

COUNCIL ASSESSMENT PANEL MEETING

9 June 2021

AGENDA – 8.4

Applicant: Ron Metcalfe Building Designer	Landowner: R N Potter
Agent: -	Originating Officer: Doug Samardzija
Development Application:	20/1087/473
Application Description: Deck attached to dwelling (maximum height 2.4m)	
Subject Land: Lot:151 Sec: P87 DP:3760 CT:5687/167	General Location: 135 Cave Avenue Bridgewater Attachment – Locality Plan
Development Plan Consolidated : 8 August 2019 Map AdHi/36 and AdHi/82	Zone/Policy Area: Watershed (Primary Production) Zone - Rural Living Policy Area 2
Form of Development: Merit	Site Area: 760 m ²
Public Notice Category: Category 2 Merit - DPC & BRC Council lodged at same time	Representations Received: 1 Representations to be Heard: 1

1. EXECUTIVE SUMMARY

The purpose of this application is to obtain Development Plan Consent and Building Rules Consent for the development of a new elevated deck (balcony) addition to the existing detached dwelling above the existing dwelling's garage entrance. The deck addition will be situated forward of the existing building line of the dwelling, towards the Cave Avenue frontage.

The subject land is located within the Watershed (Primary Production) Zone and Rural Living Policy Area No. 2 of the Adelaide Hills Development Plan.

The proposal is a Category 2 form of development in accordance with the Public Notification provisions of the Watershed (Primary Production Zone) of the Development Plan as a *'Deck attached to a dwelling (where not assigned as Category 1'* where a category 1 deck attached to a dwelling is limited to 1m above natural ground level. The application received one (1) representation during the Public Notification.

The proposal is a 'consent on merit' form of development.

As per the Adelaide Hills Council Instrument of delegation made pursuant to Section 102 (1) of the Planning, Development and Infrastructure Act 2016, the CAP is the relevant authority for, *'Development applications for development where there are opposing representations which have requested to be heard in response to a Category 2 or 3 public notifications'*.

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 the construction of a deck, elevated at 2.4 metres above the natural surface of the ground, with posts placed proximate to the boundary to the north-east (Allotment 133) and on the raised garden terrace within the subject land south of the existing driveway.

The proposed decking forms a platform over the existing driveway, maintaining the existing driveway access to the garage and the existing stone wall retaining the raised garden terrace.

The proposed development is 3.2 metres wide and 6 metres deep, constructed abutting the front (north-west face) of the dwelling and is to have a finished level of 2.4 metres above the lower ground level established by the driveway.

The proposed deck will be setback 7.83 metres at the nearest point to the Cave Avenue front property boundary, 0.9 metres decking setback and 0.4 metres structural post setback from the north-eastern side property boundary.

The proposed decking will be of timber construction with timber balustrade posts and top-rail with tensioned stainless steel cable balustrade infill.

The proposed plans are included as **Attachment – Proposal Plans** with other information included as **Attachment – Application Information** and **Attachment – Applicant’s Professional Reports**.

3. BACKGROUND AND HISTORY

Nil

4. REFERRAL RESPONSES

The application was not subject to any prescribed mandatory referrals pursuant to Section 37 of the Act and Schedule 8 of the Development Regulations 2008.

5. CONSULTATION

The application was determined to constitute a Category 2 form of development in accordance with Watershed (Primary Production) Zone PDC 72 requiring formal Category 2 public notification. One (1) representation was received in opposition to the proposal from the north-eastern adjoining neighbours.

The following representor wishes to be heard:

Name of Representor	Representor’s Property Address	Nominated Speaker
Helen Viant & Kate Bailey	133 Cave Avenue, Bridgewater	Helen Viant

The issues contained in the representation refer entirely to the desire of the neighbours to maintain and preserve a series of pencil pines which exist close to the common boundary of 133 and 135 Cave Avenue. The representor believes that the trees will be threatened by the excavation of the north-eastern side footings for the proposal, which will lie within 155mm off the boundary and beyond the boundary, and approximately 300mm to the trees (approx. 450mm in total from the edge of the footing pads).

It is apparent from the communications through Council and from those which have occurred between the parties, that both wish to retain these trees. The subject trees are not Regulated or Significant status, and have no legislated standing in this assessment.

The representor has provided sections of the Arboriculture report in his response, which outlines that:

7.2 Structural Root Zone (SRZ) & Tree Protection Zone (TPZ) CALCULATIONS

7.2.1 *The SRZ (or CRZ): Structural/Critical Root Zone is the zone around a tree required to protect the tree's stability. Generally, no development activities are permitted within this zone unless there are no other suitable options.*

7.2.2 *The TPZ or Optimal Tree Protection Zone is the principal means of protecting the tree and is calculated using the formula $TPZ = DBH \text{ (diameter @ 1.4 meters above ground level)} \times 12$.*

And,

10 RECOMMENDATIONS

10.1 *Any proposed works at 135 Cave Avenue, Bridgewater SA 5152 that encroaches the Tree Protection Zone (TPZ) and or the Structural Root Zones (SRZ's) are to be undertaken using non-destructive methodologies such as Hydro-vac or by hand to avoid any tree root damage.*

10.2 *This includes works for new carport and any remedial works for the paved driveway.*

10.3 *Any services that maybe required for the proposed development need to avoid the Tree Protection Zone (TPZ) where possible. If there is any encroachment into the Tree Protection Zone (TPZ) non-destructive methods need to be used to undertake.*

10.4 *It is recommended that that the trees are irrigated and the area beneath the trees driplines is mulched with a layer or course mulch approximately 50 – 75mm thick.*

In accordance with the Arboriculture report, the necessary tree protection zone formula identified in item 7.2.2 above would be very closely accorded by the 450mm setback of the structural elements from the trees. Respectively, the applicant's response has suggested that:

- 1) *Any digging will be confined to the post holes, and this will be done manually and with care and attention to avoid root damage.*
- 2) *Our own investigation and research has indicated that damage to the roots of the trees from careful digging of the post holes, which is the only possible interference with the trees is, unlikely.*
- 3) *Further, the general advice is that cutting of a root, should that occur, is not likely to affect the tree as long as that is more than twice the distance from the tree as a measure of the circumference of the tree. The circumference of the trees in question are around 60cms. The trees are more than that distance from the boundary, and the post holes more than that distance again inside our boundary.*
- 4) *Our research suggest that pine trees generally have roots that extend straight down into the soil. Because of this, it is considered that pine trees have little effect on foundations, and that pine trees usually have a tap root system, with shallow surface roots.*
- 5) *Any disturbance to the root systems should be only very minimal anyway because there will be piers here, not continuous foundations.*
- 6) *All efforts will be made to avoid roots in fixing the posts.*

- 7) *Our research indicates that candle pine roots are not likely to be any threat to any foundations for the deck.*
- 8) *In the area of the proposed deck the trees do not over hang over my property and there will thus be no interference with the trees in the constructing of the deck.*

As the trees are not within the ambit of Regulated or Significant tree status under the Act, the trees cannot be assessed pursuant to the regulated tree provisions of the Development Plan.

