
MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held in the Council Chambers of the Local Government Centre, 6 Dutton Road Mount Barker on Wednesday 16 December 2020, commencing at 9.30 am.

PRESENT **(Members)** Mark Adcock (Presiding Member), Tom Gregory, Geoff Parsons, Sally Roberts and Harry Seager.
(Staff) Team Leader – Planning (A Houlihan), Senior Planner, City Development (M Dickson), Senior Planner, City Development (R Richards), Planner (C Webber) and the Minute Secretary (S Mann).

1. APOLOGIES

Nil.

2. CONFLICT OF INTEREST DECLARATION

Harry Seager declared that he could be perceived to have a conflict of interest in relation to Item 5.1.2 Kanman2 P/L application;

I am a member of the Kanmantoo Callington Community Consultative Committee, with my role having an emphasis on environmental issues. Two of the submissions received in relation to this application are from individuals who are also members of this committee. The K4C itself has not made a formal response to the application in its own right, and I therefore feel my role here is as an individual, not as a representative of the K4C and therefore any perceived conflict is invalid.

Further to this, I was surprised to learn that a property I own in Callington, the former blacksmith building, was mentioned in one of the submissions in regard to this application. While I appreciate the concern expressed, I have no previous knowledge of this inclusion. As the building is set some 30 metres off the road, I do not share the concerns as to the impact of traffic on the building, and as such do not believe any such perception is valid.

I intend to stay in the room and participate in the proceedings.

3. CONFIRMATION OF MINUTES

Moved Tom Gregory that the minutes for the meeting held on 18 November 2020 be taken as read and confirmed.

Seconded Sally Roberts

CARRIED
CAP20201216.01



4. REPORTS DEFERRED

4.1 SUMMARY DETAILS

Application No.	580/963/19
Applicant	Beyond Ink
Subject Land	LOT: 40 FP: 157175 CT: 6209/354 LOT: 42 DP: 82 CT: 5505/696 LOT: 43 DP: 82 CT: 6209/353 LOTS: 46 & 47 DP: 82 CT: 6209/366 LOT: 84 FP: 157119 CT: 5774/480 4 Victoria Street, HAHNDORF
Ward	North Ward
Proposal	Tourist accommodation comprising seven (7) accommodation units (including decking), one (1) caretakers residence (including decking) and associated utilities building, pedestrian bridge, rainwater tanks, fencing, landscaping and car parking
Zone	Township Zone
Policy Area	Hufendorf Policy Area 20
State Heritage Area	Hahndorf
Form of Assessment	Merit
Public Notification	Category 2
Representations	Five (5)
Persons to be heard	Four (4)
Agency Consultation	<ul style="list-style-type: none">Heritage SA
Responsible Officer	Michael Dickson (Senior Planner)
Main Issues	<ul style="list-style-type: none">Suitability of Land Use within the ZoneHufendorf allotment patternSiting, Built form and AppearanceTrees and vegetationCar Parking, Transport and AccessInterface between Land UsesHazardsWaste and wastewater
Recommendation	RESOLVE to grant Development Plan Consent subject to conditions

The Panel discussed the application and reached the following decision;



Geoff Parsons moved that the Council Assessment Panel, with the additional Condition Thirteen (13):

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan.

RESOLVE to GRANT Development Plan Consent to the application by Beyond Ink for tourist accommodation comprising seven (7) accommodation units (including decking), one (1) caretakers residence (including decking) and associated utilities building, pedestrian bridge, rainwater tanks, fencing, landscaping and car parking at 4 Victoria Street, Hahndorf (Development Application 580/963/19) subject to the following conditions:

Council conditions:

