2021 | SCALE | 1:200 @ A3 |
| LEVELS | As shown (AHD) | CHECKED | PAB |
| CAD.FILE | Balhannah Villas Baseplan.dwg | | |

| | |
|---------|--|
| PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH WASTEWATER SYSTEM & SEWER CONNECTION |
| CLIENT | SUE BASTIAN & BRIAN WEST |
| TITLE | WEST VILLA, MAIN DRAINS & PUMP STATION |



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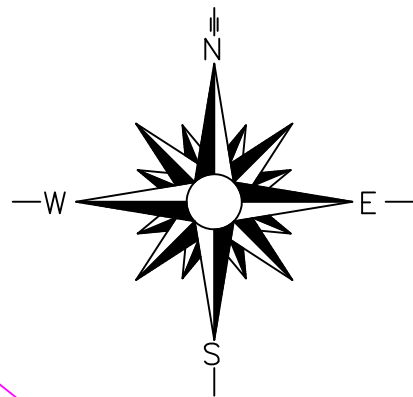


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324.0

DN50:PN16
HDPE

6,100 L
Sewer Pump
Station

329.0

Existing Septic
Tank to be
Decommissioned

DN50:PN16
HDPE

Fence

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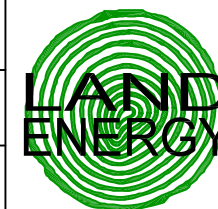
NOTES:
Natural Surface Levels from Survey
All Pipework to WSAA Standards
Set-out subject to site confirmation

Scale (m)

0 2 4 6 8 10
AMENDED 25/05/2021

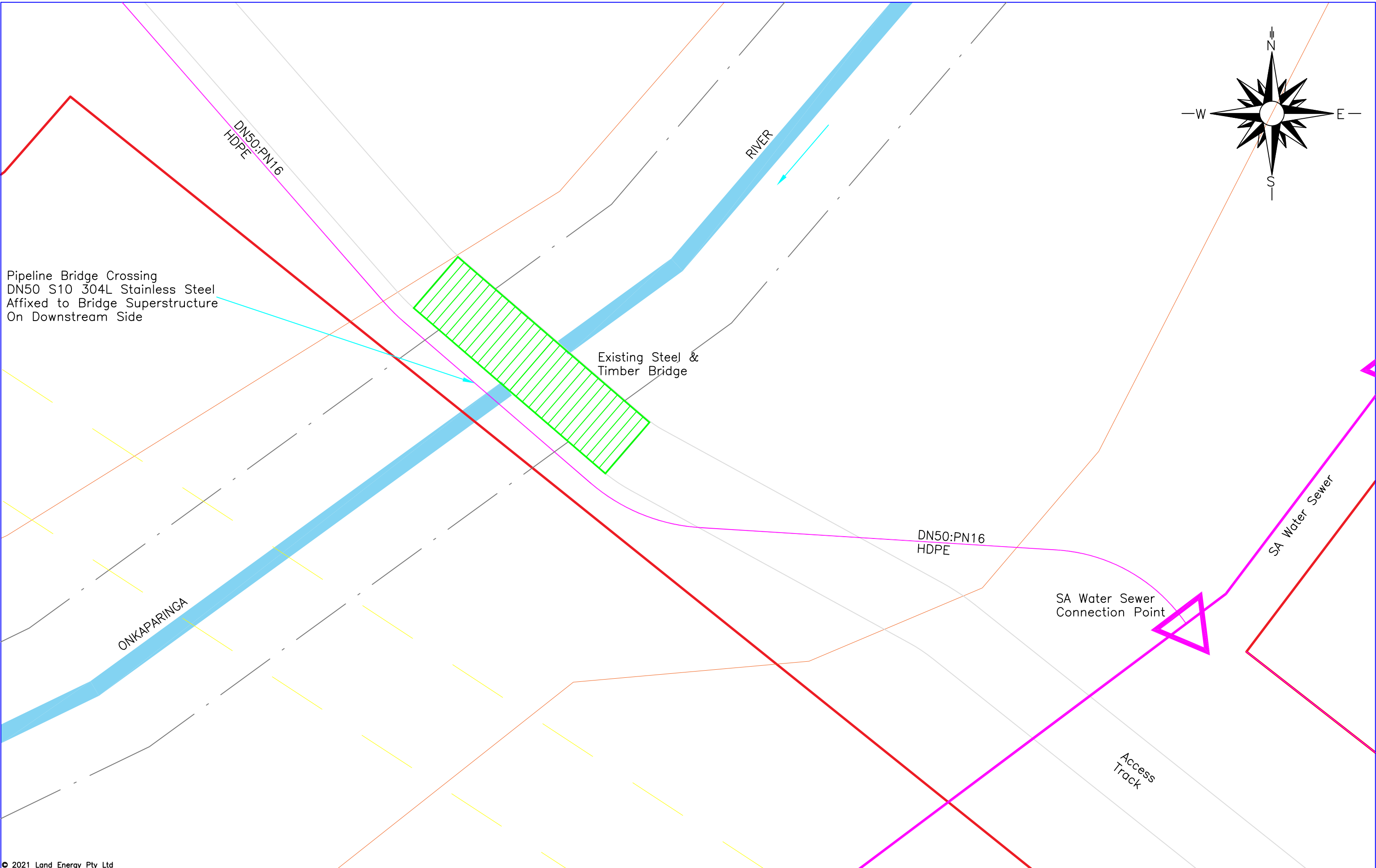
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| DRAWING | 12269.LAY.1C | SHEET | 3 of 4 |
| ISSUED | 30 APRIL 2021 | SCALE | 1:200 @ A3 |
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| CAD.FILE | Balhannah Villas Baseplan.dwg | | |

| | |
|---------|--|
| PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH WASTEWATER SYSTEM & SEWER CONNECTION |
| CLIENT | SUE BASTIAN & BRIAN WEST |
| TITLE | MAIN RESIDENCE WASTEWATER INFLOW POINT |



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(08) 8558 8787 | 0418 823 432
landenergy@landenergy.com.au
www.landenergy.com.au



Pipeline Bridge Crossing
DN50 S10 304L Stainless Steel
Affixed to Bridge Superstructure
On Downstream Side

© 2021 Land Energy Pty Ltd

NOTES:
Natural Surface Levels from Survey
All Pipework to WSAA Standards
Set-out subject to site confirmation

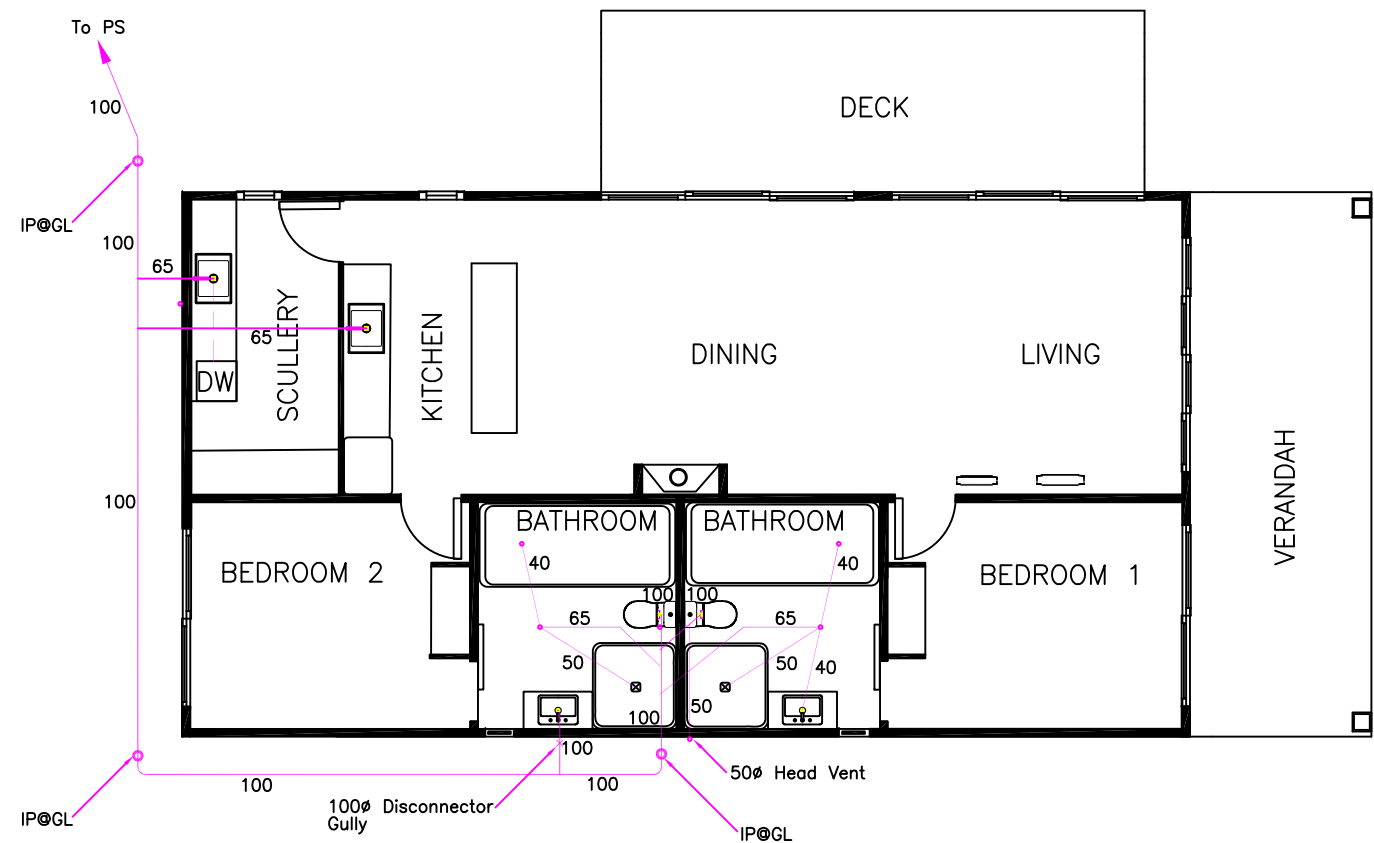
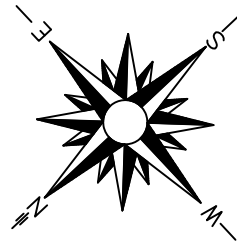
Scale (m)

AMENDED 23/05/2021

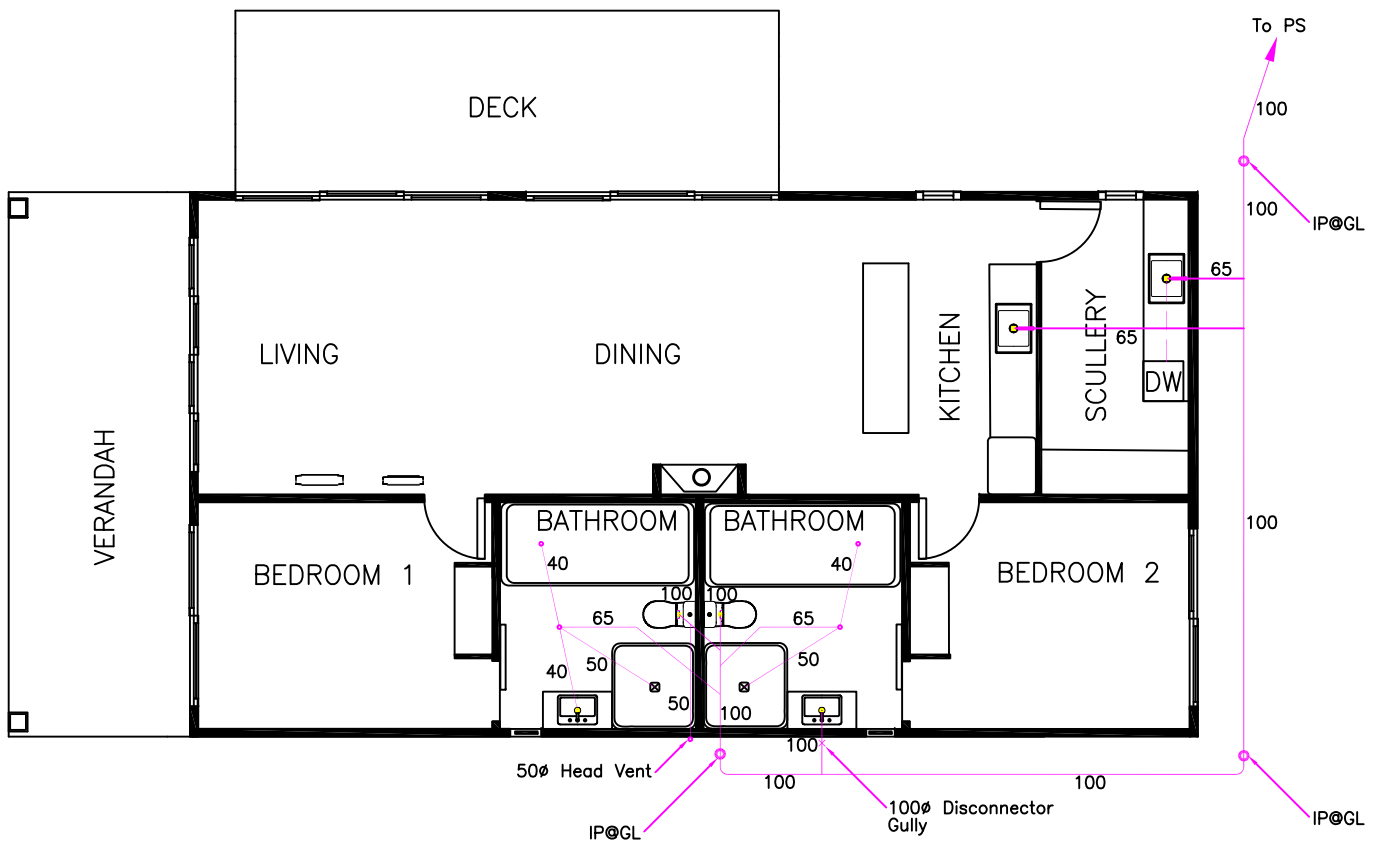
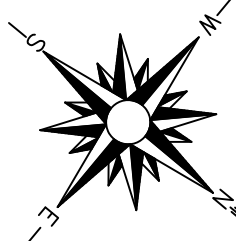
| | | | | | |
|----------|-------------------------------|---------|------------|---------|---|
| DRAWING | 12269.LAY.1C | SHEET | 4 of 4 | PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH WASTEWATER SYSTEM & SEWER CONNECTION |
| ISSUED | 30 APRIL 2021 | SCALE | 1:200 @ A3 | CLIENT | SUE BASTIAN & BRIAN WEST |
| LEVELS | As shown (AHD) | CHECKED | PAB | TITLE | BRIDGE CROSSING & SEWER CONNECTION |
| CAD.FILE | Balhannah Villas Baseplan.dwg | | | | |

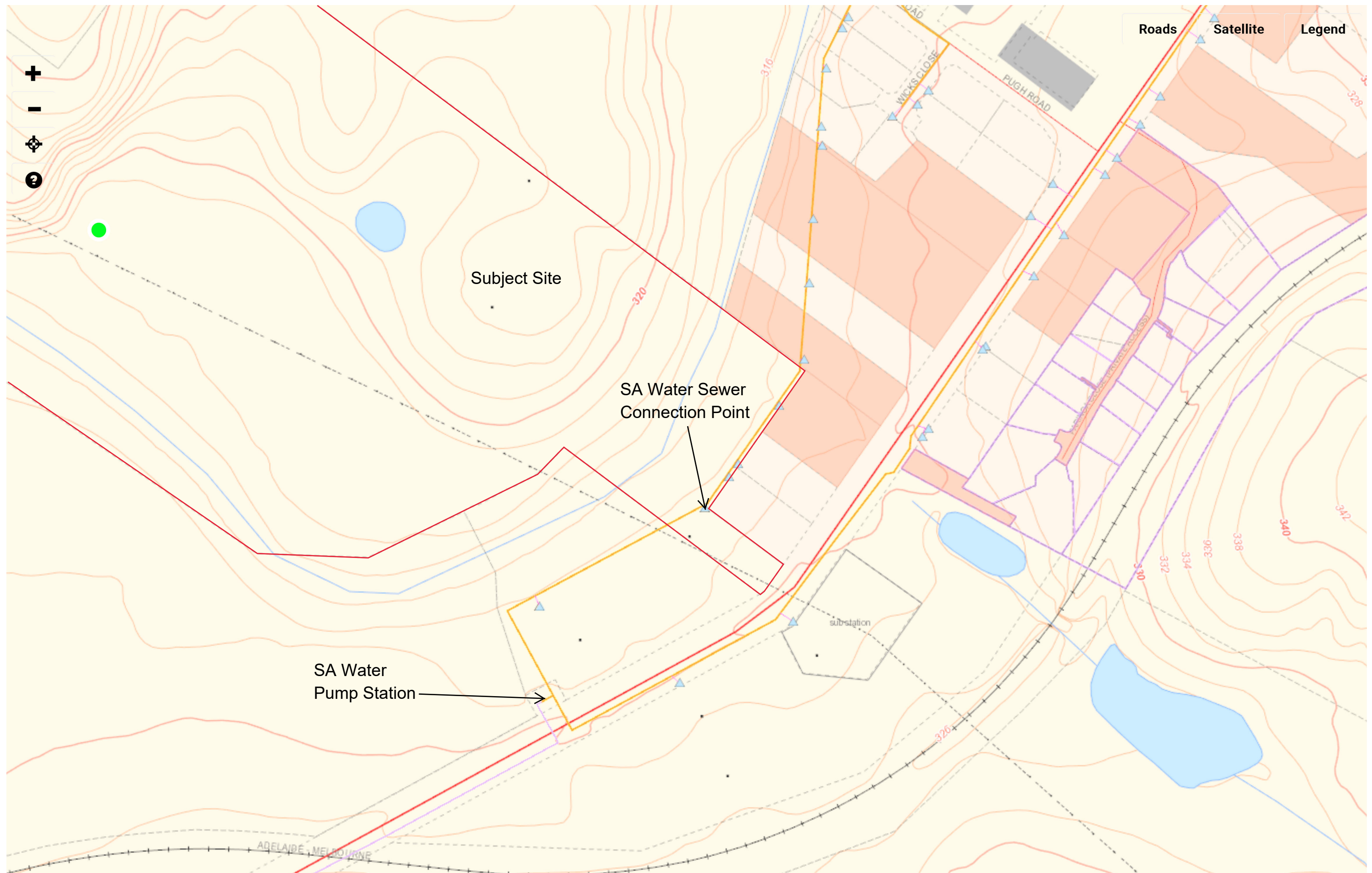
ENVIRONMENTAL SCIENCE & ENGINEERING
Post Office Box 651 McLaren Vale SA 5171
Unit 24 Seaberry Walk Aldinga SA 5172
(08) 8558 8787 | 0418 823 432
landenergy@landenergy.com.au
www.landenergy.com.au

WEST VILLA



EAST VILLA







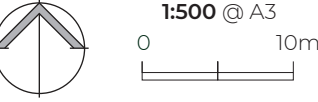
- Subject site
- Contours (5.0 metre intervals)
- Electricity easement
- Gravel driveway

Note: Metromap image dated 12 January 2021

Entrance Enlargement (1 March 2021)
TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



AMENDED 30/03/2021

EPA Reference: 35001

3rd June 2021

Mr Graham Burns
33 Carrington Street
ADELAIDE SA 5000

grahamb@masterplan.com.au

Dear Mr Burns,

Development Application Information Request

| | |
|---------------------------------------|--|
| Development Application Number | 473/1064/19 V1 |
| Applicant | Susan Bastian and Brian West |
| Location | A80 DP92095 HD Onkaparinga, 11 Onkaparinga Valley Road, Balhannah SA 5242 |
| Proposal | Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying). |

The above mentioned development application was referred to the Environment Protection Authority (EPA) by the Adelaide Hills Council in accordance with section 37 of the *Development Act 1993*.

The EPA notes receipt of further information provided via email on 25 May 2021 in response to the EPA's letter dated 8 April 2021.

The information provided to the EPA is insufficient for the EPA to undertake an environmental assessment. Therefore, as provided for by section 37(2) of the Development Act, the EPA requires the following additional information before it gives its response.

Construction Management

The EPA letter dated 8 April 2021, which sought further information, included the following request in Item 3:

Provide details of any construction works required on site and how soils exposed during the construction stage would be prevented from leaving the site via surface runoff.