The undertakings of the applicant are however noted and it is considered that the applicant has given reasonable undertaking to the neighbour that reasonable steps will be taken to avoid adverse impact to these trees.

A copy of the submission is included as **Attachment – Representations** and the response is provided in **Attachment – Applicant’s Response to Representations**.

6. PLANNING & TECHNICAL CONSIDERATIONS

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

- i. The Site’s Physical Characteristics
The subject land is a regular shaped allotment of approximately 760m² in area and is within a well landscaped urban environment. The allotments are not large, as the ‘Rural Living Policy Area’ might suggest, and therefore interface between properties and land uses is an important factor to ensure that development maintains the existing high level of amenity enjoyed in the locality. Current site improvements include a two storey dwelling with associated domestic structures and well landscaped front and rear yards.
- ii. The Surrounding Area
The locality is characterised by predominantly residential development with the allotments exhibiting relatively consistent pattern of dwellings situated on large residential scale allotments. Many of these have less intensive tree coverage and landscaping, lesser setback to surrounding streets and larger allotment areas than the subject land.
- iii. Development Plan Policy considerations
 - a) Policy Area/Zone Provisions
The subject land lies within the Watershed (Primary Production) Zone - Rural Living Policy Area and these provisions seek:
 - *To maintain and enhance natural resources of the Mount Lofty Ranges particularly water resources.*
 - *To protect the long term sustainability of primary production activities.*
 - *To enhance amenity and landscape value through preservation and restoration of native vegetation.*
 - *To support and develop the tourism industry with accommodation, attractions & facilities and increase visitation and overnight stays in the region.*

The Policy Area in particular embraces the establishment of a range of ‘...farming, rural and rural residential development’.

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

Objective: 1
PDCs: 1, 5 & 6

The following are considered to be the relevant *Watershed (Primary Production) Zone* provisions:

Objectives: 1, 2, 3, & 5
PDCs: 2, 7, 15, 16, 37

Accordance with the Watershed (Primary Production) Zone and Policy Area

The proposal is not offensive or prejudicial to the intent of the W(PP) zone. However, it is noted that the proposal is particularly in accordance with the intent for urban development within the Rural Living Policy Area, which has been established in this locality.

The proposal comprises additions/alterations which reinforce the residential use of the land, and the residential/rural lifestyle uses which prevail in the locality. The proposal is considered highly unlikely to impair the amenity of the locality or be incompatible with it in terms of use, scale or form.

Form of Development

Development of dwellings in the Zone and Policy area is clearly contemplated by the Development Plan, is not prejudicial to any other land uses and would not undermine the achievement of the objectives of the zone.

The proposal adds to the existing detached dwelling and whilst being proposed forward of the dwelling, the open nature of the structure ensures that it does not significantly alter the external appearance of the dwelling despite it being well concealed by existing landscaping.

Appropriateness of Proposal in Locality

The proposed development is highly unlikely to present any dissimilar or conflicting land use by way of the dwelling additions and alterations. It remains set well back on the allotment and will remain inconspicuous within the surrounding environment.

The proposal is not inconsistent with more condensed residential characteristics established by the existing development within the locality.

Appearance of Land and Buildings

The Development Plan seeks that buildings will have *a high standard of design, with respect to external appearance, choice of materials and colours, being sited to blend with, preserve and enhance the character and amenity of the locality* which is considered to be accorded by the proposed deck's design, appearance and siting.

Conservation

The proposed development does not represent any conflicts with the conservation values of the Zone or Policy Area. The proposal does not affected any existing, or significant vegetation about the existing dwelling which is generally retained and contributes to the landscape and amenity.

b) Council Wide provisions

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

- *Appropriate design and appearance standards for buildings.*
- *Orderly and sustainable development.*
- *Avoidance of incompatible land uses.*
- *Residential development meeting appropriate standards of design and hazard reduction / avoidance.*

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

Design and Appearance

Objectives: 1

PDCs: 1, 3, 9 & 18

Hazards

Objectives: 1, 2 & 5

PDCs: 1, 7 & 10

Residential Development

Objectives: 1 & 2

PDCs: 4, 9, & 27

Siting and Visibility

Objectives: 1

PDCs: 2, 4, 6 & 7

The proposal does not intend to change the land use as there has been long established residential development on the subject land. Further, the proposal does not substantially change the characteristics of the land/built form or the locality as the proposed deck addition is both consistent with the existing dwelling's design and appearance and concealed from clear and direct view by virtue of setbacks and landscaping.

The proposed development is considered to pursue the intent of the plan to provide outlook and passive surveillance to the street from habitable parts of the dwelling.

The site is substantially landscaped with mature trees. However, the close interface of the driveways and the potential to overlook the front yard of No. 133 to the north-east is considered to warrant a condition to maintain the existing, or establish further screening which is currently well represented by the pencil pines, which are the subject of the Category 2 representation.

Landscaping to provide a 'soft interface between land uses' is considered to achieve appropriate means of maintaining amenity between the neighbouring properties and will go some way in limiting the views from the deck into neighbour's front yard. Whilst it is acknowledged that there will be direct views into the neighbouring front yard, it is impractical from a privacy perspective to protect the front yard area from overlooking. It is also generally accepted that front yards of properties are not considered as private open spaces especially in the circumstances where the dwelling is located on a large allotment which provides multiple areas as private open space. As such the retention of the pencil pines along the boundary of the two properties will contribute towards a maintaining the interface between the two allotments and the uses of land. Recommended Condition 3 will ensure the maintenance of existing landscaping and to ensure that any dead or diseased vegetation is replaced in the next planting season.

The site is serviced by on-site wastewater treatment and disposal systems. The development does not interfere with these systems. The development does not propagate or perpetuate any increase in the wastewater disposal requirements and therefore will not create any additional risk to protection of water resources in the zone.

The proposed deck is not considered to be at unreasonable risk from a bushfire. The Building Rules assessment must establish that the design and construction do not compromise the bushfire resistance of the existing dwelling. The site is not at risk of flooding or inundation.

The proposal seeks to establish a domestic addition to the dwelling in a manner which is consistent with the intent of the Zone and particularly the Rural Living Policy Area and is complimentary to the development and land uses in the surrounding locality.

7. SUMMARY & CONCLUSION

The proposal assessed against the provisions of the Adelaide Hills Development Plan, Consolidated 8 August 2019, is considered to demonstrate adequate merit insofar that it can suitably blend with the surrounding natural and built environment of the locality in which it will be situated, is of a high standard of design and its appearance is considered to improve the overall aesthetic of the existing dwelling.

The proposed development is highly unlikely to create any interface issues with surrounding land uses, save for the concern exhibited by the neighbour regarding the preservation of the boundary landscaping. Whilst some overlooking will occur, this overlooking is not going to be into private open space areas of the neighbouring property and the views will be limited due to the existing screening vegetation along the boundary of the subject land and neighbouring property to the east.

The proposal is considered to sufficiently satisfy with the relevant provisions of the Development Plan, and is not considered to be 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.