- (1) The development herein approved to be carried out in accordance with the plans and details accompanying this application, except where amended by the following conditions, including:
 - Plans and details by Beyond Ink:
 - Site Plan (Sheet no. PL01, Revision 6, 04 December 2020)
 - Floor Plan / Elevations (Sheet no. PL02 and PL03, Revision 1, 03 June 2020)
 - Floor Plan – Caretaker Unit (Sheet no. PL04, Revision 2, 24 November 2020)
 - Elevations – Caretaker Unit (Sheet no. PL05, Revision 2, 24 November 2020)
 - Floor Plan / Elevations Utility (Sheet no. PL06, Revision 2, 24 November 2020)
 - Typical Unit 3D Views (Sheet no. PL07, Revision 1, 03 June 2020)
 - Street View 01 (Sheet no. PL08, Revision 1, 03 June 2020)
 - Flood advice (Reference: 20190469L001Rev2) dated 31 January 2020 by Tonkin
- (2) All trees identified as 'existing trees to remain (green)' on the Site Plan by Beyond Ink (Sheet no. PL01, Revision 6, 04 December 2020), shall be retained. Furthermore, no 'Tree Damaging Activity' shall be caused to the Canary Island Oak tree (regulated tree) including the killing, destruction, removal, ringbarking, topping, lopping, severing of branches, limbs, stems or trunk, or any other substantial damage unless otherwise approved in writing by Council.



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- (3) The following measures must be undertaken in order to preserve and maintain the health of the Canary Island Oak tree (regulated tree), as detailed as the 'Oak tree to remain (regulated)' on the Site Plan by Beyond Ink (Sheet no. PL01, Revision 6, 04 December 2020), during construction works:
- a. A Tree Protection Zone (TPZ) shall be established to provide enclosure and protection to the root plate and main canopy of the tree for the entire duration of the construction works (including any associated earthworks). This must consist of appropriate signage and bunting (or equivalent) that clearly identifies the TPZ that would prevent any unauthorised movement and or storage of vehicles, machinery and materials within the zone.
It is noted that some incursion of the TPZ will be required at various diameters at different stages of construction. The applicant shall provide a plan indicating the proposed location of the TPZ exclusion zone for Council's Urban Forest Officer to endorse prior to the commencement of construction works (including associated earthworks and installation of services). Council's Urban Forest Officer must be contacted to approve any altered TPZ dimensions during the various stages of construction as necessary.
 - b. Any trenching that might be required within the TPZ shall be completed in a tree sensitive manner which involves an exploratory investigation via hydro excavation/hand digging to locate the tree roots located along the alignment of the trench prior to excavation. Council's Urban Forest Officer is to inspect the roots after the investigation is complete prior to the removal/cutting of roots.
 - c. All roots with a diameter of 25mm or greater must be preserved and directional boring techniques shall be utilised unless otherwise approved by Council's Urban Forest Officer.
- (4) The canopies of all trees to be retained on the land shall be pruned and maintained in accordance with AS 4373 'Pruning of Amenity Trees'.
- (5) All requirements in regard to the construction of driveways and carparks are to be met, prior to operation of the development to the satisfaction of Council, including:
- a. The car parking area shall be designed, drained, paved or surfaced and delineated with wheel-stops to provide structural integrity and traction in both wet and dry conditions in accordance with accepted engineering standards prior to the occupation of the development and shall be maintained in good condition at all times.



