

COUNCIL ASSESSMENT PANEL MEETING

10 March 2021

AGENDA – 9.3

Applicant: Sharyn Stone	Landowner: D A Kazi & S K Stone
Agent: Olden and Van Senden Pty Ltd	Originating Officer: Ashleigh Gade
Development Application:	20/443/473 (473/D018/20)
Application Description: Land Division - boundary realignment (3 into 3)	
Subject Land: Lot:68 Sec: P5152 FP:129922 CT:5716/6 Lot:50 Sec: P5152 DP:43185 CT:5287/786 Lot:69 Sec: P5152 FP:129923 CT:5372/282	General Location: 663 & 665 Swamp Road, & 671A Swamp Road, Lenswood SA 5240 Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Map AdHi/3 & 53	Zone/Policy Area: Watershed (Primary Production) Zone - Lenswood Policy Area
Form of Development: Merit	Site Area(s) Existing (and Proposed): Lot 68: 1686m ² (Lot 50: 5.4 ha Lot 69: 1.6 ha
Public Notice Category: Category 1 Merit	Representations Received: N/A Representations to be Heard: N/A

1. EXECUTIVE SUMMARY

The purpose of this application is to adjust the property boundaries between three (3) rural properties currently being used for residential purposes. The proposal is intended to improve site management on each allotment by realigning the boundaries along the naturally dividing physical features, being the centre line of the watercourse and mid-point between two rows of mature poplar trees. The realignment also resolves existing encroachments and increases the natural resource management capacity of the land.

The subject land is located within the Watershed (Primary Production) Zone - Lenswood Policy Area and the proposal is a merit form of development.

As per the CAP delegations, the CAP is the relevant authority for land division boundary realignment applications within the Watershed (Primary Production) Zone which involve three (3) or more titles and results in the creation of rural living allotments of 2 hectares or less, except where all the existing allotments are already 2 hectares or less in area.

The main issues relating to the proposal are natural resources management, on-site wastewater capacity in a watershed area, and ensuring the proposal represents orderly development.

In consideration of all the information presented, and following an assessment against the relevant zone and Council Wide provisions within the Development Plan, staff are recommending that the proposal be **GRANTED** Development Plan Consent, subject to conditions:

2. DESCRIPTION OF THE PROPOSAL

The proposal is for a boundary re-alignment involving three (3) titles.

Existing Allotments

Allotment	Area (ha)	Currently containing
Lot 68	700m ²	Dwelling and Outbuilding
Lot 50	5.4 ha	Dwelling and Outbuildings
Lot 69	1.6 ha	Dwelling and Outbuildings

Proposed Allotments

Allotment	Area (ha)	Containing
Lot 32	3800m ²	Dwelling and Outbuilding
Lot 30	5.3 ha	Dwelling and Outbuildings
Lot 31	1.5 ha	Dwelling and Outbuildings

The plan of division results in the transfer of land as follows:

- 430 square metres of land from 663 (Lot 69) Swamp Road to 671A (Lot 30) Swamp Road.
- 660 square metres of land from 663 (Lot 69) Swamp Road to 665 (Lot 32) Swamp Road.
- 2440 square metres of land from 671A (Lot 50) Swamp Road to 665 (Lot 32) Swamp Road.

There is no change to the location of existing easements and rights of way, however a portion of the easement marked 'B' in favour of the Minister for the Environment and Natural Resources will become part of 665 (Lot 32) Swamp Road.

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Application Information**.

3. BACKGROUND AND HISTORY

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
	05/1067/473	665 Swamp Road: Additions to detached dwelling
	17/987 /473	671A Swamp Road: single storey detached pole dwelling including verandah and deck

The aerial imagery of the subject land available shows that the dwelling at 665 Swamp Road was built prior to 1949 and at that time, the surrounding land was used for horticultural purposes. The dwelling at 663 Swamp Road was built sometime before aerial imagery dated between 1986 and 1989, by which time the horticultural use of the surrounding land had reduced significantly. The next available imagery is from 2011 and by this time all horticultural activity on the subject

land had ceased. The dwelling at 671A Swamp Road was subsequently built in 2018. There remains no primary production activity on the subject land and all three allotments are exclusively used for residential purposes.

4. REFERRAL RESPONSES

- **CFS**
The SA Country Fire Service has no objection to the proposed boundary realignment.

- **SA WATER**
No requirements.

- **AHC EHU**
All allotments have on-site waste disposal.

EHU have confirmed no impact from the proposal to existing on-site disposal areas or septic tanks via the realignment. The proposal introduces capacity for better wastewater management and this is the intent of the applicant however, it is also noted this is not a requirement as EHU are satisfied the existing situation can be retained.

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

5. PLANNING & TECHNICAL CONSIDERATIONS

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

- i. The Site's Physical Characteristics
The subject land is 7.1 hectares in area and currently exists as three (3) lots of varying size, ranging from 0.16 of a hectare to 5.4 hectares. Each allotment is used for rural residential purposes, with the applicant stating that no primary production is undertaken from the land and aerial imagery suggesting this has been the case for at least the past decade. Notwithstanding, the larger allotments do retain the capacity for low-intensity primary production activities. As a whole the land slopes down toward Swamp Road and all three allotments are intersected by a watercourse.

- ii. The Surrounding Area
The locality is rural with allotments of varying sizes. There is generally a mixture of allotments used for residential purposes and those used for primary production; typically horticulture.