8. 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 to Development Application 20/1087/473 by Ron Metcalfe Building Designer for Deck attached to dwelling (maximum height 2.4m) at 135 Cave Avenue Bridgewater 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:

- Stormwater Drainage Layout & Site Plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Carport setout plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Upper level deck setout plan prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Front elevation as existing drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Front elevation [N/V] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Side elevation [S/V] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020
- Side elevation [NE] drawing prepared by R Metcalfe Building Designer, drawing number 020.0909 dated September 2020 and date stamped by Council 14/10/2020

(2) **External Materials and Finishes**

All external materials and finishes for the buildings work herein approved shall be finished in either subdued painted colours or natural finishes which blend with the natural features of the landscape.

(3) **Boundary Landscape Screening**

A landscaping screening strip of pencil pines shall be maintained along the north eastern boundary at the length of at deck. Landscaping shall be maintained in good health and condition at all times with any dead or diseased plants being replaced in the next planting season.

NOTES

(1) **Development Plan Consent (DPC) Expiry**

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

Building Consent must be applied for prior to the expiry of the DPC.

(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) Works on Boundary

The development herein approved involves work near the boundary which may be deemed to affect stability of other land. 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.

9. ATTACHMENTS

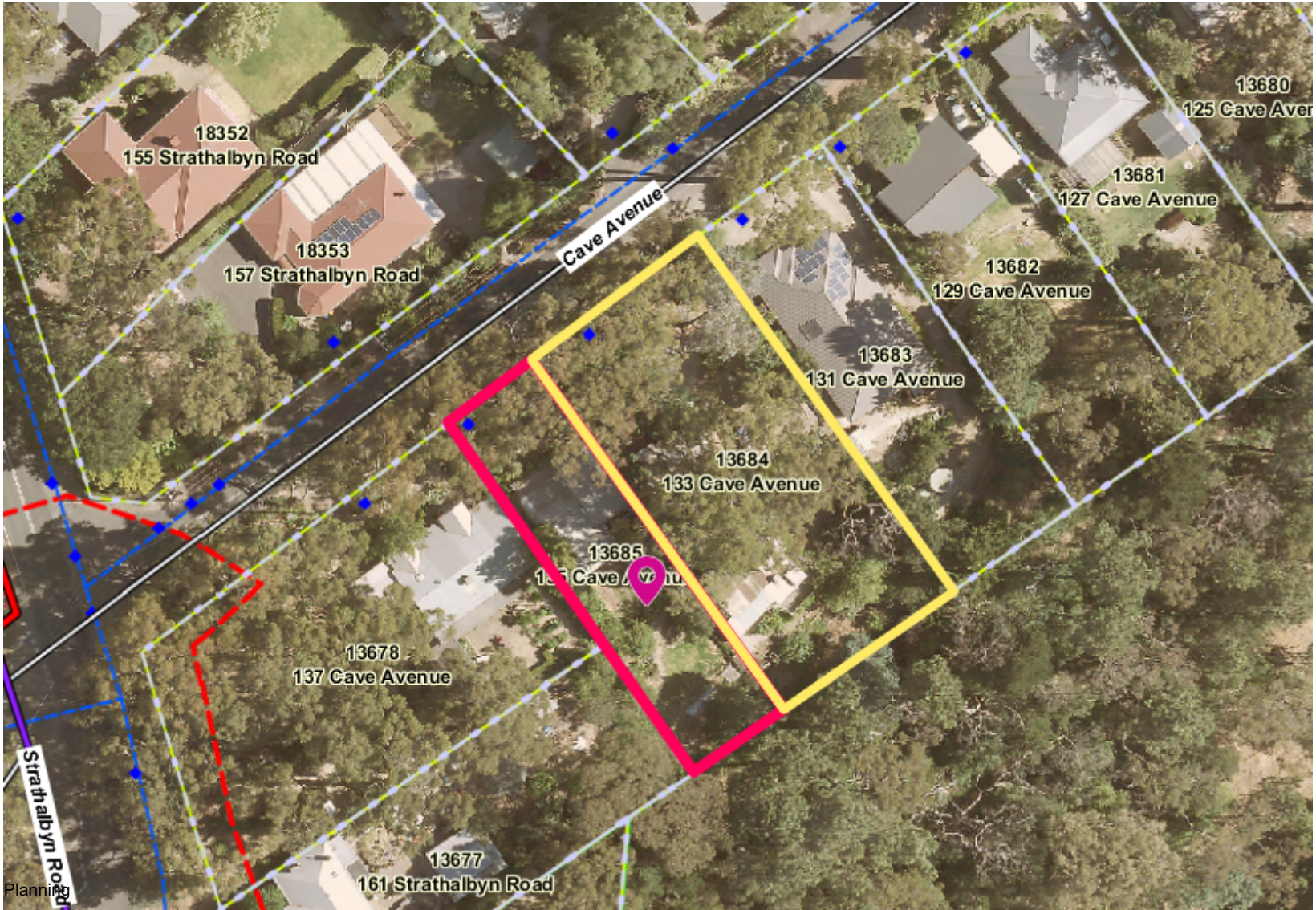
Locality Plan
Proposal Plans
Representation
Applicant's response to representations

