

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 9 JANUARY 2019
63 MOUNT BARKER ROAD, STIRLING**

Present**Presiding Member**

Professor Stephen Hamnett

Members

Simon Bradley
Piers Brissenden
Linda Green
Rob McBryde

In Attendance

Deryn Atkinson

Acting Director Development & Regulatory Services
and Assessment Manager

Doug Samardzija
Karen Savage

Statutory Planner
Minute Secretary

1. Commencement

The meeting commenced at 6.32pm.

2. Apologies/Leave of Absence

2.1 Apologies
Nil

2.2 Leave of Absence
Nil

3. Previous Minutes

3.1 Meeting held 12 December 2018

The minutes were adopted by consensus of all members

(1)

That the minutes of the meeting held on 12 December 2018 be confirmed as an accurate record of the proceedings of that meeting.

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4. Delegation of Authority

Decisions of this Panel were determined under delegated authority as adopted by Council on 28 November 2017.

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 18/401/473 (18/D23/473) by Neil Page for Land Division (1 into 2) (non-complying) at 25 Fern Hill Road, Bridgewater

Deferred from meeting 12 December 2018

"At the request of the applicant, that a decision on the matter be deferred to allow the applicant to consider alternative options, and public notification of an amended proposal to be undertaken."

Staff provided the Panel with an update on this matter.

8. Development Assessment Applications

8.1 Development Application 18/155/473 by Damien Chwalisz Architects for two storey split level detached dwelling, including deck (maximum height 3m) & verandah, water storage tank (27,000L), associated retaining walls (maximum height 1m) & earthworks at 22 Renown Avenue, Crafers West

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Jodi Jansons	49-51 Princes Avenue Crafers West	Jodi Jansons

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The applicant's representative, Peter Harding (Damien Chwalisz Architects), addressed the Panel.

8.1.2 Decision of Panel

The following recommendation was adopted by consensus of all members (2)

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 18/155/473 by Damien Chwalisz Architects for two storey split level detached dwelling, including deck (maximum height 3m) & verandah, water storage tank (27,000L), associated retaining walls (maximum height 1m) & earthworks at 22 Renown Avenue Crafers West 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 Location Plan (sheet no. PA 01) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- Amended Existing site plan (sheet no. PA 02) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- Amended proposed site plan (sheet no. PA 03), lower level plan (sheet no. PA 04), upper level plan (sheet no. PA 05), cut & fill plan (sheet no. PA 06), elevations (sheet no. PA 07 & PA08) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- Amended overlooking section (sheet no. PA 09) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- Amended shadow diagrams (sheet no. PA10) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- Amended turning plan (sheet no. PA11) prepared by Damien Chwalisz Architects dated 09 January 2019 and received by Council 9 January 2019
- 3D Perspectives prepared by Damien Chwalisz Architects received by Council 06 December 2018 and 28 November 2018
- Arborist report prepared by Jarrad Allen from Calypso Tree Co dated January 2019 and received by Council 2 January 2019

REASON: To ensure the proposed development is undertaken in accordance with the approved plans.

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(2) **Reserved Matter**

The Council Development Assessment Panel requires the following matter which is reserved pursuant to Section 33(3) of the Development Act 1993 to be addressed to the reasonable satisfaction of Council staff:

- An amended civil/stormwater plan be supplied to remove reference to the retaining walls on the southern boundary

NOTE: Council reserves the right to attach further conditions in relation to this.

REASON: To ensure the proposal plans are consistent and accurate.

(3) **Vehicle Access/Cross-over**

The vehicle cross-over shall be of all-weather construction and shall include a spoon drain for its full width.

REASON: To maintain safe and convenient movement of vehicles and to ensure stormwater runoff within the verge is not impeded.

(4) **Residential Lighting**

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.

REASON: Lighting shall not detrimentally affect the residential amenity of the locality.

(5) **Decking/Balcony Screening**

The balcony of the dwelling shall have a solid wall as shown on the southern elevation to a minimum height of 1.5 metres above the balcony floor level. The screening shall be maintained in good condition at all times.

REASON: Buildings should be designed to not cause potential for overlooking of adjoining properties.

(6) **Obscure Glazing To Windows**

The south facing upper level bedroom windows of the dwelling shall be fitted with angled windows screens. The screen shall be permanently fixed at an angle of 45 degrees and shall be maintained in good condition at all times.