- iii. Development Plan Policy considerations
a) *Policy Area/Zone Provisions*

Policy Area

The subject land lies within the Lenswood Policy Area and these provisions seek:

1. *The retention of orchards and bushland as the dominant uses.*
2. *Retention of the present village character and size of Lenswood and Forest Range.*
3. *No further provision of small rural living allotments.*

The following are considered to be the relevant Policy Area provisions:

Objectives: 1 & 3

The proposal is considered to have negligible impact on achieving the objectives of the Policy Area. This is due to there being no new allotments, buildings or substantial earthworks or alterations proposed as part of the application.

The following are considered to be the relevant Zone provisions:

Objectives: 1, 2, 3 & 5

PDCs: 18, 19, 20, 21, 22, 33 & 36

The proposal is in accordance with all the objectives of the zone as it does not change the essential nature of the existing allotments. It is also not considered the proposal will have any impact on functional primary production land in the locality, given that the proposal does not introduce the potential for further dwellings nor place any existing building in closer proximity to surrounding horticultural land. The proposal supports ongoing management of the land in accordance with Objectives 1, 2 & 3. The proposal will retain the existing natural amenity of the locality, consistent with Objective 5.

The proposal does not introduce the opportunity for additional dwellings nor is there any built form associated with the boundary realignment. All existing allotments contain a dwelling with appropriately approved on-site wastewater systems, in accordance with PDCs 18 & 19.

As noted in the proposal summary, the realignment will align site boundaries with natural dividing features namely the centre line of the watercourse and two lines of established poplar trees. The realignment also resolves existing building encroachments from 665 Swamp Road, where the attached carport and verandah on the southern elevation and two small outbuildings straddle the existing boundary with 663 Swamp Road. Corrections of boundary anomalies are envisaged by PDC 20.

There will be no loss of primary production land so the proposal is considered in accordance with PDC 21 and the allotments are similar in size to others in the locality in accordance with PDC 22.

A watercourse traverses the three allotments and the intent of this application is to provide better access to the watercourse from each respective property, in order to improve the natural resources management in the vicinity, ensuring adherence with PDCs 20(b) and 36. The realignment allows for land adjacent the creek to be managed on each allotment without crossing the watercourse, as is required under the current arrangement. In addition, the realignment allows for an effluent disposal area for 665 Swamp Road (Lot 32) that is over 50m from the creek and suitable distances from buildings and boundaries. This is consistent with the outcomes sought by PDC 36.

b) Council Wide provisions

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

- i. Orderly and economic development
- ii. Development to be undertaken on land that is suitable for the intended purpose, whilst also having regard for the zoning of the land,
- iii. Retention of rural area for the maintenance of the natural character and rural beauty of these areas, and
- iv. Protection of the Mount Lofty Ranges Watershed from pollution.

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

Animal Keeping and Rural Development

Objectives: 1

The proposal does not intend to change the longstanding rural residential land uses, however it will support the retention of existing vegetation while enhancing the capacity for land management in an area of scenic beauty, in accordance with Objective 1.

Interface Between Land Uses

Objectives: 1

PDCs: 2, 4 & 16

As there is no change in the relationship of the buildings and uses on the subject land to the current situation, the proposal is considered to minimise negative impacts on existing and future land uses in the locality in accordance with Objective 1 & PDC 2.

The proposed increase in the size of proposed lots 68 and 69 offers increased buffers from potential land use conflicts in accordance with PDCs 4 & 16.

Land Division

Objectives: 2, 4 & 5

PDCs: 21, 22 & 23

The proposal will retain the existing use on all allotments consistent with Objective 2.

The proposal is not considered to influence the primary production value of the land as each existing allotment has been used exclusively for residential purposes since 2018 and the subject land as a whole has not been used in any primary production capacity for at least a decade. The proposal will retain and improve the capacity for management of natural resources on the land, as such the proposal is considered to be in accordance with Objectives 4 & 5 and PDCs 21, 22 & 23.

Natural Resources

Objectives: 1, 2 & 14

PDCs: 45

The proposal primarily seeks to improve the outcome of natural resources management between the three allotments, as envisaged by Objectives 1, 2 & 14 and PDC 45.

Orderly and Sustainable Development

Objectives: 1, 2 & 3

PDCs: 1, 2 & 9

The proposal will result in amended frontage widths to each allotment. However this will not change the appearance of the allotments within the streetscape and is not considered likely to impact upon adjoining properties. There is no proposed change to existing access arrangements. The proposal does not change the intended use of the land or prejudice the development of land in the zone and will facilitate the continuation of the existing residential uses. In accordance with the above, the proposal is considered orderly and economic in accordance with Objectives 1, 2 & 3 and PDCs 1, 2 & 9.

Stormwater Management

No change to existing stormwater arrangements is proposed and all allotments will continue to manage stormwater on-site as there is no capacity to discharge to Swamp Road.

Water Supply & Effluent Disposal

The existing on-site waste system for each dwelling will be contained wholly within the proposed corresponding allotment boundaries. The boundary realignment also allows the opportunity in the future for improved wastewater management on 665 (Lot 32) Swamp Road, providing the opportunity for an increased setback from the watercourse.

Fire Protection Issues

The application does not propose any changes to existing arrangements regarding CFS access.

6. SUMMARY & CONCLUSION

The proposal is for the rearrangement of boundaries between three (3) adjoining properties. There is no change to vehicle access, buildings or to the current use of the land. The reallocation of land forming the proposal is considered to improve the potential for effective land management, particularly in relation to management of the watercourse. The application does not prejudice existing or potential primary production uses of the land given that the existing allotment arrangement provides limited opportunity for primary production of meaningful scale. The proposed realignment also addresses existing encroachments and wastewater management difficulties arising from the existing allotment pattern.