Respectfully submitted



Concurrence

Doug Samardzija
Statutory Planner

Deryn Atkinson
Assessment Manager



Annotations

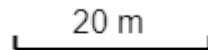
-  Representors Land
-  Subject Land

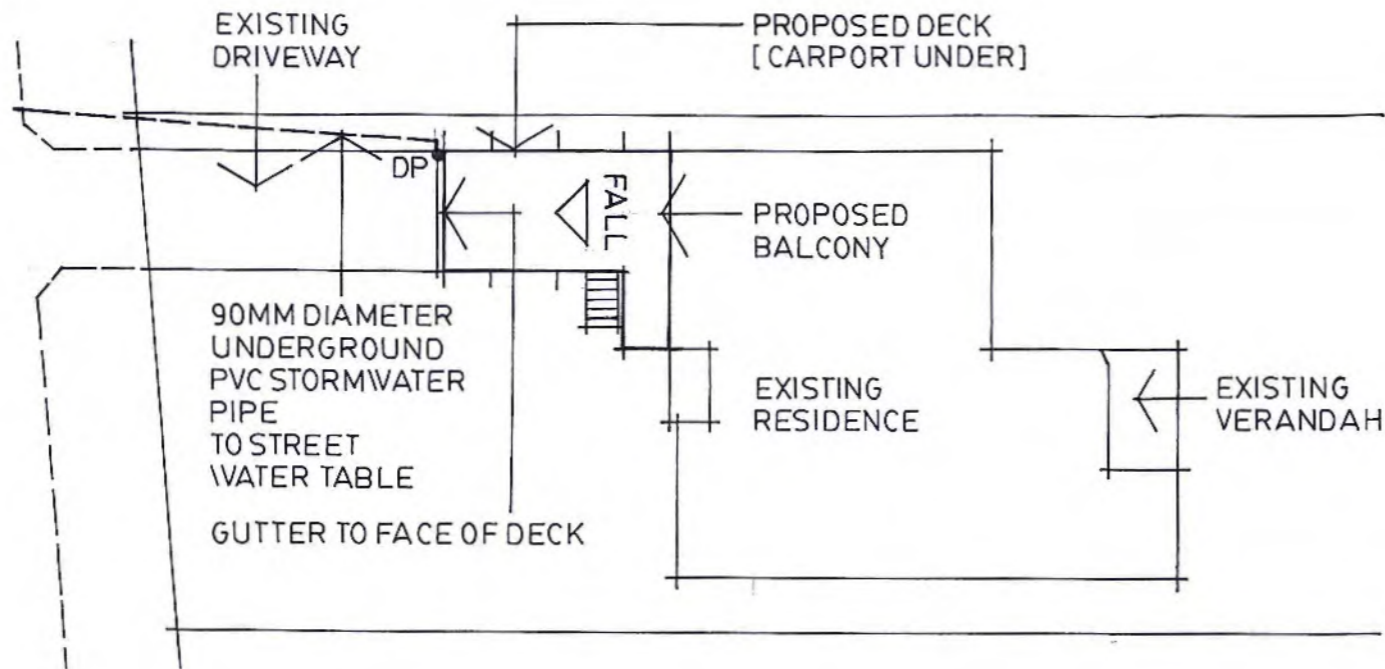
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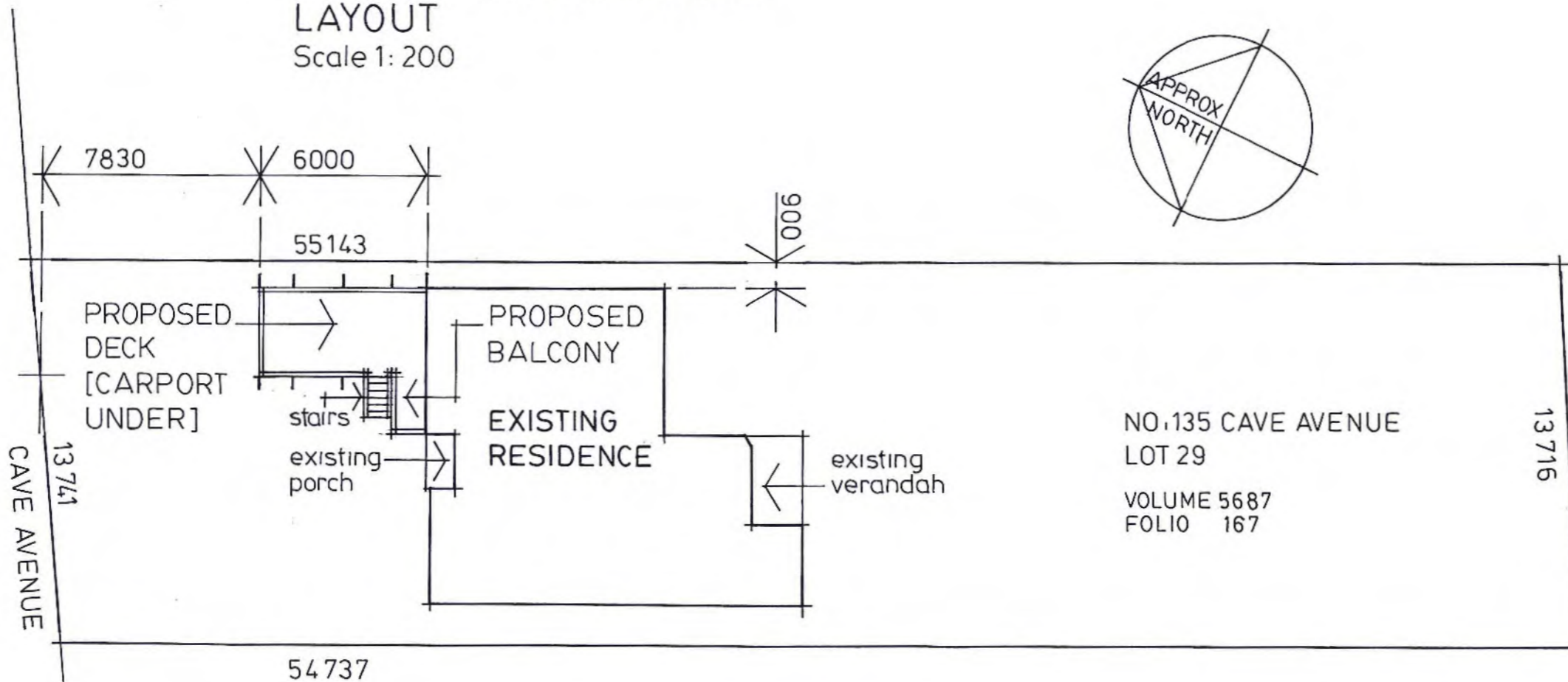
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Scale = 1:782.460





STORMWATER DRAINAGE LAYOUT
Scale 1: 200



SITE PLAN
Scale 1:200

drawing number	number of sheets
020.0903	010

scale as shown
 drawn r metcalfe
 date of issue SEPT 2020

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 written dimensions to be preferred to scaled dimensions in all instances
 all details and dimensions to be checked and verified on site by the builder

notes
 amendments

project
PROPOSED CARPORT/ DECK AND BALCONY AT 135 [LOT 29] CAVE AVENUE BRIDGE WATER FOR RICHARD POTTER

r metcalfe 
 building designer
 35 goddard drive salisbury park
 telephone 8258 7231