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- b. All car parks and any traffic control devices shall be designed and constructed in accordance with AS 2890 –Off-Street Car parking, AS 1742 Manual of Uniform Traffic Control Devices and the Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999).
 - c. Car park 1 shall be appropriately signed as a designated disability access park for accommodation unit 1.
 - d. Car parks 8 and 9 shall be reserved for the Caretaker Unit 8 and external contractors only and shall be signed accordingly.
 - e. Pruning of trees as required to achieve sufficient sightlines for vehicles accessing/egressing the car parks.
- (6) The following works within the Victoria Street road reserve are required to be completed prior to operation of the development:
- a. All areas of Victoria Street required to access the carparks for the development shall be sealed to Council's satisfaction.
 - b. A concrete spoon drain is to be provided along the southern side of Victoria Street fronting the development to convey stormwater past the development and to the watercourse. The design of the spoon drain is to be submitted to Council for approval prior to commencement of construction.
 - c. Design details of the above works shall be provided to Council with a permit application to undertake works on Council land.
- (7) All requirements in regards to stormwater are to be met, prior to operation of the development, including:
- a. Management of stormwater shall occur generally in accordance with the Site Plan by Beyond Ink (Sheet no. PL01, Revision 6, 04 December 2020).
 - b. All stormwater discharged from the development shall be directed to the watercourse and traversing the site via pipes. The design and construction of the stormwater system and outlet to the watercourse shall be designed to prevent erosion of the watercourse and be approved by Council.
 - c. A vegetated buffer shall be provided between the unsealed carparks and the watercourse to improve the quality of stormwater entering the watercourse.
 - d. All stormwater captured by roofing materials and hard sealed paving areas shall be discharged in a controlled manner so it does not impact upon adjoining properties or, in the opinion of Council, has the potential to cause nuisance or destabilise adjoining land.
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- (8) External lighting and security lighting shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.
 - (9) The finished floor levels of the buildings shall be a minimum of 0.5 metres above the 1% annual exceedance probability (AEP) flood level for watercourses to avoid inundation by floodwater.
 - (10) The underside of the pedestrian bridge shall be a minimum of 0.3 metres above the 1% annual exceedance probability (AEP) flood level for watercourses to avoid inundation by floodwater.
 - (11) A row of evergreen trees shall be planted along the southern boundary, prior to occupation of the development, in order to provide an effective visual screen of the development from the adjoining land.
 - (12) All landscaping is to be nurtured and maintained, with any diseased and dying vegetation replaced immediately.
 - (13) The applicant shall provide a landscaping plan clearly identifying new and existing vegetation and associated species for approval by Council and the State Heritage Branch prior to issuing Development Approval.
 - (14) The privacy screen on accommodation units 4 and 7 shall be constructed on the eastern elevation prior to operation of the development in order to maintain privacy to the adjoining land.
 - (15) Accommodation unit 8 (caretaker's unit) shall only be used as accommodation for an on-site manager/employee and shall not be used by travellers for tourist accommodation purposes or as a residence for a non-employee/manager.
 - (16) The applicant shall provide a dedicated water supply available at all times for fire-fighting purposes in accordance with the Minister's Specifications SA78 – Additional requirements in designated bushfire prone areas (May 2011) as to ensure appropriate measures of protection against bushfire attack.



- (17) Effective measures are to be implemented during the construction of the development and on-going use of the land in accordance with this consent to:

- prevent silt run-off to the environment;
- control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
- ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
- ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
- ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.

This will 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.

The following condition is imposed at the request of Heritage South Australia (Reference: SH/13673D):

- (18) Final resolved interpretation design and details including text and any images to be provided for review prior to installation, to the satisfaction of Council in consultation with the Department for Environment and Water in order for the development of appropriate level of interpretation material.
- (19) Final resolved pedestrian bridge design and details to be provided for review prior to installation, to the satisfaction of Council in consultation with the Department for Environment and Water in order for the development of appropriate design details.

Seconded Sally Roberts

CARRIED
CAP20201216.02



5. REPORTS BY OFFICERS

5.1 NON-COMPLYING APPLICATIONS

5.1.1 SUMMARY DETAILS

Application No.	580/719/19
Applicant	GM Pullman
Subject Land	LOT: 603 DP: 88498 CT: 6091/875, LOT: 601 DP: 88498 CT: 6091/873, LOT: 602 DP: 88498 CT: 6091/874 50A, 52 & 52A Adelaide Road, MOUNT BARKER
Ward	North
Proposal	Change of use from dwelling to office including alterations/additions to the building and associated car parking
Development Plan	Mount Barker District Council consolidated 8 August 2017
Zone	Residential
Historic Conservation Area	Druids Avenue, Mount Barker Area 3
Form of Assessment	Non-complying
Public Notification	Category 3
Representations	1
Persons to be heard	Nil
Agency Consultation	Department for Infrastructure and Transport – Transport Assessment
Responsible Officer	Randall Richards (Senior Planner)
Main Issues	<ul style="list-style-type: none">• Commercial use in residential zone• Interface between land uses• Traffic, access and car parking
Recommendation	RESOLVE to grant Development Plan Consent subject to conditions, and advisory notes and the concurrence of the State Commission Assessment Panel (SCAP)

The Panel discussed the application and reached the following decision;

Harry Seager moved that the Council Assessment Panel:

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan consolidated 8 August 2017.



