



NOTICE OF MEETING

Notice is hereby given that the following meeting will be held in the Council Chambers of the Local Government Centre, 6 Dutton Road, Mount Barker on Wednesday 16 June 2021.

9.30am

Council Assessment Panel

A handwritten signature in black ink, appearing to read "A. Humphries", is written over a faint, larger version of the same signature.

A. Humphries

ASSESSMENT MANAGER

9 June 2021

MOUNT BARKER DISTRICT COUNCIL

COUNCIL ASSESSMENT PANEL

Wednesday 16 June 2021, 9.30 am

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1. APOLOGIES

2. CONFLICT OF INTEREST DECLARATION

3. CONFIRMATION OF MINUTES

- 3.1. That the minutes of the meeting held on 17 March 2021 as circulated to members be confirmed as a true and accurate record of proceedings.

4. BUSINESS DEFERRED

Nil.

5. REPORTS BY OFFICERS

5.1. DEVELOPMENT ACT APPLICATIONS

5.1.1. NON-COMPLYING APPLICATIONS

Nil.

5.1.2. CATEGORY 3 APPLICATIONS

Nil.

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5.1.3. CATEGORY 2 APPLICATIONS

5.1.3.1. SUMMARY DETAILS

Application No.	580/1558/20
Applicant	Mt Barker Baptist Church (on behalf of Baptist Churches of SA Inc)
Subject Land	Lot 1000 in D120098, CT 6216/537 and Lot 503 in D115191, CT 6189/331; 41 Bollen Road, Mount Barker
Ward	Central
Proposal	Community Centre (incorporating an assembly building/place of worship and ancillary café, offices, meeting rooms and services including school activities and OHSC) and associated car parking, landscaping, fencing, retaining and infrastructure
Development Plan	Mount Barker District Council – Consolidated 20 August 2020
Zone	Residential Neighbourhood
Form of Assessment	Merit
Public Notification	Category 2 pursuant to Procedural Matters of the Residential Neighbourhood Zone in the Development Plan – Community centre where adjacent to an existing dwelling
Representations	Two (2)
Persons to be heard	Nil
Agency Consultation	Nil
Responsible Officer	Derek Henderson (Senior Planner)
Main Issues	<ul style="list-style-type: none"> • Land use • Car parking and access • Traffic • Heritage • Interface between land uses
Recommendation	Grant Development Plan Consent

1. BACKGROUND

Burke Urban is developing a new urban precinct in the western sector of the Mount Barker Growth Area bounded by Flaxley Road to the southeast and Bollen Road to the northeast. In the Bollen Road precinct, development approval has been issued for the creation of 71 residential allotments on the western side of Bollen Road located north of the subject land, with key infrastructure such as stormwater and sewer mains under construction that will service this precinct. This includes Stage 1 of the Kings Baptist School and Early Learning Centre (under construction) and the proposed development as lodged in this application.

In addition, Burke Urban entities have entered into a Recreation Deed with Council which facilitated the purchase of a parcel of land by Council for future recreation/sporting grounds adjacent to Western Flat Creek and Bollen Road. Burke Urban see the benefit to contributing to the recreation needs of future residents of this precinct and Kings Baptist Grammar School has entered into an infrastructure agreement with Council for shared obligations and opportunities to develop the recreation grounds for the benefit of the school and the wider community. Part of the

agreement is a requirement for Kings Baptist Grammar School to construct carparking within the recreation area. The proposal as submitted includes provision of a portion of that obligation, with the number deemed appropriate to service the proposed uses whilst not prejudicing the future detailed design of the recreation area (including construction of two ovals).

There is a concurrent land division under assessment (being in the form of a Community Plan of Division) that would apportion land between the different entities (Kings Baptist Grammar School and the Mt Barker Baptist Church), subject to land use authorisation being achieved.

Strategies in relation to stormwater conveyance/management, wastewater provision, future road connections etc. were assessed and determined through the creation of the school allotment and land division approvals by Burke Urban, as detailed further in the Kings Baptist School development and engineering approval for the land divisions.

As with the school site, the proposal is encumbered by Burke Urban to provide guidance to the design ethos that is being delivered within the Newenham precinct.

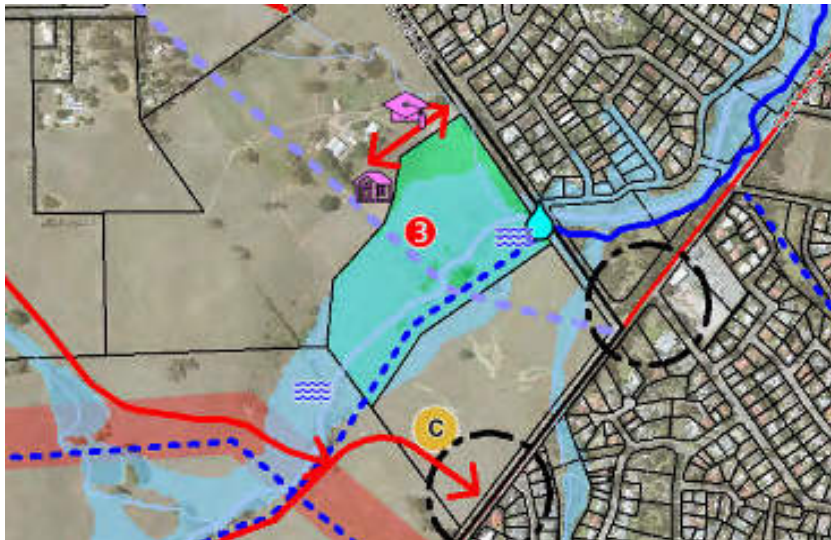


Figure 1. Mount Barker Growth Plan – Bollen Road precinct.

2. PROPOSAL

The proposal seeks to gain consent for a multi-purpose community centre that performs the following functions for the Mt Barker Baptist Church, Kings Baptist Grammar School and services to the wider community:

- Community centre activities including:
 - Base for the Mt Barker Baptist Church (including as a place of worship)
 - Regular church services for up to 200 persons on Sunday mornings (with overall capacity of 216 based on total seat numbers).
 - Occasional special events (e.g. wedding/funeral).
 - Youth activities and church small groups (up to 6 times per week combined, being no later than 9.30pm).
 - Church administration and support services, primarily during weekday business hours (with 2-4 staff).

- Non-licensed Café – 8am-6pm each day, with support to school, church and the wider community (if demand grows).
 - Church crèche on Sunday.
- Use by Kings Baptist Grammar School for:
 - Occasional small groups and assemblies during school hours.
 - Occasional evening functions (e.g. student performances).
- OHSC to support the school, and potentially holiday programs if demand is there.

The attributes of the design include:

- A new building incorporating:
 - An entrance, waiting area and reception area;
 - An open café area and associated kitchen;
 - Offices for church staff;
 - Creche and Ministry Rooms; and
 - The primary assembly area (multi-purpose room/auditorium)
- The external areas of the building having a covered external deck, nature play and recreation area.
- The roof form includes two main and separated gable roof forms. The gables will have their ridge line oriented at 90 degrees to each other with one occurring over the main entrance and the other over the multi-purpose area.
- The building is angled to Bollen Road, reflecting the angled orientation of the Local Heritage Place.
- The materials include feature timber cladding, timber fencing, sandstone blockwork, compressed sheet and metal cladding to walls and roof with black anodized aluminium window frames; continuing the themes of the Kings Baptist Grammar School Stage 1 development authorisation.

