

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 FEBRUARY 2026
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 11 March 2026]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Leith Mudge

In Attendance

| | |
|-----------------|----------------------------------|
| Jess Charlton | Director Community & Development |
| Deryn Atkinson | Assessment Manager |
| Doug Samardzija | Senior Statutory Planner |
| Alex Bohorquez | Statutory Planner |
| Chandhini Kumar | Statutory Planner |
| Sarah Kimber | Minute Secretary |

1. Commencement

The meeting commenced at 6:30pm

2. Opening Statement

“Council acknowledges that we meet on the traditional Country of the Peramangk and Kaurna people. We pay our respects to Ancestors and Elders past and present as the Custodians of this ancient and beautiful land”.

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 14 January 2026.

The minutes were adopted by consensus of all members (4)

That the minutes of the meeting held on 14 January 2026 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

Nil

7. Matters Lying on the Table/Matters Deferred

7.1 Matters Lying on the Table

Nil

7.2 Matters Deferred

7.2.1 Development Application 25018399 by Pink Acacia Pty Ltd for Change of use to include tourist accommodation & construction of two (2) tourist accommodation units & associated water storage tank at 165 Prairie Road, Cudlee Creek

Deferred from meeting 14 January 2026.

"That a decision on the matter be deferred to enable the applicant to provide the following:

- 1) Demonstrate the extent of primary production use on the subject land and adjoining allotments in the same ownership.**
- 2) Details of tourist experiences or value adding linkages**
- 3) Details of current, planned and ongoing works in the orchard"**

Refer to Item 8.3 of the Agenda.

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8. Development Assessment Applications – Planning, Development and Infrastructure Act

8.1 Development Application Number 25028606 by Development Holdings Pty Ltd for Variation to DA 23020199 including reduction in capacity, reduction in building height from two levels to single level, reconfigurations of the areas and the floor layout, changes to the external materials, change to the site levels including retaining walls and fencing and addition of shade sail, freestanding advertising sign at 52 Pomona Road Stirling

8.1.1 Representations
None to be heard

The applicant's representative Ryan Moyle (Ekistics Planning & Design) answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (5)

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**
- 1) Development Application Number 25028606 by Development Holdings Pty Ltd for Variation to DA 23020199 including reduction in capacity, reduction in building height from two levels to single level, reconfigurations of the areas and the floor layout, changes to the external materials, change to the site levels including retaining walls and fencing and addition of shade sail, freestanding advertising sign and tree-damaging activity at 52 Pomona Rd Stirling SA 5152 is granted Planning Consent subject to the following conditions:**

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RESERVED MATTERS

- 1) Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matters shall be reserved for further assessment prior to the granting of Development Approval. The Assessment Manager is delegated to undertake this further assessment:

The applicant is to provide a detailed Soil, Erosion and Drainage Management Plan (SEDMP) containing a site plan, sketches and details of the proposed erosion control methods and sediment collection devices to prevent soil and silt moving off site during construction and to prevent soil transfer onto roadways by vehicles and machinery during construction.

Pursuant to Section 127(1) of the *Planning, Development and Infrastructure Act 2016*, the power to impose further conditions of consent in respect of the reserved matter above is delegated to the Assessment Manager.

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 maximum capacity of the childcare facility shall be 106 children at any one time.
- 3) The hours of operation of the childcare facility, including deliveries (but excluding waste collection) shall be 6:30am to 6:30pm, Monday to Friday.
- 4) All solid waste shall be stored in closed containers with close fitting lids in the enclosed bin area shown on the approved site plan (drawing DA.03, Rev. A last dated 11/09/2025) prepared by Gardiner Architects. External contractors accessing the site for waste collection shall be provided with access to the enclosed bin area to ensure waste is not stored in the car park area for collection.
- 5) The collection of waste shall not occur before 9:00am or after 7:00pm on Saturday, or before 7:00am or after 7:00pm Monday to Friday. Waste shall not be collected on Sundays or public holidays
- 6) All mechanical plant and equipment associated with the childcare facility shall be located outdoors adjacent to the laundry, in accordance with the acoustic report prepared by Sonus, dated (September 2025).