RESOLVE to GRANT Development Plan Consent to the application by GM Pullman for the Change of use from dwelling to office including alterations/additions to the building and associated car parking at 50A Adelaide Road, Mount Barker (Development Application 580/719/19) subject to the following conditions, and concurrence of the State Commission Assessment Panel (SCAP):

Council's conditions of consent:

- (1) The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions, including:
 - Plans by Hills Design & Drafting titled - Existing Plans/Elevations, Proposed Floor Plans – Site Plan dated July 2019;
 - Proposed Right of Way, DA 580/719/19 – dated 20/11/20 and
 - Statement of Effect by Peter Meline and Associates for GM and CJ Pullman.
- (2) The hours of operation shall be limited to 8.00am to 6.00pm Monday to Friday.
- (3) That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
 - prevent silt and water run-off from the land to adjoining properties, roads and drains;
 - control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
 - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.
- (4) Lighting shall be designed so as to not create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user, to the reasonable satisfaction of Council.



DIT Conditions:

- (5) All access to the proposed change in use should be gained via the rights of way 'A' and 'B' shown on Hills Design and Drafting Site Plan (refer Job No: ADE50A, Drawing No: 1 dated July 2019) .
- (6) All vehicles shall enter and exit the site in a forward direction.
- (7) The shared access and internal manoeuvring/parking areas shall be clear of all obstructions, suitably signed and line marked reinforcing the desired traffic flow to/from the site.
- (8) All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009 .
- (9) Commercial vehicle facilities shall be designed in accordance with AS 2890.2:2018.
- (10) The redundant crossover on Adelaide Road shall be reinstated to Council standard kerb and gutter at the applicants cost.
- (11) Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.

Seconded Tom Gregory

CARRIED
CAP20201216.03



5.1.2 SUMMARY DETAILS

Application No.	580/499/20
Applicant	Kanman2 Pty Ltd
Subject Land	PCE: 22 SEC: 2001 DP: 80644 CT: 6037/512, PCE: 23 SEC: 2001 DP: 80644 CT: 6037/512 Old Princes Highway CALLINGTON, Old Princes Highway KANMANTOO.
Ward	North
Proposal	Concrete Batching Plant
Development Plan	8 August 2017
Zone	Primary Production
Policy Area	Broad Acre Agriculture Policy Area 23
Form of Assessment	Non-Complying
Public Notification	Category 3
Representations	Three (3)
Persons to be heard	Two (2)
Agency Consultation	EPA – Schedule 22, 5 (5) – Concrete Batching Works
Responsible Officer	Randall Richards (Senior Planner)
Main Issues	<ul style="list-style-type: none"> • Land Use • Visual Impacts • Stormwater and waste water • Interface between Land Uses • Traffic and Car Parking • Heritage
Recommendation	RESOLVE to grant Development Plan Consent subject to conditions

- 10:14 Fiona Challen spoke against the application, raising concerns about change of zoning, character of district, creation of industrial area, impact on amenity of the area.
- 10:21 Lou Duncan spoke against the application, agreeing with the points raised by Fiona, raising additional concerns of impact on Kanmantoo due to proximity of plant in Callington, costs to environment and culture, demographics related to these town not fitting with the proposed jobs, transportation of raw materials from Hansen Quarry through township, additional use on roads, dirty industry being stacked in the community.



- 10:27 Grazio Maiorano, URPS spoke for the application, addressing the concerns raised.

The Panel discussed the application and reached the following decision;


Harry Seager moved that the Council Assessment Panel, with the amendments to Condition Six (6) & Condition Ten (10), and inclusion of Condition Seven (7):

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan, consolidated 17 August 2017.