It is stated in the updated Statement of Effect (amended 25 May 2021) that the proposed gravel driveway would be established along the contours of the site to minimise cut and fill. The EPA considers that if the gravel is laid as soon as practicable after the grass has being cleared for the

driveway then the risk of soil transport off site and towards the Onkaparinga River would be minimised. Likewise, if the accommodation units are pre-fabricated and an area of ground needs to be cleared before the units are set in place the risk is also low. However, if the units are not pre-fabricated and need to be constructed on site, there may be an increased risk of soil being transported off site to the Onkaparinga River, which is only 50m away, while the units are being constructed.

The updated Statement of Effect does not adequately address Item 3 in the EPA's letter date 8 April 2021. A plan to manage construction runoff (such as a Soil Erosion and Drainage Management Plan), or a statement explaining that the units are to be pre-fabricated and therefore no construction would be occurring on site should be provided.

Therefore, the following information is still required:

1. Provide a plan which details how runoff from the site, during the construction of the accommodation units would be managed, to prevent soil being transported to the Onkaparinga River, which is only 50m from the proposed location, during rain events. If the units are to be pre-fabricated and simply placed at the site, with minimal cut and fill for the footprint of the units, this should be stated.

The further information must be supplied within 3 months of the date of this letter. Failure to comply with this request may result in the EPA advising the planning authority to refuse the application.

Please send the further information, labelled with your Development Application Number, to both the Environment Protection Authority and the planning authority at the addresses provided below. Please ensure correspondence is marked attention to the Client Services Officer.

All information must be forwarded to:

Client Services Officer
Environment Protection Authority
GPO Box 2607
ADELAIDE SA 5001
DX 228
epa.planning@sa.gov.au

Damon Huntley
Statutory Planner
Adelaide Hills Council
PO Box 44
WOODSIDE, SA 5244
mail@ahc.sa.gov.au

Please direct all enquiries to Courtney Stollznow on telephone (08) 8204 9402 or facsimile (08) 8124 4673 or email epa.planning@sa.gov.au

Early attention to this matter would be appreciated.

Yours faithfully

Hayley Riggs

Delegate

ENVIRONMENT PROTECTION AUTHORITY

cc: *Planning Authority:* Adelaide Hills Council
Attention: Damon Huntley

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/1064/19
Our Ref: Adelaide Hills DA
Please refer to: 20200430 – 01cs

30 April 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: DAMON HUNTLEY

Dear Damon,

**RE: BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT – BASTIAN & WEST
LOT 80 (11), ONKAPARINGA VALLEY RD (ACCESS VIA SPOEHR RD), BALHANNAH**

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:

| | |
|--------------------------------------|---------------|
| Tourist Accommodation Villa 1 | BAL 19 |
| Tourist Accommodation Villa 2 | BAL 19 |

BUILDING CONSIDERATIONS

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

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

ADELAIDE HILLS COUNCIL
RECEIVED 30/04/2020

Level 5, 60 Waymouth Street, Adelaide SA 5000
T 08 8115 3372 | F 08 8115 3301 | E das@cfs.sa.gov.au
ABN 97 677 077 835 www.cfs.sa.gov.au

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/1064/19
Our Ref: Adelaide Hills DA
Please refer to: 20200430 – 01cs

30 April 2020

Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

ATTN: DAMON HUNTLEY

Dear Damon,

**RE: DEVELOPMENT APPLICATION (PLANNING ASSESSMENT) – BASTIAN & WEST
LOT 80 (11), ONKAPARINGA VALLEY RD (ACCESS VIA SPOEHR RD), BALHANNAH**

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 driveway as detailed on drawing named Site Plan, dated at last revision 17/03/2020, with the following conditions:

- Access to the building sites 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

**ADELAIDE HILLS COUNCIL
RECEIVED 30/04/2020**

Level 5, 60 Waymouth Street, Adelaide SA 5000
T 08 8115 3372 | F 08 8115 3301 | E das@cfs.sa.gov.au
ABN 97 677 077 835 www.cfs.sa.gov.au

- 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.
- Vegetation to be established along the access road shall be carefully selected and designed in accordance with the following:
 - i. No Understorey vegetation shall be established within 3 metres either side of the access road (understorey is defined as plants and bushes up to 2 metres in height),
 - ii. Grasses shall be reduced to a maximum height of 10cm for a distance of 3 metres (or to the property boundary, whichever comes first).
 - iii. Mature trees with a single stem habit, are permitted within this fuel reduced zone, providing they are maintained 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 proposed locations for the dedicated water supplies as detailed on drawing named Site Plan, dated at last revision 17/03/2020, providing the outlets are positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way.
- 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.

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 building shall be available at all times for bushfire fighting purposes.

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

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.

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the buildings (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 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%'.

CFS Mission

To protect life, property and the environment from fire and other emergencies whilst protecting and supporting our personnel and continuously improving.

- 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 buildings.
- 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 buildings (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 buildings 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.

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

CFS Mission

To protect life, property and the environment from fire and other emergencies whilst protecting and supporting our personnel and continuously improving.

Sent: Wednesday, 1 April 2020 6:05 PM
To: Mail
Subject: Re development application

Development Number: 19/1064/473

My Name: Andrew Sellars

Postal Address: 9 Onkaparinga Valley Rd Balhannah

Contact No: 0404 817 892

Email: andrew.sellars@cttg.sa.gov.au
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: Susan Bastian & Brian West

Nature of Development: Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying)

Proposed to be located at: 11 Onkaparinga Valley Road Balhannah SA 5242

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:
9 Onkaparinga Valley Rd Balhannah Postcode: 5242

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

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 person
or by being represented by the following person.....
I do not wish to be heard in support of my representation.

Date: 1-4-2020 Signature: [Signature]

Our Ref: REB - ACH

14 December 2020

Adelaide Hills Council
PO Box 44
Woodside SA 5244

By email only: mail@ach.sa.gov.au

Dear Sir/Madam

Development Application 19/1064/473 – Tourist Accommodation at 11 Onkaparinga Valley Road, Balhannah

I refer to your letter dated 24 March 2020. Thank you for providing the opportunity for SA Power Networks to comment on the above application for development of land which is located across the road from our Balhannah Substation.

Whilst already noted on the submitted development plan, we bring to your attention the 66kV line running through the development land. This line is subject to easement rights, as well as safety clearances prescribed by the Electricity Act 1996. We therefore strongly advise the developer to discuss this proposal with the Office of the Technical Regulator on telephone no. 8226 5500 prior to committing to any physical works.

Apart from those matters of direct interest to the Technical Regulator, should the proposed development necessitate the relocation of equipment or an upgrade of power supply in the area, Council and the prospective Developer should give consideration to the current network capacity, the long lead times in meeting any increased load demand, and the need to contact SA Power Networks' Builders and Contractors' line in this regard on telephone no. 1300 650 014.

Providing the above matter is taken into account by Council, the Landowner and Developer in dealing with the development proposal, SA Power Networks does not consider it necessary to appear, or be represented, before Council in support of this submission.

Should you require any further clarification or information please contact Jane Jusup, Real Estate Support Officer on 8404 5262, thank you again for the opportunity to comment.

Yours sincerely



Mandie Busby
Real Estate Advisor

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

Development Number: 19/1064/473

My Name: Andrew and Kate COWLING

Postal Address: Po Box 127 BALHANNAH 5242

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: Susan Bastian & Brian West

Nature of Development: **Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying)**

Proposed to be located at: **11 Onkaparinga Valley Road Balhannah SA 5242**

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:

38 Spodhr Rd BALHANNAH Postcode: 5242

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

please see attached document

My objections (if any) could be overcome by:

please see attached document

(cross out whichever does not apply)

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

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

Date: 13/04/2020

Signature: [Signature]

The closing time and date for Representations is 5.00pm on 14 April 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."

Development number 19/1064/473

Representation by Andrew and Kate Cowling

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

- Negative impact upon enjoyment and amenity of our residence/property through loss of privacy, seclusion, peace/quiet, visual outlook and rural character.
- Concerns regarding the negative impact upon the very proximate Onkaparinga River and in particular the permanent waterhole which sits immediately below and very close to the proposed villas.
- Adelaide Hills Development Plan apparent non compliance in the following areas;
 1. Watershed (Primary Production) Zone, Principles of Development Control no. 14
Development should not detract from the natural and rural landscape character of the region.
 2. Tourism Development Objective 3
Tourism Development that sustains or enhances the local character, visual amenity and appeal of the area.
 3. Design and Appearance, Principles of Development Control

No.11: No building should be erected within 100 metres of the Scenic Routes which would impair, disfigure , interfere with or be in any way detrimental to the aesthetic appearance or natural beauty of: (b) the landscape visible from any part of the scenic route.

No.12: No development should be undertaken which would in terms of its scale, bulk, colour scheme, materials, or prominent location, impair, disfigure, interfere with or be in any way detrimental to the amenity, aesthetic appearance or scenic beauty of:
(a) the River Torrens or Onkaparinga River
(b) the land within 60 metres from the top of bank or either side of the Torrens/ Onkaparinga River.
 4. Hazards, Bushfires, Principles of development Control no.7
Lack of secondary vehicle access/egress from proposed development to Onkaparinga Valley Road.
 5. Inaccurate representation of the boundary between the involved properties displayed on the application plan.

My objections could be overcome by;

- Relocation of villas to the Eastern end of the property taking advantage of the already existing access to Onkaparinga Valley Road and service utilities attached to the primary residence thereby also bringing the development in closer proximity to the Balhannah township zone.

1 May 2020

Mr. Damon Huntley
Statutory Planner - Development and Regulatory Services
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

Dear Damon

Re: DA 19/1064/473-11 Onkaparinga Valley Road, Balhannah

Thank you for forwarding to us the representations received following public notification of our clients' development application. Representations were received from:

- SA Power Networks (advice only);
- Andrew Sellars (support); and
- Andrew and Kate Cowling (oppose).

SA Power networks

SAPN has offered advice in relation to the 66 kV power line which passes through the subject land. The agency has requested the developer *"to discuss this proposal with the Office of the Technical Regulator . . . prior to committing to any physical works"*.

Our clients' welcome the opportunity to liaise with SAPN in accordance with its suggestions. In this regard, it will be noted that the driveway alignment has been altered to avoid passing underneath the powerline at one (1) point (see Amended Site Plan **attached**). The driveway entrance onto Spoehr Road has also been amended to connect onto the road where sight lines in both directions are much better.

We would have no objection to a condition or note being attached to The Decision Notification Form in due course, which requires the applicant to liaise with SAPN prior to the commencement of development.

Andrew Sellars

Our clients are pleased to note that Mr Sellars of 9 Onkaparinga Valley Road offers unqualified support for the proposed development.





Andrew and Kate Cowling

Mr. and Mrs. Cowling advise that their property is 38 Spoehr Road Balhannah. By our calculation, their residence is adjacent to Spoehr Road and at least 350 metres to the south-west of the nearest accommodation units. We also note that their house is surrounded by at least three other houses which are much closer to their house.



Figure 1: 400 metre radius centred on Mr and Mrs Cowling's residence

Over such a distance, we do not agree with Mr and Mrs Cowling's assertion that the proposal will have a *"Negative impact upon the enjoyment and amenity of our residence/property through loss of privacy, seclusion, peace/quiet, visual outlook and rural character"*.

The proposal is for two, single storey tourist accommodation villas. Each villa will be benched into the Site and surrounded by mature vegetation, with additional landscaping proposed as detailed on the **Site Plan**.

It is not clear why the representors believe that their seclusion, privacy and peace and quiet will be threatened by the proposal, noting that their own residence is setback not more than 18.0 metres from Spoehr Road. We note that Spoehr Road together with Woodcock Road and Camac Road is used as a short-cut between Greenhill Road and Onkaparinga Valley Road.



Mr and Mrs Cowling have also cited a number of Development Plan provisions in support of their representation. Our Statement of Effect included our exhaustive assessment of the proposal against all relevant provisions of the Development Plan, and not just those provisions cited by the representors.

We remain of the opinion that the proposal does not conflict with these provisions, or indeed the numerous other relevant provisions of the Development Plan.

Mr and Mrs Cowling have pointed out that the boundary between their property (Allotment 81) and our clients' property (Allotment 80) appears to be incorrect. Deposited Plan D92095 is the definitive reference and was used to inform the boundary – see **attached**. There is however a discrepancy due to the use of the NearMap image on this plan. Because the Nearmap image was not rectified to take account of terrain, it does not match the survey boundary shown on D92095. We have therefore amended the boundary on the Amended Site Plan to follow the centreline of the Onkaparinga River. We trust that this satisfies Mr and Mrs Cowling's concerns.

The representors have asked that the accommodation villas be relocated to the eastern end of the property to take advantage of existing access to Onkaparinga Valley Road and services already connected to our clients' residence.

This location was considered but rejected because of its susceptibility to periodic flooding from the Onkaparinga River. It would furthermore not achieve the required degree of seclusion and privacy which occupants of this type of accommodation prefer.

Furthermore, the units have been designed to be as self-sufficient as possible, as detailed in the Statement of Effect.

Finally, the application was referred to the CFS. Due to current COVID-19 protocols, the agency has been unable to inspect the property but we are confident that the CFS will agree that the proposal has been well designed and sited in conformity with the Development Plan and the Minister's Bushfire Code, including the provision of an access driveway that will allow safe, convenient and direct access to each accommodation villa by fire-fighting appliances.

Our client's take very seriously their obligations and responsibilities as temporary custodians of this property, environmentally as well as socially. Our clients have enhanced, and will continue to enhance, the property's environmental condition by:

- removing feral willows along the riverbank when they arrived more than 16 years ago; and
- planting 3,000 native species along their stretch of the river to return it to an improved state of health.

These improvements have improved the stability of the riverbank and led to a gradual return of fauna and flora including native water rats, frogs and water plants. The small herd of cattle (which help to reduce fuel loads) are prevented from accessing the enhanced river and embankment by agricultural fencing.



Closure

We would like to attend the CAP meeting when this matter is considered. We appreciate that the meeting cannot be held until responses have been received from the EPA and the CFS, and that the meeting may also be subject to temporary arrangements to minimise the spread of COVID-19.

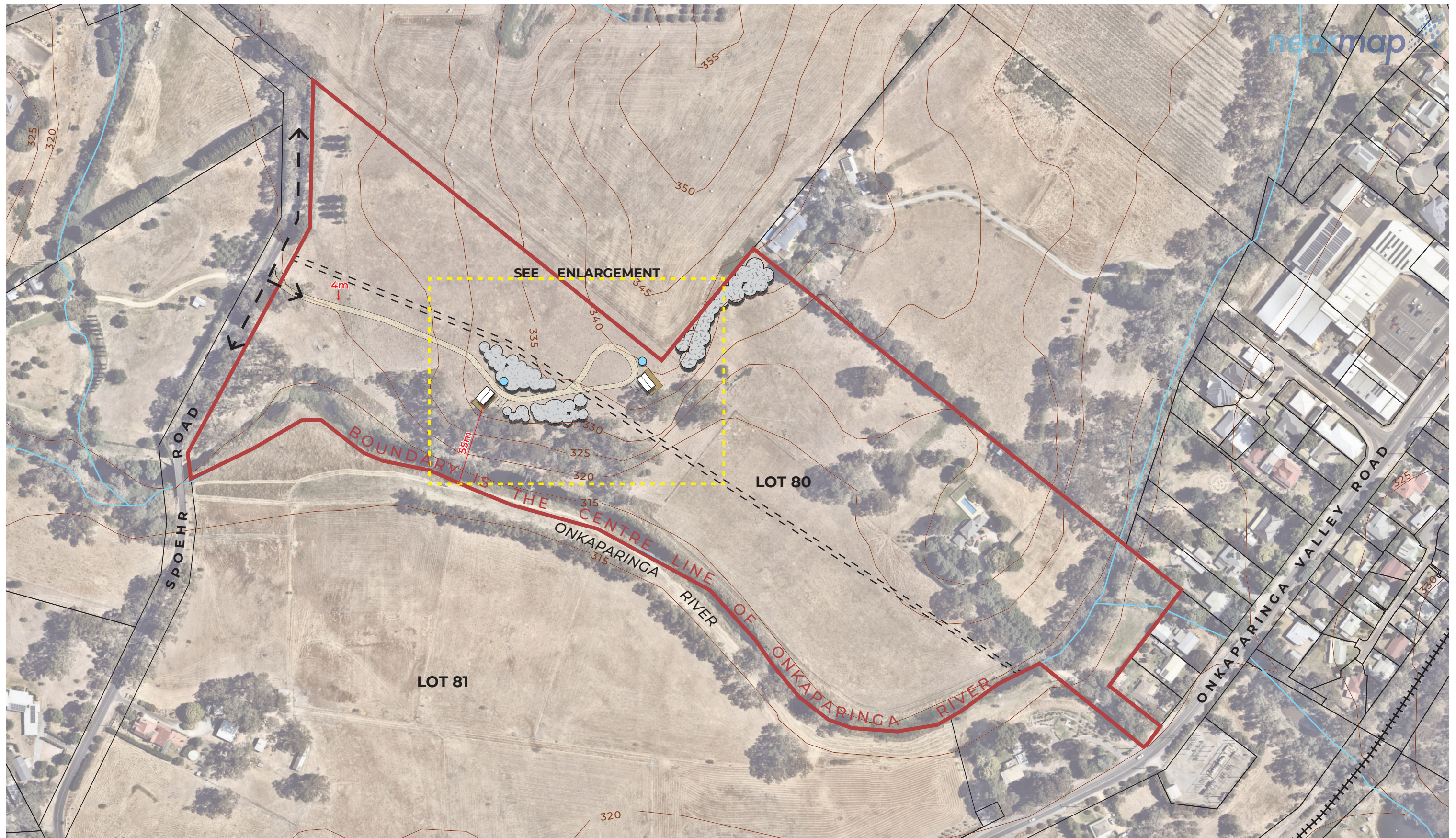
Yours sincerely

Graham Burns
MasterPlan SA Pty Ltd

enc: Amended Site Plan (1 May 2020).
Deposited Plan DP2095.

cc: Sue Bastian and Brian West.

