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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 19 February 2020, commencing at 9.30 am.

PRESENT

**(Members)** Tom Gregory (A/Presiding Member), Judith Urquhart, Harry Seager (proxy).

**(Staff)** Senior Planner, City Development (D Henderson), Senior Planner, City Development (R Richards), Planner, City Development (J Micklethwait) and the Minute Secretary (S Mann).

**1. APOLOGIES**

Mike Canny, Carol Bailey

In the absence of Mike Canny, Presiding Member, Derek Henderson called for nominations for this position during this meeting.

Tom Gregory nominated.

Moved Judith Urquhart.

Seconded Harry Seager.

CARRIED  
CAP20200219.01

**2. CONFLICT OF INTEREST DECLARATION**

Nil declared.

**3. CONFIRMATION OF MINUTES**

Moved Judith Urquhart that the minutes for the meeting held on 15 January 2020 be taken as read and confirmed.

Seconded Tom Gregory.

CARRIED  
CAP20200219.02

**4. REPORTS DEFERRED**

Nil.

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## 5. REPORTS BY OFFICERS

### 5.1 NON-COMPLYING APPLICATIONS

#### 5.1.1 SUMMARY DETAILS

<b>Application No.</b>	580/978/18
<b>Applicant</b>	Adelaide Hills Toyota
<b>Subject Land</b>	Lot 102 in F12222, CT 5450/711, Lot 331 in D74758, CT 5594/372, Lot 53 in F160230, CT 5742/496, Lot 1 in F2582, CT 5507/434, Lot 100 in F12222, CT 5450/664 and Lot 101 in F12222, CT 5450/946; 2 Hawthorn Road MOUNT BARKER, 2 Cherington Street MOUNT BARKER, 56 Adelaide Road MOUNT BARKER and 55-59 Adelaide Road MOUNT BARKER
<b>Ward</b>	North
<b>Proposal</b>	Change in use of land and amendment to car parking and vehicle storage areas and associated infrastructure in association with Adelaide Hills Toyota - Vehicle storage and unloading areas at 2 Hawthorn Road (Lot 102), Customer and staff parking at 2 Cherington Street (Lot 331) and Cessation of parking at 56 Adelaide Road (Lot 53)
<b>Development Plan</b>	Mount Barker District Council consolidated 8 August 2017
<b>Zone</b>	Residential
<b>Historic Conservation Area</b>	Druids Avenue, Mount Barker Area 3 (Lot 53 only)
<b>Form of Assessment</b>	Non-complying
<b>Public Notification</b>	Category 3
<b>Representations</b>	6
<b>Persons to be heard</b>	2
<b>Agency Consultation</b>	Nil
<b>Responsible Officer</b>	Randall Richards
<b>Main Issues</b>	Commercial use in residential zoning Interface to existing residences Traffic impacts Amenity

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<b>Recommendation</b>	RESOLVE to grant Development Plan Consent subject to conditions, Reserved Matters, and advisory notes and the concurrence of the State Commission Assessment Panel (SCAP)
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9:33hrs Keiron Barnes, Ekistics spoke for the application, providing clarification on issues raised by Panel members.

The Panel discussed the application and reached the following decision;

Judith Urquhart moved that the Council Assessment Panel, with the amendment of Reserved Matter Condition 12;

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 Adelaide Hills Toyota for a Change in use of land and amendment to car parking and vehicle storage areas and associated infrastructure in association with Adelaide Hills Toyota - Vehicle storage and unloading areas at 2 Hawthorn Road (Lot 102), Customer and staff parking at 2 Cherington Street (Lot 331) and Cessation of parking at 56 Adelaide Road (Lot 53) at Lot 102 in F12222, CT 5450/711, Lot 331 in D74758, CT 5594/372, Lot 53 in F160230, CT 5742/496, Lot 1 in F2582, CT 5507/434, Lot 100 in F12222, CT 5450/664 and Lot 101 in F12222, CT 5450/946; 2 Hawthorn Road MOUNT BARKER, 2 Cherington Street MOUNT BARKER, 56 Adelaide Road MOUNT BARKER and 55-59 Adelaide Road MOUNT BARKER (Development Application 580/987/18) subject to the following conditions, reserved matters and advisory notes and concurrence being gained from the State Planning Assessment Commission.