RESOLVE to GRANT Development Plan Consent to the application by Kanman2 Pty Ltd for a Concrete Batching Plant at PCE: 22 SEC: 2001 DP: 80644 CT: 6037/512, PCE: 23 SEC: 2001 DP: 80644 CT: 6037/512 Old Princes Highway CALLINGTON, Old Princes Highway KANMANTOO. (Development Application 580/499/20) subject to the following conditions:

- (1) The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions, including:
 - Statement of Effect by URPS dated 17 July 2020;
 - Environmental Noise Assessment by Sonus, S6328C4 – dated November 2020;
 - Intrax Projects – Proposed Concrete Batching Plant Lot 22 Princes Highway and Lot 23 Callington Road, Callington, Drawing C1, Revision P4, dated 20/10/2020 Reference 136192;
 - Proposed Concrete Batching Plant by CIRQA received by Council 19 November 2020;
 - letters from URPS to the EPA dated 24 September 2020 and 21 October 2020;
 - Clover Green Space, Lot 22 Princes Highway, Lot 23 Callington Road, Callington dated 18.11.20 Revision F and;
 - Email from Grazio Maiorano dated 26 November 2020.
- (2) The hours of operation will be from 5:00am to 3:00pm Monday to Saturday, with the exception that cement deliveries will occur after 7.00am.
- (3) The following operational aspects to manage dust must be adhered to at all times:
 - Enclosing/separating all noise and dust generating activities in barriers;
 - Covering truckloads of sand and gravel during transport;
 - Loading the cement silos via an enclosed, pneumatic system;
 - Sealing and maintaining damp internal roadways;
 - Regularly water sand and gravel stockpiles;



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- Screening the boundary of the site with a fence and vegetation and
 - Maintaining dust filters and extractors.
- (4) The following requirements in the Sonus Report are to meet the following criteria:
- Front end loaders (FELs) to be selected having a maximum sound power level of 103dB(A) when operating as proposed and
 - All mobile equipment to incorporate “broadband” reversing alarms in lieu of “tonal” reversing alarms.
- (5) The approval of a waste water application by Council will be required prior to Development Approval.
- (6) A roadside screen plantings plan shall be provided to Council for approval detailing suitable landscaping along the northern section of Callington Road and the land adjacent to the Old Princes Highway to provide an effective visual screen the access roadway to the satisfaction of Council. The screen planting shall completed within 3 months of the operation of the concrete batching plant, any diseased or dying vegetation shall be replaced whenever necessary.
- (7) Landscaping shall be in accordance with plans prepared by Clover Green space received by Council on 19 November 2020. Plantings shall consist of a range of species and heights to effectively screen the development and shall be maintained to the satisfaction of Council.
- (8) All civil designs, calculations and specifications shall be submitted to Council for approval prior to the commencement of construction.
- (9) A minimum of 2 work day (48 hours) notice shall be provided to Council for any inspections.
- (10) That effective **soil erosion and drainage control** measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:
- a. prevent silt run-off from the land to adjoining properties, roads and drains;
 - b. control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - c. ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure;
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- d. ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land; and
 - e. following construction of a stage, ensure all disturbed land is managed to prevent silt runoff and dust.
- (11) All requirements in regard to the **construction of driveways and carparks** are to be met, including:
- a. The driveway crossover shall be designed, drained, constructed and sealed with asphalt or concrete suitable for commercial traffic providing both structural integrity and traction in both wet and dry conditions and include adequate stormwater drainage. The use of unbound materials (gravel, or quarry rubble) is not acceptable.
 - b. The driveway internal to the property shall be surfaced such that it is trafficable in all weather conditions and mitigates dust generated by vehicles.
 - c. The road and driveway crossover between the back of kerb and the boundary shall be shaped to provide a verge slope no greater than 2.5 per cent fall towards the road where a footpath is present and a maximum 5% where no footpath is present, suitable for pedestrian traffic and in accordance with Councils current standards.
 - d. The driveway and car parking areas shall be paved or surfaced, drained and marked to accepted engineering standards prior to the occupation of the development and shall be maintained in good condition at all times.
 - e. That car parks and any traffic control devices be designed and constructed in accordance with AS 2890 –Off-Street Car parking, AS 1742 Manual of Uniform Traffic Control Devices and the Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999).
- (12) All requirements in regard to **storm water** are to be met, including:
- a. Management of stormwater shall occur generally in accordance with the drainage management plan submitted in support of the application.
 - b. All stormwater from the batching plant shall be captured for reuse in production.
 - c. All stormwater discharged from the car parking area shall be directed to the adjacent watercourse via a vegetated swale. The design and construction of the stormwater system shall be designed to prevent erosion of the watercourse and be approved by Council.
 - d. Proposed finished floor levels shall be a minimum of 0.5m above the 100 year average recurrence interval flood level for watercourses to avoid inundation by floodwater.
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- e. A system to improve stormwater quality shall be provided and constructed in a location and of a design to the reasonable satisfaction of Council to ensure that pollutants are trapped prior to exiting the site or entering the natural watercourse. The treatment system shall have a high capture efficiency for oils and petroleum/hydrocarbons.