Carparking, bus unloading bay (for the school), passenger set down areas and accesses are provided within the subject land and also within the future Council recreation grounds (as the first stage of the delivery of 110 carparks by the school for the benefit of the school and the community).

Refer to **Attachment One (1)** for details of the proposal page **33**.

3. SITE/LOCALITY

The subject land was formerly primary production land, most recently for livestock grazing and hay production. Civil works have now commenced on the land to deliver the first stage of the school/early learning centre by Kings Baptist Grammar School and drainage infrastructure (sewer mains and stormwater drainage) by Burke Urban associated with servicing the land uses and residential subdivisions. The subject land includes the future recreation grounds to the south for the provision of access and car parking as the first enactment of the Infrastructure Deed for provision of car parking on this land (an obligation of Kings Baptist Grammar School as enacted by Mt Barker Baptist Church in this instance).

The subject site comprises of:

- A former farm residence which is listed as a local heritage place (House & fr Cemetery Fairfield (Recency Farm, May) ID 18549) with associated outbuildings, farm buildings and landscaping. It is noted that the cemetery has been confirmed by Burke Urban as not being located within the school allotment nor Council reserve area.
- Undulating grazing land.
- Planted and remnant trees, including Regulated and Significant Trees.
- Driveway access to Bollen Road; including temporary construction access through the future reserve area.
- Earthworks associated with the commencement of construction as detailed above.

The subject site itself does not contain any of the structures and comprises of:

- Cleared, gently undulating grazing land.
- A Significant Remnant River Red Gum tree located within the road reserve area adjacent the future recreation grounds.
- A Significant Oak Tree on the subject land.

The locality reflects the previous township boundary between:

- A residential precinct with primarily conventional single storey dwellings within a landscaped setting. The local streets are kerbed but have no formed footpaths; however the road verges are of sufficient width to accommodate informal pedestrian movement; and
- Farming land in the nature of undulating, pastured grazing land interspersed with remnant and planted trees, Western Flat Creek, farm drainage lines, electricity transmission lines, farm residences with associated outbuildings, farm buildings and associated infrastructure. This land was rezoned as Residential Neighbourhood Zone in the Ministerial Development Plan Amendment in 2010.

The Bollen Road corridor provides a separation between the established residential area and the new urban area. The attributes of Bollen Road are:

- A two-way sealed rural road.
- No kerbing on the western side. On the eastern side there are sections with kerbing, but not in the vicinity of the school or subject site.
- No footpaths, consistent with the adjoining street network.
- Varying road reserve widths, with:
 - The section between Flaxley Road and Allen Avenue being 25 metres in width, with the paved road located on the western side (with a culvert crossing over Western Flat Creek) interspersed with planted and remnant trees, including several Regulated and Significant Trees.
 - The section between Allen Avenue and Mansfield Road being 37 metres in width and includes Bollen Road pavement on the western side and Mansfield Road pavement on the eastern side, divided by an 18 metre median.
 - The section north of Mansfield Road reverting back to a 25 metre corridor.
- Residential properties facing Bollen Road have driveway accesses to this road (other than the section where they would directly access Mansfield Road).
- Functions as a minor linking road between Flaxley Road to the south and Hawthorn Road to the north.



Figure 2. Aerial Photo of site and locality. Site of the development is identified by the blue star. Representors residences identified by yellow numbers (reflecting the representor numbers in Section 6.1).



Figure 3. Zone Map.



Photo 1. View northwest into subject site from the temporary school construction access off Bollen Road. Significant River Red Gum located in the background in the road verge adjacent to the proposed southern entrance (located on the future recreation grounds).



Photo 2. View northwest into subject site from the temporary school construction access off Bollen Road. Local Heritage Place (house) in background.



Photo 3. View of Bollen Road reserve area adjacent to the proposed community centre, with the pavement of Bollen Road on the left and Mansfield Road on the right.



Photo 4. View west into subject site in proximity to the proposed southern entrance.



Photo 5. Land prior to commencement of school civil works looking southwest from a location in proximity to the northern egress onto Bollen Road.

4. SUMMARY OF KEY ISSUES

It is recommended that planning consent be granted for the following key reasons:

- Land use - The proposed community centre is considered an appropriate use in a Residential Neighbourhood Zone, in an identified area for educational/community/recreation purpose of a scale suitable for the precinct and contributes to the needs of the community.
- Interface – The impacts of the proposed use on adjacent land uses, in particular residences, is anticipated to not be unreasonable within the context of urban development anticipated to occur on the land and the primary activities occurring during daylight hours.
- Car parking – The proposal is fit for purpose for the initial stages of the school and community centre. Car parking provision will be reassessed through each subsequent stage via future development applications and in conjunction with infrastructure agreements for further delivery of car parking in the future recreation grounds.
- Traffic – The capacity of Bollen Road to cater for the proposed land use is acceptable, noting that the provision of a more urban street form including footpaths will ultimately occur.
- Built form and character – The building is of suitable design using articulation, materials and bulk of built form that continues the themes established in the school development and orientation and siting that gives appropriate consideration of retaining the local heritage character of the listed building on the land.

5. GOVERNMENT AGENCY SUBMISSIONS

The proposal does not result in any referrals to State Government Agencies in accordance with Section 37 of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

6. COUNCIL DEPARTMENT COMMENTS

6.1. Planning Engineer

Council Engineers have reviewed the proposal, particularly in regard to matters including stormwater management and traffic impacts. The engineers have concluded that the stormwater management plan as proposed satisfies the objectives in relation to onsite management and connectivity to the infrastructure being provided as part of the Newenham development in the wider precinct. The detail of the connection to this drainage infrastructure can be suitably adjusted once the works are complete.

Engineers have also confirmed that the traffic matters have been satisfactorily addressed and safe and functional access/egress can be achieved. It is noted that the finer detail of the southern access is required to remain as a reserved matter to ensure that the attributes of the access retain optimal outcomes for safe access/egress, tree-sensitive design to maintain the health of the Significant River Red Gum, not prejudice delivery of the future regional detention basin bund and have levels that accommodate drainage infrastructure under construction.

Further to this, Council is continuing strategic infrastructure planning in relation to the ultimate function and nature of Bollen Road and the surrounding road network (including the intersection to Flaxley Road) and the appropriate timing and funding for these works. It is recognised that Bollen Road will function as an urban street (including footpaths etc.) as opposed to the current rural type road, noting that it is currently of sound construction.

6.2. Heritage Consultant

Council's Heritage Consultant has assessed the proposal in respect to impacts on the setting of the local heritage place, noting that the listed building itself is not within the development site for this proposal. In conclusion, the proposal results in a high standard of functional architecture that is reasonable and acceptable in conserving the heritage value of the place.

