

**ADELAIDE HILLS COUNCIL  
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING  
WEDNESDAY 14 DECEMBER 2022  
63 MOUNT BARKER ROAD, STIRLING  
AND  
ZOOM VIRTUAL MEETING ROOM**

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**In Attendance**

**Presiding Member**

Geoff Parsons

**Members**

Ross Bateup  
Paul Mickan  
Myles Somers  
Leith Mudge

**In Attendance**

Natalie Armstrong	Director Development & Regulatory Services
Deryn Atkinson	Assessment Manager
James Booker	Team Leader Statutory Planning
Doug Samardzija	Senior Statutory Planner
Marie Molinaro	Statutory Planner
Sebastien Paraskevopoulos	Statutory Planner
Darren Smith	Statutory Planner
Alisa Styles	Duty Planner (Observer)
Tim Mason	Statutory Planning Cadet (Observer)
Karen Savage	Minute Secretary

**1. Commencement**

The meeting commenced at 6.30pm and the Presiding Member welcomed Cr Leith Mudge and congratulated him on his appointment to the Council Assessment Panel.

**2. Opening Statement**

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

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**3. Apologies/Leave of Absence**

3.1 Apologies  
Nil

3.2 Leave of Absence  
Nil

**4. Previous Minutes**

4.1 Meeting held 9 November 2022

**The minutes were adopted by consensus of all members**

**(45)**

**That the minutes of the meeting held on 9 November 2022 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 8.2, he is connected with the owner of the applicant's Planning Consultancy, Elinor Walker, via social media. He has not connected with Elinor in recent times and has not discussed this application, nor any other application, with her. Accordingly, he does not believe he has a conflict of interest in this matter and will remain in the meeting for that item.

**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 – Planning, Development and Infrastructure Act**

**8.1 Development Application 21030135 by Beyond Ink for change of use from farm building to private depot for the parking and storage of vehicles and associated equipment at 10B Drummond Road, Woodside**

**8.1.1 Representations**

<b>Name of Representor</b>	<b>Address of Representor</b>	<b>Nominated Speaker</b>
Greg Vincent on behalf of Edwina Harrison & M J Penny	353 Nairne Road Woodside	Charlie Dubois MasterPlan
DeeAnne Hunt	9 Grasby Road, Balhannah	Did Not Attend

The applicant's representative, Sonia Gallarello (Beyond Ink) addressed the Panel via Zoom, and Luke Beltrame (Landowner) addressed the Panel in person.

**8.1.2 Decision of Panel**

**The following was adopted by consensus of all members (46)**

**The Council Assessment Panel resolved that:**

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and**
- 2) Development Application Number 21030135 by Beyond Ink for change of use from farm building to private depot for the parking and storage of vehicles and associated equipment at 10B Drummond Road, Woodside is granted Planning Consent subject to the following conditions:**

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**CONDITIONS**

**Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) A maximum of three (3) trucks and trailers and four (4) heavy vehicles associated with the approved use shall be kept on site at any one time.
- 3) All equipment, machinery and employee vehicle parking associated with the depot shall only be stored and parked in the building and the nominated hardstand area on the site plan prepared by Beyond Ink, drawing number PA02 revision C. All materials stored within the hardstand area shall be stored in a tidy manner to the reasonable satisfaction of Council
- 4) No substantial mechanical or vehicle maintenance, vehicle servicing or washing of machinery and equipment associated with the approved use shall occur on site.
- 5) No bulk storage of chemicals, oils or lubricants associated with the approved use is to occur on-site, other than the existing 20,000L fuel storage.
- 6) Operating days and hours of the depot shall be Monday to Friday 6:30am to 5:30pm. Movement of trucks and heavy vehicles associated with the approved use shall be limited to these hours of operation. Trucks and heavy vehicles must not be started earlier than 6:30am.
- 7) Access to the property shall be constructed in accordance with the following requirements and maintained at all times to the reasonable satisfaction of Council:
  - Bitumen seal shall be laid for a distance of 10 metres from the Drummond Rd carriageway edge to inside the property boundary. Construction shall include 100mm of compacted rubble base and 40mm AC10 bitumen.
  - Maximum access width of 6 metres.
  - Driveway to be constructed in accordance with Council Standard Detail drawing for Piped Entrance for rural verge crossover (refer attachment).
  - No root disturbance or other damage to trees on council verge shall be undertaken during the construction of the driveway.