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- 7) External lighting shall be shielded if necessary, in such a manner so as to not cause unreasonable nuisance to adjoining and adjacent residential properties.
- 8) External lighting shall not be switched on before 6:30am Monday to Friday; and all external lighting shall be switched off no later than 6:30pm Monday to Friday, with the exception of low level bollard style lighting for pedestrian paths.
- 9) The cross-over, kerb and footpath alterations, shall be constructed in accordance with Council Standard Detail Drawing SD15 and in accordance with the approved site plan (drawing DA.03 Rev. A last dated 11/09/2025) prepared by Gardiner Architects and the approved stormwater management plan (drawing 230049-C-SK02, Rev. H dated 11/09/2025) prepared by CPR Engineers prior to the occupation of the childcare facility.
- 10) All car parking spaces, driveways and manoeuvring areas shall be designed, constructed and line-marked in accordance with Australian Standard AS2890.1:2004. 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 concrete or bitumen prior to operation of the facility and maintained in good condition at all times to the reasonable satisfaction of the Adelaide Hills Council.
- 11) Any existing cross-over not providing vehicle access shall be considered redundant and shall be closed off prior to occupation of the childcare facility.
- 12) The proposed noise attenuation measures in the Stirling Childcare Centre Environmental Noise Assessment S7765C12 September 2025 prepared by Sonus Pty Ltd, for the outdoor play areas, car park area and mechanical plant of the childcare facility shall be implemented prior to operation of the facility and to the reasonable satisfaction of the Assessment Manager.
- 13) Materials and goods shall not be stored on the land in areas delineated for use as vehicle parking.
- 14) The external finishes to the childcare facility shall be as follows:
 - a. Walls: Cement sheet cladding in 'Pale Eucalypt', masonry blockwork in 'Limestone Grey', Rendered walls in 'Pale Eucalypt'
 - b. Roof: Lysaght trimdeck in 'Pale Eucalypt';
 - c. Fencing: Colorbond fence in 'Woodland Grey', Timber picket fence in 'White'.

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- 15) All stormwater run-off from the roof of the building and from the outdoor play areas and car park shall be managed in accordance with the approved stormwater management plan (drawing 23049-C-SK02, Rev.H dated 11/09/2025) prepared by CPR Engineers. All roof run-off generated by the development shall be directed to the stormwater management system within one (1) month of the roof cladding being installed. All surface water from carparking or hardstand areas shall be directed to a gross pollutant trap (GPT) capable of removing oils, silts, greases, and gross pollutants to the Adelaide Hills Council and EPA satisfaction prior to discharge to Council's stormwater system or street water table.
- 16) Landscaping detailed in the landscaping plans prepared by LAUD Ink shall be planted within the next available planting season following construction of the childcare facility. Such landscaping shall be maintained in good health and condition at all times, including through the installation of irrigation and mulching. Any such landscaping shall be replaced in the next planting season if and/or when it dies or becomes seriously diseased.
- 17) The works in relation to the tree(s), outlined in the Arborist's Report prepared by Project Green Pty Ltd and submitted as part of this application as a strategy for management of the tree(s) are to be undertaken simultaneously with any building works on the site.
- 18) The tree protection measures specified by Council's Arborist, Adelaide Arb Consultants, as detailed in Drawing No. TPP-Const.-1 dated 11/11/2025 (included in the stamped plans set), must be implemented simultaneously with any building works on the site to ensure the protection of the street trees.

ADVISORY NOTES

General Notes

- 1) You as an Applicant may have a right of appeal if this notification is:

- a refusal
- conditions of consent

Such an appeal must be lodged within two months of the date of this decision or such longer time as the Environment, Resources and Development Court allows. For assistance with the lodgement of an appeal and its associated costs it is suggested you contact the Court which is located in the Sir Samuel Way Building, Victoria Square, Adelaide, or phone the Court on (08) 8204 2444.

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- 2) 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.
- 3) 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).
- 4) 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.
- 5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge. Works including tree pruning/removal, earthworks, kerbing, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the Local Government Act 1999. For more information regarding this process please visit:
<https://www.ahc.sa.gov.au/development/roads-andconstruction/authorisation-to-alter-a-public-road>.
- 6) 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 please refer to the Native Vegetation Council website.

Any queries regarding the clearance of native vegetation should be directed to the Native Vegetation Council on 8303 9777.