The full details of the response is outlined in **Attachment Two (2)**, page **133**.

6.3. Urban Forest Officer

Council's Urban Forest Officer has provided advice in relation to Significant Oak Tree to be retained on the land and the River Red Gum in the road reserve adjacent the proposed southern entrance.

The proposed development can be suitably undertaken that would result in the long-term retention and health of the Oak Tree.

Furthermore, tree-sensitive pavement construction for the southern entrance within with Tree Protection Zone of the River Red Gum can be achieved without causing undue harm to the health of the tree, subject to further detailed design, recognising that the location is required within the TPZ as a result of other constraints and infrastructure requirements in this location.

6.4. Strategic Projects and Planning Policy

Council Strategic Planners have confirmed that the provision of carparking and access on the future recreation grounds is consistent with the Council endorsed concepts and agreement with Kings Baptist Grammar School. In addition, the siting of an assembly building that performs functions for the school, church and community is a suitable use for this precinct.

7. PUBLIC NOTIFICATION

In the Residential Neighbourhood Zone, a community centre is designated as being Category 1 for the purpose of public notification other than where it is adjacent to an existing dwelling; which is then determined to be Category 2. In this instance, the proposed development is adjacent to existing dwellings (located on the eastern side of Bollen Road and Mansfield Street).

The zone is silent about undertaking development on land that is a local heritage place. In the light of no specific reference to heritage places in the Development Plan or Development Regulations, it is concluded that the land use itself is the primary determinant of categorisation and development on land that is local heritage listed (albeit that no development of the listed items is occurring and it is only the setting that is being assessed), and hence does not result in defaulting to being Category 3. To this end, as all proposed uses/structure are designated as being Category 2, then the proposal is categorised as such.

The application was notified to adjoining land owners/occupants in accordance with Part 4 of the *Development Act 1993* (Category 2 Notification).

Pursuant to Part 4, Section 38(10)(a) of the *Development Act 1993* the Council Assessment Panel may, at its discretion, allow a person who made written representation to appear personally or by representative before it to be heard in support of the representation.

7.1. Representations

Two (2) representations were received as a result of the public notification, as identified below:

	Representor	Address	Nature of representation	Request to be heard (Cat 2)
1	Elizabeth Inkley	4 Mansfield Road, Mount Barker	Opposed	No
2	Dr Paul Kilvert	16 Bollen Road, Mount Barker	Supportive – with concerns raised (see below)	No

It is noted that the representation by Dr Paul Kilvert is supportive of the proposal itself but raises concerns to Council in relation to the safe function and use of Bollen Road now and in the future.

Refer to **Attachment Three (3)** for a copy of the representation received page **145**.

7.2. Response to Representations

A response to the representations considers matters including traffic, parking and change in the rural character has been received by Council.

Refer to **Attachment Four (4)** for a copy of the applicants' response to the representation page **153**.

8. ASSESSMENT

8.1. Classification of Development

The development application was lodged with Council under the operation of the Development Act and Regulations and the Mount Barker District Council Development. The proposal is required to be assessed in accordance with these.

The proposed development is neither identified as being complying nor non-complying in the Zone, and accordingly is required to be assessed on its merits having regard to the relevant provisions of the Development Plan.

Nature of proposal

Is the primary function of this proposal a place of worship or a community centre? A place of worship is not defined by the Development Regulations whereas a community centre is defined as per below.

community centre means land used for the provision of social, recreational or educational facilities for the local community, but does not include a pre-school, primary school, educational establishment or indoor recreation centre;

Due to the multi-functional use of the building, being open to the public and providing services to the wider community, it is determined that a community centre definition is the most appropriate definition of the use. Use as a place of worship is not the overarching primary function as would traditionally have occurred (i.e. being exclusive for the church worship).

8.2. Relevant Development Plan Provisions

The development application is required to be assessed against the Development Plan in effect at the time of lodgement, being the Mount Barker District Council Development Plan Consolidated – 20 August 2020.

All of the provisions detailed below are considered applicable, however only the most relevant to this site and application are discussed in detail.

Zone

Residential Neighbourhood Zone: Objectives 1, 4, 6, 7, 8, 10 Principles of Development Control (PDCs) 1, 2, 5, 7, 8, 26, 27, 28, 29, 30, 32, 33, 34, 35