**Development Plan Consent conditions:**

1. The development herein approved to be carried out in strict accordance with the stamped plans and details accompanying this application, including (but not limited to):
    - Statement of Effect by Ekistics for Adelaide Hills Toyota "Car Parking in Association with Adelaide Hills Toyota 57 Adelaide Road, dated 28 August 2019,
    - "Amended Plan:" Car Parking Layout" Adelaide Hills Toyota 57 Adelaide Road, Mt Barker – Ekistics 0437-005, R2>22012020.
    - Email from Ekistics dated 10/02/2020.
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2. 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.
  3. The development shall be restricted to the following hours of operation (apart from the deposit of damaged or broken down vehicles on Lots 100 and 101 only):
    - Monday to Friday: 7:00am to 6:00pm
    - Saturday: 8:00am to 4:30pm
  4. The car park, access 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 other relevant Australian Standards and codes, to the reasonable satisfaction of the Council.
  5. 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.
  6. All civil works necessary for the development shall be provided by the applicant at the full cost of the applicant and shall be designed by a qualified Civil Engineer, and construction supervised by a suitably qualified person. All works shall be designed and constructed in accordance with relevant industry standards and guidelines.
  7. Design and construction of all Council infrastructure must be done in accordance with the Mount Barker District Council Standards and Requirements document "Design, Construction and Development of Infrastructure Assets", August 2007 (including July 2012 CWMS provisions) unless otherwise approved by Council.
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8. Pavement material/s for the carpark areas are to:
  - Be sealed and able to withstand the expected vehicle movements, and
  - Not result in material leaving the site, including entering the surrounding stormwater network during rain events.
9. An easement in favour of Council is to be provided for the 1200mm pipe to be constructed within the allotment at 2 Cherington Street, between the northern boundary and the existing drainage easement.
10. The landscaping is to be undertaken in conjunction with the works onsite and completed within 3 months of civil works to the satisfaction of Council. All landscape plantings are to be maintained in good condition, with any losses replanted.

**Reserved Matters**

11. Detailed design of the stormwater infrastructure, generally in accordance with the CPR Stormwater Management Plan dated 19 August 2019, job no. 190038, is to be submitted to Council for approval that achieves the following:
  - GPTs to be located to the reasonable satisfaction of Council to ensure that pollutants are trapped prior to exiting the site and entering the surrounding stormwater network. The treatment system shall have a high capture efficiency for oils and petroleum/hydrocarbons.
  - Compliance with Council's standards, including constraints of the existing stormwater infrastructure.
  - Detention volumes based on the final surface type to be adopted and the relevant runoff coefficients.
  - Details of the fully sealed system in the secondary car park, matching the capacity of an incoming 1200 diameter pipe, connection to the existing pipe and associated infilling of the channel. Provision of an easement in favour of Council.
  - Stormwater discharging directly to street water table shall be limited to 15 L/sec per outlet.
12. The landscape plantings are to be approved by Council's Landscape Technical Officer in accordance with the Amended Plans: "Car Parking Layout" Adelaide Hills Toyota 57 Adelaide Road, Mt Barker – Ekistics 0437-005, R2>22012020, including where varied by the following:
  - Car parking spaces adjacent to the south western boundary of Alt 102 are to be re-aligned / relocated such that plantings (e.g. Photinia hedge) achieve effective screening of the vehicle storage area as viewed from adjacent residences.

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**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.

If you have any queries please contact Council on 8391 7200.