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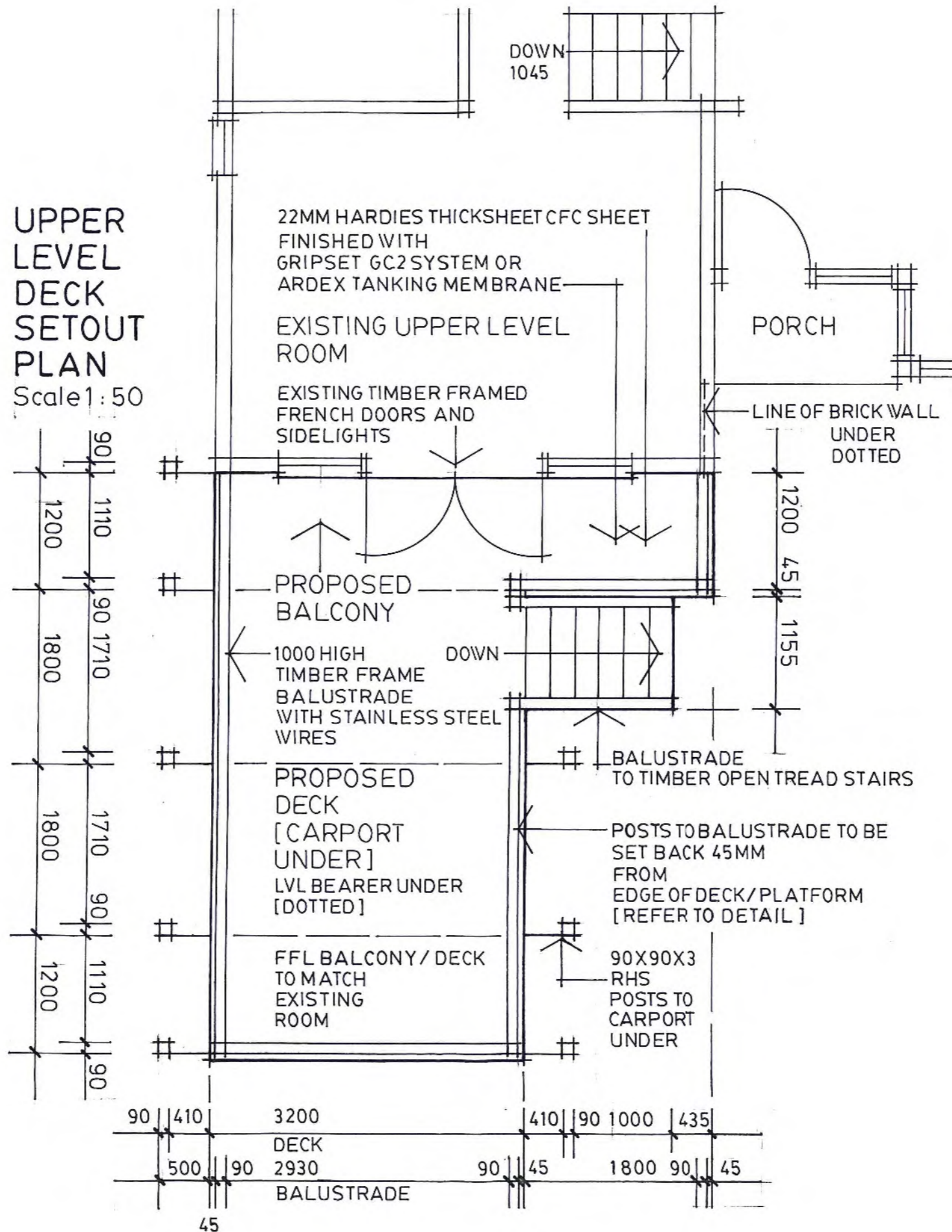
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r metcalfe
 building designer
 35 goddard drive salisbury park
 telephone 8258 7231

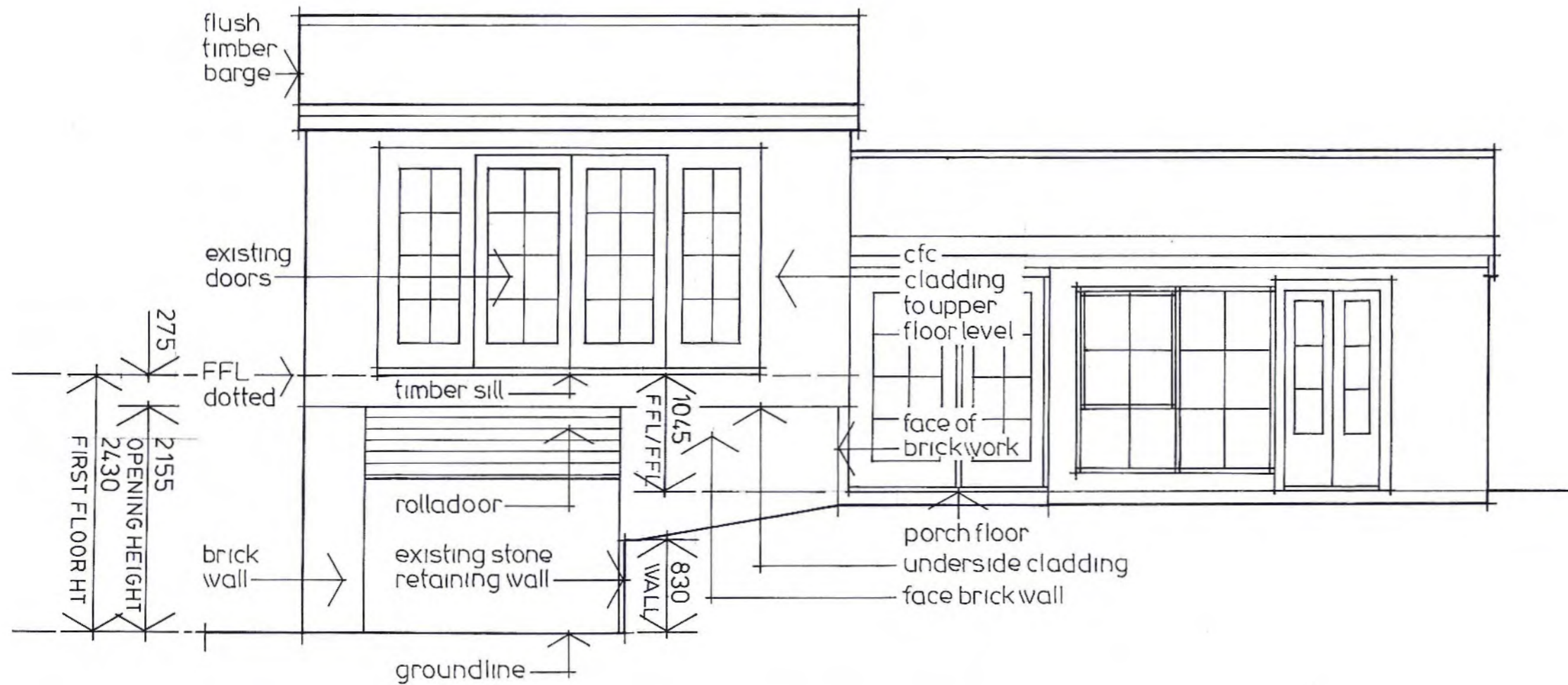
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 BALCONY
 AT
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 CAVE AVENUE
 BRIDGEWATER
 FOR
 RICHARD
 POTTER**