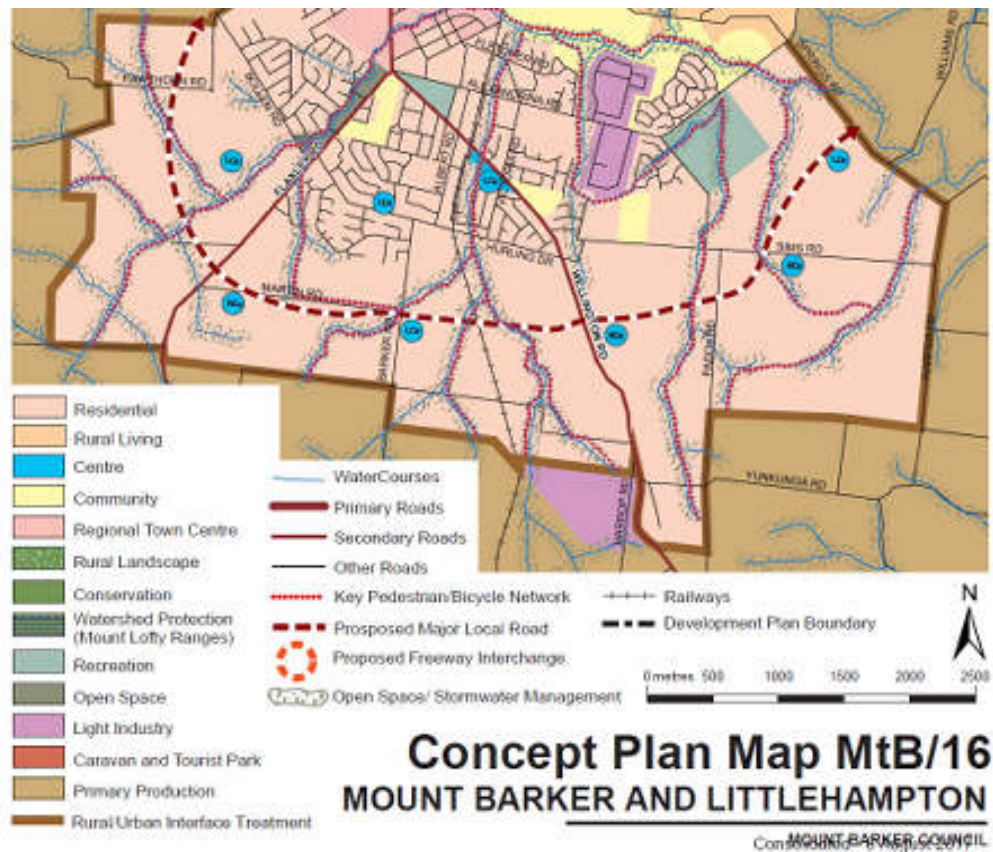
General Section

Centres and Retail Development: Objectives 1, 2, 3, 5, 6 PDCs 1, 2, 3, 4
Community Facilities: Objectives 1, 2 PDCs 1, 2, 3
Crime Prevention: Objective 1 PDCs 1, 2, 3, 4, 5, 6, 7, 10
Design and Appearance: Objectives 1, 2 PDCs 1, 2, 3, 5, 7, 8, 9, 10, 11, 12, 13, 15, 16, 18
Energy Efficiency: Objectives 1, 2, 3 PDCs 1, 2, 3, 4
Hazards: Objectives 1, 2, 4, 5, 8, 9, 11 PDCs 1, 3, 4, 5, 7, 8, 9, 10, 13, 16, 23, 31, 32
Heritage Places: Objectives 1, 2, 3 PDCs 3, 4, 6, 7, 11
Infrastructure: Objectives 1, 2, 5 PDCs 1, 2, 4, 5, 8, 9, 10
Interface between Land Uses: Objectives 1, 2, 3 PDCs 1, 2, 3, 4, 6, 7, 8, 17
Landscaping, Fences and Walls: Objectives 1, 2 PDCs 1, 3, 4, 5, 6, 7
Natural Resources: Objectives 1, 2, 4, 5, 6, 7, 10 PDCs 1, 3, 4, 5, 7, 8, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 28, 29, 43, 44, 45, 46, 47, 48, 49, 50, 51, 57, 58, 59, 60
Orderly and Sustainable Development: Objectives 1, 3, 4, 6, 7 PDCs 1, 2, 3, 4, 6, 7, 8, 11, 12, 13
Significant Trees: Objectives 1, 2 PDCs 1, 2, 3, 4, 5, 6, 7, 8
Siting and Visibility: Objective 1 PDCs 1, 5, 6, 10
Sloping Land: Objective 1 PDCs 1, 2, 3, 4, 5, 7
Transportation and Access: Objective 2 PDCs 1, 2, 5, 6, 8, 9, 10, 14, 18, 19, 20, 21, 22, 25, 26, 27, 29, 30, 31, 32, 36, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48
Waste: Objectives 1, 2 PDCs 1, 2, 5, 7, 14, 16

8.3. Land Use in the Zone

The Residential Neighbourhood Zone is a unique zone within the Mount Barker township that caters for the expansion of the township and includes local and neighbourhood centres in key strategic locations that are not delineated by specialised zones but rather are incorporated within the same zoning. A key benefit of this approach is the flexibility that it provides in the facilitation of non-residential development in suitable locations dependent upon ultimate layout of new precincts, specific constraints of the land and siting that optimises opportunities for facilities that service the expanding and existing residential population in the locality and wider district.

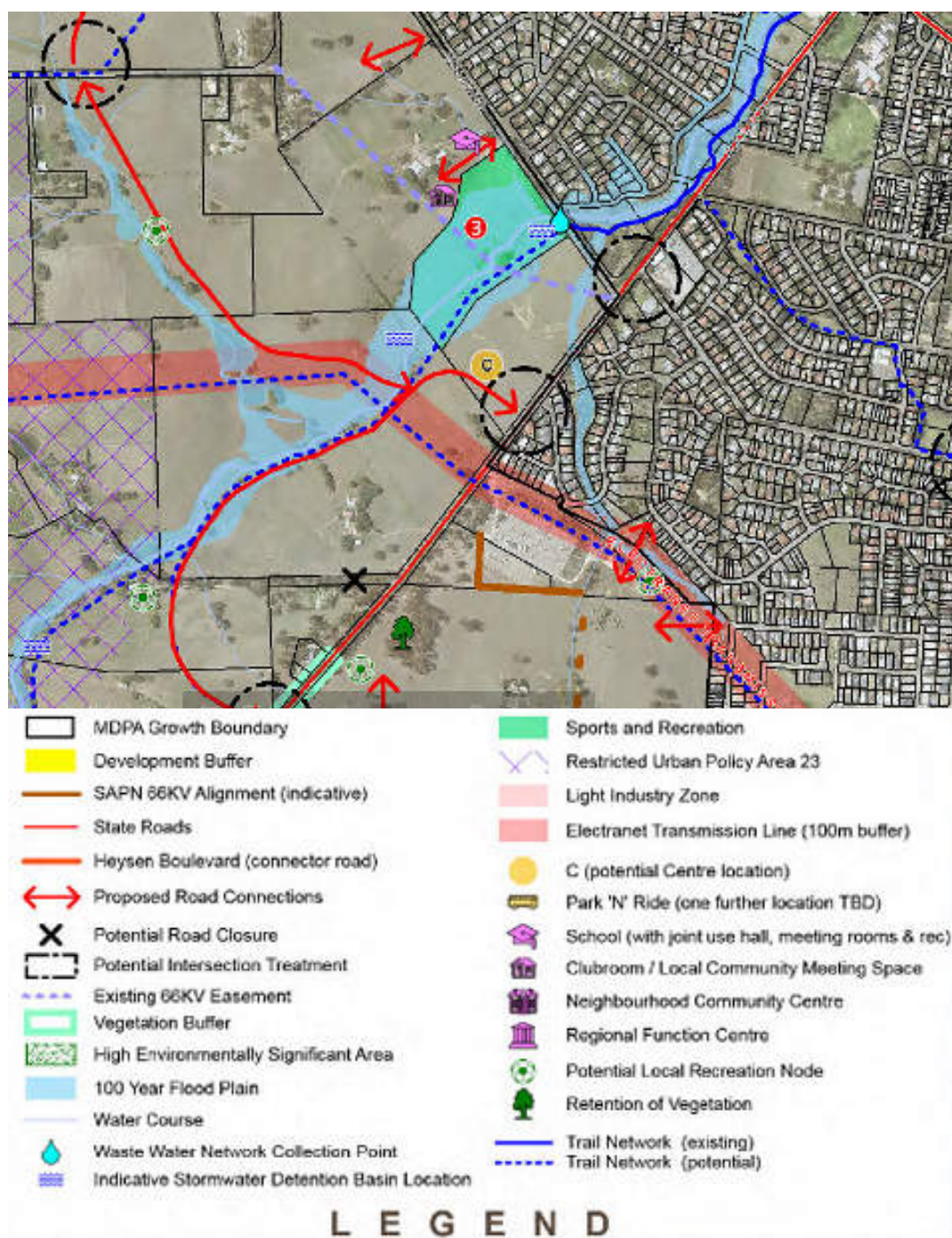
To this end, a Concept Plan map (as per below) was included in the Development Plan as part of the Ministerial rezoning of this land to provide guidance as to potential suitable locations of centre precincts within the urban growth areas. For land to the west of Flaxley and Bollen Roads, key attributes included trail links, a major local road connector and a local centre.