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- 8) All vehicle movements associated with the depot use are to only occur through the new access point shown on the approved site plan prepared by Beyond Ink, drawing number PA02 revision C. Vehicles using the new access point are to be limited to left turn exit only and right turn entry only.
- 9) A sign shall be installed on the property within 3 months of commencement of work directing the vehicle movements through the new access point.
- 10) All external lighting associated with the depot use shall be restricted to that necessity for security purposes only and shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of nearby residential properties.
- 11) All stormwater infrastructure including gross pollutant trap shall be installed within 3 months of Development Approval being granted. All roof run-off 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.

#### ADVISORY NOTES

##### General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

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- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

8.2 Development Application 22028489 by ESD Planning and Design for partial change of land use to include three (3) Tourist Accommodation units, decks (maximum height 1 metre) and associated shelter structures at 47 Woolshed Road, Mount Torrens

8.2.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Dee Reece	86 Woolshed Road Mount Torrens	Did Not Attend
Margot Scott	119 Woolshed Road Mount Torrens	Did Not Attend
David & Kendall Broughton	101 Woolshed Road Mount Torrens	Kendall Broughton via Zoom

The applicant's representative, Elinor Walker (ESD Planning and Design), addressed the Panel.

8.2.2 Decision of Panel

**The following was adopted by consensus of all members (47)**

**The Council Assessment Panel resolved that:**

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and

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- 2) Development Application Number 22028489 by ESD Planning and Design for partial change of land use to include three (3) Tourist Accommodation units, decks (maximum height 1 metre) and associated shelter structures at 47 Woolshed Road, Mount Torrens is granted Planning Consent subject to the following conditions:

**CONDITIONS**

**Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) All external light shall be directed away from residential development and shielded if necessary to prevent light spill causing nuisance to the occupiers of adjacent residential properties.
- 3) The person(s) having the benefit of this consent shall refrain from permitting the use of the tourist accommodation buildings for provision of long-term accommodation or as separate dwellings. The tourist accommodation units shall be used and operated on a short-term rental arrangement with a maximum of a one (1) month stay per occupancy. A logbook shall be kept of all occupancies for each calendar year and made available for inspection by the Council upon request.
- 4) 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 shall be managed on site with no stormwater to trespass onto adjoining properties.

- 5) 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:

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[www.environment.sa.gov.au/Conservation/Native\\_Vegetation/Managing\\_native\\_vegetation](http://www.environment.sa.gov.au/Conservation/Native_Vegetation/Managing_native_vegetation)

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

- 6) The tourist accommodation herein approved will accommodate a maximum of six (6) guests at any one time.
- 7) The tourist accommodation and shelter structures shall be constructed using external materials of a dark green or dark beige colour.
- 8) Prior to Building Consent being granted, a detailed landscaping plan prepared by a suitably qualified professional, shall be prepared to the satisfaction of Council's Assessment Manager. Any such vegetation shall be replaced if and when it dies or becomes seriously diseased in the next planting season.

Conditions imposed by the Environment Protection Authority under Section 122 of the Act

- 1) The on-site wastewater system must be installed in accordance with that proposed in the Wastewater Engineer's Report titled "Aerobic with Surface Sprays for Proposed Accommodation Area Report 1979 47 Woolshed Rd Mt Torrens", prepared by Archer Environmental, dated 12 July 2022, and must include:
  - a) the installation of a FujiClean ACE1200 system;
  - b) the construction of a 240m<sup>2</sup> irrigation area, to be located more than 50m from the nearest watercourse, dam or bore, more than 1.2m from the seasonal groundwater table, on a slope less than 20% and not in the 10% AEP flood zone;
  - c) vegetating the irrigation area with plants from the SA Health On-Site Wastewater Systems Code (2013) which is terraced or raised to reduce the slope and the potential for run-off; and
  - d) bunding to direct surface runoff away from the irrigation area and creating a bund downhill to prevent any runoff, from over-irrigation, moving off site.



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**ADVISORY NOTES**

**General Notes**

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

- 8.3 Development Application 22012578 by Brianni Constructions for reconfiguration of car parking to be completed over 4 stages including new ramp & stair access to the place of worship building, construction of masonry statue (maximum height 8.4m), 1 x freestanding advertisement (maximum height 5.9m) (retrospective), outbuildings x 3, 1 x 45,000L water storage tank and removal of 1 x significant tree – *Eucalyptus robusta* (Swamp Mahogany) at 8 James Street, Crafers

8.3.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
John Dempsey	6 James Street, Crafers	Michael Caruso
Tim Smith	6 Shurdington Road, Crafers	Tim Smith

The applicant's representative, Marcus Rolfe (URPS), addressed the Panel.