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

7. RECOMMENDATION

That the Council Assessment Panel considers that the proposal is not seriously at variance with the relevant provisions of the Adelaide Hills Council Development Plan, and GRANTS Development Plan Consent and Land Division Consent to Development Application 20/443/473 (473/ D018/20) by Sharyn Stone for Land division - Boundary realignment (3 into 3) at 663 Swamp Road, 665 Swamp Road, and 671A Swamp Road, Lenswood, subject to the following conditions:

Planning 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:

- Plan of Division (Boundary Realignment) prepared by Olden & van Senden, Version 4, dated 20 October 2020.

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

Planning Notes

(1) Development Plan Consent

Development Applications lodged prior to 12 November 2020 are valid for a period of twelve (12) months commencing from the date of the decision. Development Applications lodged from 12 November 2020 are valid for a period of twenty four (24) months commencing from the date of the decision. In either case - if an appeal has been commenced the date on which the appeal is determined. Please check page one (1) for the lodged date of this application.

Please refer to page two (2) of this form (Notes for Applicant blue box) for information on changes to the planning system and potential changes to extensions of time requests.

Council Land Division Statement of Requirements

Nil

Council Land Division Notes

Nil

SCAP Land Division Statement of Requirements

(1) Requirement for Certified Survey Plan

A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

REASON: Statutory requirement in accordance with Section 51 of the Development Act 1993.

SCAP Land Division Notes

Nil

9. ATTACHMENTS

Locality Plan
Proposal Plans
Application Information
Referral Responses

Respectfully submitted

Concurrence

**Ashleigh Gade
Statutory Planner**

**Deryn Atkinson
Assessment Manager**



Annotations

- Subject Land 3
- Subject Land 2
- Subject Land 1

Planners Summary

- PlanningSummary

AHC Core

- Parks
- Townships
- RoadsStreetView
 - ADJOINING LGA RD
 - AHC & PRIVATE
 - AHC RD
 - DPTI RD
 - PRIVATE RD
 - SHARED RD

- PropertyOwner
- Parcels
- Roads
- Suburbs
- Rivers
 - River
 - Creeks
 - Streams

Burnt Area Cudlee Creek

- CudleeCreekBurntArea

Flood Study Data

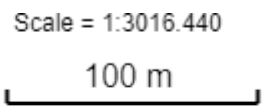
- TorrensFloodZones_20Yr

Planning

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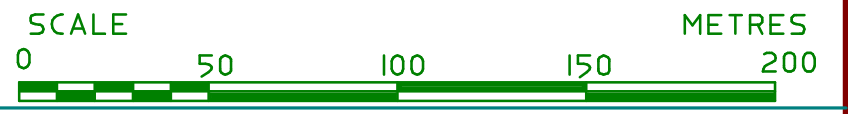
representations regarding the use, or results of use of the information contained herein as to its correctness, accuracy, currency or otherwise. In particular, it should be noted that the accuracy of property boundaries when displayed over aerial photography cannot be considered to be accurate, and that the only certain method of determining boundary locations is to use the services of a licensed Surveyor. The Adelaide Hills Council, its

employees and servants expressly disclaim all liability or responsibility to any person using the information or advice contained herein. ©



MAP REF 6628/44/J	DEV. NO.
TITLE SYSTEM REAL PROPERTY ACT	
TITLE REFERENCE CT: 5287/786, 5372/282 & 5716/6	
IRRIGATION AREA	DIVISION
HUNDRED.....	ONKAPARINGA
AREA	LENSWOOD
COUNCIL	ADELAIDE HILLS COUNCIL

**PLAN OF DIVISION
(BOUNDARY REALIGNMENT)**
 ALLOTMENT 50 IN D43185
 ALLOTMENT 69 IN F129923
 ALLOTMENT 68 IN F129922



STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS:

VIDE CT 5287/786 FOR EASEMENT DIMENSIONS

ALL DATA SUBJECT TO SURVEY

IMPORTANT NOTICE:
 This plan was prepared for D KAZI AND S STONE as a proposed subdivision to accompany a Development Application to THE ADELAIDE HILLS COUNCIL and should not be used for any other purpose. The dimensions, area and total number of allotments shown hereon may be subject to field survey and also the requirements of council as well as any other authority which may have requirements under any relevant legislation. In particular no reliance should be placed on this plan for any financial dealings involving the land. This note is an integral part of this plan.

ALL DISTANCES ARE GROUND DISTANCES

LOT SUMMARY	
TOTAL AREA	7.19ha
RESERVE AREA	NIL
NO. OF EXISTING ALLOTS	3
NO. OF ADDITIONAL ALLOTS	NIL
LENGTH OF NEW ROAD	NIL
CONTOUR INTERVAL	N/A

STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS:

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D TO THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (RE 7940443)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED C FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE (RE 7940444)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED E FOR WATER SUPPLY PURPOSES (RE 7940444)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D FOR THE TRANSMISSION OF ELECTRICITY BY OVERHEAD CABLE TO THE MINISTER FOR THE ENVIRONMENT AND NATURAL RESOURCES (RE 7940442)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B & D TO THE MINISTER FOR THE ENVIRONMENT & NATURAL RESOURCES (RE 7940442)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED F (RE 7940444)