Further substantive detailed analysis of the urban structure on the western side of Flaxley Road has occurred by Council since the original rezoning of the land. This analysis has refined the concept plan to be specific for the functioning of key strategic attributes that would enable delivery of uses and amenities that are anticipated within the township. To this end, key outcomes of these investigations and development authorisations has resulted in:

- Reducing the alternative route importance of the major local road connection through to Hawthorn Road (noting the significant constraints at the Adelaide Road/Hawthorn Road intersection).
- Provision of a substantive future sports and recreation hub along the Western Flat Creek, serving the community in the south-western area of Mount Barker.
- Opportunity for a school precinct that can contribute to the establishment of the sporting and recreation precinct (through shared-use agreement/s and investment), with the first stage being approved and now under construction.
- Location of a potential centre precinct on the eastern side of Western Flat Creek, rather than on steep land on the western side that would be isolated from the arterial traffic flow.

Refer to the structure plan on next page.



The development seeks to provide for the needs of the community in regard to provision of a community centre within the original parcel of land purchased by Kings Baptist Grammar School for such purpose. The centre performs multiple functions, including as an assembly place for the school, a place of worship and providing a variety of services to the community (including potential use of the café for the public) that extend beyond what a place of worship traditionally functioned as. This non-residential use supplements and is clustered with the existing school use of the land; being of suitable scale that is considered to not unreasonably impact the amenity of nearby residents. It is important to differentiate between non-residential development within a designated location as opposed to residential precincts to inform the nature of the interface that

should be expected in these different situations. This will be discussed further in section 8.8 Interface Between Land Uses.

The proponent has put forward a development that will cater for the educational, worship and service needs of the community in a location that has been strategically identified as being best suited for this. In this regard there is no question that the proposed development is one anticipated within this location in the Residential Neighbourhood Zone, albeit with consideration required as to the proposals compatibility with the adjoining established residential precinct on the eastern side of Bollen Road.

The zone anticipates that development should be undertaken in accordance with suitable upgrades and augmentation of utility services and roads to meet the anticipated need. This will be discussed further below, however it is determined that all utilities can be delivered in an orderly and sustainable manner and that road upgrades are to occur at an appropriate time. Whilst a representation has inferred that upgrades are required now, it is determined that the current road network is suitable, albeit not optimal.

In summary, the siting of, and proposed land use is the most appropriate, orderly and sustainable interpretation of the enactment of a community centre in the precinct located on the western side of Bollen Road, within the Residential Neighbourhood Zone.

8.4. Centres and Retail Development

The centres and retail development policy framework promotes development which results in the convenient provision of goods and services to the community. The framework also seeks development that contributes to the architectural style established within the centre in which it is proposed to ensure a single theme is carried forward and not diminished.

The proposed development will provide the community of the south-western area of Mount Barker (and wider district) with additional community services for the expanding population in addition to providing an enhanced function for the Kings Baptist Grammar School.

The architectural form of the building is consistent with the “country character” theme within the Newenham precinct, with natural materials and finishes, pitched roofs, landscaping and single storey built form that continues the themes established by school and early learning centre buildings. Unlike the entrance to be developed along Rainbird Drive, a “main street” layout is not anticipated, hence having buildings built in close proximity to the street edge is not fundamental to the locality and is consistent with the layout for the first stage of the school development.

It is not uncommon for community centres to be located outside of commercial precincts and with the expanded township boundary it is important the new centres be established within new precincts for better accessibility to the local neighbourhood. Establishing a community centre in this location does not diminish the importance of the Regional Town Centre as the pre-eminent non-residential precinct within the Mount Barker Township.

In summary, the community centre will result in a service to the community of Mount Barker, consistent with the architectural themes being established within the Newenham precinct.

8.5. Design and Appearance

The Development Plan seeks development that has a high architectural standard that responds to and reinforces the positive aspects of the built form established in the locality.

The architectural themes of the building are generally consistent with the design of built form found within the new locality and is determined to provide a positive contribution to the developing precinct through:

- Being single storey of similar scale and design to the buildings approved in Stage 1 of the school development, albeit of a taller structure that is reflective of the amenity expected in an assembly building of this nature. The building does not give the appearance of excessive bulk of scale due to substantive articulation and use of natural materials and extensive glass frontage.
- Siting within a landscaped setting that includes retention of Significant Trees onsite and within the road reserve.
- Balance of cut and fill to minimise the extent of earthworks with retaining, as required, suitably designed and located to complement the site.
- Design and siting that enables visual prominence of the local heritage place (farm residence) and its curtilage to be retained (as discussed further below).
- Utilises a range of materials and finishes to reduce the bulk and scale of the structure.

In summary, the building utilises contemporary and natural materials and presents a high standard of design that is sympathetic to the new precinct and adjoining residential areas to the east.

8.6. Heritage Places

The nature of the local heritage listing on the subject land has been reported in detail by the Heritage Architect engaged by the applicant and assessed by Council's Heritage Consultant. This proposal does not include any works to the Local Heritage listed farm residence, however due consideration has been given to the siting, design, scale and alterations to the natural surface levels of the development in relation to, most importantly, the conservation of the setting of this place. All of these aspects are deemed to be suitably considered. The prominence of the local heritage building within the new urban precinct is retained and not hindered by the proposed development.

The proposal is considered to satisfy the objectives of the Development Plan in regard to heritage matters.

8.7. Hazards

The siting of the buildings, access to Bollen Road, alternative escape routes, surrounding locality being primary arable grazing land (which can be managed for fuel loading) and SA Water mains availability in Bollen Road result in the proposed development being able to achieve the requirements of the *Ministers Code for undertaking development in Bushfire Protection Areas* resulting in a reasonable measure of protection in a bushfire event. Consideration of the specific details of life safety requirements would occur in any subsequent Building Rules assessment of the National Construction Code (NCC) requirements.

The stormwater management plan is determined to be acceptable that would include protection of the proposed buildings from impacts in a flooding event.

It is considered that the proposal satisfies relevant provisions in relation to mitigation of hazards.

8.8. Interface Between Land Uses

The policy framework of the Development Plan seeks development that is designed and sited to prevent adverse impacts and conflict between land uses to promote community health and amenity. Consideration of potential adverse impacts relating to the interface between the proposed development and nearby residences is most clearly articulated in Interfaces between Land Uses PDC1:

Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:

- a. the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
- b. noise
- c. vibration
- d. electrical interference
- e. light spill
- f. glare
- g. hours of operation
- h. traffic impacts.

The test of what is reasonable or unreasonable impacts is to be considered within the context of the balance between what is the envisaged use, the extent of the interface and the attributes of the existing locality. In respect to these matters, it is considered that:

- The land use is envisaged at this locality in the Residential Neighbourhood Zone.
- The interface to sensitive uses (residences) is limited to the established residences located on the eastern side of Bollen Road.
- Bollen Road is a minor collector road that functions as a link between Flaxley Road and Hawthorn Road, with the wide road verge comprising of established trees and grassed areas that provides a high amenity for the streetscape.

The subject land has been rezoned for urban development. Therefore the existing amenity experienced is changed as envisaged. Further to this, civil construction has commenced for development authorisations that create a new urban precinct in this location in the nature of residential subdivisions and the school/early learning centre. The activities associated with a community centre; and in particular the school and place of worship functions would be primarily confined to daylight hours. Small group activities and meetings associated with the church would occur most typically on weeknights as would the occasional special event. None of these activities would be atypical for a community centre function such as this with low traffic numbers and movements and low key activities occurring within the building. In addition, these would not typically be events that would extend late into the night.