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8.3.2 Decision of Panel

The following was adopted by consensus of all members (48)

The Council Assessment Panel resolved that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 22012578 by Brianni Constructions for reconfiguration of car parking to be completed over 4 stages including new ramp & stair access to the place of worship building, construction of masonry statue (maximum height 8.4m), 1 x freestanding advertisement (maximum height 5.9m) (retrospective), outbuildings x 3, 1 x 45,000L water storage tank and removal of 1 x significant tree – *Eucalyptus robusta* (Swamp Mahogany) at 8 James Street, Crafers is granted Planning Consent subject to the following conditions:

**CONDITIONS**

**Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) All external lighting shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties. Lighting around the masonry statue shall be turned off between 10pm and 8am the following day.
- 3) The sign shall at all times be kept in good repair and condition. Torn or damaged flags shall be replaced as soon as practicable. The sign shall not be illuminated.
- 4) All car parking spaces, driveways and manoeuvring areas shall be constructed and line-marked in accordance with the approved site plans. 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 sealed bitumen within six (6) months of Development Approval and thereafter be maintained in good condition at all times to the reasonable

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satisfaction of Council. No special events shall be held during the construction period for completion of all four stages of the car park.

- 5) Stormwater management shall be undertaken in accordance with the approved stormwater management plan drawing JAM3833-2 C01 Rev 2 30/9/22 prepared by Dean Iuliano and Company.

All roof stormwater infrastructure shall be installed to the satisfaction of Council within one month of the roof cladding being installed, and pavement stormwater shall be connected to gross pollutant trap prior to the completion of the stage 2 works to the reasonable satisfaction of Council.

- 6) Two replacement trees as shown on the Landscaping Plan Sheet 7B of 7B Revision B prepared by Brianni Constructions and dated 05/09/22 must be planted within 12 months of completion of the development. Replacement trees cannot be within a species specified under regulation 3F(4)(b) of the *Planning, Development and Infrastructure (General) Regulations 2017*, and cannot be planted within 10 metres of an existing dwelling or inground swimming pool.
- 7) Payment of an amount calculated in accordance with the *Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019* be made into the Adelaide Hills Council Urban Tree Fund in lieu of planting 1 replacement tree. Payment must be made prior to the removal of the significant tree on the land.

#### ADVISORY NOTES

##### General Notes

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.



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- 2) Development Application Number 21027228 by Michael Velonakis for partial change of use of existing dwelling to include tourist accommodation and construction of building for tourist accommodation and studio workshop at 31 Crescent Drive, Norton Summit is granted Planning Consent subject to the following conditions:

**CONDITIONS**

**Planning Consent**

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) The external finishes to the building herein approved shall be as follows:  
**WALLS:** Timber weatherboard cladding in Solver 'Doeskin' and 'heritage' galvanised iron walls  
**ROOF:** Colorbond 'Ironstone' or similar
- 3) The person(s) having the benefit of this consent shall refrain from permitting the use of the buildings (or any part thereof) for the provision of long-term accommodation or as a separate dwelling. The tourist accommodation elements shall be used and operated on a short-term rental arrangement with a maximum of a one (1) week stay per occupancy.  
  
A logbook shall be kept of all occupancies for each calendar year and made available for inspection by the Council upon request.
- 4) At any one time, the overall number of guests for tourist accommodation shall be limited to a maximum of eight (8) people.
- 5) All car parking spaces, driveways and manoeuvring areas shall be designed, constructed, drained 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 commencement of the approved use and maintained in good condition at all times to the reasonable satisfaction of the Council.
- 6) The workshop studio within the proposed building shall not be used for human habitation, commercial or industrial purposes. Any such activity may constitute a change in use and will require separate development approval.

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- 7) All external lighting shall be directed away from residential development and shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.
- 8) 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

All roof run-off generated by the development hereby approved shall be directed within one month of the roof cladding being installed to the existing stormwater management system on-site to the satisfaction of Council. Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area. Stormwater shall be managed on site with no stormwater to trespass onto adjoining properties.

**CONDITIONS IMPOSED BY THE SOUTH AUSTRALIA CONTRY FIRE SERVICE AS PER SECTION 122 OF THE PDI ACT**

**9) SITING**

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 2.1, 4.2, 4.3) details the mandatory requirements for buildings and structures to be located away from areas that pose an unacceptable bushfire risk in order to provide sufficient defensible space for occupants and fire fighters; ensure radiant heat levels at the buildings are minimised in line with the assessed bushfire attack level & construction level; whilst maintaining reduced fuel loads and ensuring it can be maintained in perpetuity by the occupants.

Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to relevant building standards for associated structures in Bushfire Prone Areas.

**10) ACCESS TO HABITABLE BUILDING**

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective use, operation and evacuation for firefighting and emergency personnel and evacuation of residents, occupants and visitors where required. These requirements apply

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when the furthest point of the building is more than 60m from the nearest public road.