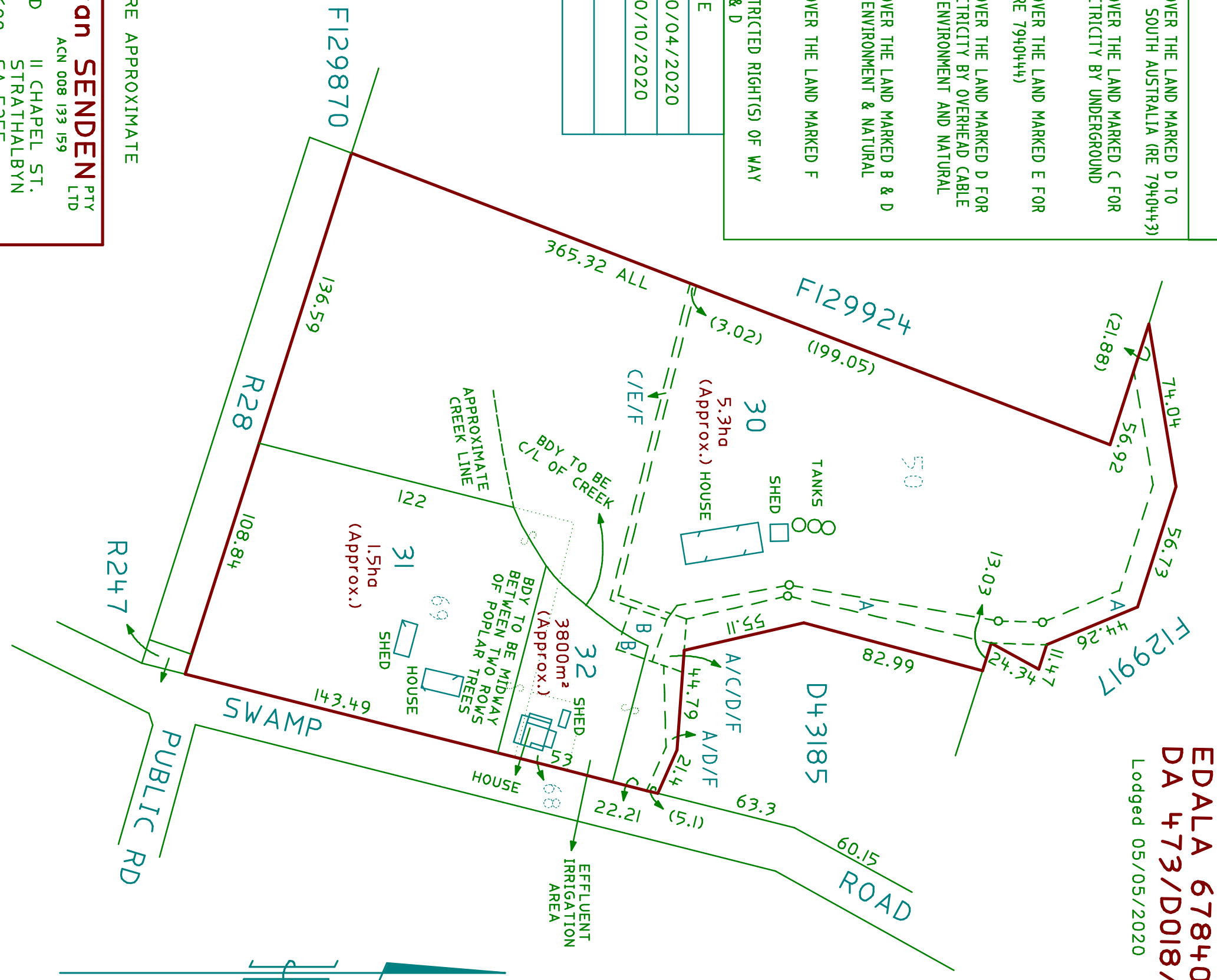
SUBJECT TO FREE & UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A & D

VERSION	DATE
3	30/04/2020
4	20/10/2020

ALL BUILDINGS ARE APPROXIMATE

OLDEN & van SENDEN PTY LTD
 ABN 47 008 133 159 ACN 008 133 159
 3/42 MT BARKER RD STIRLING S.A. 5152
 Ph/Fax (08) 83709699 SA 5255
 Mobile 0417878671 M 0417 878 671
 Email olvs@bigpond.net.au REF 4580da V4

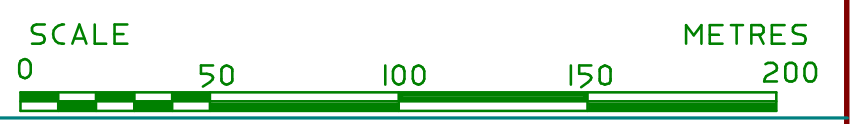
ALL DATA SUBJECT TO SURVEY



EDALA 67840
DA 473/D018/20
 Lodged 05/05/2020

MAP REF 6628/44/J	DEV. NO.
TITLE SYSTEM REAL PROPERTY ACT	
TITLE REFERENCE CT: 5287/786, 5372/282 & 5716/6	
IRRIGATION AREA	DIVISION
HUNDRED.....	ONKAPARINGA
AREA	LENSWOOD
COUNCIL	ADELAIDE HILLS COUNCIL

**PLAN OF DIVISION
(BOUNDARY REALIGNMENT)**
 ALLOTMENT 50 IN D43185
 ALLOTMENT 69 IN F129923
 ALLOTMENT 68 IN F129922



STATEMENTS CONCERNING EASEMENTS ANNOTATIONS AND AMENDMENTS:

VIDE CT 5287/786 FOR EASEMENT DIMENSIONS

ALL DATA SUBJECT TO SURVEY

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ALL DISTANCES ARE GROUND DISTANCES

LOT SUMMARY	
TOTAL AREA	7.19ha
RESERVE AREA	NIL
NO. OF EXISTING ALLOTS	3
NO. OF ADDITIONAL ALLOTS	NIL
LENGTH OF NEW ROAD	NIL
CONTOUR INTERVAL	N/A

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SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D TO THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (RE 7940443)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED C FOR THE TRANSMISSION OF ELECTRICITY BY UNDERGROUND CABLE (RE 7940444)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED E FOR WATER SUPPLY PURPOSES (RE 7940444)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D FOR THE TRANSMISSION OF ELECTRICITY BY OVERHEAD CABLE TO THE MINISTER FOR THE ENVIRONMENT AND NATURAL RESOURCES (RE 7940442)

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B & D TO THE MINISTER FOR THE ENVIRONMENT & NATURAL RESOURCES (RE 7940442)

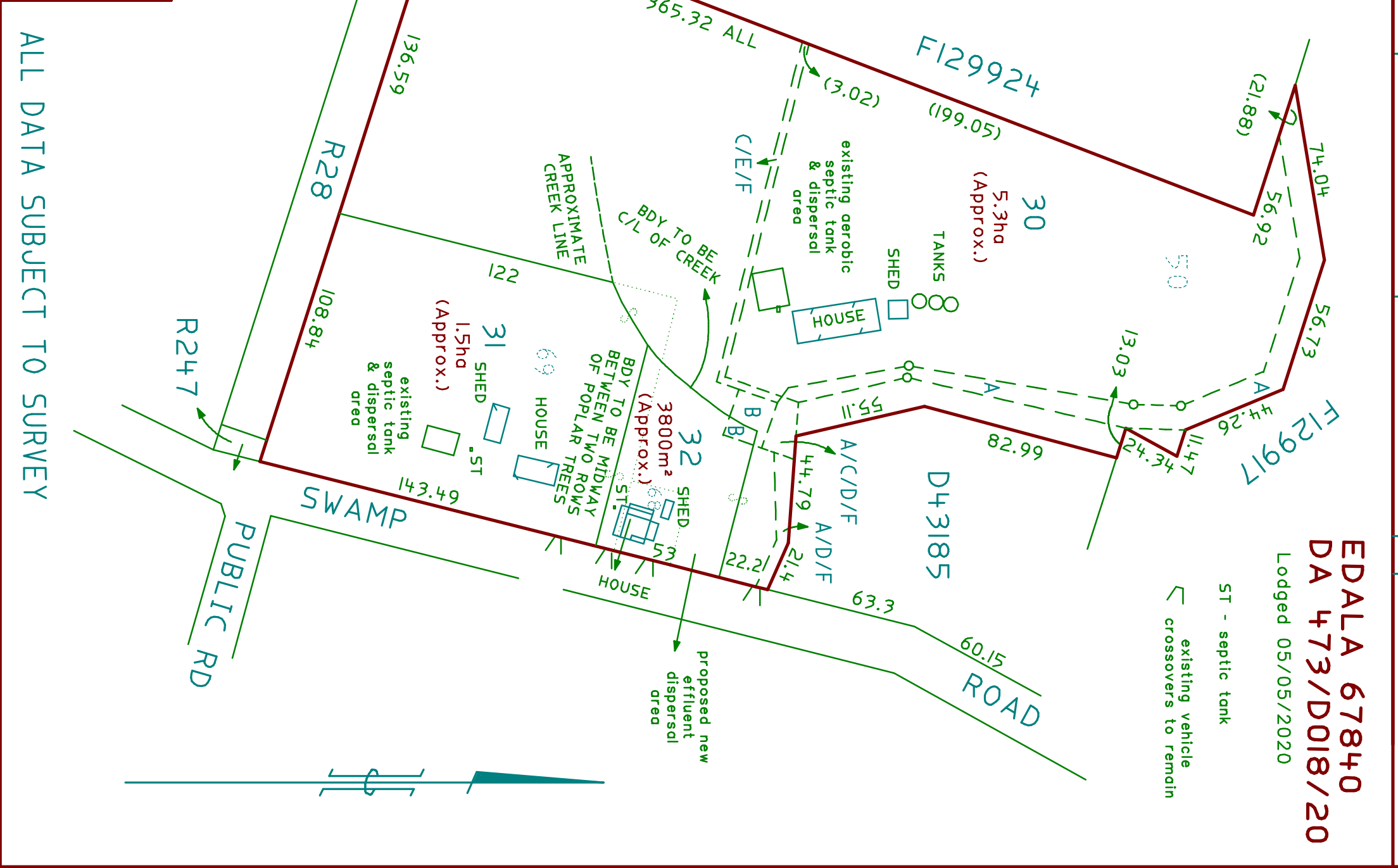
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED F (RE 7940444)

SUBJECT TO FREE & UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A & D

VERSION	DATE
3	30/04/2020
4	20/10/2020

ALL BUILDINGS ARE APPROXIMATE

OLDEN & van SENDEN PTY LTD
 ABN 47 008 133 159 ACN 008 133 159
 3/42 MT BARKER RD STIRLING S.A. 5152
 Ph/Fax (08) 83709699 Mobile 0417878671
 Email olvse@bigpond.net.au