REASON: Buildings should be designed to not cause direct overlooking to adjoining properties.

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(7) External Finishes

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

WALLS: Off-white or similar, excluding the southern walls as depicted on the 3D perspective which shall be painted or rendered Colorbond 'Gully' or similar

ROOF: Colorbond 'Gully' or similar

GARAGE

DOOR: Timber screen stained 'Japan Black'

***REASON:** The external materials of buildings should have surfaces which are of a low light-reflective nature and blend with the natural rural landscape and minimise visual intrusion.*

(8) Treatment To Excavations And Fill

All exposed excavations and fill as shown on the amended cut and fill plan (sheet no. PA06) and amended civil plan shall be:

- (a) rounded off and battered to match and blend with the natural contours of the land;
- (b) covered with approximately 100mm of topsoil;
- (c) seeded to avoid erosion and visual concerns ; and
- (d) screened with trees, shrubs and ground covers

prior to occupation of the approved development to the reasonable satisfaction of Council.

***REASON:** To maintain the visual amenity of the locality in which the subject land is located.*

(9) 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.

***REASON:** Development should prevent erosion and stormwater pollution before, during and after construction.*

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(10) CFS Access To Dedicated Water Supply

A dedicated supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:

- Water supply outlet shall be easily accessible and clearly identifiable from the access way that is a distance of no greater than 30 metres from the proposed dwelling. Stand alone tanks shall be identified with the signage 'WATER FOR FIRE FIGHTING' and the tank capacity written in 100mm lettering on the side of each tank and repeated so that the sign is visible from all approaches to the tank. The sign shall be in fade-resistant lettering in a colour contrasting with that of the background (ie blue sign with white lettering.)
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing:
 - A gravity fed water supply outlet may be remotely located from the tank to provide adequate access
 - All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level
 - All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting

REASON: To provide safe access to water supply in the event of a bushfire.

(11) CFS Water Supply

A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes
- 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

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- 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 pressuring 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 (ie 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 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

REASON: To minimise the threat and impact of bushfires on life and property

(12) CFS Vegetation/Landscaping

Landscaping shall include bushfire protection features which will prevent or inhibit the spread of bushfire and minimise the risk of life and/or damage to buildings and property.

A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the dwelling (or to the property boundaries – whichever comes first) as follows:

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- 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%'
- Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017
- Trees and shrubs shall not be planted closer to the buildings than the distance equivalent to their mature height
- Trees and shrubs shall not overhang the roofline of the building, touch walls, windows or other elements of the building
- Shrubs shall not be planted under trees and shall be separated by at least 1.5 times their mature height
- Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season
- No understorey vegetation shall be established within 1 metre of the dwelling (understorey is defined as plants and bushes up to 2 metres in height)
- Flammable objects such as plants, mulches and fences shall not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- The VMZ shall be maintained to be free of accumulated dead vegetation

REASON: To minimise the threat and impact of bushfires on life and property.

(13) CFS Conditions To Be Completed Prior To Occupation

The Country Fire Service Bushfire Protection Conditions numbered 10-12 shall be substantially completed prior to the occupation of the building and thereafter maintained in good condition.

REASON: To minimise the threat and impact of bushfires on life and property.

(14) Stormwater Overflow Directed To Detention Tanks Prior To Discharge To Street

All roof and hard surface runoff generated by the development hereby approved shall be directed to detention tanks. The roof runoff shall be directed to a 4000L detention tank (within a minimum 27,000L tank) at the rear of the property with any overflow directed to the 4,000L detention tank at the front of the property prior to discharge to the street. Surface water runoff from hard surfaces shall be directed to the 4,000L detention tank at the front of the property prior to discharge to the street. The discharge pipe within the road verge shall be galvanised steel pipe that is suitably covered by soil so as not to be a hazard.

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All roof and hard paved water runoff shall be managed to prevent trespass onto adjoining properties.

REASON: To minimise erosion, protect the environment and to ensure no ponding of stormwater resulting from development occurs on adjacent sites. To ensure post-development flows do not exceed pre-development and ensure the stormwater discharge and the discharge does not cause damage to the unmade road reserve.