- 7) It is recommended that the operator of the childcare facility prepare and display a Bushfire Survival Plan (BSP) designed specifically for the purpose of staff, children or visitors that may be present during a bushfire event, especially during the Fire Danger Season.

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The SA CFS 'Bushfire Safety Guide for Business' document should be utilised as a basis for information and the drafting of the BSP, along with industry body guidelines and recommendations.

8.2 Development Application Number 25029312 by Ashton Cooperative Society Ltd for Filling of land (retrospective) at 201 Woods Hill Road, Ashton

8.2.1 Representations

| Name of Representor | Nominated Speaker |
|----------------------------|--------------------------|
| Angela Noack | Angela Noack |

The applicant's representative Phillip Brunning, addressed the Panel and answered questions from the Panel.

8.2.2 Decision of Panel

The following was adopted by consensus of all members (6)

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 25029312 by Ashton Cooperative Society Ltd for Filling of land (retrospective) at 201 Woods Hill Road, Ashton is granted Planning Consent subject to the following conditions:**

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RESERVED MATTER

Pursuant to section 102 (3) of the Planning, Development and Infrastructure Act of 2016, the following matter(s) shall be reserved for further assessment prior to the granting of Development Approval. The Assessment Manager is delegated to undertake this further assessment:

A detailed landscaping plan, by a suitably qualified person which documents topsoil, the type and species of plants, locations of plantings, number of plants, plant spacings and maturity of plants at the time of planting and, irrigation.

Plant species detailed in the landscaping plan shall be selected from the Council's Native Habitat Landscaping and Gardening Guide or Native Habitat Gardening Guide for Low Flammability Gardens. The guides can be downloaded from the Council website: Native Gardens at Home • Adelaide Hills Council (ahc.sa.gov.au).

Pursuant to Section 127(1) of the Planning, Development and Infrastructure Act 2016, the power to impose further conditions of consent in respect of the reserved matter above is delegated to the Assessment Manager.

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 stormwater including hard surface runoff shall be managed on site with no stormwater to trespass onto adjoining properties. Stormwater shall be managed per the report supplied by FMG Engineering dated 30 October 2025.

ADVISORY NOTES

General Notes

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- 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 Number 25018399 by Pink Acacia Pty Ltd for Change of use to include tourist accommodation & construction of two (2) tourist accommodation units & associated water storage tanks at 165 Prairie Road, Cudlee Creek**

8.3.1 Representations were heard previously at meeting held on 14 January 2026

8.3.2 **Decision of Panel**

**Moved Leith Mudge
S/- Ross Bateup**

**Carried
(7)**

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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 25018399 by Pink Acacia Pty Ltd for Change of use to include tourist accommodation & construction of two (2) tourist accommodation units & associated water storage tanks at 165 Prairie Road, Cudlee Creek is granted Planning Consent subject to the following conditions:

RESERVED MATTERS

Pursuant to section 102 (3) (c) of the Planning, Development and Infrastructure Act of 2016, the following matters shall be reserved for further assessment prior to the granting of Development Approval:

The applicant must obtain authorisation under Section 221 of the Local Government Act 1993 for the alterations to the Council road verge, which include creation of the new driveway and crossover.

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 car parking and the driveway areas shall be maintained in good condition at all times to provide safe vehicle navigation, to the reasonable satisfaction of Council.
- 3) Landscaping, detailed in the site plan prepared by Stimson Consulting shall be planted in the planting season following commencement of the use and maintained in good health and condition at all times. Any such vegetation shall be replaced in the next planting season if and when it dies or becomes seriously diseased.

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- 4) Prior to occupation, each tourist accommodation unit shall be provided with a 10,000-litre water tank for water supply purposes.
- 5) The person(s) having the benefit of this consent shall refrain from permitting the use of the building (or any part thereof) for 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 of a fourteen (14) day 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.

- 6) The maximum combined capacity of the tourist accommodation shall be six (6) persons at any one time.
- 7) Prior to commencement of work, 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 construction.
- 8) Stormwater management shall be undertaken in accordance with the civil plan prepared by TMK, drawing number 2504 126-C1/PF dated 01.12.2025. All roof runoff generated by the development hereby approved shall be managed on-site to the satisfaction of Council within one month of the roof cladding being installed.

Stormwater overflow management shall be designed to not permit trespass into the effluent disposal area.