EDALA 67840
DA 473/D018/20
 Lodged 05/05/2020

ALL DATA SUBJECT TO SURVEY

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5372 Folio 282

Parent Title(s) CT 3938/51
Creating Dealing(s) CONVERTED TITLE
Title Issued 25/10/1996 Edition 6 Edition Issued 02/06/2011

Estate Type

FEE SIMPLE

Registered Proprietor

KERRY JAMES SCHULTZ
OF SWAMP ROAD LENSWOOD SA 5240

Description of Land

ALLOTMENT 69 FILED PLAN 129923
IN THE AREA NAMED LENSWOOD
HUNDRED OF ONKAPARINGA

Easements

NIL

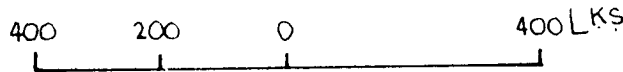
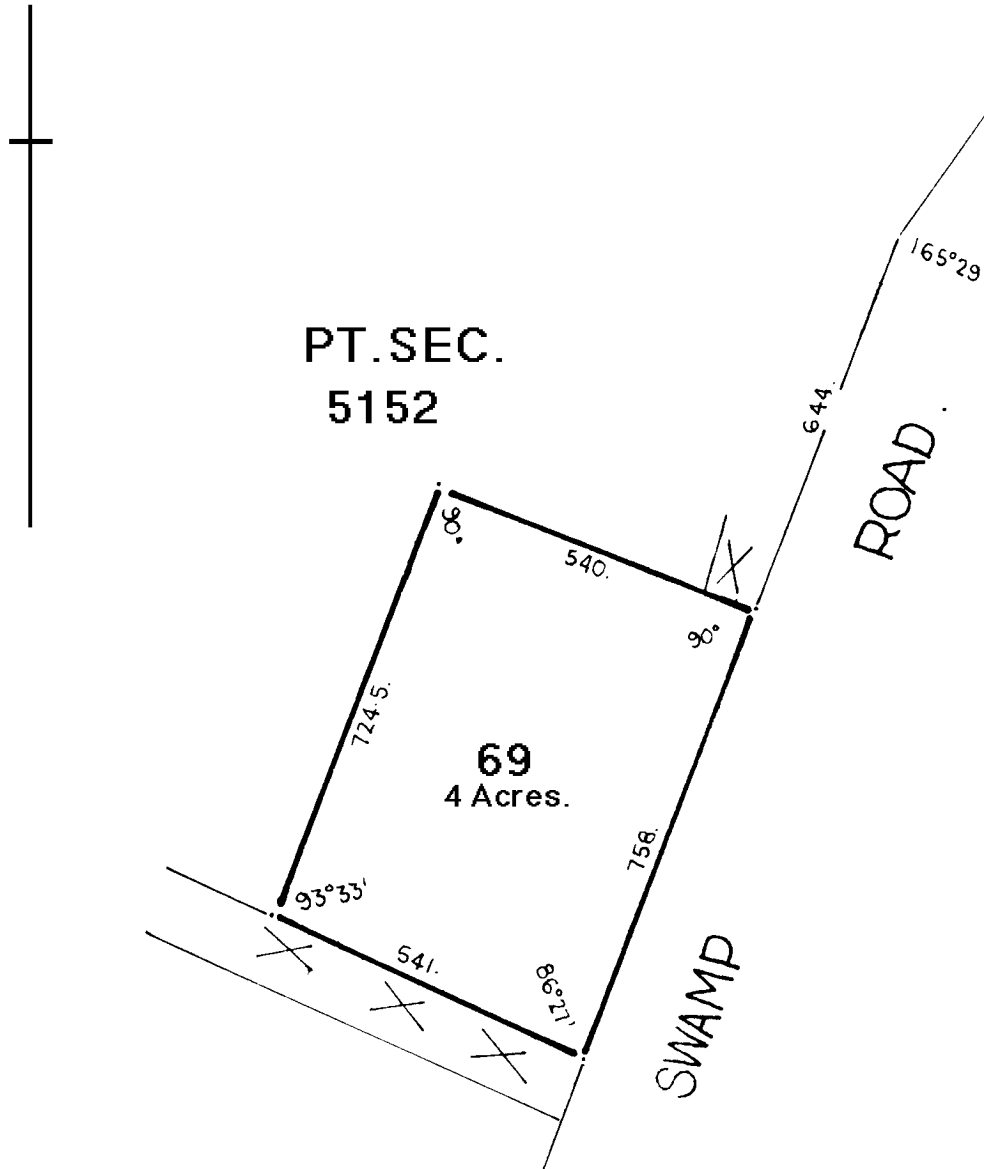
Schedule of Dealings

NIL

Notations

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

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 3938/51



FOR METRIC CONVERSIONS	
1 LINK	= 0.201168 METRES
1 CHAIN	= 100 LINKS
1 ACRE	= 0.404686 HECTARES
1 ROOD	= 1011.7 m ²
1 PERCH	= 25.29 m ²

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5716 Folio 6

Parent Title(s) CT 1890/181
Creating Dealing(s) CONVERTED TITLE
Title Issued 02/12/1999 **Edition** 4 **Edition Issued** 26/08/2016