Amended Site Plan



- Subject site
- 320- Contours (5.0 metre intervals)
- Watercourse
- Railway
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Note:

1. Nearmap image dated 23 April 2019
2. Boundary between Allotments 80 and 81 is centre-line of Onkaparinga River
3. Amended Site Plan 1 May 2020

Site Plan (Amended 1 May 2020)


TOURIST ACCOMMODATION VILLAS

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



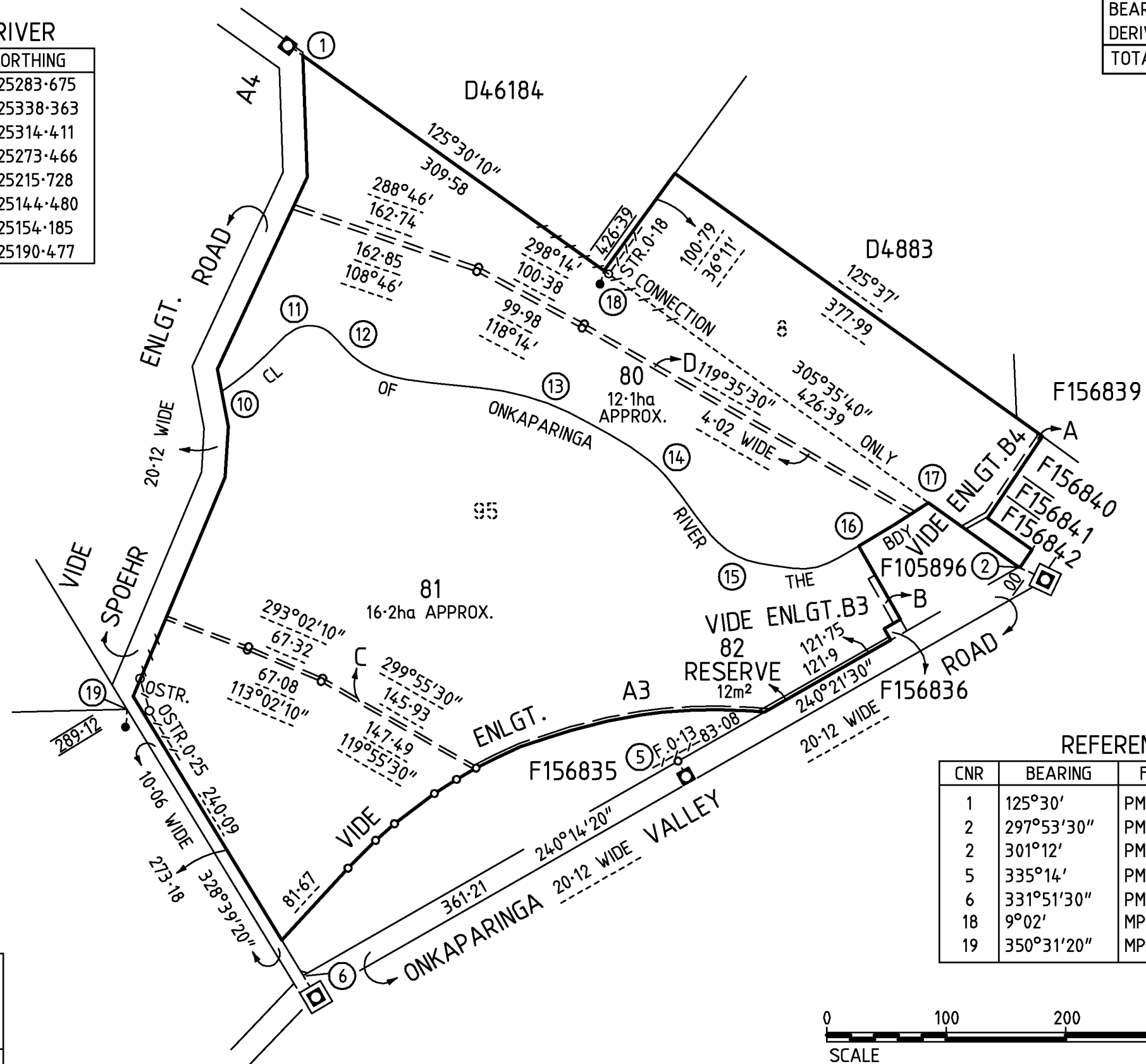
Deposited Plan

| | | | | | | | | | | | |
|---|---------------|---|-------------|-----------------|-----------------------------|--|---|---|------|--|--|
| PURPOSE: | | DIVISION | | AREA NAME: | | BALHANNAH | | APPROVED: | | <div><div>D92095</div><div>SHEET 1 OF 4</div><div>36105_text_01_v04_Version_4</div></div> | |
| MAP REF: | | 6628/47/R | | COUNCIL: | | ADELAIDE HILLS COUNCIL | | TONY MATHER 14/08/2013 | | | |
| LAST PLAN: | | | | DEVELOPMENT NO: | | 473/D060/12/001/35606 | | DEPOSITED: DEAN WATSON 11/10/2013 | | | |
| AGENT DETAILS: | | VESKA & LOHMEYER PTY LTD 3 ALEXANDRINA ROAD MOUNT BARKER SA 5251 PH: 08 8398 3050 FAX: 08 8398 3850 | | | SURVEYORS CERTIFICATION: | | I SCOTT JOHN FILMER , a licensed surveyor do hereby certify - 1) That this plan has been made from surveys carried out by me or under my personal supervision and in accordance with the Survey Act 1992. 2) That the field work was completed on the 14th day of June 2013 13th day of August 2013 Scott Filmer Licensed Surveyor | | | | |
| AGENT CODE: | | LVS1 | | | | | | | | | |
| REFERENCE: | | 12165 | | | | | | | | | |
| SUBJECT TITLE DETAILS: | | | | | | | | | | | |
| PREFIX | VOLUME | FOLIO | OTHER | PARCEL | NUMBER | PLAN | NUMBER | HUNDRED / IA / DIVISION | TOWN | REFERENCE NUMBER | |
| CT | 5782 | 936 | | ALLOTMENT(S) | 8 | F | 156843 | ONKAPARINGA | | | |
| CT | 5669 | 482 | | ALLOTMENT(S) | 95 | F | 156830 | ONKAPARINGA | | | |
| OTHER TITLES AFFECTED: | | | | | | | | | | | |
| EASEMENT DETAILS: | | | | | | | | | | | |
| STATUS | LAND BURDENED | FORM | CATEGORY | IDENTIFIER | PURPOSE | IN FAVOUR OF | | | | CREATION | |
| EXISTING | 80 | LONG | EASEMENT(S) | A | | MINISTER FOR INFRASTRUCTURE | | | | T 3900329 | |
| EXISTING | 81 | LONG | EASEMENT(S) | B | | MINISTER FOR INFRASTRUCTURE | | | | T 3902423 | |
| EXISTING | 81.82 RESERVE | SHORT | EASEMENT(S) | C | FOR WATER SUPPLY PURPOSES | | | | | TG 8634059 | |
| EXISTING | 80 | LONG | EASEMENT(S) | D | | DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) | | | | T 1792402 | |
| ANNOTATIONS: NO OCCUPATION TO SURVEYED SUBJECT LAND BOUNDARIES UNLESS OTHERWISE SHOWN | | | | | | | | | | | |

SHEET 2 OF 4

| |
|--------------------------------------|
| BEARING DATUM: MGA 94 ZONE 54 |
| DERIVATION: 6628/36481 TO 6628/24418 |
| TOTAL AREA: |

| CL ONKAPARINGA RIVER | | |
|----------------------|------------|-------------|
| CNR | EASTING | NORTHING |
| 10 | 300329.684 | 6125283.675 |
| 11 | 300399.720 | 6125338.363 |
| 12 | 300437.759 | 6125314.411 |
| 13 | 300602.884 | 6125273.466 |
| 14 | 300698.283 | 6125215.728 |
| 15 | 300763.511 | 6125144.480 |
| 16 | 300862.529 | 6125154.185 |
| 17 | 600920.639 | 6125190.477 |



| REFERENCE MARKS | | | | |
|-----------------|------------|-------|-------|------------|
| CNR | BEARING | FROM | DIST | PSM NO. |
| 1 | 125°30' | PM FD | 0·91 | 6628/36481 |
| 2 | 297°53'30" | PM FD | 20·98 | 6628/24418 |
| 2 | 301°12' | PM FD | 1·31 | 6628/36368 |
| 5 | 335°14' | PM FD | 1·02 | 6628/36478 |
| 6 | 331°51'30" | PM FD | 19·64 | 6628/55723 |
| 18 | 9°02' | MP FD | 0·45 | |
| 19 | 350°31'20" | MP FD | 13·4 | |

| | | | |
|--|--------|-----------------|--------|
| VESKA & LOHMEYER PTY. LTD. SURVEYING CONSULTANTS 3 ALEXANDRINA ROAD — MOUNT BARKER 5251 Ph: 8398 3050 Fax: 8398 3850 ABN: 18 007 839 410 Email: admin@veskalohmeyer.com.au | | | |
| DATE 13/08/2013 | FLD SF | DRN KH | REV 08 |
| REF No 12165 | CHK KH | 12165CD R08.dwg | |

D92095

SHEET 3 OF 4

36105_pland_2_V02_Version_4

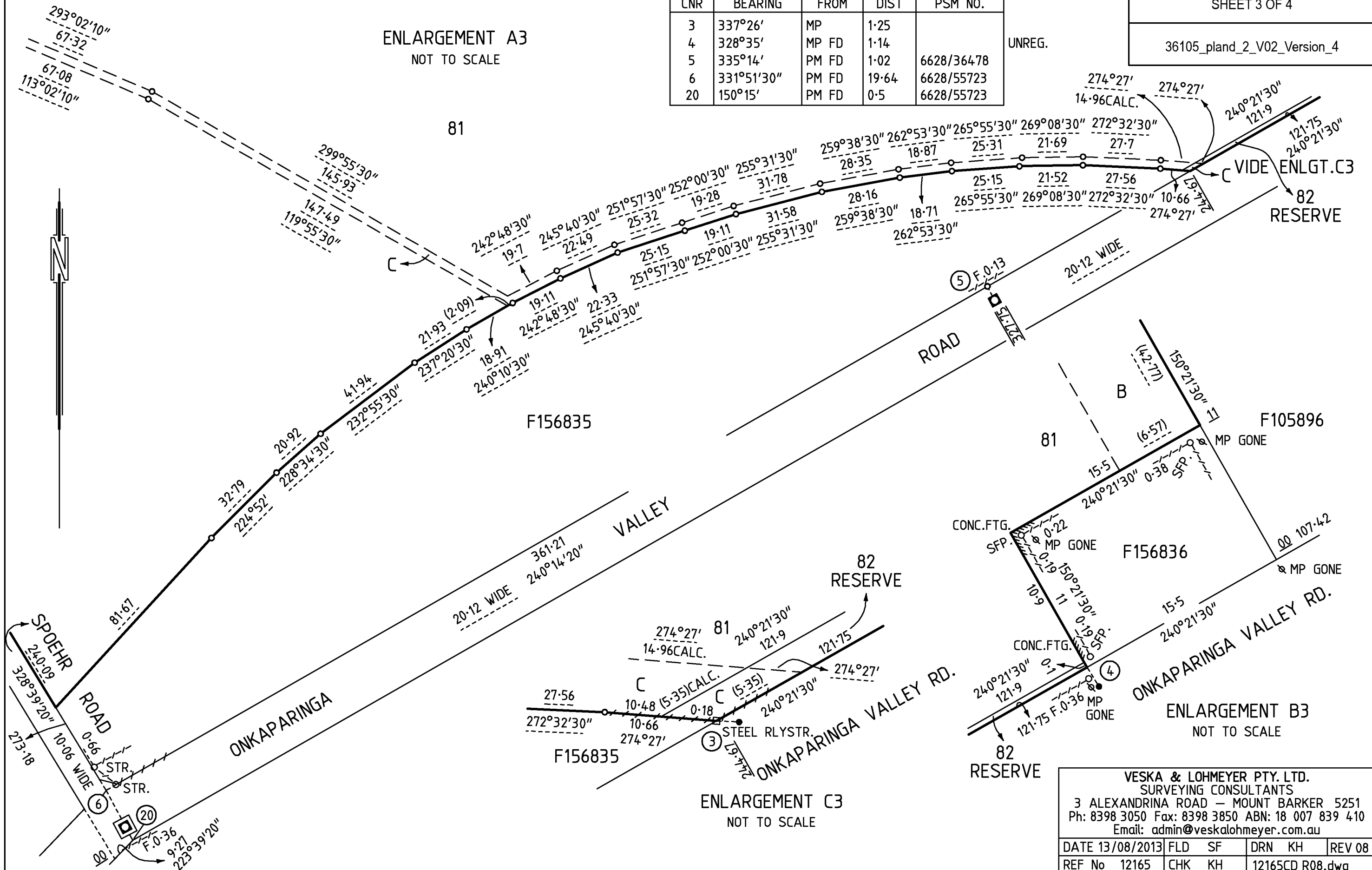
REFERENCE MARKS

| CNR | BEARING | FROM | DIST | PSM NO. |
|-----|------------|-------|-------|------------|
| 3 | 337°26' | MP | 1.25 | |
| 4 | 328°35' | MP FD | 1.14 | |
| 5 | 335°14' | PM FD | 1.02 | 6628/36478 |
| 6 | 331°51'30" | PM FD | 19.64 | 6628/55723 |
| 20 | 150°15' | PM FD | 0.5 | 6628/55723 |

UNREG.

ENLARGEMENT A3 NOT TO SCALE

81



ENLARGEMENT C3 NOT TO SCALE

ENLARGEMENT B3 NOT TO SCALE

VESKA & LOHMEYER PTY. LTD.
SURVEYING CONSULTANTS

3 ALEXANDRINA ROAD — MOUNT BARKER 5251
Ph: 8398 3050 Fax: 8398 3850 ABN: 18 007 839 410
Email: admin@veskalohmeyer.com.au

| | | | | | |
|-----------------|-----|----|---------|---------|--------|
| DATE 13/08/2013 | FLD | SF | DRN | KH | REV 08 |
| REF No 12165 | CHK | KH | 12165CD | R08.dwg | |

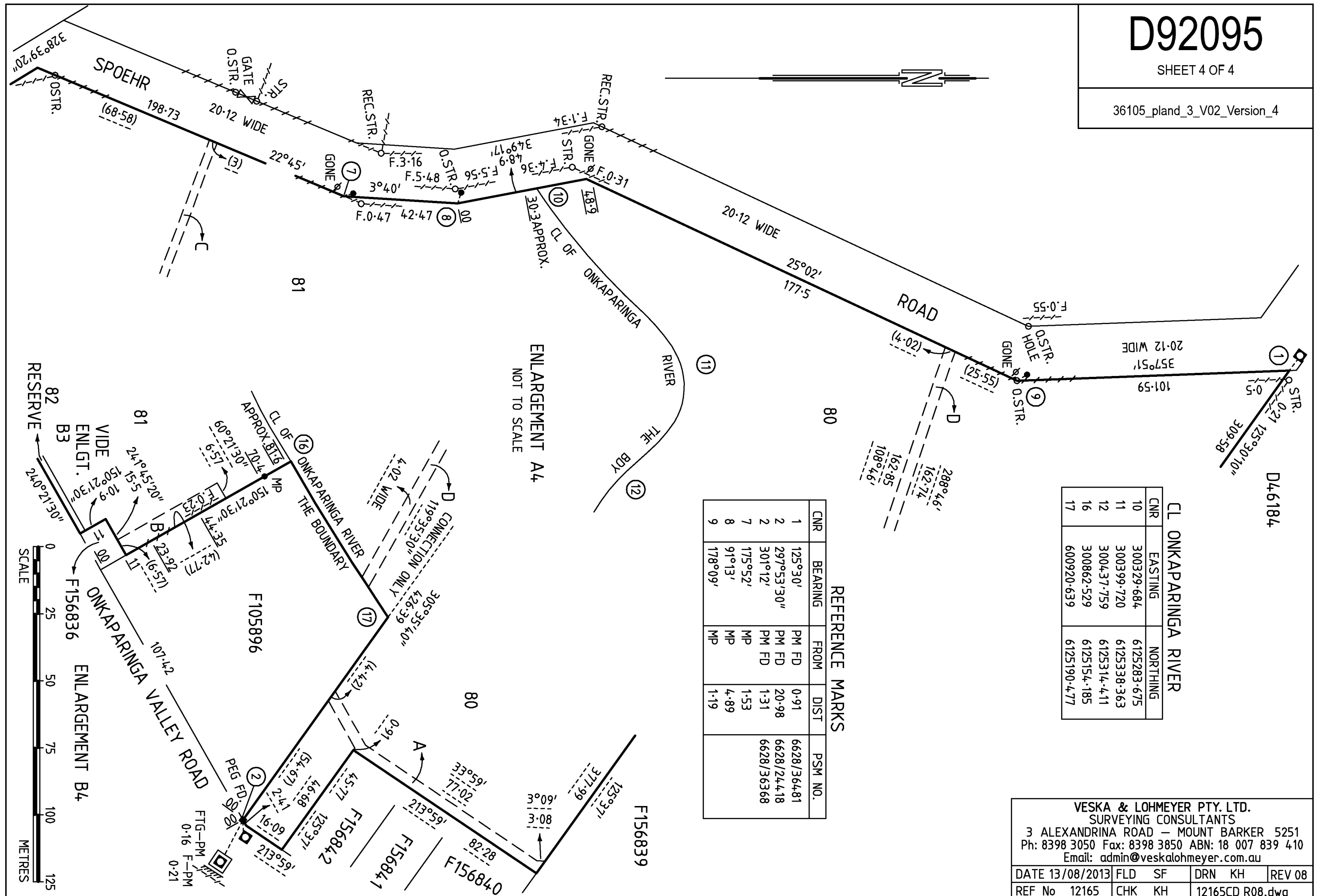
SHEET 4 OF 4

| END | EASTING | NORTHING |
|-----|-------------|----------|
| CL | ONKAPARINGA | RIVER |

| CNR | EASTING | NORTHING |
|-----|------------|-------------|
| 10 | 300329-684 | 6125283-675 |
| 11 | 300399-720 | 6125338-363 |
| 12 | 300437-759 | 6125314-411 |
| 16 | 300862-529 | 6125154-185 |
| 17 | 600920-639 | 6125190-477 |

SURVEYING CONSULTANTS
3 ALEXANDRINA ROAD — MOUNT BARKER 5251
Ph: 8398 3050 Fax: 8398 3850 ABN: 18 007 839 410
Email: admin@veskalohmeyer.com.au

| | | | |
|-----------------|--------|-----------------|--------|
| DATE 13/08/2013 | FLD SF | DRN KH | REV 08 |
| REF No 12165 | CHK KH | 12165CD R08.dwg | |



**CATEGORY 3
PUBLIC NOTIFICATION**

DEVELOPMENT 19/1064/473

Susan Bastian & Brian West

For

Tourist accommodation, comprised of two separate self-contained villas, water storage tanks (2 x 22,000L), associated landscaping & earthworks (non-complying)

At

11 Onkaparinga Valley Road Balhannah SA 5242

COMMENCEMENT DATE: 27 March 2020

CLOSING DATE: 14 April 2020

ZONE: Watershed (Primary Production)

Policy Area: Onkaparinga Slopes, &

ZONE: Watershed (Primary Production)

Policy Area: Balhannah/Oakbank (Rural Surrounds)

CONTACT OFFICER: Doug Samardzija

FOR PUBLIC DISPLAY ONLY

Date to be displayed: 27 March 2020

Date to be removed: 14 April 2020

STATEMENT OF EFFECT

Small Scale Tourism Development

AT: 11 Onkaparinga Valley Road, Balhannah

FOR: Sue Bastian and Brian West

1.0 INTRODUCTION

This Statement of Effect is prepared in relation to an application by Sue Bastian and Brian West to develop a tourist accommodation facility consisting of two (2) single storey self-contained, short term, bed and breakfast style accommodation units. The development site is located to the rear of 11 Onkaparinga Valley Road, Balhannah.

The proposal is a *non-complying* form of development. Council has resolved to continue with the further assessment of the application on the basis of the Statement of Support submitted with the application. It has requested that a Statement of Effect now be prepared.

This Statement of Effect is prepared in accordance with Regulation 17 (5) of the *Development Regulations 2008*. Sub-regulation (5) specifies that the Statement must include:

- “(a) a description of the nature of the development and the nature of its locality;
 - (b) a statement as to the provisions of the Development Plan which are relevant to an assessment of the proposed development;
 - (c) an assessment of the extent to which the proposed development complies with the provisions of the Development Plan;
 - (d) an assessment of the expected social, economic and environmental effects of the development on its locality; and
 - (e) any other information specified by the relevant authority when it resolves to proceed with an assessment of the application (being information which the relevant authority reasonably requires in the circumstances of the particular case),
- and may include such other information or material as the applicant thinks fit.”



2.0 NATURE OF DEVELOPMENT AND NATURE OF LOCALITY

2.1 Development

The application proposes to develop two (2) small-scale tourist accommodation buildings with approximately 100 metres of separation between them. Each accommodation unit has two double bedrooms and separate en-suite facilities which will allow not more than four persons per accommodation building. The tourist accommodation has been designed and sited to complement the rural character and scenic features of the locality.

The tourist accommodation units will be single storey, low in profile and externally clad in muted colours to minimise their visual impact on the surrounding rural landscape. External cladding will consist of corrugated Colorbond and CFC wall cladding in keeping with the traditional building styles which feature throughout the area. The units have wide verandas to shade outdoor decks and to further reduce any perceptions of bulk. The proposal is shown on the accompanying set of drawings (**Appendix C**).

The accommodation buildings will be setback over 150 metres from Spoehr Road, and much further again from Onkaparinga Valley Road.

Both buildings have been carefully sited on an elevated part of the site to capture attractive rural views in various directions, but especially towards and beyond the Onkaparinga River.

The accommodation buildings are located above the 330-metre contour level, where they will be more than 20 metres above pool level of the Onkaparinga River (310 metres). These contours are shown on the Site Plan (**Appendix B**). Both accommodation buildings will be setback more than 50 metres from the edge of the Onkaparinga River.

Each accommodation building will be accessed via a single gravel driveway from Spoehr Road. The driveway has been positioned in relation to the slope of the land to minimise the need for cut and fill. Furthermore, the driveway will be screened by existing vegetation which is well established along Spoehr Road.

The accommodation units and the driveway will be located in parts of the site that are clear of native vegetation. Additional landscaping will be planted shown on the Site Plan to screen and enhance the buildings' rural setting. Our Site and Locality Plan is attached in **Appendix B**. Of particular relevance are the remnant stands of native vegetation which align the river and are a notable feature of the locality.

The applicants' residence on Allotment 80 is connected to reticulated power and water supplies and a septic tank and soakage trench. The proposed accommodation units will be connected to the reticulated power and water supply services, but it is intended that they be used with minimal reliance on these services. In this regard, each accommodation building will be connected to a 22,000-litre water tank and will also be fitted with roof-top solar panels.



