

**ADELAIDE HILLS COUNCIL
MINUTES OF SPECIAL COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 22 SEPTEMBER 2021
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

David Brown

Paul Mickan

John Kemp

In Attendance

Deryn Atkinson
Vanessa Nixon
Sarah Davenport
Karen Savage

Assessment Manager
Team Leader Statutory Planning
Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 7.04pm

2. Opening Statement

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

3. Apologies/Leave of Absence

3.1 Apologies
Nil

3.2 Leave of Absence
Nil

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4. Previous Minutes

4.1 Meeting held 8 September 2021

The minutes were adopted by consensus of all members (48)

That the minutes of the meeting held on 8 September 2021 be confirmed as an accurate record of the proceedings of that meeting.

5. Presiding Member's Report

Nil

6. Declaration of Interest by Members of Panel

Paul Mickan advised that, in relation to Item 8.1, he is connected with the applicant's representative, Emma Barnes (Planning Studio), through social media and previously worked alongside her eight years ago with a former employer. There have been no discussions about this application, nor any other application, and he does not believe there to be a conflict of interest. He will remain in the room and vote on the matter.

Geoff Parsons declared a perceived interest in relation to Item 8.1. The organisation he works for has a contract with the applicant's representative, Planning Studio, to provide development assessment services. The relationship is a professional one only and it will not impair his ability to remain impartial in consideration of the item, and he will therefore remain in the room and vote on the matter.

David Brown confirmed that, in relation to Item 8.1, David Brown from BB Architects is no relation to him.

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table
Nil

7.2 Matters Deferred
Nil

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8. Development Assessment Applications – Development Act

8.1 Development Application 21/355/473 by Woodside Heritage Village Pty Ltd for construction of new light industry building to include a distillery and tasting room, retaining walls (maximum height 4.6m), associated earthworks, landscaping & water storage tanks at 1/20 Henry Street, Woodside

8.1.1 Representations

There were two representations received for the proposal, and the following representor was heard:

| Name of Representor | Address of Representor | Nominated Speaker |
|----------------------------|-------------------------------|----------------------------------------------|
| Stuart Armour | 46 Naughtons Road Woodside | Hugh Steele Mead Robson Steele Lawyers |

The applicants' representatives, Emma Barnes (Planning Studio) and David Brown (BB Architects), addressed the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (49)

**The Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent to Development Application 21/355/473 by Woodside Heritage Village Pty Ltd for construction of new light industry building to include a distillery & tasting room, retaining walls (maximum height 4.6m), associated earthworks, landscaping & water storage tanks at 1/20 Henry Street Woodside subject to the following conditions:
ADELAIDE HILLS COUNCIL CONDITIONS OF DEVELOPMENT PLAN CONSENT**

(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:

- Location Plan, prepared by BB Architects, received by Council 18 February 2021, drawing no DPC-00C
- Site Plan Existing, prepared by BB Architects, received by Council 18 February 2021, drawing no DPC-01

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- Site Plan Proposed, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-02C
- Floor Plan Level 1, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-03C
- Floor Plan Level 0 , prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-04C
- Elevations 1, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-05B
- Elevations 2, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-06B
- Sections , prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-07B
- Renders, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-08B
- Area Plan Levels 1 and 2, prepared by BB Architects, received by Council 20 August 2021, drawing no DPC-09C

(2) Colours and Materials

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

WALLS: Recycled Red Brick
 Revolution Roofing – Hotham or similar
 Revolution Roofing – Stealth or similar
ROOF: Revolution Roofing – Stealth or similar

(3) Stormwater Management

All surface water from car parking areas and roof areas must be managed in accordance with the Stormwater Management Plan and associated calculations, prepared by PT Design Pty Ltd, Revision E, received by Council 30 August 2021.

(4) Prior to Building Consent- Requirement For Stormwater Calculations

Prior to Building Consent being granted all hydrological and hydraulic stormwater calculations shall be provided together with the final drainage plan. Pre development calculations must allow for a 1:5 year event at 5 minutes, post development calculations must consider a 1:100 year event at 5 minutes with post development flows kept to pre development rates.