FRONT ELEVATION AS EXISTING
 Scale 1: 50

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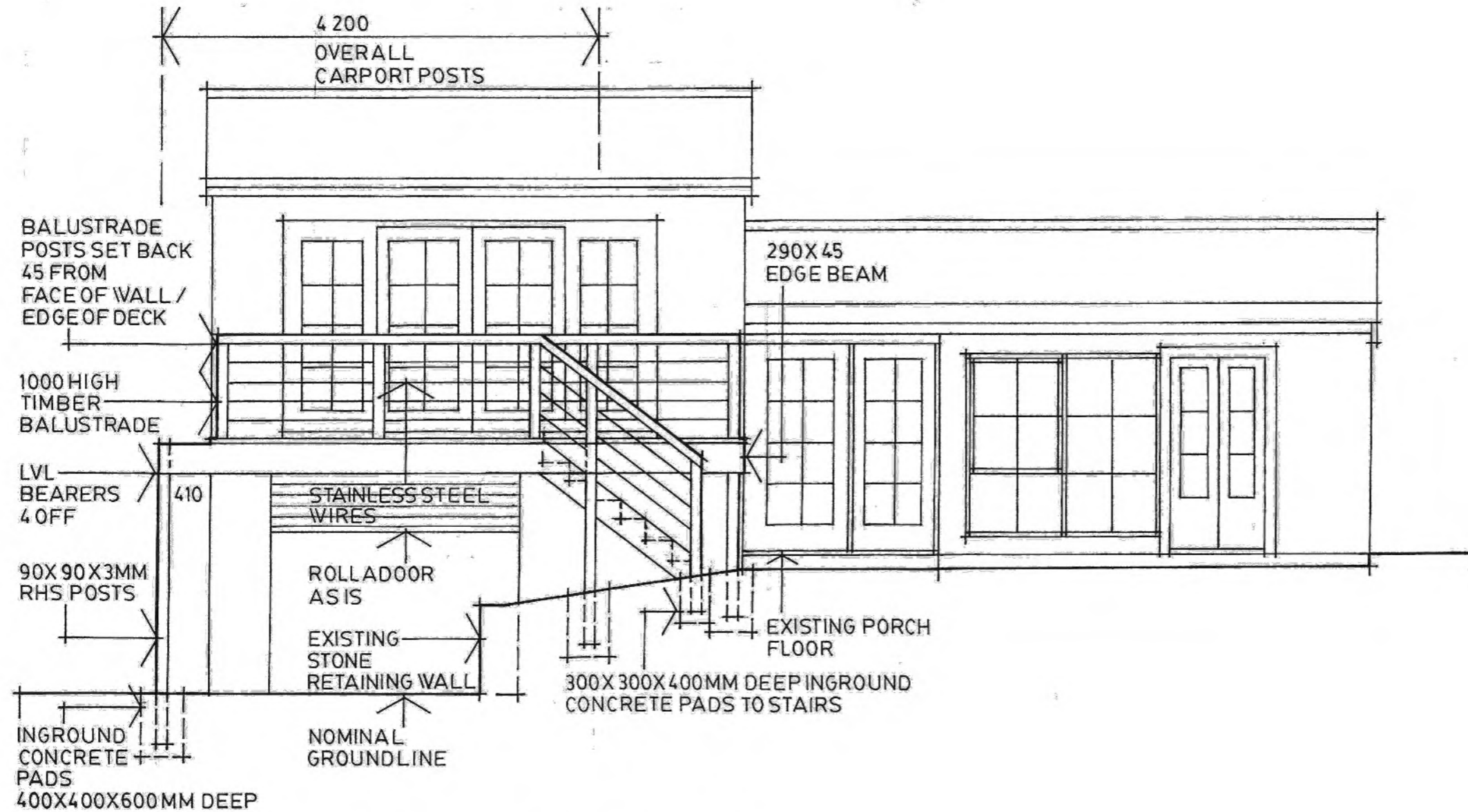
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 AT
 135 [LOT 29]
 CAVE AVENUE
 BRIDGEWATER
 FOR
 RICHARD
 POTTER



FRONT ELEVATION [NW]