Estate Type

FEE SIMPLE

Registered Proprietor

DAVID ALEX KAZI
SHARYN KAY STONE
OF 665 SWAMP ROAD LENSWOOD SA 5240
AS JOINT TENANTS

Description of Land

ALLOTMENT 68 FILED PLAN 129922
IN THE AREA NAMED LENSWOOD
HUNDRED OF ONKAPARINGA

Easements

NIL

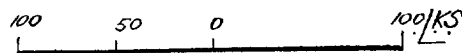
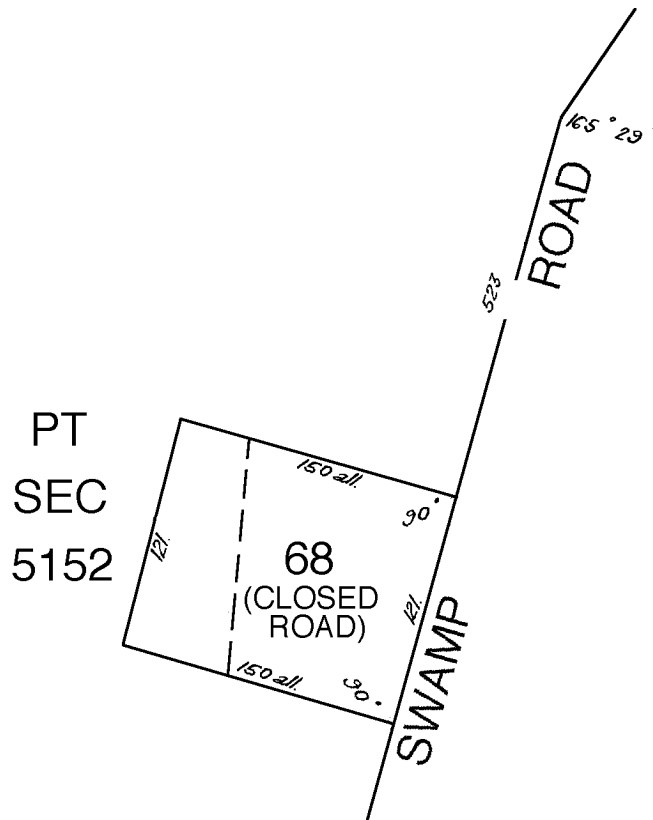
Schedule of Dealings

Dealing Number	Description
12576665	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

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

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 1890/181



DISTANCES ARE IN LINKS
FOR METRIC CONVERSION
1 LINK = 0.201168 METRES
1 CHAIN = 100 LINKS

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5287 Folio 786

Parent Title(s) CT 3885/121, CT 4029/741, CT 4029/742
Creating Dealing(s) RTD 7930092, T 7940441, RE 7940442, RE 7940443, RE 7940444
Title Issued 21/08/1995 Edition 4 Edition Issued 06/09/2017

Estate Type

FEE SIMPLE

Registered Proprietor

ANTHONY GERARD BILL
MELANIE ANNE NEWSTEAD
OF PO BOX 6182 LINDEN PARK SA 5065
AS JOINT TENANTS

Description of Land

ALLOTMENT 50 DEPOSITED PLAN 43185
IN THE AREA NAMED LENSWOOD
HUNDRED OF ONKAPARINGA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED D TO THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (RE 7940443)

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SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B AND D TO THE MINISTER FOR THE ENVIRONMENT AND NATURAL RESOURCES (RE 7940442)

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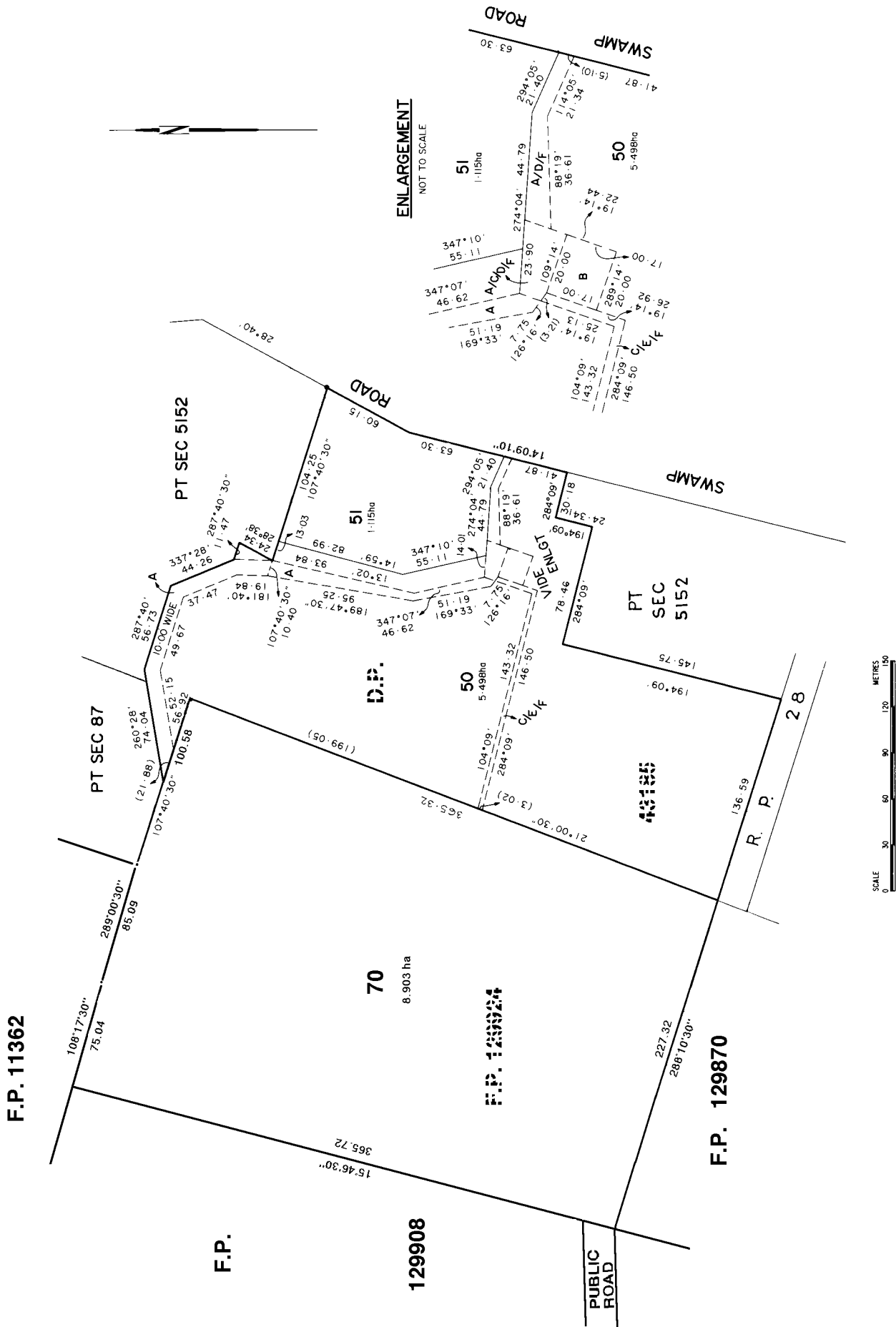
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A AND D

