

**ADELAIDE HILLS COUNCIL
MINUTES OF COUNCIL ASSESSMENT PANEL MEETING
WEDNESDAY 9 APRIL 2025
63 MOUNT BARKER ROAD, STIRLING
AND
ZOOM VIRTUAL MEETING ROOM**

[Please Note: These minutes are unconfirmed until 14 May 2025]

In Attendance

Presiding Member

Geoff Parsons

Members

Ross Bateup

Leith Mudge

Tim Pride

In Attendance

Jess Charlton

Deryn Atkinson

James Booker

Doug Samardzija

Mike O'Donnell

Jess Tonkin

Director Community & Development

Assessment Manager

Team Leader Statutory Planning

Senior Statutory Planner

ICT Support Officer

Minute Secretary

1. Commencement

The meeting commenced at 6:30pm

2. Opening Statement

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

3. Apologies/Leave of Absence

3.1 Apologies

Nil

3.2 Leave of Absence

Myles Somers

Paul Mickan

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4. Previous Minutes

4.1 Meeting held 12 March 2025

The minutes were adopted by consensus of all members

(7)

That the minutes of the meeting held on 12 March 2025 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

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

8.1 Development Application Number 24033741 by Jack Korcz for two storey detached dwelling, ancillary accommodation, swimming pool with associated safety features, front masonry fence with associated outbuilding (gatehouse), retaining walls & associated landscaping at 11 Braeside Road, Stirling

8.1.1 Representations

Name of Representer	Address of Representer	Nominated Speaker
Grant Patterson	61 Old Belair Road, Mitcham	Grant Patterson
Gary Viezzi	15 Braeside Road, Stirling	Gary Viezzi
Sam Como	42 Country Lane, Highbury	Did not attend

The applicant's representative, James Levinson and Ben Clements addressed the Panel and answered questions from the Panel.

8.1.2 Decision of Panel

The following was adopted by consensus of all members (8)

The Council Assessment Panel resolved that:

- 1) The proposed development is not considered seriously at variance with the relevant Desired Outcomes and Performance Outcomes of the Planning and Design Code pursuant to section 107(2)(c) of the *Planning, Development and Infrastructure Act 2016*; and
- 2) Development Application Number 24033741 by Jack Korcz for two storey detached dwelling, ancillary accommodation, swimming pool with associated safety features, front masonry fence with associated outbuilding (gatehouse), retaining walls & associated landscaping at 11 Braeside Road, Stirling is **GRANTED** Planning Consent subject to the following reserved matter and conditions:

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RESERVED MATTER

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

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

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

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

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) All 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.
- 3) All external materials and finishes shall be of subdued colours and of a low-light reflective nature which blend with the natural features of the landscape.

NOTE: browns, greys, greens and beige are suitable and galvanised iron and zincalume are not suitable.

- 4) Access to habitable buildings where the distance from the public road to the building is greater than 60 m shall be designed and constructed to facilitate the safe and effective:

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- access, operation and evacuation of fire-fighting vehicles and emergency personnel
- evacuation of residents, occupants and visitors.

Driveways shall be

1. no greater than 600m in length
 2. constructed with a formed, all-weather surface
 3. connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8)
 4. a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway
 5. crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway
 6. a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures
 7. incorporate passing bays with a minimum width of 6m and length of 17m every 200m
 8. provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures
 9. allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m
 10. allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either:
 - a) a loop road around the building OR
 - b) a turning area with a minimum radius of 12.5m OR
 - c) a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4)
 11. incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
- 5) 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.
- 6) A supply of water independent of reticulated mains supply shall be available at all times for fire fighting purposes:

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- a minimum supply of 2,000 (two thousand) litres of water shall be available for 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.
- 7) Accommodation of persons within the ancillary accommodation building (outhouse) shall be genuinely ancillary to the use of the existing, proposed dwelling and must include the following:
1. Only a single point of connection for services such as electricity, water and sewer installed on the land to service the dwelling and ancillary accommodation.
 2. Only one electricity meter and one water meter installed on the land to service the dwelling and ancillary accommodation.
 3. The ancillary accommodation building must share the same on-site wastewater system as the dwelling.
- 8) Stormwater management shall be undertaken in accordance with the plan prepared by Gama Consulting, drawing number 2410109 revision D, with all stormwater runoff generated by the development hereby approved to be managed on-site to the satisfaction of Council within one month of the roof cladding being installed.
- 9) Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area. All stormwater including hard surface runoff shall be managed on site with no stormwater to trespass onto adjoining properties.
- 10) Backwash water from swimming pool filter(s) shall be directed to the sewer. In non-sewered areas, backwash water shall not be directed to any watercourse,

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dam, stormwater or septic system. A separate on-site dedicated soakage or irrigation area shall be designed for this purpose.

ADVISORY NOTES

General Notes

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

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

- 2) This Planning Consent is valid for a period of twenty four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 3) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 4) No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
- 5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge. Works including tree pruning/removal, earthworks, kerbing, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the *Local Government Act 1999*. For more information regarding this process please visit:

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<https://www.ahc.sa.gov.au/development/roads-and-construction/authorisation-to-alter-a-public-road>

- 9. Development Assessment Applications – Development Act**
Nil
- 10. Development Assessment Applications – Review of Decisions of Assessment Manager**
Nil
- 11. ERD Court Appeals**
OTR Hearing on 7 April 2025
Assessment Manager provided a verbal update on hearing proceedings regarding PC Infrastructure. Leith Mudge requested an update to all Council Members
- 12. Policy Issues for Advice to Council**
Nil
- 13. Other Business**
Ross Bateup requested Staff provide a potted summary of ancillary accommodation to all CAP members
- 14. Order for Exclusion of the Public from the Meeting to debate Confidential Matters**
Nil
- 15. Confidential Item**
Nil
- 16. Next Meeting**
The next ordinary Council Assessment Panel meeting will be held on Wednesday 14 May 2025.
- 17. Close meeting**

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The meeting closed at 8:11pm on 9 April 2025.