SA CFS has no objection to utilising the driveway and the public road for a 'T' shaped turnaround with the following conditions:

- The driveway shall be connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8).
- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
- The gradient of the access road shall not exceed 16 degrees (1-in-3.5) at any point along the driveway. In steep terrain exceeding 10 degrees (1-in-5.5) the surface should be sealed.
- The all-weather road is to be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water run-off to appropriate drains, at one or both sides of the traffic surface. The accumulated volumes of water shall be directed via:
  - a) open drains; or
  - b) culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.

**11) WATER SUPPLY & ACCESS (to dedicated water supply)**

Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016, 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 MBS008.

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

SA CFS has no objection to the location of the existing dedicated water supply as detailed on drawing named PROPOSED SITE PLAN dated at last revision

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02/04/2022, providing the outlet is positioned remotely 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 the water supply for a nominally level 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's inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:
  - a) The dedicated water supply outlet for draughting purposes shall not exceed 5 metres maximum vertical lift (calculated on the height of the hardstand surface to the lowest point of the storage) and no greater than 6 metres horizontal distance.
  - b) The suction outlet pipework from the water supply shall be fitted with an inline non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.
- The minimum water supply required may be combined with domestic use, providing the outlet for domestic use is located above the dedicated fire water supply (in order for it to remain as a dedicated supply).



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**12) MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT**

**'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire fighters.**

The extent of an existing or proposed asset protection zone has not been detailed on supplied drawings.

- **Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:**
  - i. **The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'. SA CFS notes that coverage of vegetation within 20m, to the north west of the proposed habitable (studio) building as well as along the "front" boundary (adjacent Lobethal Road) is currently greater than 30%.**
  - ii. **Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.**
  - iii. **Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.**
  - iv. **Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.**
  - v. **Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height 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 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).**
  - viii. **Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves**

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- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

**ADVISORY NOTES**

**General Notes**

- 1) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) Management of the property during construction shall be undertaken in such a manner as to prevent denudation, erosion, or pollution of the environment.
- 6) The applicant is reminded of their 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.
- 7) A separate development application is required for any signs or advertisements (including flags and bunting) associated with the development herein approved.

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**ADVISORY NOTES IMPOSED BY THE SOUTH AUSTRALIA CONTRY FIRE SERVICE AS PER SECTION 122 OF THE PDI ACT**

**8) BUILDING CONSIDERATIONS**

Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.

Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.

A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”.

**Category of Bushfire Attack Level:**

**EXISTING DWELLING - PART CONVERSION TO TOURIST ACCOMMODATION: BAL 19**

This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, (or to the property boundaries, whichever comes first) in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.

**SELF-CONTAINED STUDIO CONVERSION TO TOURIST ACCOMMODATION: BAL 29**

This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, (or to the property boundaries, whichever comes first) in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.

This report is considered relevant at the date of assessment with respect to the elevations detailed on proposed Site Plan, dated 02/04/2022 and shall not be considered as SA CFS endorsement of any subsequent development.

**9) TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN**

CFS further recommends:

- 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. The BSP:
  - i. should provide clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may

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- need to take to protect their lives during a bushfire event, including when to take such protective actions; and
- ii. should address the possibility that the owners may not be present at the time of the bushfire event; and
  - iii. should not expect guests to be involved in fire-fighting operations.

The SA CFS 'Bushfire Safety Guide For Business' 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 heightened bushfire danger and/or bushfire events and consider including any alterations to bookings and services offered due to actual or predicted conditions during the Fire Danger Season in any booking/refund policy.

- 9. **Development Assessment Applications –Development Act**  
Nil
- 10. **Development Assessment Applications – Review of Decisions of Assessment Manager**  
Nil
- 11. **ERD Court Appeals**  
Nil
- 12. **Policy Issues for Advice to Council**
  - 12.1 The Council Assessment Panel discussed the Policy in the Planning and Design Code regarding tourist accommodation in primary production areas and agreed that further comment be provided for consideration of policy clarity/amendment.
- 13. **Other Business**
  - 13.1 The Presiding Member thanked Council's administration for the preparation of the reports and agendas, and the Panel for their support during the last year, and wished everyone a merry and safe Christmas.
- 14. **Order for Exclusion of the Public from the Meeting to debate Confidential Matters**  
Nil

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- 15. Confidential Item**  
Nil
- 16. Next Meeting**  
The next ordinary Council Assessment Panel meeting will be held on Wednesday 8 March 2023.
- 17. Close meeting**  
The meeting closed at 9.53pm.