Scale 1 : 50

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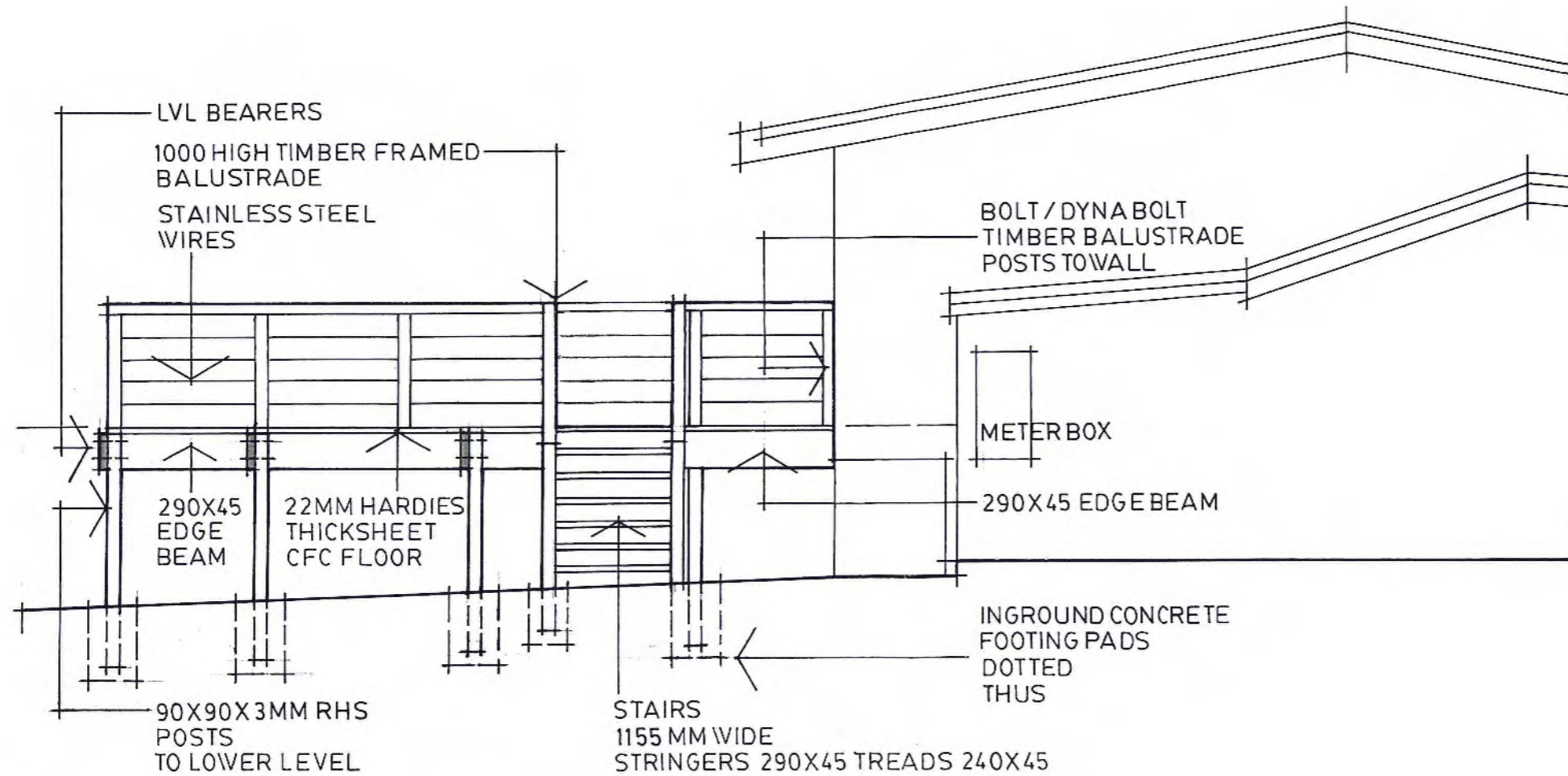
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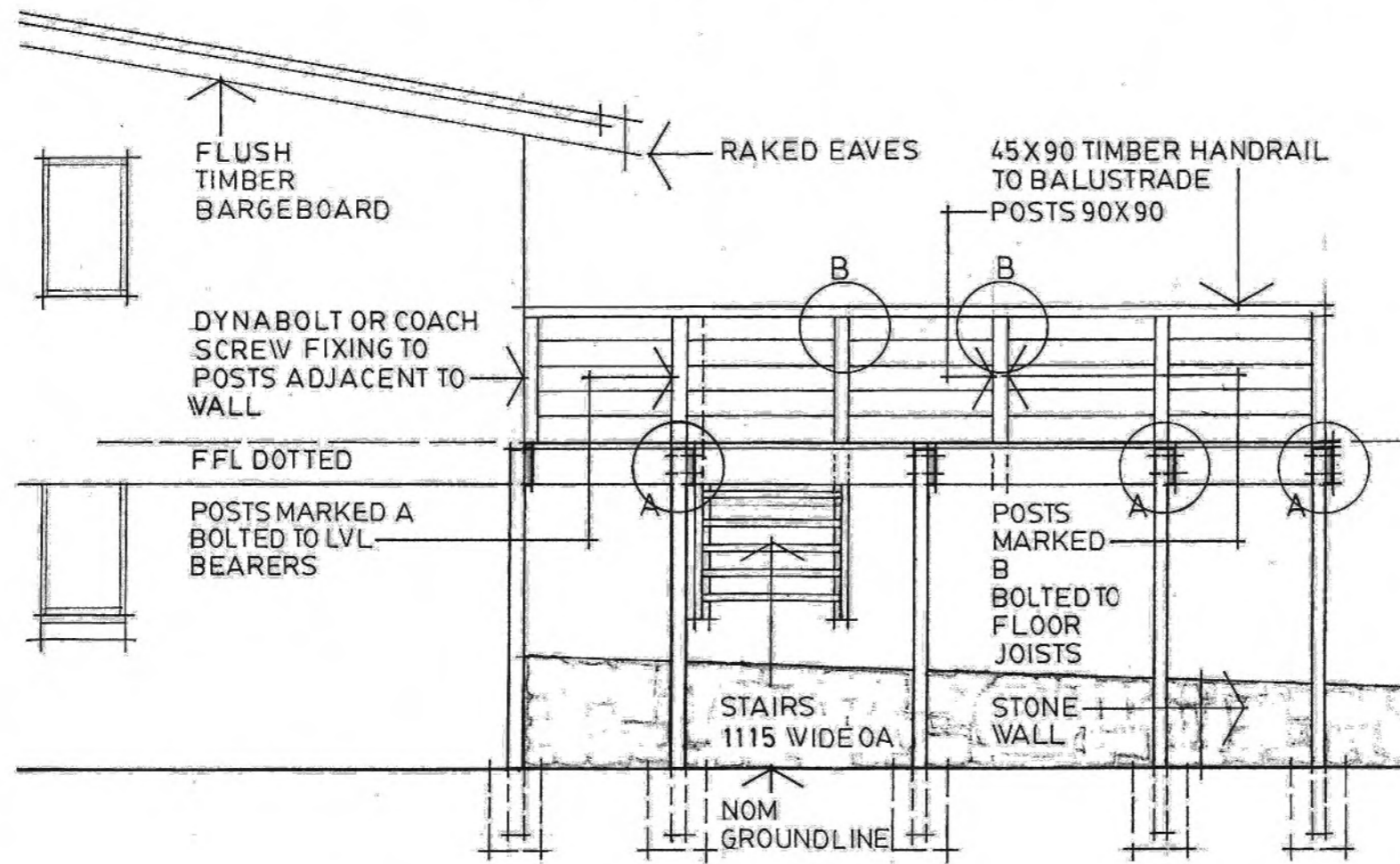
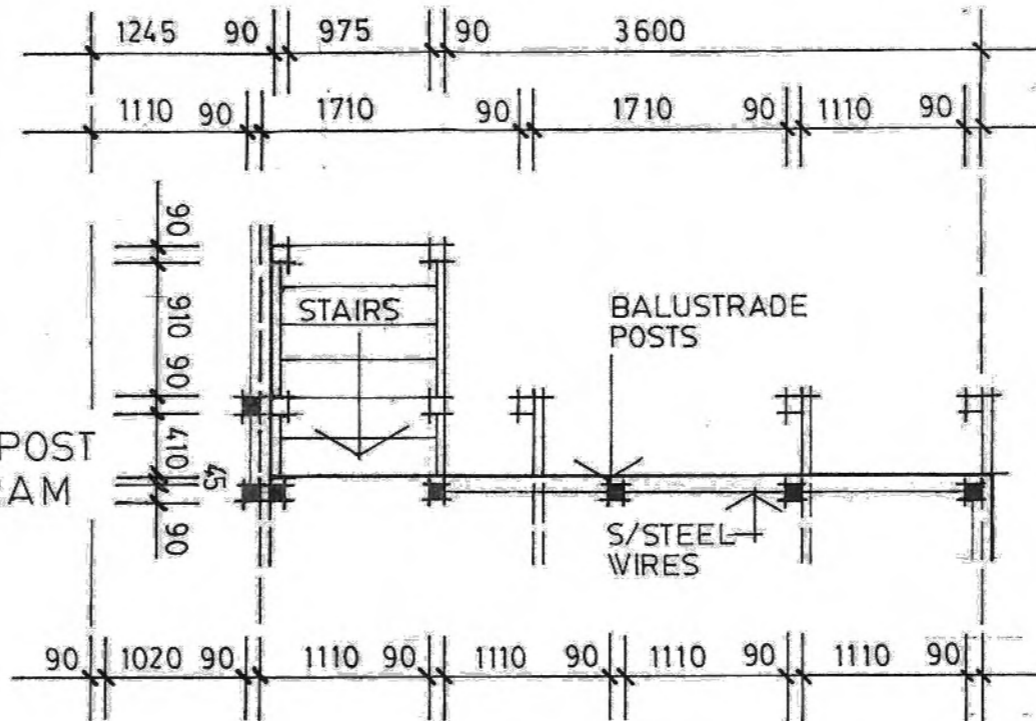
project
**PROPOSED
 CARPORT/ DECK AND
 BALCONY
 AT
 135 [LOT 29]
 CAVE AVENUE
 BRIDGEWATER
 FOR
 RICHARD
 POTTER**



SIDE ELEVATION [SW]
 Scale 1:50

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 building designer
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 telephone
 8258 7231

STAIRS
AND
UPPER FLOOR
BALUSTRADE POST
SETOUT DIAGRAM
Scale 1:50



SIDE ELEVATION [NE]
Scale 1:50

drawing number	number of sheets
020.0903	010

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**PROPOSED
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AT
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BRIDGEWATER
FOR
RICHARD
POTTER**

r metcalfe



building designer
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telephone
8258 7231

SOUTH AUSTRALIAN DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 2 NOTIFICATION

Development Number: 20/1087/473

My Name: Helen Viant & Kate Bailey

Postal Address: 133 Cave Ave, Bridgewater SA 5155

Contact No:

Email:
(by providing an email address you agree to receive any related future correspondence electronically)

This representation is in relation to the application by: Ron Metcalfe Building Designer

Nature of Development: Deck attached to dwelling (maximum height 2.4m)

Proposed to be located at: 135 Cave Avenue Bridgewater SA 5155

My representation: (cross out whichever does not apply below)
~~Supports the proposed development~~ OR Opposes the proposed development

My interests are: (cross out whichever does not apply below)
· owner of local property OR occupier of local property
· a representative of a company OR other
· organisation affected by the proposal OR a private citizen

The address of the property affected is:

133 Cave Avenue Bridgewater SA Postcode: 5155

The specific aspects of the application to which I make representation are:

- Inground concrete pads & bearers & posts - impacting on shaved garden bed & root system of pines.
- Edge of deck - impacting on growth/health of established pines.