2. The State Planning system is currently in the process of significant planning reforms. As of 1 September 2020 all Metropolitan Councils, including the Mount Barker District Council will be transferred to the Planning and Design Code under the Planning, Development and Infrastructure (PDI) Act 2016. The Planning and Design Code will replace all current Development Plans. Therefore, there may be shifts in the principles governing development within the district.

Further details in relation to the Planning Reforms can be found at [https://www.saplanningportal.sa.gov.au/planning\\_reforms](https://www.saplanningportal.sa.gov.au/planning_reforms)

3. This Development Plan Consent is valid for a period of 12 months from the date of this authorisation and you must have obtained a Building Rules Consent and Development Approval within this period. Should Development Approval not be achieved within this timeframe, your consent will lapse and a new development application must be lodged, unless an extension is obtained. Should a request for an extension be made after 1 September 2020, your request will be subject to the transitional provisions of the PDI Act.

Seconded Harry Seager.

CARRIED  
CAP20200219.03

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## 5.2 CATEGORY 3 APPLICATIONS

### 5.2.1 SUMMARY DETAILS

<b>Application No.</b>	580/1079/19
<b>Applicant</b>	Graham Phillips
<b>Subject Land</b>	Section 692, CT: 5755/752 98 Echunga Road, Hahndorf SA
<b>Ward</b>	North Ward
<b>Proposal</b>	Lighting to Soccer Sports Pitch (Hahndorf – Community and Recreation Ground)
<b>Zone</b>	Primary Production
<b>Policy Area</b>	Hahndorf Rural Activity Policy Area 24
<b>Form of Assessment</b>	Merit
<b>Public Notification</b>	Category 3
<b>Representations</b>	One (1)
<b>Persons to be heard</b>	One (1)
<b>Agency Consultation</b>	Nil
<b>Responsible Officer</b>	Jessica Micklethwait
<b>Main Issues</b>	Noise Light spill
<b>Recommendation</b>	RESOLVE to grant Development Plan Consent subject to conditions and advisory notes

9:57hrs Graham Phillips spoke for the application, providing clarification on issues raised by Panel members.

The Panel discussed the application and reached the following decision;

Judith Urquhart 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 Graham Phillips for Lighting to Soccer Sports Pitch at 98 Echunga Road, Hahndorf Development Application 580/1079/19 subject to the following conditions and advisory notes.

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**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 (but not limited to):
  - Site Plan "Spillage Report" (Sheet 2/2, Project ID: V256-016, Dated 9/10/19) by Valo
  - Pole Location Plan (MC125626A V0.00)
  - Premium High Efficiency LED Sport Light Specifications (Edition 01.10.2019)
  - Design Details -GM POLES (Drawing No. FD125626A and FD125626B)
2. Lighting shall be limited to no later than 10:00pm or earlier than 7:00am on any given day.

**Council 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. The State Planning system is currently in the process of significant planning reforms. As of 1 September 2020 all Metropolitan Councils, including the Mount Barker District Council will be transferred to the Planning and Design Code under the Planning, Development and Infrastructure (PDI) Act 2016. The Planning and Design Code will replace all current Development Plans. Therefore, there may be shifts in the principles governing development within the district.  
Further details in relation to the Planning Reforms can be found at [https://www.saplanningportal.sa.gov.au/planning\\_reforms](https://www.saplanningportal.sa.gov.au/planning_reforms)
3. This Development Plan Consent is valid for a period of 12 months from the date of this authorisation and you must have obtained a Building Rules Consent and Development Approval within this period. Should Development Approval not be achieved within this timeframe, your consent will lapse and a new development application must be lodged, unless an extension is obtained. Should a request for an extension be made after 1 September 2020, your request will be subject to the transitional provisions of the PDI Act.

Seconded Harry Seager.

CARRIED  
CAP20200219.04

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**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**

Discussed response to the PD Code as presented at recent Council Meeting.

**10. CLOSURE**

Meeting declared closed at 10:16hrs.

  
A- CHAIRMAN

  
DATE