A proposal for an on-site wastewater treatment system has been prepared by Land Energy. Wastewater will be collected, treated and disposed using Ri-Industries or equivalent approved septic tanks for each of the two accommodation buildings. Effluent from each septic tank will be discharged to a soakage field comprising three approximately parallel vented soakage trenches via a 3-way concrete distribution box connected to aerobic wastewater systems. The wastewater system has been designed in accordance with the Wastewater Engineer's Report and Supporting Information prepared by Land Energy and dated 18 December 2019.

2.2 Locality

The subject land is identified as Certificate of Title Volume 6122; Folio 499, Lot 80 and is known as 11 Onkaparinga Valley Road, Balhannah.

A copy of the Certificate of Title for the land is provided in **Appendix A**.

An existing single-storey residence is sited in the south-east corner of the site and is currently occupied by the owners of Lot 80 and the applicants in this matter. Access to the residence is via Onkaparinga Valley Road, and then by bridge across the River Onkaparinga. The residence is well screened by native and non-native vegetation to the north, east and west.

The subject land is provided with a frontage to Onkaparinga Valley Road to the south-east and Spoehr Road to the north-west. The residence is not identified as a Local or State Heritage Place. The allotment is serviced by SA Water and reticulated power but not reticulated sewer services.

The land is traversed by the Onkaparinga River watercourse which runs east to west along the southern boundary of the subject site. Existing vegetation is most concentrated along Spoehr Road and the watercourse. This vegetation consists mainly of blue and red gums along with small pockets of low-lying native bush.

The landform consists of a low valley on the southern side of the Onkaparinga River watercourse rising to the northern boundary. The portion of land proposed to accommodate the two accommodation units is relatively flat, exhibiting a slight rise (front to back) of approximately 1.0-metre. This is the logical location for development to occur, because it can achieve the required watercourse setbacks for both construction, flood mitigation and waste management purposes, and be sufficiently separated and screened from neighbouring residences.

The subject site is in the Watershed (Primary Production) Zone. It also straddles Balhannah/Oakbank (Rural Surrounds) Policy Area 15 and Onkaparinga Slopes Policy Area 11 on Policy Areas Map AdHi/61 of the Development Plan. Despite the Watershed (Primary Production) objectives, there are numerous dwellings throughout the locality and a large variation in the allotment patterns and sizing. Historically, land would have been farmed in larger property holdings and used for primary production purposes. Over time, the larger holdings have been divided into smaller allotments, purchased and developed for rural-residential and solely residential purposes.



The average allotment size within the locality is now in the order of 10 hectares, with some allotments as small as 2,448 square metres. Consequently, few if any properties are now used solely for primary production purposes.

It is also relevant to note that the subject site abuts the Township Zone which contains much smaller allotments used for urban type purposes. Residential development in Balhannah consists mainly of low to medium density housing on smaller allotments, and non-residential uses such as retail shops, local commercial and service industries, medical facilities, and community facilities particularly along Onkaparinga Valley Road.

The proximity and accessibility of the Adelaide Hills to the metropolitan area has seen a steady increase in wine and food tourism throughout the region. This has been followed by a subsequent demand for short-term and overnight accommodation throughout the Adelaide Hills. Balhannah, being centrally located in the Adelaide Hills region and easily accessible to Adelaide via Greenhill Road and the South Eastern Freeway, is an ideal location for short term accommodation.

3.0 RELEVANT PROVISIONS OF THE DEVELOPMENT PLAN

The relevant Development Plan for assessment purposes is the Adelaide Hills Council Development Plan, consolidated version dated 8 August 2019.

The provisions of that Development Plan which are most relevant to an assessment of the proposal's planning merits are:

3.1 Design and Appearance

- Council-wide Objective 1 and Principle 1, 12 (High Design Standard responding to local environment); and
- Council-wide Principle 9 (Development on Suitable Land).

3.2 Hazards

- Council-wide Objectives 2 (Development sited away from natural hazards);
- Council-wide Objectives 4 and Principle 3 (Flooding);
- Council-wide Objectives 5 and Principles 6, 8 and 9 (Siting of Development); and
- Council-wide Principle 7 (Minister Bushfire Code).



3.3 Interface Between Land Uses

- Council-wide Objectives 1 and 3 (Incompatible Development);
- Council-wide Objective 2 (Amenity); and
- Council-wide Principle 2, 4, 16 (Siting).

3.4 Natural Resources

- Council-wide Objectives 2 and Principle 2, 4 and 5 (Protection of Natural Resources);
- Council-wide Objective 3 and Principle 9 (Sustainable use of Natural Resources);
- Council-wide Objective 6 and Principle 49 (Development Siting);
- Council-wide Objective 8, 14 and Principles 37 and 38 (Conservation and Protection of Native and Non-Native Vegetation); and
- Council-wide Objective 4 & Principle 10 11, 35 (Water Quality).

3.5 Orderly and Sustainable Development

- Council-wide Objectives 8 (Rural Appearance and Character);
- Council-wide Principles 3 (Economic expansion);
- Council-wide Principles 7 (Underutilised land); and
- Council-wide Principles 9 (Suitable land use).

3.6 Siting and Visibility

- Council-wide Objective 1 (Amenity);
- Council-wide Principle 1, 2, 3 and 6 (Unobtrusive Siting of Buildings);
- Council-wide Principle 4 (Cut and Fill);
- Council-wide Principle 9 (Unobtrusive Siting of Driveways); and
- Council-wide Principles 10 (Landscape Screening).



3.7 Sloping Land

- Council-wide Principle 4 (Accessibility); and
- Council-wide Principle 7 (Effluent Drainage System).

3.8 Tourism Development

- Council-wide Objectives 1 & Principles 2 and 19 (Environmentally Sustainable and Innovative Tourism);
- Council-wide Objectives 3 and 6 & Principles 1, 2, 3, 7, 9 (Tourism which Enhances local Amenity);
- Council-wide Objective 5 & Principle 11, 12, 13, 16 and 18 (Primary Production Suitability and Sustainability);
- Council-wide Objective 7 & Principles 4 (Overnight Stay);
- Council-wide Objective 9 (Access to Tourist Accommodation);
- Council-wide Principle 5 (Infrastructure Associated with Tourism Development);
- Council-wide Principle 10 and 21 (Carparking Associated with Tourism Accommodation); and
- Council-wide Principle 14 (Tourism Development in Association with Tourist Destinations).

3.9 Transport and Access

- Council-wide Principles 14 (Vehicle Manoeuvring);
- Council-wide Principle 25 (Access from Public Roads);
- Council-wide Principle 26 (Safe and Convenient Access);
- Council-wide Principle 32 and 36 (Siting and Design); and
- Council-wide Principle 34 (Carparking Requirements).

3.10 Waste

- Council-wide Objective 2 & Principles 2 and 11 (Treatment of Waste);
- Council-wide Principles 12, 14 and 15 (Siting of Wastewater Treatment systems); and
- Council-wide Principles 13 and 16 (Effluent Disposal).



3.11 Watershed (Primary Production) Zone

- Zone Objective 2 and Principle 36 (Water Quality);
- Zone Objective 6 (Sustainable Tourism Industry);
- Zone Principles 1 and 2 (Unobtrusive Buildings);
- Zone Principle 3 (Water Supply and Effluent Disposal);
- Zone Principle 4 (Watercourse Setbacks);
- Zone Principle 9 (Unobtrusive Driveways);
- Zone Principle 10, 23, 30 and 37 (Native Vegetation);
- Zone Principles 11, 14, 15 and 39 (Rural Character, Natural and Rural Landscape Character); and
- Zone Principle 70 (Non-Complying Development).

4.0 DEVELOPMENT PLAN COMPLIANCE

The Development Plan explicitly supports tourism development throughout the Council area (as expressed by the Council-wide provisions cited in Section 3.7 above) and in the Watershed (Primary Production) Zone with reference to Zone Objective 6. These provisions must be considered against all other relevant provisions of the Development Plan, having regard to the nature of the development and its location in relation to its locality.

In this context, we consider that the primary issues for consideration are:

- land use, and in particular whether tourism development of the kind proposed is suitable for the site and locality;
- bushfire protection, given that the site is located in an area of high bushfire risk according to Figure AdHiBPA/7 of the Development Plan;
- flood protection, given that the site is located in an area of high flood risk according to Figure AdHiFPA/10 of the Development Plan;
- water and wastewater management, given that the site is located in the Mount Lofty Ranges Watershed Area (but not within the more sensitive Watershed Area 1);
- design and siting considerations; and
- primary production and land use interface considerations.



4.1 Land Use Suitability

The Watershed (Primary Production) Zone lists 6 objectives, including Objective 6 which states:

6. **The development of a sustainable tourism industry with accommodation, attractions and facilities which relate to and interpret the natural and cultural resources of the South Mount Lofty Ranges and increase the opportunities for visitors to stay overnight.**
[our underlining for emphasis]

Council-wide Tourism Development Objective 7 also envisages increased opportunities for visitors to stay overnight. The proposal delivers short term accommodation so that visitors can stay overnight in order to experience the wines produced in the locality such as Shaw and Smith and Nepenthe which are nearby, local produce sold nearby and in farmers' markets, along with the region's numerous attractions, such as Cleland and Gorge Wildlife Parks, market gardens, vineyards and orchards. The region is also renowned for its cool climate wines available for tasting and sale at cellar doors, as well as boutique breweries, heritage buildings, art galleries, craft shops, scenic drives, cycling trails and walking paths.

The subject land sits adjacent to and abuts Balhannah which is contained within a Township Zone. Due to the distance of the accommodation units and minor nature of the tourist accommodation, it is not foreseen that the proposal will impact on existing neighbouring uses within the locality. Rather, the proximity of the accommodation units to Balhannah provides greater opportunity for the township to benefit from the proposed development by attracting visitors who are likely to visit shops and cafes, and purchase goods sold within the town.

Balhannah is superbly positioned as an entry way to the region and its proximity to many other towns makes it an ideal base for exploring the hills. The site itself is approximately 30 kilometres from Adelaide and about 30 minutes driving time, making it conveniently accessible to the Adelaide metropolitan area.

The site is moreover particularly suitable for its intended use, as the proposal will operate in association with the property's continued use for small-scale livestock grazing as envisaged by Council-wide Tourism Development Principles 13 and 14. Some consequential re-fencing of the paddocks may be required to separate the livestock from vehicles associated with the accommodation buildings, but this is of little to no consequence in planning terms.

The location of the accommodation units on the site was determined having regard to the building sites' relatively flat nature. No native vegetation will be removed as part of the development. Indeed, the sites were selected for their intended use because they are devoid of vegetation but surrounded by native and non-native vegetation to enhance the natural setting and scenic appeal to visitors staying in the units. The proposal proposes further landscaping to frame and screen the accommodation units while also maintaining panoramic views of the Onkaparinga River and surrounding locality.

Each accommodation unit can also be safely accessed from Spoehr Road via a private driveway which will be formed to follow the contours of the site as to minimise visual impact from adjoining properties and Spoehr Road.



4.2 Bushfire Protection

Each accommodation unit will be connected to a 22,000-litre rainwater tank, as indicated on the attached Site Plan. The average annual rainfall for the area is 875 millimetres which is expected to be service each unit. Should the need arise, the rainwater tanks will be topped up from either SA water mains which will be connected to the accommodation units or the property's bore water entitlement.

Council-wide Hazard Principle 9 requires tourist accommodation to be sited away from trees and shrubs, away from rugged terrain and to be easily accessible. The sites selected for both accommodation units are clear of vegetation, close to multiple sealed roads (Spoehr Road, with secondary access via Onkaparinga Valley Road), away from mature strands of vegetation and on moderately sloping land. They will also be setback from existing hazardous vegetation which aligns the watercourse, as detailed within **Appendix B**.

Council-wide Hazard Principle 7 requires development in a High Bushfire Protection Area to accord with the mandatory provisions of the Minister's Code, Undertaking Development in Bushfire Protection Areas and Minister's Specification (SA 78). The mandatory provisions are detailed in Parts 2.3.3.1, 2.3.4.1 and 2.3.5 of the Code. With reference to the Code's mandatory provisions, each accommodation unit will be:

- safely and conveniently accessed from a bitumen sealed public road, namely Spoehr Road;
- the private driveway connecting onto Spoehr Road will be gravel surfaced to provide all weather access, is situated away from hazardous vegetation and will have a minimum formed width of 4.0 metres, all as detailed on the Site Plan;
- the driveway will include a generously proportioned turning circle loop at the eastern end to allow for firefighting services to travel in a continuous forward movement;
- the positions of the dedicated water supply tanks will be easily accessible, located adjacent to the driveway and each unit. The tanks are clearly identified on the application Site Plan; and
- the accommodation units are separated from native and non-native vegetation on the site, with the area surrounding the units grassed and maintained to a low height to prevent the accumulation of fire-fuel loads.

In all relevant respects, the proposal has been appropriately and well designed and sited having regard to the site's location in a Bushfire Protection Area and having particular regard to the relevant 'Bushfire Protection' provisions of the Development Plan and the Minister's Code.

4.2 Flood Protection

The accommodation buildings are located well above the 330-metre contour level, where they will be more than 20 metres above pool level of the Onkaparinga River (310 metres). These contours are shown on the Site Plan. Both accommodation buildings will also be setback more than 50 metres from the edge of the River. The development site is elevated well above the Onkaparinga River and is located outside of the area susceptible to flooding as depicted in Figure AdHiFPA/10 of the Development Plan.



In all relevant respects, the proposal has been appropriately and carefully sited having regard to its location outside the Extreme Flood Hazard area identified in the Development Plan as well as having particular regard to the relevant flood provisions of the Development Plan.

4.3 Water and Wastewater Management

The development seeks to be environmentally sustainable and consistent with Council-wide, Natural Resources Principle 10. With regard to this provision, each villa will be connected to a 22,000-litre rainwater tank. Should water supply from the tanks become an issue in circumstances such as drought, each villa will have a back-up connection to the SA Water mains supply which is connected to the subject land. This connection will only be activated when required to minimise reliance on the SA Water mains supply.

All wastewater effluent generated will be treated and disposed on-site in accordance with the Wastewater Plan prepared by Land Energy (**Appendix D**). This will ensure that wastewater is treated and disposed of so as not to adversely affect the health and quality of the Onkaparinga River or the watershed. Each accommodation unit will be connected to a septic tank and soakage-field system and has been sized appropriately to manage the loading capacity based on an occupation rate of not more than four persons per unit. Ample gravity flow fall is available from the building drains to the site of each proposed septic tanks, and from the septic tanks to the respective soakage field system.

The wastewater treatment systems will be Ri-Industries or equivalent approved septic tanks with a nominal operational capacity of 3,000 litres with 60-millimetre walls. The septic tanks will discharge into a 3-way distribution box, thence into three separate soakage trenches each 2.0 metres wide x 10.1 metres in length. The closest edge of western soakage field is situated 69 metres from Onkaparinga River, which is 19 metres greater than the prescribed 50 metres from a SA Govt-defined watercourse. The location of each septic tank is detailed in Attachment 1 and Attachment 2 of the Wastewater Engineer's Report and Supporting Information prepared by Land Energy. The use of septic tanks is proposed in lieu of an aerobic secondary treatment system because septic tanks are less sensitive to underloading or extended periods of no load and will not degrade under such conditions. The individual and separated waste water systems for each accommodation unit will allow for a reduction in the length of main drain lines and will allow for the drain lines to be kept relatively shallow within the ground, thus reducing the likelihood of blockages and improving access for maintenance and servicing. The separation of both waste-water systems will also prevent potential wastewater issues from one unit impacting the other.

Watershed (Primary Production) Zone Objective 2 and Principles 3(a) and 36 requires buildings to have a year-round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health and maintain quality water resources and protect the natural system. This is given further expression within Council-wide Natural Resources Objectives 2, 3, 4 and Principles 1 and 2 which requires the protection and enhancement of South Australia's ground water, surface water and watercourses. With regard to all of the above, the proposal is considered to satisfy the relevant Development Plan provisions.



4.4 Design and Siting

The two accommodation units were carefully sited on the subject land to complement its setting and to take advantage of the outstanding rural and valley views. While views from the accommodation units will be panoramic, the units are very small in scale and low in profile and have been sited below the ridgeline of the adjoining properties so as not to skyline. They will have a minimal impact on the landscape as viewed from Onkaparinga Valley Road, Spoehr Road and Woodcock Road. The accommodation units will also be set back more than 360 metres from Onkaparinga Valley road and over 150 meters from Spoehr Road.

The closest accommodation unit is sited approximately 50 metres from the Onkaparinga River but at a substantially higher elevation than river pool level. This provides a sufficient distance from and above the flood zone while also positioning the site to nestle into the topography of the land. As outlined previously, the sites selected for each accommodation unit are the most logical positioning on the site. This is due to the relatively flat nature of development location thereby necessitating minimal cut and fill. The driveway has also been sited to follow the contours of the landscape to further reduce the need for cut and fill.

Moreover, the proposal retains all existing landscaping. The accommodation units are sited with regard to the existing native vegetation on the site, which will provide screening to the accommodation units from adjoining properties and roadways. It is the intention of the proposal to further soften the accommodation units positioning in the landscape through the establishment of considerably more native planting, in keeping with the vegetated and rural character of the locality.

The accommodation units are low in profile and will be externally clad in corrugated Colorbond roofing and CFC sheeting; materials that are in keeping with the traditional building styles of the region and in keeping with the rural character of the locality. Each accommodation unit is designed with a veranda and deck to further articulate and shade the building and minimise its visual impact on the locality.

It is concluded that the proposal:

- will not impact the amenity or character of the locality by the appearance of the land or the buildings proposed on the land (Council-wide, Siting and Visibility Objective 1 and Council-wide Tourism Development Objectives 3 and 6 and Principles 1,2 ,3, 7 and 9);
- has been carefully designed and sited to ensure that the buildings and associated structures will be unobtrusively sited and will blend naturally into the landscape (Council-wide Siting and Visibility Objective 1 and Council-wide Siting and Visibility Principles1, 2, 3 and 6);
- will minimise the amount of cut and fill required for each building and associated site works (Council-wide Design and Appearance Principle 9 and Siting and Visibility Principles 4);
- will be in keeping with the appearance and semi-rural character of the surrounding locality (Watershed (Primary Production) Zone Principles 11, 14 and 15); and
- will protect and enhance the natural resources of the area (Council-wide Natural Resources Objective 1).



4.5 Primary Production and Land Use Interface

Watershed (Primary Production) Zone Objective 3 calls for the long-term sustainability of rural production in the south Mt Loft Ranges. This objective is given further expression by Council-wide Interface between Land Uses Objectives 1 and 3 and Principle 15. These provisions encourage development that will be compatible with its surrounding uses and seeks development that would not diminish the opportunity for existing land uses to continue to operate.

While the dimensions of the site would make it difficult for the property to operate independently as an economically viable farming enterprise, the site's use for small scale accommodation units in association with its continuing use for part-time primary production purposes will assist in maintaining the south Mt Loft Ranges' sustainability for agricultural purposes.

In this context, the proposal satisfies the relevant Development Plan provision seeking to ensure the continuation of rural and primary production sustainability throughout the Council area.

5.0 ECONOMIC AND ENVIRONMENTAL EFFECTS

5.1 Social Effects

Each villa will be capable of accommodating not more than four (4) persons at one time. Due to the limited size of the tourist accommodation units the development is expected to have a neutral social effect on the locality. This is largely because the persons occupying each accommodation unit will be short term 'residents' only, and therefore unlikely to have close ties with the local community. For this reason, guests are unlikely to form connections with the local community or engage in the day to day life of the local community.

5.2 Economic Effects

The accommodation units will be available throughout the year, except on catastrophic fire risk days.

The development is expected to have a positive effect on the locality by:

- generating local employment at the construction stage for local trade persons, and post-construction for cleaners, gardeners and maintenance persons;
- creating additional demands for local produce such as food, wine and beverages, as well as arts and crafts;
- putting to effective and efficient use a vacant parcel of rural land which can only be used for small scale primary production; and
- adding to the supply and quality of short-term accommodation in the Adelaide Hills, consistent with State and local government economic policy.



5.3 Environmental Effects

The proposal is expected to have a neutral to positive effect on its locality because:

- all wastewater effluent generated will be treated and disposed of on-site so as not to adversely affect the health and quality of nearby watercourses or the watershed;
- the instillation of solar panels to the roofs of the units will reduce reliance on the existing services;
- all native and non-native vegetation will be retained, with additional native landscaping to be planted;
- each villa will be provided with adequate water supplies, namely rainwater and bore water for domestic use and firefighting purposes; and
- each villa will touch the ground lightly and the driveway will follow existing contour lines, thereby minimising the need for cut and fill.