EPA CONDITIONS

DIRECTION

The planning authority is directed to attach the following conditions to any approval:

- (13) The stormwater management system for the site must be established in accordance with that proposed in the letters from URPS to the EPA dated 24 September 2020 and 21 October 2020 and the Site and Drainage Plan ref:136192, C1:P4 dated 20/10/2020 prepared by Intrax Projects, and include:
 - i. a basin sized for a Q100 event and located more than 50m away from the nearby watercourse;
 - ii. a vegetated swale to treat runoff from the carpark area and
 - iii. the above ground storage tanks located in a bunded area.
- (14) The wastewater system and disposal area must be constructed in accordance with the details contained in the On-Site Wastewater Report, by Intrax projects, dated 19 October 2020.
- (15) Cement deliveries must only occur between the hours of 7.00am and 10.00pm on any day.
- (16) Prior to operating the facility, a barrier must be constructed along the rear of the loading station and slumping stand to a minimum height of 4.5 metres and for the extent shown in green in Appendix C of the document titled Kanmantoo Concrete Batching Plant Environmental Noise Assessment dated March 2020 by SONUS submitted as part of Development Application 580/499/20. The barrier must be constructed from a minimum 6mm thick fibre cement sheeting, or other material with a surface density of at least 8kg/m².
- (17) Prior to use, the cement silo must be fitted with filling exhaust filters, high/low alarms and overfill protection kits, and an independent fail safe system consisting of a fully ducted and enclosed pressure release valves.



Notes:

- (1) Any person proposing to undertake building work within the District of Mount Barker is reminded of their **obligation to take all reasonable measures to protect Council infrastructure**. Any incidental damage to the infrastructure - pipes, footpath, verge, street trees etc, must be reinstated to a standard acceptable to Council at the applicants' expense.
- (2) Prior to construction commencing the contractor shall undertake a condition survey of the adjoining roads and infrastructure and a CCTV of any Council underground infrastructure that may be affected by the works and again at completion of the works. Any damage shall be repaired to the reasonable satisfaction of Council.
- (3) As your proposed development includes construction works on Council roads or connections to Council assets you are advised that a Permit to undertake works that impact on Council infrastructure, Council Streets or Roads or Council controlled land (available on the Website) will need to be issued by Council prior to construction.
- (4) A Waste Control Application is required for any new septic tank and drainage system to be located within the development.
- (5) Any fill material brought to the site must be clean and not contaminated by construction or demolition debris, industrial or chemical matter, or pest plant or pathogenic material.
- (6) Retaining walls constructed to retain a difference in ground levels exceeding 1 metre in height require development approval.

Seconded Tom Gregory

CARRIED
CAP20201216.04



5.2 CATEGORY 3 APPLICATIONS

5.2.1 SUMMARY DETAILS

Application No.	580/1014/19
Applicant	C Wheeler
Subject Land	LOT: 204 DP: 77778 CT: 6016/105 4/1 Burrett Way Totness
Ward	North Ward
Proposal	Variation to Condition 8 of DA 580/17/04 including extension of operating hours to 24 Hours and alterations/additions to existing car wash facility comprising one (1) new manual wash bay
Development Plan	8 August 2017
Zone	Light Industry Zone
Form of Assessment	Merit
Public Notification	Category 3
Representations	Four (4)
Persons to be heard	Three (3)
Agency Consultation	Nil
Responsible Officer	Chris Webber
Main Issues	<ul style="list-style-type: none">• Consistency with Desired Character• Interface between Land Uses• Built Form and Appearance• Transportation and Access• Wastewater
Recommendation	RESOLVE to grant Development Plan Consent subject to conditions

- 11:09 Jen Clarke spoke against the application, raising additional issues in respect to constant noise – not necessarily the volume – landscape has natural bowl shape that reverberates the ambient sounds from the carwash – increased traffic during the night (24 hour operation),
- 11:20 Barbara Kempnich spoke against the application, raising additional concerns in respect to constant noise / light and noise pollution from this area – no buffer and unreasonable interface between the Industrial and Rural Landscape zone.