Schedule of Dealings

NIL

Notations

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



DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 473/D018/20
Our Ref: Adelaide Hills DA
Please refer to: 20200601 – 01cs

1 June 2020

State Commission Assessment Panel
GPO Box 1815
ADELAIDE SA 5001

ATTN: BILJANA PROKIC

Dear Biljana

**RE: DEVELOPMENT APPLICATION (LAND DIVISION) – STONE
665 SWAMP RD, LENSWOOD**

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) [The Code] as published under Regulation 106 of the *Development Regulations 2008* applies.

The Code, Part 2.1 states "*When submitting an application it is important to remember that the information provided with an application forms the basis upon which the application will be assessed. If the information is inadequate or insufficient (incomplete, incorrect), the application may be delayed.*"

An officer of the SA Country Fire Service [CFS] Development Assessment Service has assessed the proposed development site, allotment and adjoining areas.

The proposed land division is located within an area that is categorized as a **HIGH** Bushfire Protection Area in the council development plan.

The SA Country Fire Service has no objection to the proposed land division (boundary alignment) at 665 Swamp Rd, Lenswood.

The SA CFS notes that no new residential allotments are created by the proposed land division.

Any future residential development on the three subject allotments shall be referred to the SA CFS for assessment in accordance with the Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) and the Minister's Specification SA78.



BUILDING CONSIDERATIONS

Individual allotments undertaking applications for development consent will require a site bushfire attack assessment in accordance with the National Construction of Australia [NCC] and Australian Standard™ 3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

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

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

Should there be any need for further information please contact the undersigned at the SA CFS Development Assessment Service on (08) 8115 3372.

Yours sincerely,



CAREN SIEGFRIEDT

BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE



22 October 2020

Our Ref: H0097865

The Chairman
State Commission Assessment Panel
50 Flinders St
ADELAIDE SA 5000

Dear Sir/Madam

PROPOSED LAND DIVISION APPLICATION NO: 473/D018/20 AT LENSWOOD

In response to the abovementioned proposal, I advise that this Corporation has no requirements pursuant to Section 33 of the Development Act.

Boundary alteration, existing services. No sewer available. No requirements.

Yours faithfully

JOSIE BONNET
for **MANAGER LAND DEVELOPMENT & CONNECTIONS**

SA Water
Level 6, 250 Victoria Square
ADELAIDE SA 5000
Ph (08) 7424 1119
Inquiries JOSIE BONNET
Telephone 7424 1119



**STATE
COMMISSION
ASSESSMENT
PANEL**

A COMMITTEE OF THE STATE PLANNING COMMISSION

Contact Planning Services
Telephone 7109 7016
Email dldptjpdclearanceletters@sa.gov.au

State Commission
Assessment Panel

27 October 2020

Level 5
50 Flinders Street
Adelaide SA 5000

Chief Executive Officer
Adelaide Hills Council
PO Box 44
WOODSIDE SA 5244

GPO Box 1815
Adelaide SA 5001

08 7109 7061

Dear Sir/Madam

**Re: Proposed Development Application No. 473/D018/20 (ID 67840) – Amended Plan 20/10/20
for Land Division by Sharyn Stone**

Further to my letter dated 3 June 2020 and to assist the Council in reaching a decision on this application, copies of consultation agency reports received by the State Commission Assessment Panel (SCAP) are available for your consideration.

IT IS REQUESTED PURSUANT TO SECTION 33 (1) (c) OF THE *DEVELOPMENT ACT 1993* THAT THE COUNCIL INCLUDE IN ITS DEVELOPMENT APPROVAL THE FOLLOWING REQUIREMENTS OF THE SCAP.

1. A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the State Commission Assessment Panel for Land Division Certificate purposes.

SA Water Corporation has no requirements pursuant to the Development Act.

Council's particular attention is drawn to the comments by Country Fire Services for this application.

Please upload the Decision Notification Form (via EDALA) following Council's Decision.

Yours faithfully,

Biljana Prokic
LAND DIVISION COORDINATOR – PLANNING SERVICES
as delegate of the
STATE COMMISSION ASSESSMENT PANEL