6.0 CONCLUSION

Based on our assessment of the proposal against the provisions of the Development Plan, we conclude that the proposed small-scale tourist accommodation facility proposed for Allotment 80 at 11 Onkaparinga Valley Road Balhannah, is not seriously at variance with the Development Plan. Indeed, we conclude that the proposal complies with the provisions of the Development Plan in almost every respect, even though it is a *non-complying* development in the Watershed (Primary Production) Zone.

We are of the opinion that the application is therefore deserving of Development Plan Consent, subject to the Development Assessment Commission's concurrence of that consent.

A handwritten signature in blue ink, appearing to read 'Graham Burns'.

Graham Burns MPIA (Fellow)
B/A in Planning

17 March 2020

APPENDIX A

Certificate of Title

REAL PROPERTY ACT, 1886



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 6122 Folio 499

Parent Title(s) CT 5669/482, CT 5782/936

Creating Dealing(s) RTC 12016435

Title Issued 29/10/2013 Edition 2 Edition Issued 27/10/2017

Estate Type

FEE SIMPLE

Registered Proprietor

SUSAN ELAINE PUTNAM BASTIAN
BRIAN RICHARD WEST
OF 11 ONKAPARINGA VALLEY ROAD BALHANNAH SA 5242
AS JOINT TENANTS

Description of Land

ALLOTMENT 80 DEPOSITED PLAN 92095
IN THE AREA NAMED BALHANNAH
HUNDRED OF ONKAPARINGA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A ON DP 92095 TO THE MINISTER FOR INFRASTRUCTURE (T 3900329)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D ON DP 92095 TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (T 1792402)

Schedule of Dealings

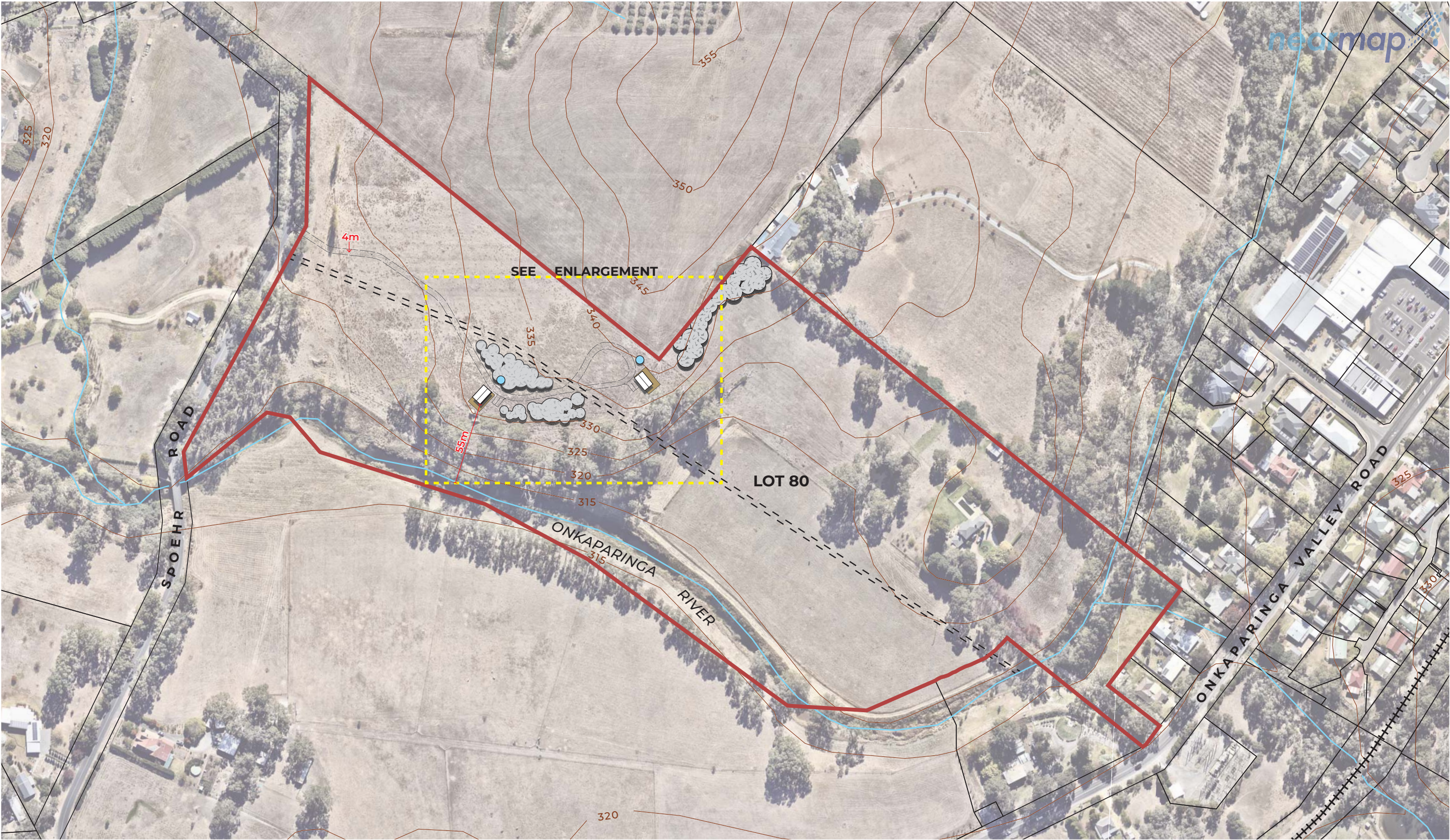
| Dealing Number | Description |
|----------------|--|
| 12814917 | MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141) |

Notations

| | |
|---------------------------|-----|
| Dealings Affecting Title | NIL |
| Priority Notices | NIL |
| Notations on Plan | NIL |
| Registrar-General's Notes | NIL |
| Administrative Interests | NIL |

APPENDIX B

Site and Locality Plan

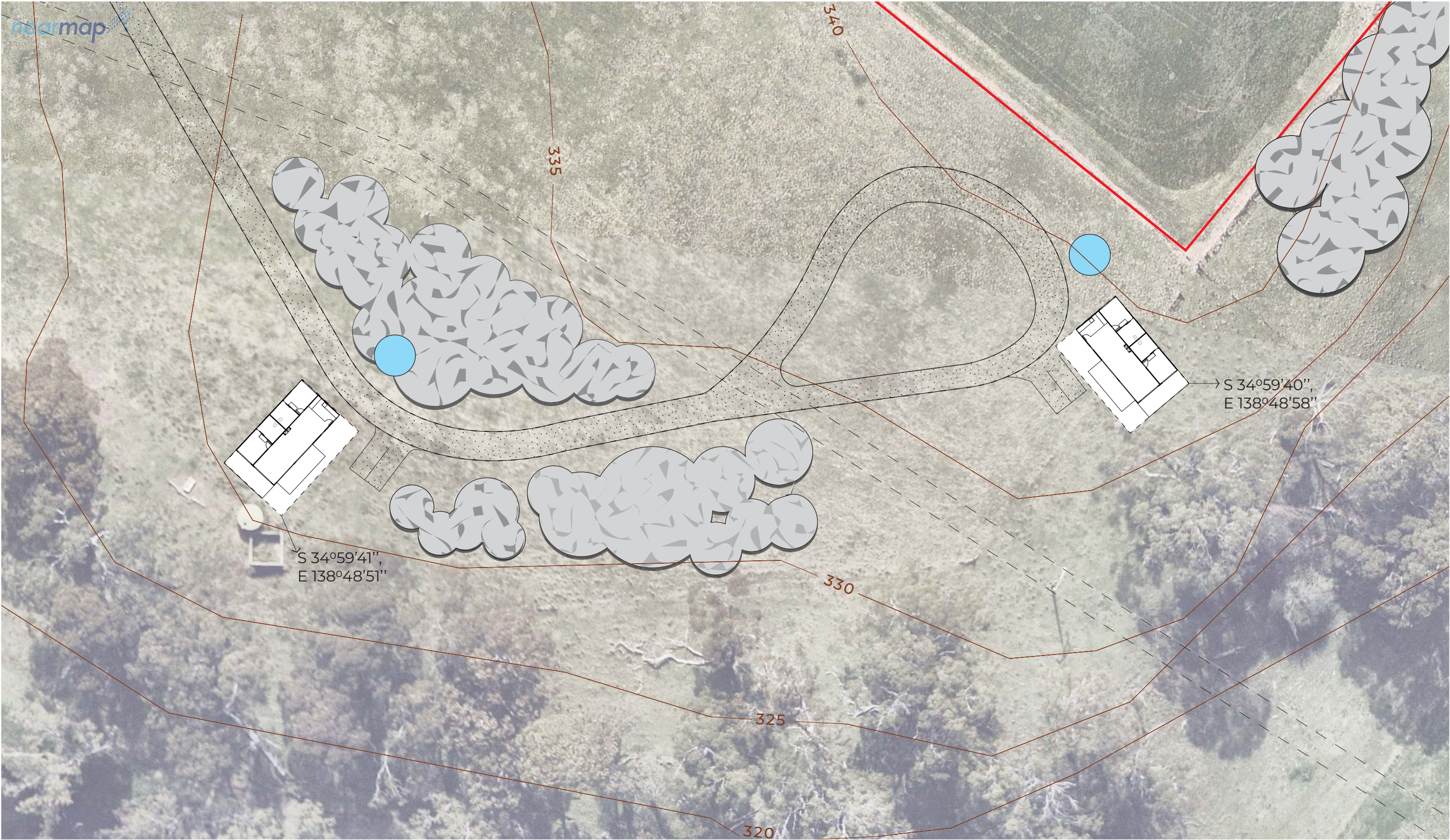


- Subject site
- Contours (5.0 metre intervals)
- Watercourse
- Railway
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Note: Nearmap image dated 23 April 2019.

Site Plan
TOURIST ACCOMMODATION VILLAS
11 ONKAPARINGA VALLEY ROAD
BALHANNAH
FOR SUE BASTIAN and BRIAN WEST





- Subject site
- Contours (5.0 metre intervals)
- Electricity easement
- Accommodation units
- Native vegetation landscape screening
- Firefighting water tank (22000 litres)
- Gravel driveway

Note: Geographic Image refers to Nearmap image dated 28 September 2019.

Enlargement Plan

TOURIST ACCOMMODATION VILLAS

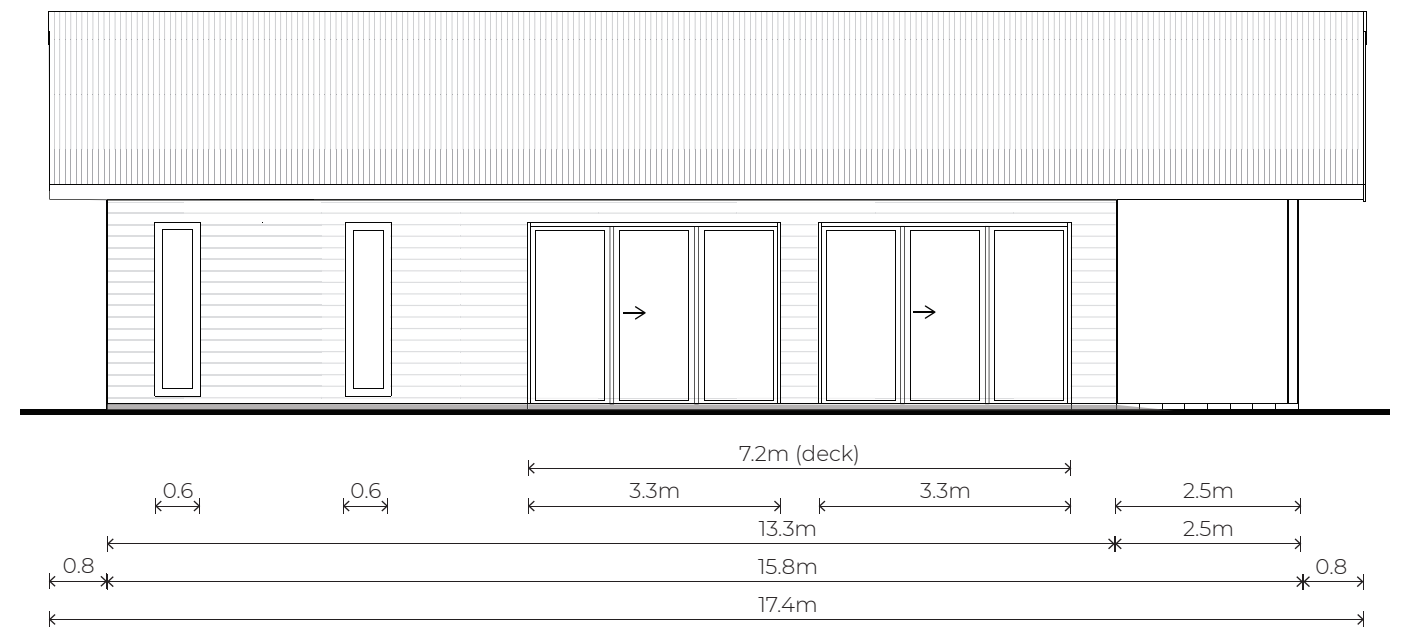
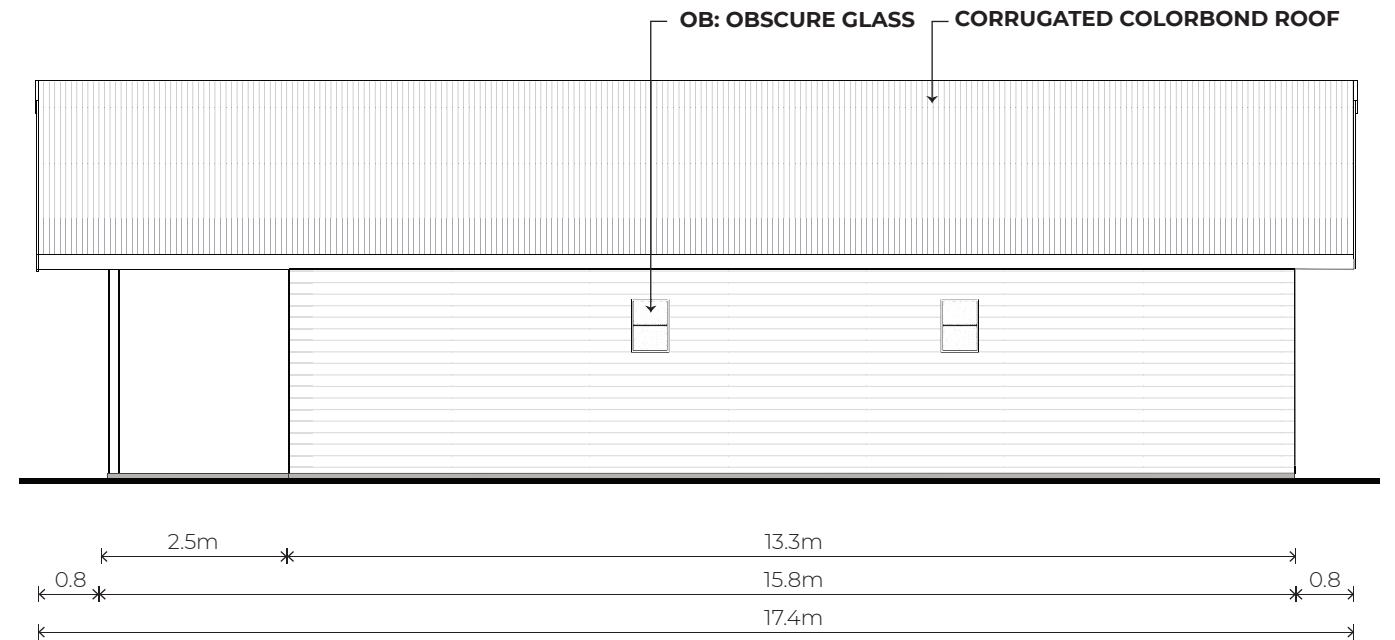
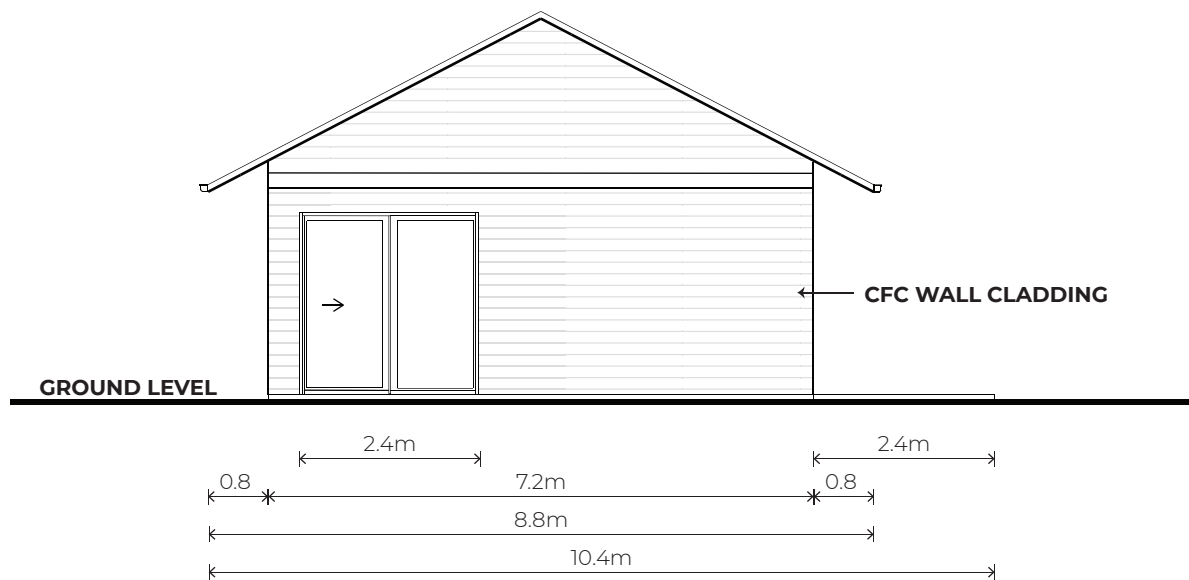
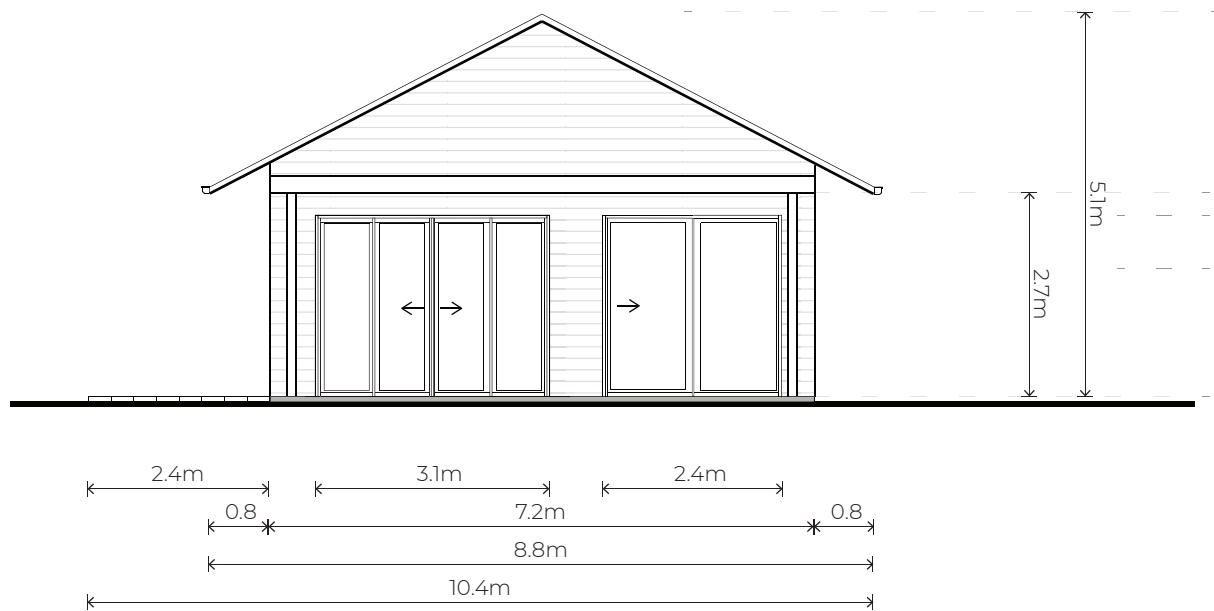
11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN and BRIAN WEST