(15) Tree Protection Zones

A tree protection zone (TPZ) around each 'regulated' and 'native' tree that may be affected by the proposed development is required on the subject site. The tree protection zone shall be determined by the project Arborist. During construction each TPZ shall be fenced with 2.0 metre high chain mesh material with posts at 3 metre intervals and incorporate on the east and south sides a clearly legible sign displaying the words "Tree Protection Zone". The following restrictions apply to each tree protection zone:

- a) No machine excavation is permitted.
- b) If any major roots (roots with a diameter greater than 25mm) are found outside the TPZ during construction the project arborist shall be contacted immediately to assess the situation.
- c) The works (retaining wall construction, earthworks and footing construction) adjacent to regulated and native trees are to be supervised by the project arborist.
- d) The area to the south of the proposed dwelling shall remain at natural ground level.
- e) A layer of organic mulch to a depth of 100mm shall be placed over all root systems so as to assist with moisture retention and to reduce the impact of compaction.
- f) No material, equipment or temporary buildings shall be placed within any TPZ.
- g) No items shall be attached to each tree including temporary service wires, nails, screws or any other fixing device.
- h) Supplementary watering shall be provided to the trees through any dry periods during and after the construction process.
- i) Only landscaping, permeable paving or rubble paths shall occur in the TPZ, and only when all construction of the proposed dwelling has been completed. The area within each TPZ shall be retained at natural ground level and no additional soil or fill shall be placed within the zone.
- j) No other works shall occur within a TPZ without the consent of Council's Arborist during the life of the retained trees.
- k) Only hand digging is permitted at all times.

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- l) Any services such as stormwater, sewer and electrical that enter the TPZ are to be excavated using non-destructive methods such as Hydro vac® or directional boring systems. This work is to be supervised by a project arborist. If any tree roots are discovered at this time, the project Arborist is to assess and address accordingly.

REASON: To protect the 'regulated' and native tree/s from the impact of the development.

- (16) Excavating Witin Tree Protection Zone (TPZ) and Structural Root Zone (SRZ)
Excavation within the TPZ and SRZ of Trees 4 to 7 shall only be undertaken using non-invasive methods such as an Air Spade or Hydravac system.

REASON: To protect the regulated and native tree/s from impact of the development.

- (17) Footing Design for Protection Of Trees

The footing design for the rear of the proposed dwelling shall use above grade pier and beam or screw-pile type footing design as outlined in the Arborist's Report prepared by Calypso Tree Co. and submitted as a strategy for management of the tree(s).

REASON: To protect the regulated and native tree/s from impact of the development.

- (18) Prior to Building Rules Consent Being Granted - Requirement for Soil Erosion And Drainage Management 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 major drainage plan
- a site plan
- supporting report
- calculations
- design sketches with details of erosion control methods 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 below the building site;
 - c. soil moving into watercourses during periods of rainfall; and
 - d. soil transfer onto roadways by vehicles and machinery.

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

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REASON: Development should prevent erosion and stormwater pollution before, during and after construction.

NOTES

(1) Development Plan Consent Expiry

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 Rules Consent must be applied for prior to the expiry of the DPC, or a fresh development application will be required. The twelve (12) month time period may be further extended by Council agreement following written request and payment of the relevant fee.

(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) 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. The clearance of native vegetation includes the flooding of land, or any other act or activity that causes the killing or destruction of native vegetation, the severing of branches or any other substantial damage to native vegetation. For further information visit:

[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.

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(5) Works In Close Proximity To Boundary

The development herein approved involves work in close proximity to 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.

(6) 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 29

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”.

(7) Regulated Tree Removal Or Pruning Not Included In This Application

This consent does not convey any approval for the pruning or removal of any regulated/significant trees that are present on the adjacent land.

For criteria on regulated/significant trees please refer to the following:

http://www.ahc.sa.gov.au/webdata/resources/files/Protecting_Reg_and_Sig_Trees_Comm_Info.pdf

Please be advised that a separate Development Application must be lodged for such works.

9. Policy Issues for Advice to Council

Nil

10. Other Business

Nil

11. Order for Exclusion of the Public from the Meeting to debate Confidential Matters

Nil

12. Confidential Item

Nil

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- 13. Next Meeting**
The next ordinary Development Assessment Panel meeting will be held on Wednesday 13 February 2019.
- 14. Close meeting**
The meeting closed at 7.38pm.