The nature of uses outside of daylight hours is not determined to be of a frequency or scale that is unreasonable for an envisaged use at the interface to established residences, particularly due to siting of the activities on the land.

Whilst a representation spoke against the proposal, including noise impacts and light spill, it is considered that these are not unreasonable and that lighting can be suitably designed to mitigate unreasonable nuisance to adjoining residences.

In conclusion, it is considered that the application has satisfactorily demonstrated that impacts from the operation of the proposal will not result in unreasonable undue impacts on adjoining and future land uses.

8.9. Transportation and Access

The relevant transportation and access objectives and principles promote development that delivers safe and efficient movement of all motorised and non-motorised transport modes. Currently there is a single-lane farm driveway access and a temporary construction access to the land from Bollen Road. In addition, there is no footpath network connecting to the subject site nor to the surrounding residential street network.

Traffic

Bollen Road in this location is currently a 60km/h road with no verge infrastructure and functions as a link between Flaxley Road and Hawthorn Road for the residents in the western area of the township. Council is continuing investigative work in regard to the ultimate design and function of Bollen Road, seeking to:

- Determine suitable timing of a lowering of the speed limit to 50km/h (to be approved by the Department for Infrastructure and Transport (DIT), noting that DIT have indicated in-principle support for this to occur).
- Provide linkages throughout the existing road network, including the suitability of retaining an intersection at Hawthorn Road in its current location.
- Include design parameters that are suitable within an urban environment in balance with retention of existing trees and the amenity of the existing streetscape.
- Provide footpaths and crossings in suitable locations.
- Look at opportunities for on-street parking to complement the community uses for this precinct (including Council's recreation reserve) within the wider road reserve sections.

Council engineers have concurred with the traffic assessment provided by the applicant that the combination of the first stage of the school/early learning centre and community centre as proposed does not necessitate an upgrade of Bollen Road to service the traffic associated with this development and does not prejudice the function of the existing road network. Upgrading a portion of Bollen Road at this time could be redundant and prejudice the ultimate desired outcome for Bollen Road. Furthermore, it is inappropriate for footpaths to be installed at this time without a detailed program to provide a connected network through the new and established areas.

As the Council analysis of the future nature and function of Bollen Road comes to light in consideration of the authorised and proposed developments, upgrading the road and pedestrian network to be suitable within an urban precinct (as opposed to a "rural" road) will occur. This would include enhancements of landscaping within the existing road reserve area.

Access to the land and vehicle manoeuvres

The applicant's traffic consultant has detailed how the design and siting of accesses to service the community centre and the future recreation use of the Council reserve area can be achieved. This is within the context of site constraints and future infrastructure provision including:

- Bund to be created within the middle and lower portion of the future Council recreation grounds land adjacent to the Bollen Road frontage. This forms part of the regional detention basin to be constructed by Council to mitigate downstream flooding impacts to property in flooding events. The timeframe for construction has yet to be determined.
- Two-way vehicular access off Bollen Road required by Council for carparking and access to the future recreation grounds with carparking to be delivered in stages as per agreement with Kings Baptist Grammar School (delivering 110 car parks). The first stage of this associated with this development proposal.
- Proximity to road junctions on the eastern side of Bollen Road.
- Retention of significant trees, in particular an English Oak tree at the northern end of the site and a remnant River Red Gum located in the road reserve area at the southern end, adjacent Council's future recreation grounds parcel.
- Infrastructure provision with the easement.
- Grade differential between the carparking associated with the first stage of the school/early learning centre development and the community centre site.
- Vegetation within the road reserve and on the subject land adjacent to the road boundary (including Hawthorn that has subsequently been removed to facilitate the safe access as previously approved).
- Design speed for current posted speed limit (60km/h) noting that a reduction to 50km/h is the ultimate intent.

In light of the above constraints and the proposed function of access roads, passenger unloading (including buses for the school) and accessibility to the carparking areas (private on the community centre land and public within the future recreation grounds) it is deemed appropriate to have a one-way flow of traffic past the building within the centre allotment, with two-way flow being confined to the car park within the future recreation grounds. The benefits of this approach are:

- Ensures that the health of the Significant Oak Tree can be sustained and the canopy retained by keeping sufficient space for the tree and its canopy.
- Reduces traffic conflict by maintaining free-flowing traffic in one direction past the centre whilst maintaining the egress from the future recreation grounds (which is to be shared with the school and centre uses).
- Maintains traffic flow in the event that the lower car parks are full to be directed back to Bollen Road and then into the school car park (which has capacity during the peak non-school use of the community centre which is outside of school hours).
- Can facilitate movements for buses and delivery vehicles.

The southern access into the future recreation grounds must be delivered for the function of the recreation grounds to be realised. The Traffic Consultant has confirmed that this can be achieved. More detailed assessment of the specific design, including tree-sensitive measures in consideration of the constraints of the site (discussed further in section 8.10 below) and future works should occur once the drainage infrastructure has been completed and the carparking and access adjusted as necessary to accommodate this.

Safe access and egress is determined to be achievable and appropriate for the nature of the use of this development and future recreation grounds.

Carparking

The carparking provided in conjunction with this application is 24 spaces. Overall (in combination with the first stage of the school and early learning centre), a total of 40 spaces is accessible during school hours; noting that there are 16 surplus spaces available in the school carpark and 101 spaces are accessible outside of school hours. Demand has been determined by the applicant's Traffic Consultant to result in a requirement when the school is operating to be 21 spaces, with peak demand outside of school hours being 82 spaces.

The analysis is determined to be acceptable to Council. The inclusion of a bus loading/unloading bay to service the school (as an alternative to offloading in the northern carparking approved in stage 1 of the school development) is appropriate and reflects the strategy of the school and church for an orderly staged provision of carparking and traffic management infrastructure as required through each development stage. The carpark provision as detailed above does not result in undue overflow parking into Bollen Road.

Whilst ideally the southern and northern carpark areas would be linked to cater for overflow, the slope of the land does not facilitate this. If the southern car park is full (typically for larger events such as worship services) then this would require egress onto Bollen Road and then ingress back into the northern carpark. Typically people adjust to this through inconvenience and many will end up going directly to the northern carpark in the first instance, taking advantage of the internal path network (including ramps of grade not exceeding 1-in-14) through to the building.

In summary, it is considered that the proposal satisfies the provisions in relation to traffic and parking requirements.

8.10. Significant Trees

There are two Significant Trees within the proposed site. Both of these trees are proposed to be retained.

A Significant Oak Tree is located in the northeast corner of the subject site and detailed analysis of the design of the driveway, based on the advice of Tree Environs has demonstrated that a minor incursion on the fringes of the Tree Protection Zone (TPZ) to accommodate the driveway will not result in undue impact on the tree. Council's Urban Forest Officer has concurred with this analysis.