APPENDIX C

Architectural Plans

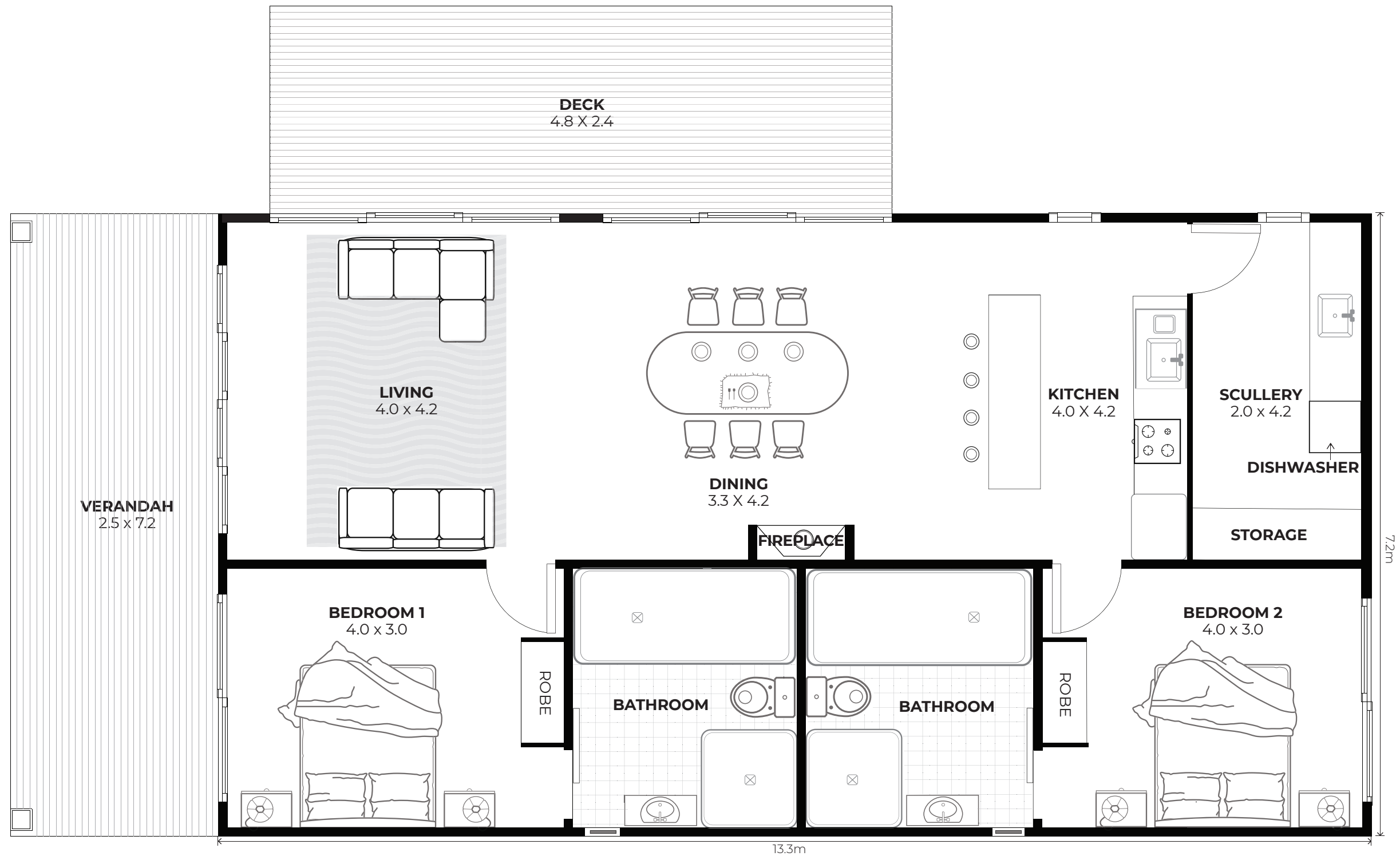


ELEVATIONS 1:100 @ A3

Tourist Accommodation Villas

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN & BRIAN WEST



FLOOR PLAN 1:50@A3

Tourist Accommodation Villas

11 ONKAPARINGA VALLEY ROAD
BALHANNAH

FOR SUE BASTIAN & BRIAN WEST

APPENDIX D

Land Energy Wastewater Engineers Report and Supporting Information

Sue Bastian & Brian West
Wastewater Engineers Report and Supporting Information
On-site Wastewater Treatment System for Two Tourist Villas

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Sue Bastian & Brian West

Wastewater Engineers Report and Supporting Information On-site Wastewater Treatment System for Two Tourist Villas

1. INTRODUCTION

The proposed development is for the construction of two free-standing tourist accommodation villas, approximately 100 m apart in the western section of the subject site, located at 11 Onkaparinga Valley Road, Balhannah. Each villa will have two double bedrooms and separate en-suite facilities, including a 250 L spa bath in each bathroom. Maximum occupancy (single bed equivalents) will be four persons per villa. The Site Plan prepared by Masterplan, and accompanying the development application, shows the location of the site with respect to surrounding land use, the position of the two villas, access driveway and parking bays.

1.1 Proposed Works

Given the size of the property and the distance between each villa, it is proposed that each premises be serviced separately by an individual septic tank and soakage field system, on the basis that:

- The septic tank and soakage-field system is simple and robust, requiring only a 4-yearly pump out of the septic tanks, which will be located to allow ready tanker access from the driveways.
- Individual and separate systems mean that any potential wastewater issues experienced at one villa does not impact directly upon the other.
- Main (sewage) drain lines can be kept short and relatively shallow while maintaining the required grades, without excessive depth, which reduces the likelihood of blockage, improves access for maintenance and service, and reduces installation cost.
- Septic tanks are less sensitive to underloading or extended periods of no load, unlike aerobic secondary treatment systems (AWTS) which are prone to performance degradation under such conditions.
- Apart from access hatches and unobtrusive vents situated close to ground level for the soakage trenches, there is no above ground infrastructure, equipment or signage required.
- No power is required, and there is no mechanical equipment to fail or to require maintenance or servicing.
- There will be no requirement for pump chambers which would be the case with a combined wastewater system, as gravity sewer lines from source to (a common) treatment plant would likely prove impractical.

Taking advantage of the gentle slopes in the vicinity of the villas, each wastewater treatment system will comprise a 3,000 L septic tank, discharging into a 3-way distribution box, thence into three separate soakage trenches each 2.0 m wide x 10.1 m in length. Attachment 1 and 2 show the location and layout of the wastewater system for the west villa and east villa respectively, including dimensions and other specification detail.

1.2 Internal Plumbing

The sanitary plumbing layout is shown for each of the two villas in Attachment 3. The two en-suite bathrooms in each villa will contain a dual-flush toilet, hand basin, shower and spa bath. The kitchen in each villa will be equipped with a sink, and the adjacent scullery will also have a sink and a dishwasher, which will be plumbed into the scullery sink trap pipework.

External plumbing pipework differs slightly between the two villas as a consequence of the ground slope and different orientation of each villa, mainly with respect to the position of vents and inspection points. All external plumbing pipe runs will be laid with a fall of at least 1.65 %.

1.3 Septic Tank Loading Rates & Capacity

This report has been prepared as part of an application to Adelaide Hills Council for Wastewater Works, to undertake the installation and commissioning of the proposed system and associated works in accordance with Council guidelines and the SA Health *On-site Wastewater Systems Code, 2013* (the Code). All wastewater generated by the various fixtures and uses from the villas is incorporated into the Minimum Effective Capacity (MEC), daily flow and design organic capacity loading calculations outlined in Table 1 below. The system does not require a minimum flow or biological loading rate for proper operation, unless there is no waste input for an extended period – which is considered unlikely in this situation.

Table 1. Design Flows and Loadings (Per Villa)

| Appendix E | Sludge/Scum Rate | | Daily Flow Rate | | BOD Loading |
|------------------------------------|------------------|--|-----------------|------------------|-------------|
| Premises Category | # Persons (P1) | Rate: L/p/y (S) | # Persons (P2) | Rate: L/p/d (DF) | Rate: g/p/d |
| Accommodation | 4 | 48 | 4 | 100 | 40 |
| Spa Baths | - | - | 2 of | 250 | - |
| Resultant Totals | 192 L/year | | 900 L/day | | 160 g/day |
| Minimum Effective Capacity (MEC) = | | (P1 x S x Y*) + (P2 x DF) + Spa Baths | | | |
| | | (4 x 48 x 4) + (4 x 100) + 2 x 250L = 1,668 L | | | |

Based on Equations 1 & 2, and Appendix E of the *On-site Wastewater Systems Code – 2013*.

* Y = 4 Years

Attachment 4 provides a more comprehensive coverage of the design loading calculations for the septic tank systems and the soakage field specification described in the following section.

1.4 Soakage System Loading Rates & Capacity

Based on data obtained from site investigation and soil classification as discussed in the following section, incorporating the design loadings and capacities described above and in accordance with the Code, the soakage system infiltration contact area required, based on daily wastewater flow calculations is given by:

| |
|--|
| $\frac{\text{Hydraulic Loading Rate (HLR)}}{\text{Effluent Percolation Rate (EPR)*}} = \frac{900 \text{ L/day}}{10.0 \text{ L/m}^2\text{/day}} = 90.0 \text{ m}^2$ |
|--|

* Derived from soils data & Table 8-2 of the Code

The required soakage area will be achieved by the construction of three soakage trenches arranged approximately parallel with the topographical contours in the nominated areas. Each soakage trench will be 2.0 m wide and a minimum of 10.1 m in length, with an effective wall height (below geo-fabric) of 0.4 m, providing a minimum total length of 30.4 linear metres.

Primary treated effluent will discharge from the respective septic tanks by gravity to each of the three soakage trenches via a 3-way concrete distribution box to allow even distribution across the soakage field. Refer to Attachments 1 and 2 for layout details. Attachment 7 shows a cross-section diagram of the distribution and soakage system, showing construction, materials and dimensions.

Attachment 4 contains a design calculation table detailing the application of the various loading equations as directed by the Code, in respect of the septic tank loadings and soakage field sizing. These loading calculations include allowances for the contribution of the spa baths in accordance with section 5.4 and table 5-2 of the Code.

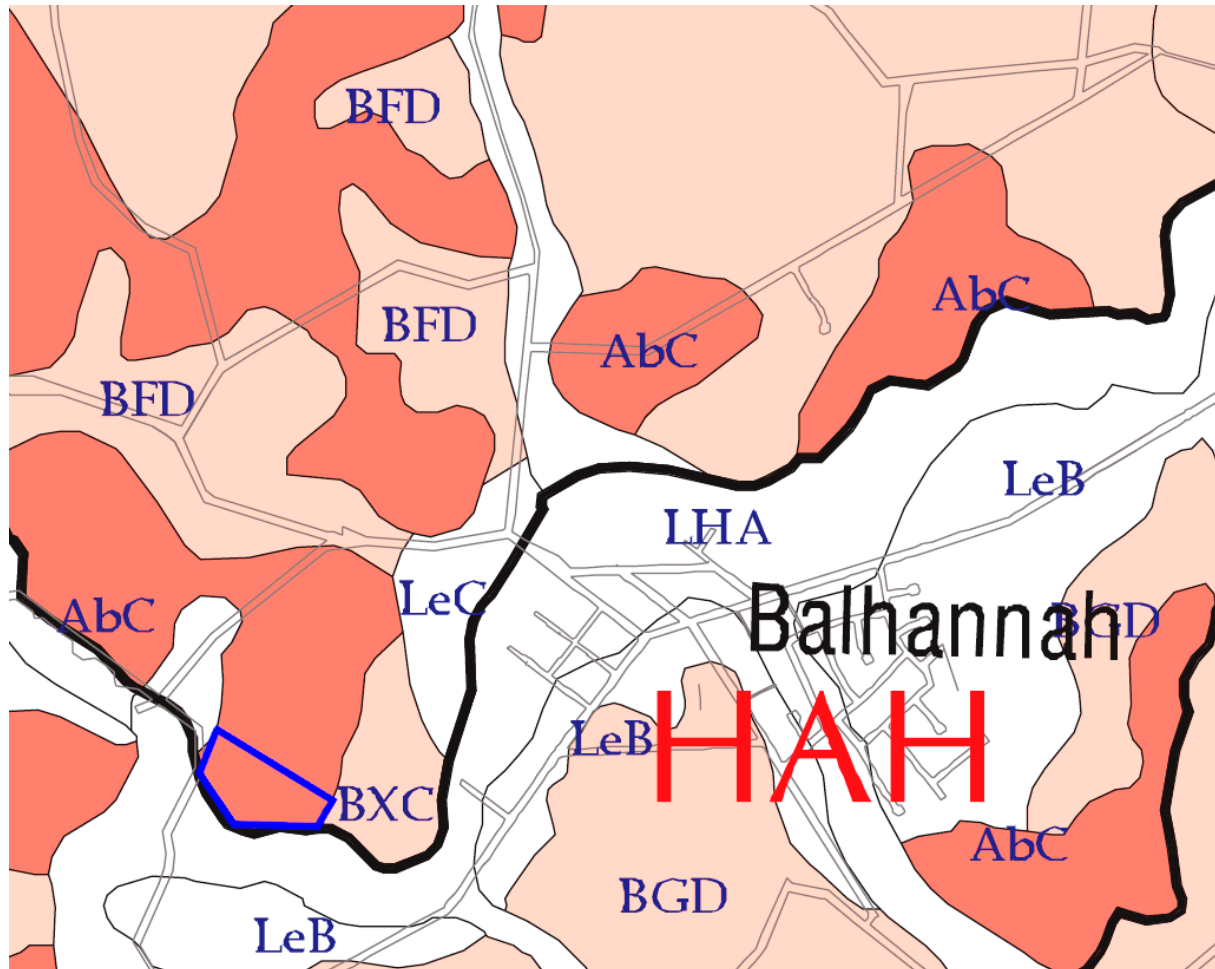
To determine the design requirements for the soakage fields, soil survey and classification data published by the Department of Water, Land and Biodiversity Conservation, Soil and Land Information (2005), was assessed for the relevant characteristics and interpreted for application to the on-site Code, and is discussed further in section 2.

2. LANDFORM & SOILS

The landscape is characterised by undulating to rolling rises and low hills with moderately deep loamy texture contrast soils. The soils of the lower slopes characteristic of the site are mainly loamy, usually with clayey subsoils, moderately well-drained and inherently fertile, although prone to acidification.

Soil and Land Information soils mapping (DWLBC 2005) provides information on the soil and land types of the area. Figure 1 below shows an extract for the Balhannah area including the approximate boundaries of the proposed development site, delineated by the heavy blue line.

Figure 1. Balhannah Villa Site Soil Type



Balhannah is within the Hahndorf land system (HAH), underlain by siltstones, shales and minor calcareous beds of the Balhannah Shale Formation. There has been extensive deposition of eroded and fluvial materials on the lower slopes and valley flats. Most of this material is a combination of fine grained and sandier sediments.

Figure 1 above indicates that the section of the subject site on which the proposed development is to occur, lies within the AbC Soil Landscape Unit, which comprises approximately 11% of the soils described in the Hahndorf land system. This soil unit is generally well suited to perennial horticulture and improved pastures.

Based on site assessment, the predominant soil represented in the western half of the subject site can be described as Sandy Loam to Loam over Brown Clay on deeply weathered fine grained rock. In terms of soil classification in the context of the Code and permeability for soakage field performance, the combination of fine and coarse grained material and the documented well-drained nature of the soils, would indicated a design Effluent Percolation Rate (EPR) of at least 10 L/m²/day (10 mm per day). Attachments 5 and 6 provide information on the generic soil profile description and a summary of physical and chemical properties produced by DWLBC.

3. DETAILS OF PROPOSED SEPTIC SYSTEM

Based on the loading estimates and capacities detailed in table 1, an Ri-Industries or equivalent approved septic tank with a nominal operational capacity of 3,000 L with 60 mm walls is proposed to be installed for each of the two villas. Attachment 8 is a schematic diagram of the proposed septic tank, lid, riser and access openings.

Effluent from each septic tank will be discharged to a soakage field comprising three approximately parallel vented soakage trenches, via a 3-way concrete distribution box. Attachments 1 and 2 show the respective locations and layout of the septic tanks, soakage systems and related infrastructure for the respective villas, and Attachment 9 provides a diagram and dimensions of the 3-way distribution box.

3.1 Septic Tank Pump-out

At the anticipated full design capacity, based on maximum loadings and sludge accumulation rates as specified by the Code, the total annual sludge volume ($P1 \times S$) is calculated at 192 L/year. Thus the specified design pump-out frequency for the proposed septic tank will be four (4) years.

The additional hydraulic loading imposed by the spa baths increases the potential daily flow rate directed to the wastewater treatment system, but is deemed not to increase the sludge/scum or biological loading on the system.

4. INSTALLATION & COMMISSIONING

Licensed plumbing contractors will be required to install the new septic tank and soakage system, and connect it to the sewerage pipework from each premises. Certificates of Compliance (COC's) will be required for all work undertaken in relation to the application, and submitted to local Council, by the licensed plumber within 28 days of completion and commissioning of the works.

5. SITE SUITABILITY

Ample gravity flow fall is available from the building drains to the proposed sites for each of the proposed septic tanks, and from the septic tanks to the respective soakage field system. The modal slope across the width of the soakage field is approximately 10% for the western-most premises, and 14% for the eastern unit. The soakage systems as shown will be located between 15 m and 18 m away from, and downslope of the subject premises.

5.1 Specific Criteria

Table 2 below lists site-specific criteria and indicates the respective status in the context of the Code and application for approval of the proposed works.

Table 2. Site & Works Information

| Specific Criterion | Comment |
|------------------------------------|--|
| Soils | Generally suitable. Profile drainage dictated by subsoil clays. EPR determined at 10.0 L/m ² /day |
| Water Table | Bore on site > 100 m from premises at 68 m depth. Confined SWL greater than 11m depth |
| Land Slope | Between 10% and 14% in relevant sections |
| Land Use | Cattle grazing |
| Available Space | Entire site 12.7 ha – main activities ~ 1.0 ha |
| Trade Waste | Nil |
| Affected Vegetation | Nil – unimproved pasture. No nearby trees |
| Site Modifications | Excavation & preparation as described |
| Surface/Sub-surface Flow Diversion | Rainwater tank overflows diverted away from system |
| Well or Dam in Close Proximity | None identified within 50 m |
| Watercourses* | Onkaparinga River > 50 m from development |
| Earthworks Proposed for Works | Excavation for Septic Tanks & Soakage (≈ 130 m ³) |
| Adjoining Allotments | Mainly cropping |

* Refer Section 5.2 below

5.2 Watershed (Primary Production) Zone

Under the Adelaide Hills Council development plan, Tourist Accommodation is classified as non-complying development unless it can be shown to satisfy certain criteria including a set of Non-complying Exemptions as listed in table AdHi/5 of the development plan. Table 3 below briefly lists the exemption criteria and provides specific information in relation to the proposed development to address each of them.

Table 3. Non-complying Exemptions (AHC DP Table AdHi/5)

| Exemption | Criteria | Proposed Development Status |
|-----------|---|--|
| a | Not located on land subject to flooding as shown in Figure AdHiFPA/10 | Nearest premises located more than 40m from extreme flood hazard zone |
| b | Connected to Code-compliant On-site Wastewater treatment/disposal system | Installation of Code-compliant system(s) as proposed for approval |
| c* | No part of soakage field within 50m of SA Govt-defined watercourse | Closest edge of (western) soakage field is situated 69m from Onkaparinga River |
| d | Disposal area not on land with slope >20%, or bedrock/watertable < 1.2m | Maximum disposal area slope 14%. Both bedrock and watertable > 1.2m |
| e | Septic tank not located on land likely to be inundated by a 1-in-10 flood event | Premises and septic tanks to be located above 1-in-100 year flood hazard zone |
| f | Sited at least 25m from SA Govt-defined watercourse | Closest premises is situated 54m from Onkaparinga River |
| g | Has a secure, potable water supply of at least 125 L/p/day to SA Health Standards | Water supplied from rainwater tanks supplemented by bore water as required |

* Less than 11 guests: Exemption c(i) & (ii) not applicable

Based on the information provided above, the proposed development would be considered exempt from non-complying development status, provided other relevant conditions are satisfied.