- 11:28 Craig Wheeler, Applicant & Mathew Ward, SONUS & David Rose, Operator - spoke for the application, stating on reviewing the representations have removed the 'low credit beep' from the machines, requested staff turn down stereo & limit hours of use. Sonus Noise assessment complies with EPA noise guidelines - separation distance is appropriate - analysis modelling takes in worst case scenario.

The Panel discussed the application and reached the following decision;

Tom Gregory moved that the Council Assessment Panel, with additional Condition One (1):

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan consolidated 8 August 2017.

RESOLVE to GRANT Development Plan Consent to the application by C Wheeler for the variation to Condition 8 of DA 580/17/04 including extension of operating hours to 24 hours and alterations/additions to existing car wash facility comprising one (1) new manual wash bay at 4/1 Burrett Way, Totness (Development Application 580/1014/19) subject to the following conditions and advisory notes:

- (1) All conditions relating to Development Application 580/17/04 continue to apply to this application, unless varied by the conditions below;
- (2) The development herein approved to be carried out in accordance with the plans and details accompanying this application, except where amended by the following conditions, including:
 - Site Plan by Michael Watson Architect, Drawing Number A2, Issue A, Date 25.9.19;
 - Wash Bay Extension Cat 3 End Elevation by Steel Kit Buildings, Date 08.10.20;
 - Proposed West Elevations by Steel Kit Buildings, Date 09.11.20;
 - Wash Bay Extension Cat 3 Response by Steel Kit Buildings, Date 08.10.20;
 - Environmental Noise Assessment by Sonus, S6422C3, dated October 2020; and
 - Response to representation DA 580/1014/19 by Craig Wheeler, dated 8th October 2020.
- (3) The beeping noise from the coin machines are to be removed as per written correspondence in the 'Response to representation DA 580/1014/19' by Craig Wheeler, dated 8th October 2020.



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- (4) Amplified music from the site shall be limited between 9am and 7pm, Monday to Sunday inclusive, as per written correspondence in the 'Response to representation DA 580/1014/19' by Craig Wheeler, dated 8th October 2020.
- (5) The wall and roof material of the manual wash bay addition must be of a colour that complements the external wall and roof material of the existing carwash facility.
- (6) All storm water drainage from the additional wash bay shall be managed so that it does not flow or discharge onto land of adjoining owners or, in the opinion of Council, detrimentally affect structures on this site or any adjoining land.
- (7) Any external lighting for the additional wash bay shall be directed in such a manner so as to not, in the opinion of Council, create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.
- (8) Effective measures are to be implemented during the construction of the development in accordance with this consent to:
- control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
 - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land.
- This will ensure that the activities on the whole site during construction do not pollute the environment in a way which causes or may cause environmental harm.

Notes

- (1) All wastewater generated from the additional wash bay shall be managed appropriately to not cause any environmental harm and not enter Council's stormwater system.
- (2) A Wastewater Works Alteration Application (for plumbing and connection to the existing system) must be approved by Council prior to use of the additional manual wash bay.

Seconded Sally Roberts

CARRIED
CAP20201216.05



5.3 CATEGORY 2 APPLICATIONS

Nil.

5.4 CATEGORY 1 APPLICATIONS

Nil.

6. INFORMATION REPORTS

Nil

7. CONFIDENTIAL REPORTS

Nil.

8. POLICY MATTERS ARISING FROM THIS AGENDA

Nil.

9. OTHER BUSINESS

Congratulations to Cr Harry Seager being re-elected as the Council representative on the Council Assessment Panel, & thank you to Cr Carol Bailey for her time and involvement on the Council Assessment Panel for the preceding years.

10. CLOSURE

Meeting declared closed at 12:06 hrs


CHAIRMAN

17.2.2021
DATE