

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 12 JUNE 2024
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup
Paul Mickan
Myles Somers
Leith Mudge

In Attendance

Jess Charlton
Deryn Atkinson
James Booker
Jake McCulloch
Sarah Kimber
Karen Savage

Acting Director Community & Development
Assessment Manager
Team Leader Statutory Planning
Senior ICT Officer
Team Leader Development Services
Minute Secretary

1. Commencement

The meeting commenced at 6.31pm

2. Opening Statement

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

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 8 May 2024

The minutes were adopted by consensus of all members (20)

That the minutes of the meeting held on 8 May 2024 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

Nil

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

8.1 Development Application 23032098 by Rossdale Homes for two storey detached dwelling, retaining walls and deck at 6 Hill View Road, Bridgewater

8.1.1 Representations

Name of Representor	Address of Representor	Nominated Speaker
Mark Bickford	5 Hill View Road Bridgewater	Mark Bickford via Zoom

The applicant's representative, Geoff Greenow (Rossdale Homes), addressed the Panel and answered questions from the Panel.

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8.1.2 Decision of Panel

Moved	Paul Mickan	Carried
S/-	Myles Somers	(21)

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 23032098 by Rossdale Homes for two storey detached dwelling, retaining walls and deck at 6 Hill View Road, Bridgewater is GRANTED Planning Consent subject to the following conditions:

RESERVED MATTER

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

- 1) A revised site works and drainage plan and supporting information prepared by a suitably qualified stormwater/civil engineer that addresses the following:
 - Calculations indicating how a pre-development C value was achieved of 0.35;
 - Calculations as to how a C value of 0.1 was achieved for the lawn area as this is considered low for this surface; and
 - Clarification if a 3000L underground sump pump is to be used.

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.

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CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) 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.
- 3) A supply of water independent of reticulated mains supply shall be available at all times for fire-fighting purposes:
 - a minimum supply of 2,000 (two thousand) litres of water shall be available for fire-fighting purposes at all times; and
 - the water supply shall be located such that it provides the required water; and
 - the water supply shall be fitted with domestic fittings (standard household taps that enable an occupier to access a supply of water with domestic hoses or buckets for extinguishing minor fires); and
 - the water supply outlet shall be located at least 400mm above ground level for a distance of 200mm either side of the outlet; and
 - a water storage facility connected to mains water shall have an automatic float switch to maintain full capacity; and
 - where the water storage facility is an above-ground water tank, the tank (including any support structure) shall be constructed of non-combustible material.
- 4) Stormwater management shall be undertaken in accordance with the site works and drainage plan and stormwater calculations prepared by Intrax Engineering and approved by Adelaide Hills Council. All roof runoff generated by the development hereby approved shall be directed to a rainwater tank with overflow to the street (via a pump if necessary) to the satisfaction of Council within one month of the roof cladding being installed.
- 5) The external finishes to the dwelling herein approved shall be as follows:

WALLS - RENDER:	Dune or similar
WALLS – CLADDING:	Colorbond Monument or similar
ROOF:	Colorbond Monument or similar

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ADVISORY NOTES

General Notes

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

8.2 **Development Application 23037800 by Cobbs Hill Estate for change of use of existing cellar door building to include a restaurant, variation to DA 21017786 to remove the restaurant from the approved function centre building and to vary Condition 13 to increase the days of restaurant operation from 2 days per week to 3 days per week plus public holidays, and to vary Condition 11 to increase the capacity of the cellar door to 200 persons on public holidays at 362 Oakwood Road, Oakbank**

8.2.1 **Representations**
Nil

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8.2.2 Decision of Panel

The following was adopted by consensus of all members (22)

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 23037800 by Cobbs Hill Estate for change of use of existing cellar door building to include a restaurant, variation to DA 21017786 to remove the restaurant from the approved function centre building and to vary Condition 13 to increase the days of restaurant operation from 2 days per week to 3 days per week plus public holidays, and to vary Condition 11 to increase the capacity of the cellar door to 200 persons on public holidays at 362 Oakwood Road, Oakbank is GRANTED Planning Consent subject to the following conditions:

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2)
 - a) The overall capacity of the cellar door shall be 75 persons Monday to Friday and 200 persons Saturday, Sunday and Public Holidays.
 - b) The maximum capacity of the restaurant shall be 130 persons at any one time.
 - c) Prior to 6:00pm the overall capacity of the site shall be limited to a maximum of 330 persons.
After 6:00pm the overall capacity of the site shall be restricted to a maximum of 130 persons. This includes any associated outdoor areas for liquor licensing purposes allowing the restaurant and a function to operate concurrently, or the cellar door and a function to operate concurrently.

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- 3) The operating days and hours of the restaurant shall be Friday, Saturday, Sunday and Public Holidays from 11:00am to 10:00pm. Any increase in the hours or days of operation will require separate development approval.
- 4) Only background music shall be permitted in the restaurant portion of the cellar door building. No amplified music or entertainment is permitted in the restaurant portion of the cellar door building.
- 5) All waste shall be stored in a closed container with a close fitting lid and removed from the subject land at least once weekly. Collection of waste shall be carried out only between the hours of 7:00am and 5:00pm and only Monday to Friday.
- 6) Except where varied by this authorisation, all other conditions, plans and details relating to Development Authorisation 21017786, 16/973/473 and 16/882/473 continue to apply to this amended authorisation.

ADVISORY NOTES

General Notes

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- 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).

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- 9. Development Assessment Applications – Development Act**
Nil
- 10. Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. ERD Court Appeals**
The Assessment Manager provided the Panel with a verbal update on current ERD Court Appeals.
- 12. Policy Issues for Advice to Council**
Nil
- 13. Other Business**
Nil
- 14. Confidential Item**
Nil
- 15. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 10 July 2024, with a Special meeting to be held on Wednesday 19 June 2024.
- 16. Close meeting**
The meeting closed at 7.37pm.