Within the Bollen Road verge adjacent to the future Council recreation grounds there is a substantive Significant River Red Gum with a Tree Protection Zone of 15 metres that encroaches into the Council land. Ideally a crossover would be located completely outside of the TPZ however in this instance it is not achievable through a combination of factors including offset to the intersection of Bollen Road and Allen Avenue, sight lines onto Bollen Road and location of the future bund for the regional detention basin. In light of these factors, the crossover is required to be located in the general siting as specified on the plan (subject to further detailed analysis of the bund levels).

Delivery of pavement laid on lined and compacted, gap-graded large gravel (25-35mm diameter) on the existing surface that enables the root system underneath to access air (for gaseous exchange) is industry best-practice. This results in delivering sturdy road infrastructure whilst retaining the health and vigour of trees. River Red Gums in particular are a species where these methods are deemed appropriate. Council's Urban Forest Officer concurs that this methodology is

suitable, subject to further detailed design within the TPZ. This has been added as a reserved matter to the recommendation.

In light of the above, the siting of the buildings and associated infrastructure has been determined suitable to enable the long-term health of the trees to be achieved.

8.11. Landscaping, Fences and Walls

The Development Plan seeks development that incorporates appropriate planting and landscaping works to improve amenity. No landscaping plan has been submitted that details plantings that enhance the built form of the development, however the design concepts clearly identify areas that are anticipated to be landscaped with fencing and walling concepts that would continue the themes of the school precinct and consistent with the encumbrance guidelines of Newenham. These plantings would complement the Significant Oak Tree. There is detail however of the front fencing which is to be timber posts and slats that continue the themes of the school and are an appropriate reflection of the rural heritage of the local heritage place. The details of the landscaping can be reasonably sought in a reserved matter. It is anticipated that the landscaping in the future Council recreation grounds be limited at this time so as not to prejudice the overall future plan.

It is considered that high quality landscaping can be suitably delivered for the proposal.

8.12. Crime Prevention

The relevant crime prevention objectives and principles promote development that results in a safe, secure land use that facilitates community and/or casual surveillance.

The proposed development would incorporate lighting which enables visibility of the site as well as having capacity for casual surveillance throughout the site from the public realm. Furthermore, all activities on the land are overseen by the management of the church and the school.

To this end, the proposal does not act to promote anti-social behaviour. It is considered that the design and siting of the buildings and its operation adequately addresses the crime prevention provisions of the Development Plan.

8.13. Natural Resources and Stormwater Management

The relevant natural resources objectives and principles promote development that retains, protects and restores natural resources and environment where practicable. The overarching strategies for stormwater management for the adjacent upstream catchment has been assessed and being enacted through the construction of the Newenham and school developments. This approved strategy directs all flows for up to the 1-in-100 year ARI event primarily through a piped network. This is in combination with a shallow swale within the existing 5 metre easement for conveyance of road surface water. These flows are directed to the regional detention basin to be delivered by Council on the western side of Bollen Road for mitigation of downstream impacts from flooding events in Western Flat Creek. The stormwater infrastructure directs the farm drainage lines through this small catchment to better manage stormwater through this precinct.

The applicant has engaged WSP to devise the stormwater management plan for this proposal in consideration of the overarching strategy. As the stormwater infrastructure is now being

constructed, the final details of connection into this system can be assessed once the final levels are determined. This approach is acceptable to Council engineers with the further details of the connection to be adjusted once the headworks are completed.

A Stormwater, Erosion and Drainage Management Plan (SEDMP) would be required to be established prior to the commencement of any construction that would facilitate protection of the environment during the construction phase. This could be suitably delivered at the relevant time.

In summary, it is considered that the proposal has adequately safeguarded against potential negative impacts on water quality and natural resources. To this end, the proposal is considered to achieve the intent of the Development Plan.

8.14. Wastewater Infrastructure

A sewer mains is under construction by Burke Urban as part of the headworks for the urban development in this precinct. A sewer connection will be available to service this development and a condition reflecting the requirement to provide a sewer connection to this mains can be included in any consent issued.

9. CONCLUSION

The proposal being for a community centre, including use as a place of worship amongst other functions encompasses uses that are envisaged forms of development within this precinct in the Residential Neighbourhood Zone.

The proposal is considered to:

- Cater for the educational, worship and community needs of the growing population of Mount Barker and the wider district in alignment with endorsed structure plans.
- Have built form of high architectural standard with materials, scale, articulation and siting that is suitable for the locality; providing a diversity of interest in the architectural design that is complementary to the “country character” themes being created in the Newenham development.
- Not unduly detract from the heritage value of the local heritage place (farm residence).
- Have satisfactorily safeguarded against potential negative impacts on water quality and Significant Trees.
- Not result in undue impacts on the established residential precinct as a result of the nature of use and siting of activities, with the larger events (such as worship services and school assembly) being primarily confined to daylight hours with only more minor activities (such as small group meetings and youth activities) or occasional special events occurring during the evening.
- Not prejudice the delivery of key infrastructure, including the future sports/recreation grounds and delivers the first portion of carparking for the future shared use.
- Provide safe vehicular access to the land.

This proposal is an orderly addition to this precinct and complementary to the first stage of the school which is under construction. Upgrade of Bollen Road to suit the changed urban environment and recreation/sporting facilities is to be delivered by Council in partnership with Kings Baptist School and Burke Urban (Newenham).

Ideally the existing precinct would have key infrastructure such as footpaths and urban street form in place, however as the strategic infrastructure planning for Bollen Road has not been finalised then it is reasonable to expect that there is a point in time as to when this can be delivered in consideration of continuing detailed strategic analysis and commitments by Council. At this time however, it is considered that the proposal, on balance, warrants issuing of Development Plan Consent on the basis of its strong relationship to the policy framework within the Residential Neighbourhood Zone, high quality design and contribution to the needs of the community.

10. RECOMMENDATION

It is recommended that the Council Assessment Panel:

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker District Council Development Plan – Consolidated 20 August 2020.

RESOLVE to GRANT Planning Consent to the application by Mt Barker Baptist Church (on behalf of Baptist Churches of SA Inc) for a Community Centre (incorporating an assembly building/place of worship and ancillary café, offices, meeting rooms and services including school activities and OHSC) and associated carparking, landscaping, fencing, retaining and infrastructure at Lot 503 and Lot 1000, 41 Bollen Road MOUNT BARKER in Development Application 580/1558/20 subject to the following reserved matters, conditions and advisory notes:

Reserved Matters

1. The final design, siting and levels of all works within the Council recreation grounds, including access/egress to Bollen Road is to be submitted to Council for approval and to the satisfaction of Council. This is to include:
 - i. Tree-sensitive design for the crossover with the Tree Protection Zone of the Significant River Red Gum in the Bollen Road verge (including design with no excavations, compacted 25-35mm gap graded overlaid with geofabric and then hard surfaced). The design and works are to be overseen by a professional with a minimum Certificate V in Arboriculture.
 - ii. Car parks and any traffic control devices be designed and constructed in accordance with AS 2890, in particular AS 2890.1 and AS 2890.2 –Off-Street Car parking along with AS 1742 Manual of Uniform Traffic Control Devices, Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999) and any other relevant Australian Standards and codes, to the reasonable satisfaction of the Council.
 - iii. A detailed line marking and traffic control plan.
 - iv. Driveways and car parking areas sealed, drained and marked to accepted engineering standards.
2. A detailed landscape plan (overlaid on the final civil plan) is to be submitted to Council for approval, with landscaping in general accordance with concept plans submitted with the application. This is to include opportunities for the establishment of large shade trees as appropriate.
 - i. Species of plantings
 - ii. Location of plantings
 - iii. Planted height
 - iv. Mature height