6. ATTACHMENTS & PLANS

Attachment 1 – Detailed Site Layout Plan (West Villa) – 1:200 (A3)

Attachment 2 – Detailed Site Layout Plan (East Villa) – 1:200 (A3)

Attachment 3 – Detailed Building Layout & Plumbing Plan 1:100 (A3)

Attachment 4 – System Design Loading Calculation Table

Attachment 5 – DWLBS AbC Soil Profile Description

Attachment 6 – Summary of Soil Physical & Chemical Properties

Attachment 7 – Soakage Field Cross Section diagram

Attachment 8 – 3,000 L Septic Tank diagram

Attachment 9 – 3-way Distribution box diagram

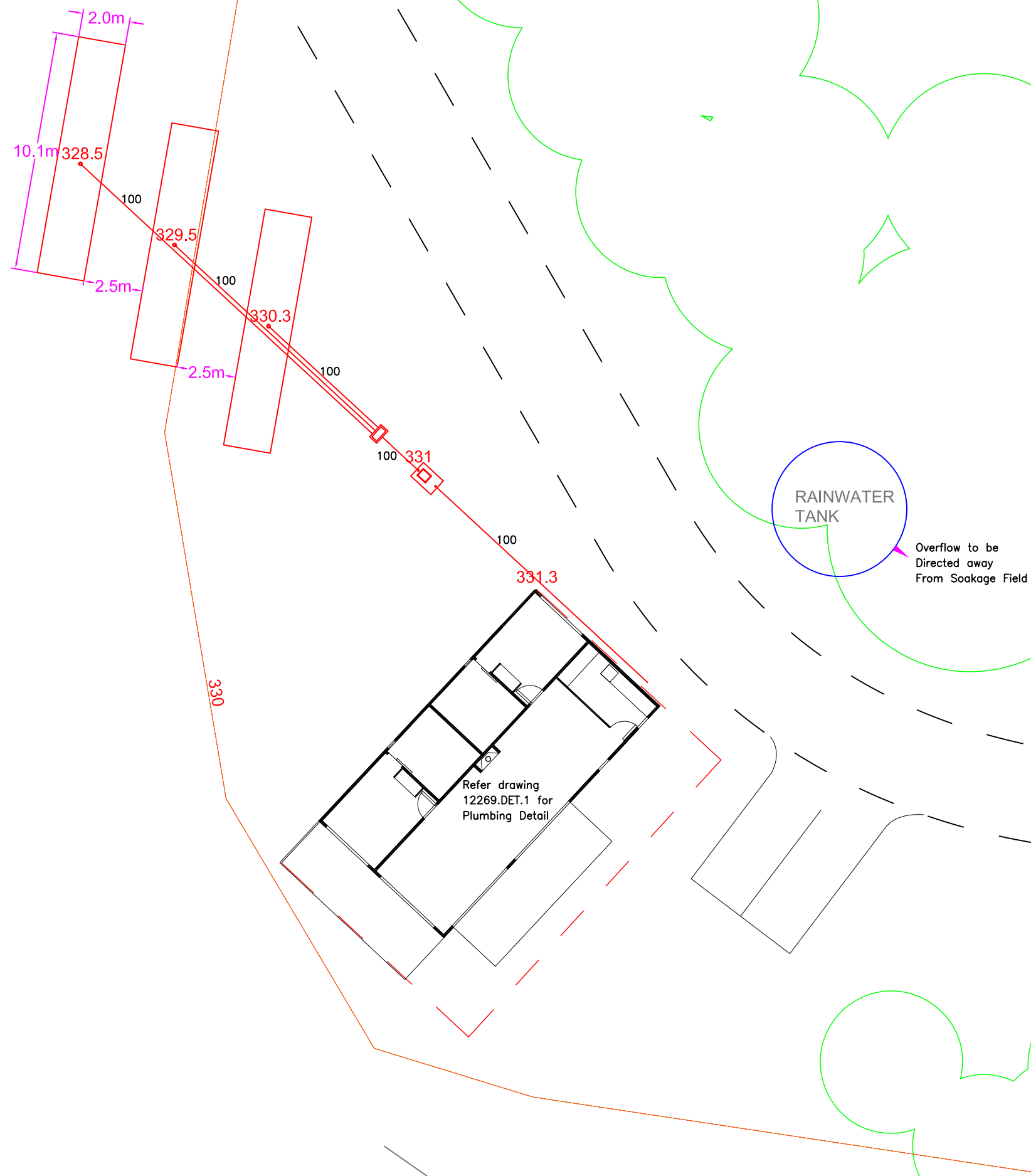
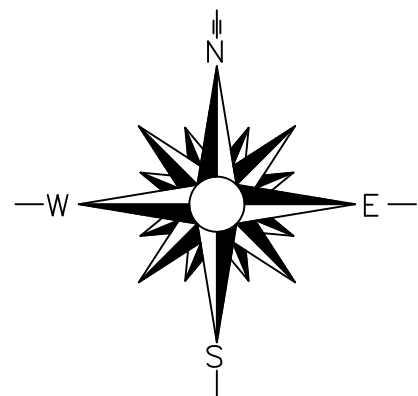
Prepared by:

Phillip Baker B.Sc. M.Eng.

Principal Environmental Engineer

Land Energy Pty Ltd

18 December 2019



ATTACHMENT 1

2019 Land Energy Pty Ltd

NOTES:
Natural Surface Levels from Survey
All Pipework to WSAA Standards
Set-out subject to site confirmation
Scale (m)

0

2

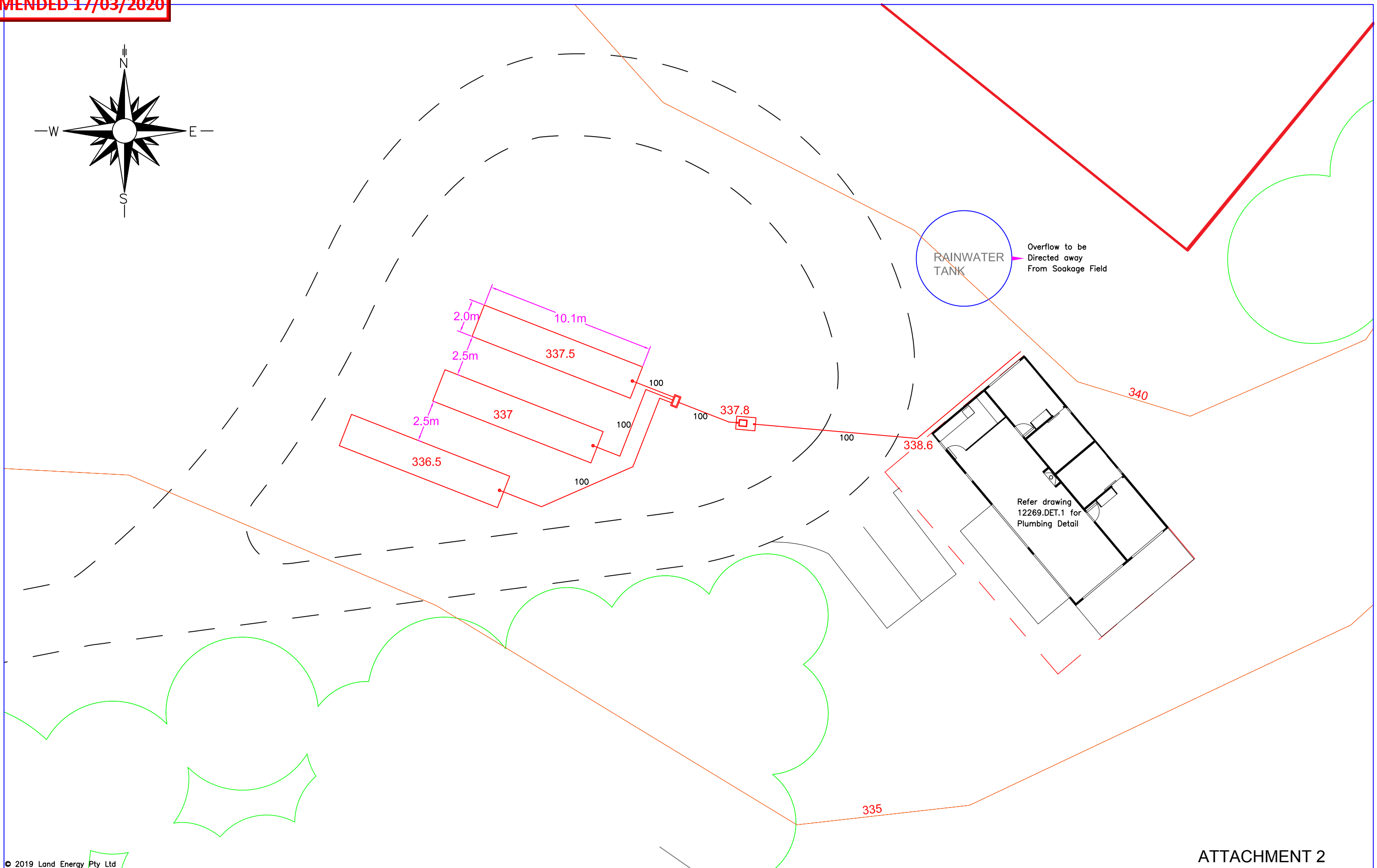
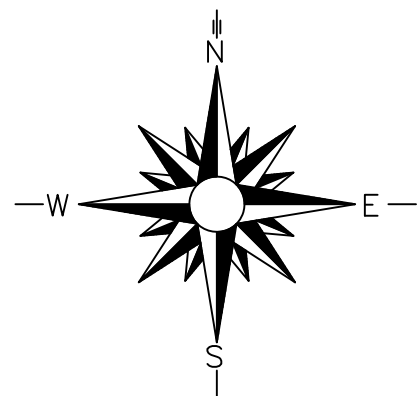
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8

10

| | | | | | | |
|----------|-------------------------------|---------|------------|---------|---|---|
| DRAWING | 12269.LAY.1 | SHEET | 1 of 2 | PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH ON-SITE WASTEWATER TREATMENT SYSTEMS | <div><div>LAND ENERGY</div><div>ENVIRONMENTAL SCIENCE & ENGINEERING</div><div>Post Office Box 651 McLaren Vale SA 5171 Unit 24 Seaberry Walk Aldinga SA 5172 (08) 8558 8787 0418 823 432 landenergy@landenergy.com.au www.landenergy.com.au</div></div> |
| ISSUED | 18 Dec 2019 | SCALE | 1:200 @ A3 | | CLIENT | |
| LEVELS | As shown (AHD) | CHECKED | PAB | TITLE | SYSTEM DESIGN SCHEMATIC LAYOUT & LEVELS WEST VILLA & SURROUNDS | |
| CAD.FILE | Balhannah Villas Baseplan.dwg | | | | | |



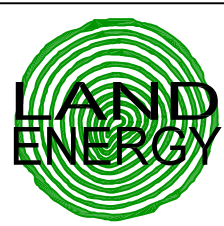
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NOTES:
Natural Surface Levels from Survey
All Pipework to WSAA Standards
Set-out subject to site confirmation

Scale (m)

0 2 4 6 8 10

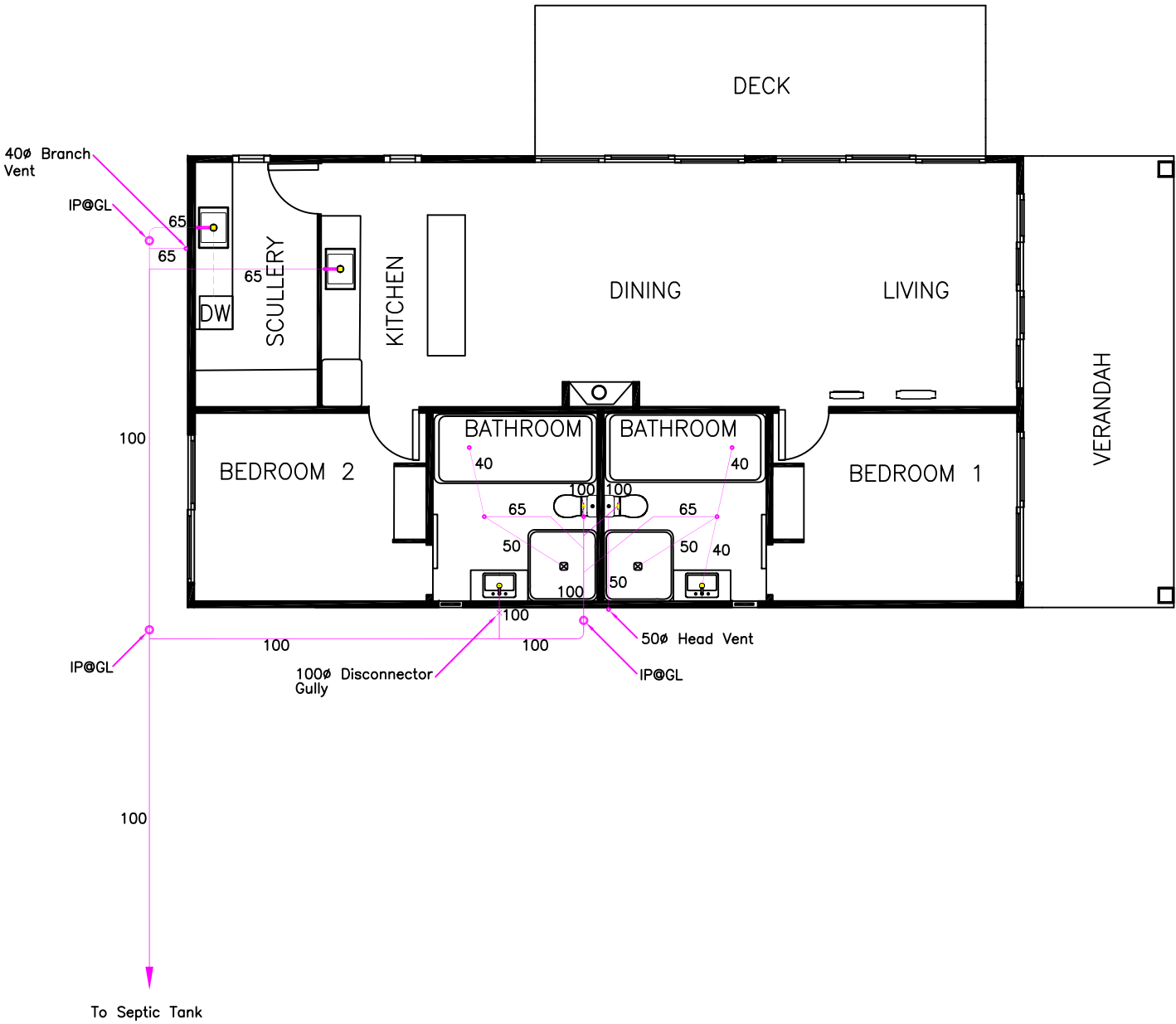
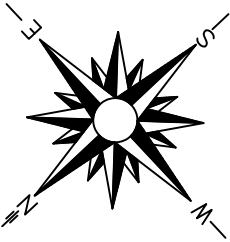
| | | | | | |
|----------|-------------------------------|---------|------------|---------|---|
| DRAWING | 12269.LAY.1 | SHEET | 2 of 2 | PROJECT | TOURIST ACCOMMODATION VILLAS – BALHANNAH ON-SITE WASTEWATER TREATMENT SYSTEMS |
| ISSUED | 18 Dec 2019 | SCALE | 1:200 @ A3 | CLIENT | SUE BASTIAN & BRIAN WEST |
| LEVELS | As shown (AHD) | CHECKED | PAB | TITLE | SYSTEM DESIGN SCHEMATIC LAYOUT & LEVELS EAST VILLA & SURROUNDS |
| CAD.FILE | Balhannah Villas Baseplan.dwg | | | | |



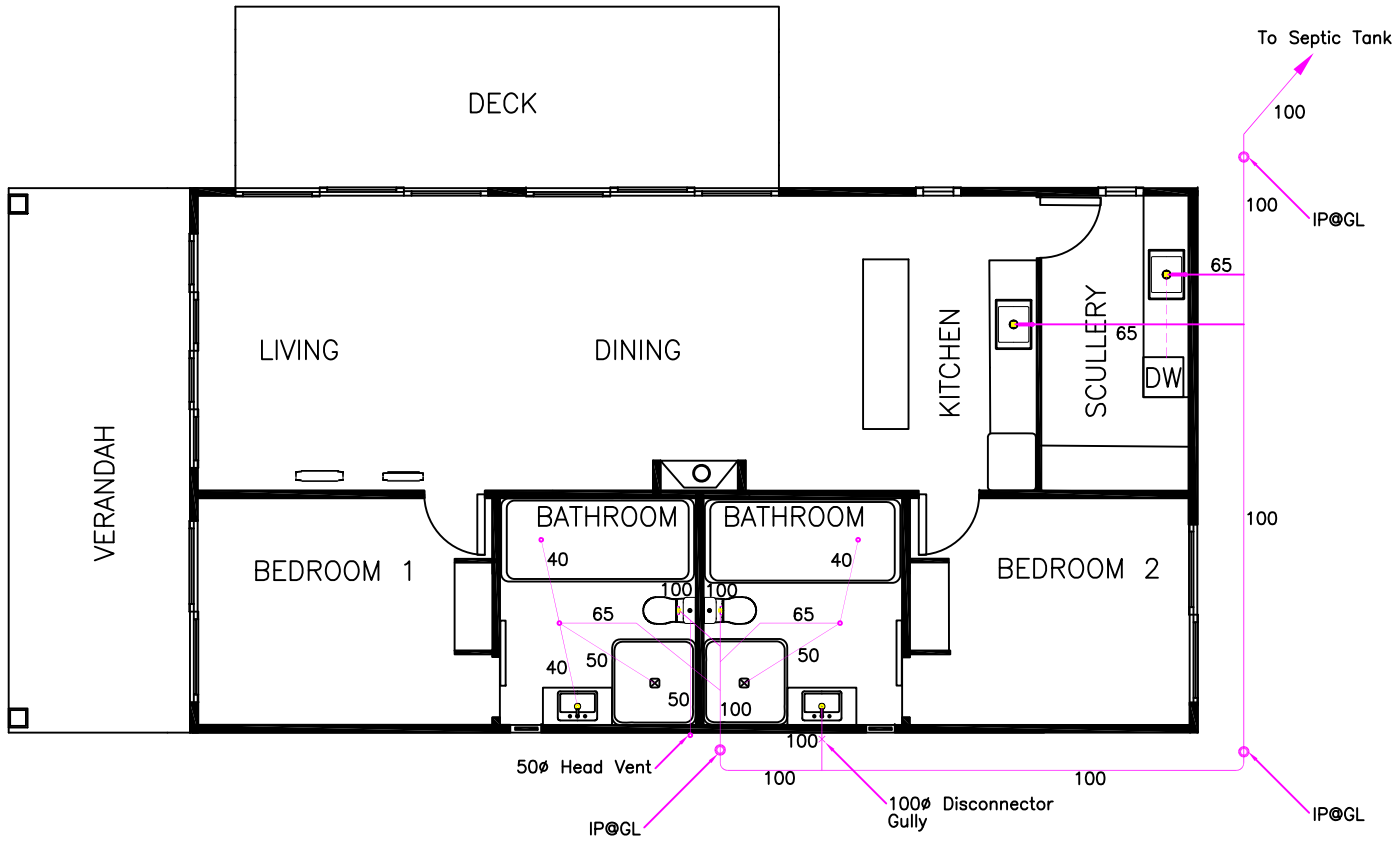
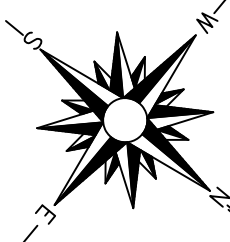
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WEST VILLA



EAST VILLA



ATTACHMENT 3

**Sue Bastian & Brian West
Balhannah Tourist Villas
On-site Wastewater Treatment**

**Premises Assessment Loading Scenarios
Projection for 2020+**

| <i>Primary/Septic Tank - Minimum Effective Capacity</i> Premises Category (Appendix E) | Average # Guests (P1) | Average # Staff (P1) | Sludge/Scum Rate L/p/y (S) | Desludge Freq. Yrs (Y) | Highest # Guests (P2) | Highest # Staff (P2) | Daily Flow Rate L/p/d (DF) | Septic Tank Minimum Effective Capacity L (MEC) | BOD₅ Loading g/p/d | Design Org. Cap. g/day | Sludge/ Scum P1 x S L/year |
|--|--------------------------------------|-------------------------------------|---|---------------------------------------|--------------------------------------|-------------------------------------|---|---|--|---------------------------------------|---|
| Hotels/Motels/Conference Centres (Accommodation) | 4 | 0 | 48 | 4 | 4 | 0 | 100 | 1168 | 40 | 160 | 192 |
| Spa Bath (2 x 250 L per Villa) | 2 | 0 | 0 | 4 | 2 | 0 | 250 | 500 | 0 | 0 | 0 |
| | 0 | 0 | | 4 | 0 | 0 | | 0 | | 0 | 0 |
| | | | | | - | - | | | | | 0 |
| Result | 4 | 0 | | | 4 | 0 | 400.00 | 1,668 | | 160 | 192 |
| Note: Kitchen discharges via Grease Arrestor ! | P1 Total = 4 | | | | P2 Total = 4 | | | | | | |

| | | |
|--|----------------|--|
| Septic Tank Sizing (Equations 1 & 2) | MEC (L) | |
| Hotels/Motels/Conference Centres (Accommodation) | 1168 | |
| Spa Bath (2 x 250 L per Villa) | 500 | |
| 0 | 0 | |
| 0 | 0 | |

| | | |
|--------------------------------|--------------|-------|
| Maximum Daily Flow (P2 x DF) = | 900.0 | L/day |
| Average Daily Flow (P1 x DF) = | 900.0 | L/day |