My objections (if any) could be overcome by:

We are seeking clarification of the exact possible impact of proposal
- to arrive at amicable outcome for all parties concerned.

(cross out whichever does not apply below)

I do wish to be heard in support of my representation by appearing personally or being represented by the following person.

OR

I do not wish to be heard in support of my representation.

"Please note that, in accordance with Section 38 (10)(a) of the Development Act 1993, the Council Assessment Panel may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation."

Please note that no right of appeal to the Environment, Resources and Development Court exists for a person or body who submit a Category 2 representation.

Date: 4/12/20

Signature: Helen Viant

The closing time and date for Representations is 5.00pm on 04 December 2020 & Representations can only be received during the period 23 November 2020 to 04 December 2020

"Please note that in accordance with Section 38(8) of the Development Act 1993, a copy of this representation is forwarded to the Applicant for their information and response. Further a copy of your representation (including your name and address) will become public and can be viewed on the web."

*please refer to email sent to

From:
Sent: Friday, 4 December 2020 3:53 PM
To: Mail
Cc: Kate Bailey; Kate
Subject: Re Development No 20/1087/473

*Notice of Proposed Category 2 for Development
Deck attached to dwelling 135 Cave Ave Bridgewater SA 5155*

To Whom it May concern

Regarding the **Notice of Proposed Category 2 for Development of a Deck attached to dwelling 135 Cave Ave Bridgewater SA 5155.**

We, K A Bailey & H M Viant (Owners of neighbouring property 133 Cave Ave Bridgewater SA 5155), **have serious concerns regarding the proposal and do not agree with approval.**

We seek further clarification particularly regarding the excavation to accommodate the posts and decking plus any potential infringement on the shared garden area which borders both properties.

Of most concern is the possible impact on the established row of pines situated along the garden area which follows the border of both properties.

We request an explanation/discussion with a relevant member of the Adelaide Hills Council.

Yours sincerely

Helen Viant & Kate Bailey



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**Regarding the Building Application for a deck/carport
at 135 Cave Avenue, Bridgewater, SA 5155**

Preamble

- 1) After some delays because the neighbours had difficulty finding a suitable time to meet. We met with Helen on February 21st, and my tradesman, Chris Jackson, explained at some length the plans for the building of the deck and went through the drawings. The situation regarding the candle pines on their property near the fence line was discussed.
- 2) They made clear that they were not opposed to the deck, just the preservation of the pines as these would provide privacy, and I made clear we were keen for them to stay for the same reasons.
- 3) They wished to get the advice of an arborist and employed an arborist to give them a report which was promised within a fortnight.
- 4) I contacted Helen on the 23rd of February to ask if they had received this report and received a reply that they were still waiting, and again on the 18th of March, and received a reply that they were still chasing the report.
- 5) I made contact again on the 1st of April, indicating that there were time pressures from the Council and also with regards to the availability of the builder in getting this resolved.
- 6) On the 5th of April I received the Arborist's report.

Response to concerns raised

We have wished to be patient with the process so that the neighbours would feel they have no cause for concern about the project.

- a) We are equally keen to have the trees retained and unaffected.
- b) We are confident that the project can be realised without damage to the trees, and will make all efforts to ensure this.

Arborist's Report

The relevant sections of the Report are the following:

7.2 SRZ & TPZ CALCULATIONS

7.2.1 The SRZ (or CRZ): **Structural/Critical Root Zone** is the zone around a tree required to protect the tree's stability. **Generally, no development activities are permitted within this zone unless there are no other suitable options.**

7.2.2 The TPZ or Optimal Tree Protection Zone is the principal means of protecting the tree and is calculated using the formula
 $TPZ = DBH$ (diameter @ 1.4 meters above ground level) x 12.

9 LEGISLATE REQUIREMENTS

9.1 The subject trees within this report are not protected trees as per the **Planning, Development and Infrastructure Act 2016**

10 RECOMMENDATIONS

10.1 Any proposed works at 135 Cave Avenue, Bridgewater SA 5152 that encroaches the Tree Protection Zone (TPZ) and or the Structural Root Zones (SRZ's) are to be undertaken using non-destructive methodologies such as Hydro-vac or by hand to avoid any tree root damage.

10.2 This includes works for new carport and any remedial works for the paved driveway.

10.3 Any services that maybe required for the proposed development need to avoid the Tree

Protection Zone (TPZ) where possible. If there is any encroachment into the Tree Protection Zone (TPZ) non-destructive methods need to be used to undertake.

10.4 It is recommended that that the trees are irrigated and the area beneath the trees driplines is mulched with a layer or course mulch approximately 50 – 75mm thick.

Response:

- 1) Any digging will be confined to the post holes, and this will be done manually and with care and attention to avoid root damage.
- 2) Our own investigation and research has indicated that damage to the roots of the trees from careful digging of the post holes, which is the only possible interference with the trees is, unlikely.
- 3) Further, the general advice is that cutting of a root, should that occur, is not likely to affect the tree as long as that is more than twice the distance from the tree as a measure of the circumference of the tree. The circumference of the trees in question are around 60cms. The trees are more than that distance from the boundary, and the post holes more than that distance again inside our boundary.

- 4) Our research suggest that pine trees generally have roots that extend straight down into the soil. Because of this, it is considered that pine trees have little effect on foundations, and that pine trees usually have a tap root system, with shallow surface roots.
- 5) Any disturbance to the root systems should be only very minimal anyway because there will be piers here, not continuous foundations.
- 6) All efforts will be made to avoid roots in fixing the posts.
- 7) Our research indicates that candle pine roots are not likely to be any threat to any foundations for the deck.
- 8) In the area of the proposed deck the trees do not over hang over my property and there will thus be no interference with the trees in the constructing of the deck.

Summary

The neighbours have made it clear they do not object in principle to the building of the deck or any aspects of the current plan. Like them, we are keen to retain the trees for our and their privacy. We don't believe the present proposal offers any threat to the trees and believe, with the construction practices proposed, conform to the recommendations of the Arborist's Report.

Signed:

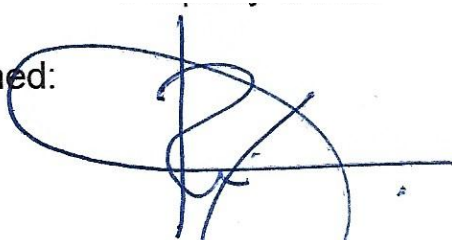
Date: 07 - 04 - 2021



Richard Potter

**ADELAIDE HILLS COUNCIL
RECEIVED 09/04/2021**

Signed:



Ron Metcalfe
Applicant