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- (5) **Prior to Development Approval - Requirement For Final Car Parking Plan**
Prior to Development Approval being granted a final car parking plan shall be provided with reconsideration of the car parking arrangement at the site frontage to ensure on-site manoeuvring, and set-back of the car parks to the southern boundary to permit landscaping, to the reasonable satisfaction of Council.
- (6) **Landscaping**
Landscaping 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.
- (7) **Prior to Development Approval Being Granted - Requirement For Landscaping Plan**
Prior to Development Approval being granted a detailed landscaping plan shall be provided to Council's satisfaction including the proposed planting for the arbours, the eastern and southern boundaries, and the Henry Street frontage. The landscaping detailed in the plan shall include trees selected from Table AdHi/6 of the Adelaide Hills Council Development Plan.
- (8) **Landscaping Protection In Carparks**
All landscaped areas and structures adjacent to driveways and parking areas shall be separated by a wheel stop device prior to the occupation of the development. Such devices shall not impede the free movement of people with disabilities.
- (9) **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 bitumen or brick paved prior to occupation and maintained in good condition at all times to the reasonable satisfaction of the Council.
- (10) **Signage**
A separate development application is required for additional signs or advertisements (including flags and bunting) associated with the development herein approved.

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(11) Hours of Operation

The operating hours of the distillery and opening hours of the tasting room shall be:

Monday – Sunday 8:00am – 6:00pm

(12) Patron Capacity

At any one time, the overall capacity of the licensed area shall be limited to a maximum of 50 persons.

(13) Removal Of Putrescible Waste

All putrescible waste including food, leaves, papers, cartons, boxes and scrap material of any kind shall be stored in a closed container having a close fitting lid. The container shall be stored in a screened area so that it is not visible from Henry Street or adjacent properties.

(14) Regular Removal Of Putrescible Waste From The Site

All waste shall be removed from the subject land at least once weekly. Collection of waste shall be carried out only between the hours of 8:00am – 6:00pm Monday to Saturday.

(15) Prior to Full Development Approval – Requirement for Soil Erosion And Drainage Management Plan (SEDMP)

Prior to full Development Approval 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.

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(16) Prior to Full Development Approval – Requirement for Construction Management Plan (CMP)

Prior to full Development Approval being granted the applicant shall prepare and submit to Council a Construction Management Plan (CMP) for the site for Council's approval. The CMP must include a site plan detailing where machinery and materials are to be stored throughout the construction process, including any fill and the location of any fencing.

(17) Commercial Lighting

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

STATE HERITAGE CONDITIONS

(18) Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.

(19) In accordance with the Heritage Places Act 1993:

- a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
- b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

(20) In accordance with the Aboriginal Heritage Act 1988:

- a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the Aboriginal Heritage Act 1988.

Any enquiries in relation to this application should be directed to Michael Queale on telephone (08) 8207 7711 or e-mail michael.queale@sa.gov.au

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ADELAIDE HILLS COUNCIL ADVISORY NOTES

(1) Development Plan Consent Expiry

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

Building Consent must be applied for prior to the expiry of the DPC and lodged through the PlanSA portal unless a private certifier was engaged prior to 19 March 2021.

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

(2) Erosion Control During Construction

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

(3) EPA Environmental Duty

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

(4) Compliance with Food Act SA 2001

This approval under the Planning, Development and Infrastructure Act 2016 does not in any way imply compliance with the Food Act SA 2001 and/or Food Safety Standards. It is the responsibility of the owner of other person operating the food business from the building to ensure compliance with the relevant legislation before opening the food business on the site.

(5) Works On Boundary

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

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9. **Development Assessment Applications – Planning, Development and Infrastructure Act**
Nil
10. **Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
11. **ERD Court Appeals**
The Assessment Manager provided the Panel with an update on current ERD Court Appeals.
12. **Policy Issues for Advice to Council**
Nil
13. **Other Business**
Nil
14. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
15. **Confidential Item**
Nil
16. **Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 13 October 2021.
17. **Close meeting**
The meeting closed at 8.12pm.