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Conditions imposed by South Australian Country Fire Service under Section 122 of the Act

10) SITING (ANCILLARY STRUCTURES)

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 3.2) details the mandatory requirements for extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and workers' accommodation) in the event of bushfire.

- Outbuildings and other ancillary structures shall be sited no closer than 6m from each habitable building, unless built to relevant building standards for associated structures in Bushfire Prone Areas. This includes existing and future structures which may or may not require planning and/or building consent including (but not limited to) garden sheds, animal shelters and cubby houses.

10) ACCESS TO HABITABLE BUILDING

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 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 when the furthest point of the building is more than 60m from the nearest public road.

- A clear and unobstructed vehicle or pedestrian pathway shall be provided; no greater than 60 metres in length between the most distant part of each habitable building and the nearest part of the formed public access way.

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.

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Please note that where the water supply is an above-ground water tank, the tank (including any support structure) should be constructed of non-combustible material, such as concrete or metal.

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 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 proposed location for the dedicated water supply as detailed on drawing named SITE PLAN dated at last revision 28/11/25 providing the outlet is positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the furthestmost point of each building, to enable fire services to reach all parts of each building with no more than two lengths of hose from the hardstand area.
- 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.
- Access to the outlet shall:
 1. be connected to a formed, all-weather public road; and

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2. have a gradient of not more than 16 degrees (1-in-3.5) at any point; and
3. provide overhead clearance of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including building and/or structures; and
4. the transition area between the road and the driveway / hardstand shall have a gradient of not more than 7 degrees (1-in-8).

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

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 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.

An APZ shall be implemented and maintained for each habitable building in line with the vegetation management conditions below:

- Vegetation management shall be established and maintained within 20 metres of each habitable building (or to the property boundaries – whichever comes first) as follows:
 1. The number of trees and understorey plants existing and to be established within the APZ 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 and not within 5 metres of surrounding hazardous vegetation. 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, North-East and East of the proposed habitable building (Tourist Acc. 01) AND to the North-East, East and South-East of the proposed habitable building (Tourist Acc. 02) is currently greater than 30%.
 2. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 3. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 4. Trees and shrubs must not overhang the roofline of the building(s), touch walls, windows or other elements of the building(s).

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5. 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.
 6. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 7. No understorey vegetation shall be established within 2 metres of each habitable building (understorey is defined as plants and bushes up to 2 metres in height).
 8. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building(s) such as windows, decks and eaves
 9. The APZ shall be maintained to be free of accumulated dead vegetation.
- A single row of trees or shrubs are permitted closer to the building(s) than their mature height for screening purposes, providing they are not connected to other hazardous vegetation, are not within close proximity of timber building elements, windows and doors and do not touch or overhang any part of the building(s). Screening plants should have low flammability characteristics, be kept in optimum health, pruned regularly and any dead vegetation removed.

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

13) The on-site wastewater system must be installed in accordance with that proposed in the Onsite Wastewater Assessment and Design - addendum, prepared by Waterscope, dated 5 September 2025, and must include:

- a. the installation of an Ozzi Kleen RP10A+ system
- b. the establishment of a 300m² 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 a mixture of shrubs and trees, which will be pruned and harvested at least annually with all clippings to be removed from site
- 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).
- 5) A separate development application is required for any signs or advertisements (including flags and bunting) associated with the development herein approved.

Advisory Notes imposed by South Australian Country Fire Service under Section 122 of the Act

6) 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.

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 11 FEBRUARY 2026
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 11 March 2026]

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:

Tourist Acc. 01 - BAL 12.5

Tourist Acc. 02 - BAL 12.5

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 result is considered relevant at the date of assessment with respect to the elevations detailed on proposed SITE PLAN, dated 28/11/25 and shall not be considered as SA CFS endorsement of any subsequent development.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

- 7) The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm.**
- 8) More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au**

9. Development Assessment Applications – Development Act
Nil

10. Development Assessment Applications – Review of Decisions of Assessment Manager
Nil

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- 11. ERD Court Appeals**
The Assessment Manager provided a verbal update on the appeal of a CAP decision for 15 Highlands Court, Woodforde.
- 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 11 March 2026.
- 17. Close meeting**
The meeting closed at 7:47 pm.