Total Minimum Effective Capacity **1668** < 3.0 kL => 3,000 L Septic Tank (for each Villa) is OK
Inc. Spa Baths

| | | | | | |
|---|-----------|--------------|--------------|----------------------------|----------------------|
| Soakage Field Sizing (Equation 3) | P2 | DF | HLR | EPR | Cntct Area |
| Infiltration Area Required (m²) | #p | L/p/d | L/day | L/m²/day | m² |
| | 4 | 100.0 | 900 | 10.0 | 90.0 |

| | | | | | | |
|--|-------------|-----------------|----------------------|-------------------|-----------------|--------------------------|
| Linear Soakage Trench Required (m) (3 separate trenches) | Base | Wall Ht. | End Walls (n) | Tot.Length | Trenches | Length per Trench |
| | (m) | (m) | (m ²) | (m) | (#) | (m) |
| | 2.0 | 0.4 | 1.6 | 31.6 | 1 | 31.6 |
| | | | 3.2 | 31.0 | 2 | 15.5 |
| | | | 4.8 | 30.4 | 3 | 10.1 |

Equation 1: (Sludge/Scum)

Minimum Effective Capacity (L) = (P1 x S x Y) + (P2 x DF)

Note: **P1** should include **average** # staff

Equation 2:

Design Organic Capacity (g/d) = P2 x BOD₅

Note: **P2** should include **highest** # staff

Equation 3: Required Area (m²) = P2 x DF/EPR

Max. Daily Flow Rate = P2 x DF

LOAM OVER BROWN CLAY

General Description: *Dark brown loamy surface soil, paler coloured or bleached at base, overlying a brown, yellow and red mottled clay developing in deeply weathered fine grained metamorphic rock*

- Landform:** Slopes of undulating to rolling low hills in the Central and Northern Mt. Lofty Ranges
- Substrate:** Phyllites, metasiltstones and low grade schists of the Saddleworth, Balhannah and Tapley Hill Formations
- Vegetation:** Red gum - blue gum woodland

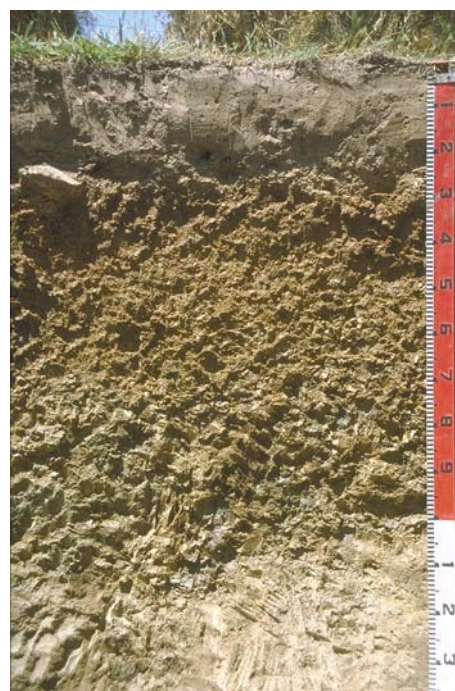


| | | | | |
|-------------------|----------------|----------|------------------|----------------------|
| Type Site: | Site No.: | CH044 | 1:50,000 sheet: | 6628-2 (Onkaparinga) |
| | Hundred: | Talunga | Easting: | 306850 |
| | Section: | 6053 | Northing: | 6140750 |
| | Sampling date: | 14/01/93 | Annual rainfall: | 875 mm |

Lower slope of an undulating low hill, 10% slope. Hard setting surface with no stone. Pasture.

Soil Description:

| Depth (cm) | Description |
|------------|--|
| 0-20 | Dark greyish brown massive loam with 10% quartz gravel. Clear to: |
| 20-30 | Pale brown massive fine sandy loam with 10% quartz, phyllite and ironstone gravel. Clear to: |
| 30-40 | Dark yellowish brown and red mottled heavy clay with coarse prismatic structure, breaking to polyhedral. Clear to: |
| 40-65 | Yellowish brown and dark brown heavy clay with coarse prismatic structure, breaking to polyhedral. Gradual to: |
| 65-110 | Greyish brown and yellowish brown heavy clay with slickensides. Gradual to: |
| 110-150 | Weathering phyllite of the Balhannah Formation. |



Classification: Vertic, Eutrophic, Brown Kurosol; medium, slightly gravelly, loamy / clayey, deep

Summary of Properties

| | |
|--------------------------------|---|
| Drainage | Moderately well drained. The soil may remain wet for a week or so, due to water perching on top of the clay subsoil. |
| Fertility | Inherent fertility is moderately high, as indicated by the exchangeable cation data. The lower figures for the surface layers reflect the lower clay contents and relatively low organic carbon levels. Acidification has reduced the soil's capacity to retain nutrient elements. Phosphorus, potassium and trace element levels are satisfactory, but calcium, magnesium and boron are deficient. Grass tetany in cattle, caused by magnesium - potassium imbalance, is likely. |
| pH | Strongly acidic at the surface, acidic with depth. Dolomitic lime is needed for pH correction. |
| Rooting depth | 110 cm in pit, but there are few roots below 65 cm. |
| Barriers to root growth | |
| Physical: | The firm clay subsoil may present a physical barrier to root extension. |
| Chemical: | Acidity is the only apparent chemical barrier. Acidity reduces nitrogen fixing capacity, induces aluminium toxicity and causes nutrients to be lost by leaching. |
| Water holding capacity | 150 mm in rootzone, but up to a third may be effectively unavailable due to poor root distribution. |
| Seedling emergence | Fair to good. Soil tends to seal over after rain if organic carbon levels fall too far. |
| Workability | Fair to good. Soil will shatter if worked too dry and puddle if worked too wet. |
| Erosion Potential | |
| Water: | Moderate (10% slope). |
| Wind: | Low. |

Laboratory Data

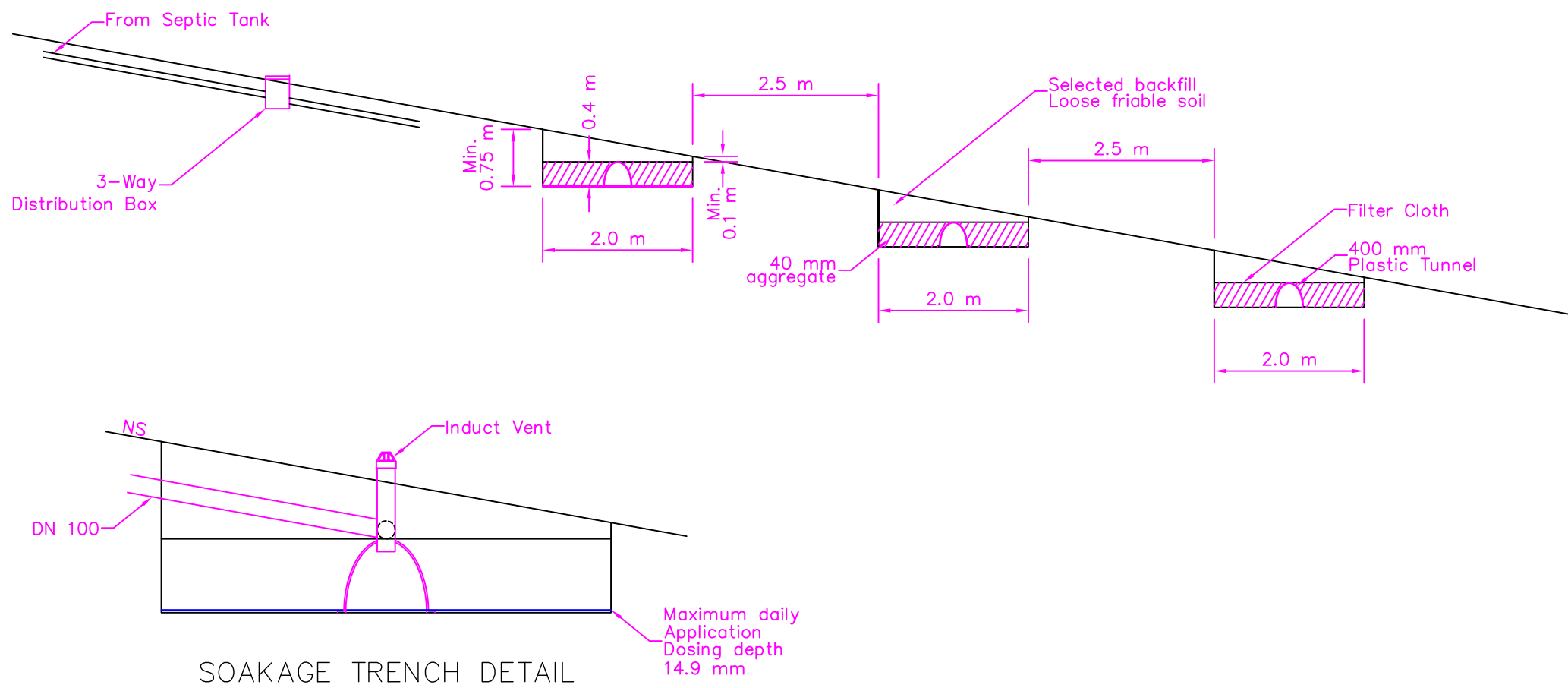
| Depth cm | pH H ₂ O | pH CaCl ₂ | CO ₃ % | EC1:5 dS/m | ECe dS/m | Org.C % | Avail. P mg/kg | Avail. K mg/kg | SO ₄ mg/kg | Boron mg/kg | Trace Elements mg/kg (EDTA) | | | | CEC cmol (+)/kg | Exchangeable Cations cmol(+)/kg | | | | ESP |
|-------------|------------------------|-------------------------|----------------------|---------------|-------------|------------|----------------------|----------------------|--------------------------|----------------|--------------------------------|-----|-----|------|-----------------------|------------------------------------|------|------|------|-----|
| | | | | | | | | | | | Cu | Fe | Mn | Zn | | Ca | Mg | Na | K | |
| Paddock | 4.6 | 4.3 | 0 | 0.13 | 0.72 | 2.2 | 34 | 340 | - | 0.4 | 2.90 | 460 | 100 | 6.22 | 6.8 | 3.54 | 0.90 | 0.10 | 0.64 | 1.5 |
| | | | | | | | | | | | | | | | | | | | | |
| 0-20 | 4.8 | 4.2 | 0 | 0.07 | 0.31 | 1.5 | 26 | 360 | - | 0.5 | - | - | - | - | 5.8 | 2.08 | 0.66 | 0.13 | 0.73 | 2.2 |
| 20-30 | 4.9 | 4.2 | 0 | 0.03 | 0.11 | 0.21 | 6 | 240 | - | 0.3 | - | - | - | - | 6.2 | 3.66 | 1.90 | 0.16 | 0.32 | 2.6 |
| 30-40 | 5.0 | 4.5 | 0 | 0.07 | 0.12 | 0.50 | 3 | 350 | - | 1.3 | - | - | - | - | 25.0 | 12.4 | 13.2 | 0.27 | 0.90 | 1.1 |
| 40-65 | 5.3 | 4.9 | 0 | 0.09 | 0.12 | 0.35 | 3 | 480 | - | 1.3 | - | - | - | - | 28.4 | 14.6 | 25.5 | 0.28 | 1.12 | 1.0 |
| 65-110 | 6.2 | 5.7 | 0 | 0.08 | 0.14 | 0.21 | 3 | 590 | - | 0.6 | - | - | - | - | 26.1 | 11.1 | 25.5 | 0.31 | 1.04 | 1.2 |

Note: Paddock sample bulked from 20 cores (0-10 cm) taken around the pit.

CEC (cation exchange capacity) is a measure of the soil's capacity to store and release major nutrient elements.

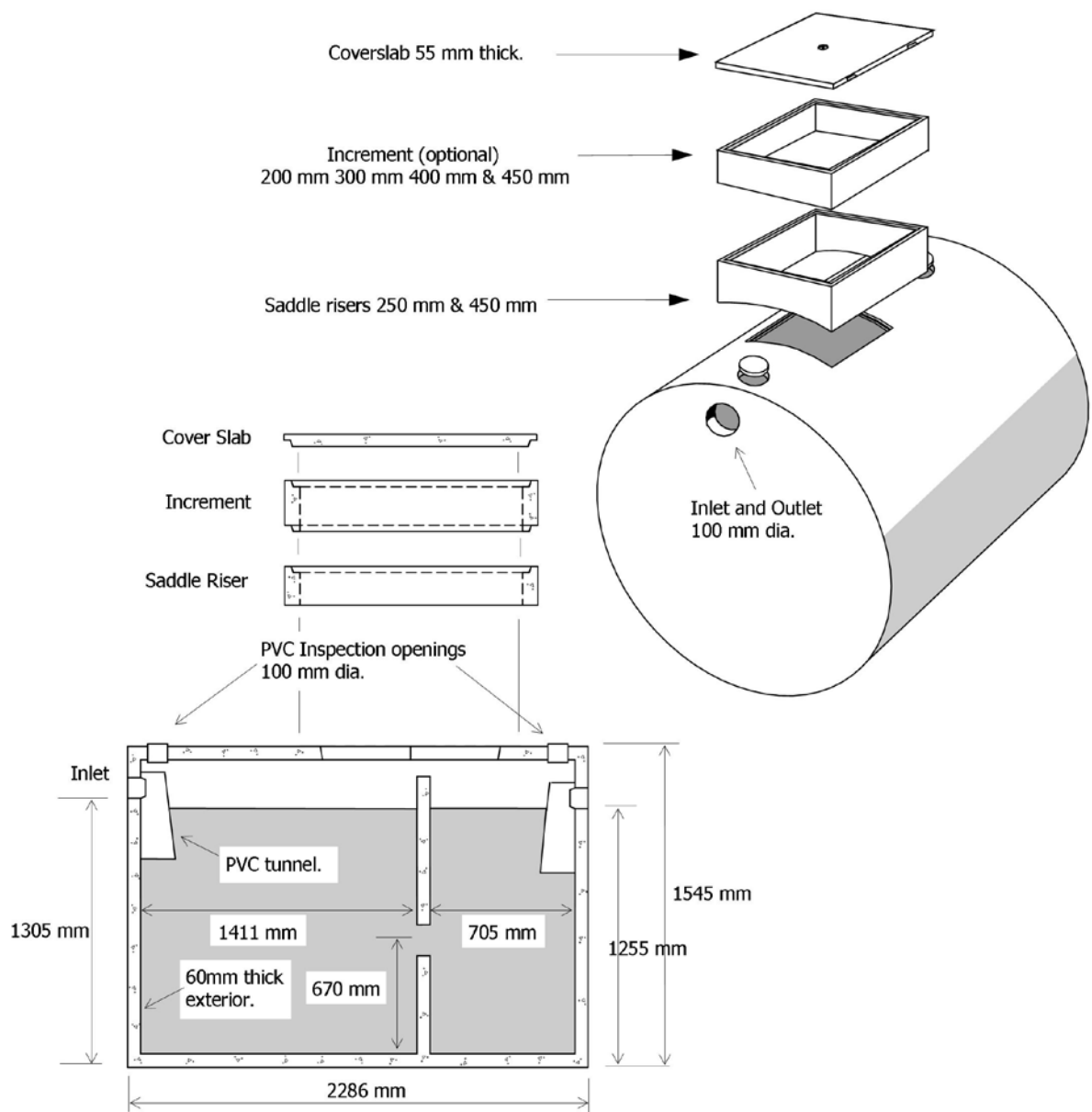
ESP (exchangeable sodium percentage) is derived by dividing the exchangeable sodium value by the CEC.

DISTRIBUTION BOX & SOAKAGE TRENCH SECTION (TYPICAL)



Septic tank • 3,000 litre, 60mm wall

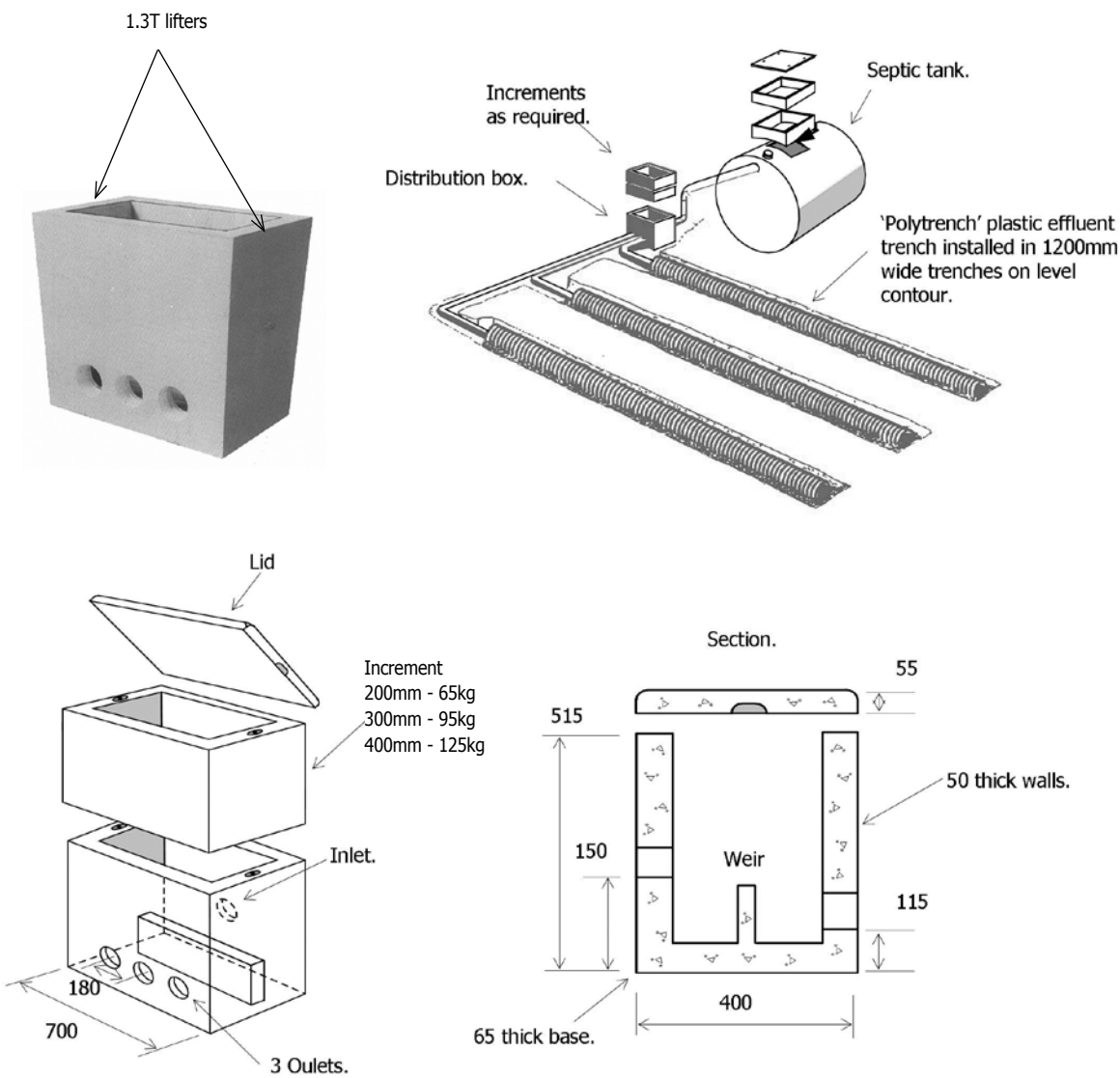
| Item | Approx Mass |
|-------------------------------------|-------------|
| 3,000 litre septic tank (60mm wall) | 2,300kg |



Distribution box

- Precast reinforced concrete box fitted with 100mm diam PVC inlet and outlet collars
- Box and increments fitted with 'Swiftlift' anchors for lifting
- Approved by the SA Health Commission

| Item | Approx Mass |
|---------------------------|-------------|
| Distribution box with lid | 150kg |
| Lid only | 35kg |



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