Conditions

3. The development herein approved is to be carried out in accordance with the plans and details accompanying this application, including:
 - Planning Report of URPS titled *Community Centre and Carparking. Mount Barker Baptist Church. 41 Bollen Road, Mount Barker* Revision 2 dated 4.12. 2020.
 - Response to representations by URPS dated 29 April 2021.
 - Plans of Hodgkison Architecture titled *Mt Barker Community Centre 41 Bollen Road, Mt Barker* dated DEC 20
 - Tree Protection Plan prepared by Tree Environs dated 30 June 2020 titled *Kings Baptist School Lot 1000 Bollen Road Mt Barker*
 - Civil Works Concept Plan of WSP Revision P1
 - Traffic and Parking Assessment Report of MFY dated December 2020 and correspondence dated 29 April 2021.except where amended by the following conditions.
4. Stormwater management is to occur in accordance with the approved documentation, including:
 - i. All stormwater from the development must be connected to stormwater drainage infrastructure located within the drainage easement. Any associated costs for the connection are the developer's responsibility.
 - ii. Stormwater infrastructure is to be maintained such that the Water Quality objectives are achieved in regard to pollutants, including gross pollutants.
 - iii. Final detailed design of all stormwater infrastructure, including connections to drainage infrastructure in the drainage easement, is to be approved by Council prior to construction commencing.
5. Prior to the commencement of any earthworks on the site, tree protection zones (TPZs) must be established around the significant trees being retained as part of the development to the reasonable satisfaction of the Council. Tree protection zones must be fenced and sign-posted, and no persons, vehicles or machinery must enter the tree protection zones without the consent of the Council or a professional arborist with a minimum qualification of a Certificate V in Arboriculture.
6. Any infrastructure works required to be installed within a tree protection zone of a Significant tree to remain on the land is to be undertaken in a tree-sensitive manner. The works are to be overseen by a professional with a minimum Certificate V in Arboriculture.
7. Lighting shall:
 - i. Be provided to the pedestrian areas, manoeuvring areas and car parks in accordance with AS 1158.1 Public Lighting Code and AS 2890.1 Parking facilities – Off-street car parking.
 - ii. Designed to limit overspill of light on adjacent roads and residential areas that may create a nuisance to any neighbour or road user, whilst providing adequate illumination on-site and to perimeters of the site for security purposes, to the reasonable satisfaction of Council.
 - iii. Have non-illuminated elements to be of a material of low reflectivity to minimise impacts of sun/headlamp glare.

8. The developer, at its cost, is to provide a connection point to the sewer mains. Design approval by Council and associated financial and augmentation requirements of Council shall be met in regard to the connection, in accordance with Council's current standards, Australian Standards and relevant codes to the reasonable satisfaction of the Council and be operational prior to the occupation/operation of the development. An onsite wastewater system, temporary holding tanks or pumped connection to the existing CWMS on the eastern side of Bollen Road are not accepted methods for sewer disposal.
9. Effective measures shall be implemented during the construction of the development in accordance with this consent to:
 - i. Prevent silt run-off from the land to adjoining properties, roads and drains;
 - ii. 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;
 - iii. Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - iv. Ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
 - v. 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.
10. Following completion of the works and prior to occupation, the contractor shall remove all accumulated material from a permanent drainage infrastructure. The contractor shall arrange for a video survey of all Council stormwater pipes and make a copy of the video plus associated written report available to Council. A further video survey shall be undertaken by the contractor if considered necessary by Council to demonstrate that identified defects in the pipe system have been satisfactorily repaired. As constructed drawings of all infrastructure to be vested in Council is to be provided.
11. An appropriate Stormwater, Erosion and Drainage Management Plan (SEDMP) in accordance with the EPA Stormwater Pollution Prevention Code of Practice must be prepared by an experienced and qualified consultant, to the satisfaction of the Council and must include a range of strategies to collect, treat, store and dispose of stormwater during construction while minimizing the release of pollutants into the environment. The measures recommended in the SEDMP must be in place, to Council satisfaction, prior to any earthworks commencing on site and maintained in good condition and remain in place until the site is sealed, stabilised or suitably re-vegetated in a manner to prevent erosion.
12. The driveways and car parking areas shall be constructed prior to operation and maintained in good condition at all times.
13. Landscaping shall be completed prior to the occupation of the development and be maintained in good condition with losses replaced in a timely manner.
14. "As-Constructed" drawings and an asset register shall be submitted to Council for all infrastructure to be vested in Council, including carparking and access in Council land. The plans are to be provided in accordance with relevant Council standards.

Notes:

1. Council has declared the area an underground mains area. Any electricity mains must be placed underground in accordance with recognised engineering practice and the requirements of SA Power Networks.
2. 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.
3. The applicant is reminded to notify Council in writing when all the Council's conditions and requirements have been complied with. Written Notification should identify each condition and address how the condition has been satisfied, including any relevant documentation.
4. The applicant/owner is reminded of its general environmental duty, as required by Section 25 of the Environment Protection Act, to take all reasonable and practical measures to ensure that its activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause environmental harm.
5. To legally install traffic control devices, a Traffic Control Plan and a Traffic Impact Statement and certification is required to be prepared by a recognised Traffic Engineering Practitioner for approval by Council and/or DPTI.
6. As the development hereby approved includes plumbing work, a Wastewater Works Application must be approved by Council prior to the commencement of footing construction for the approved development.
7. New food businesses and trade waste will require appropriate authorisations from Council's Environmental Health Team.

Item 5.1.3.1 - Attachment One (1)

Mount Barker District Council
Received
8 December 2020



Development application form

Development Act 1993

PO BOX 54 MOUNT BARKER SA 5251 TELEPHONE: (08) 8391 7200 www.mountbarker.sa.gov.au	OR 6 Dutton Road MOUNT BARKER FAX: (08) 8391 7299	Office use only DEVELOPMENT NUMBER: 580 / /
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Please use BLOCK LETTERS and Black or Blue ink so that photocopies can be made of your application

PLEASE TICK AS REQUIRED

Development Plan Consent ☒ Building Rules Consent ☐ Development Approval (both) ☐

APPLICANT'S CONTACT DETAILS:

Name: Mt Barker Baptist Church (on behalf of Baptist Churches of SA) Email: steve.polglase@internode.on.net
Postal Address: PO Box 442 Mt Barker SA 5251 Phone: 0422 403 142

OWNER'S CONTACT DETAILS:

Name: Kings Baptist Mount Barker Inc Email: darren.mcdonald@kingsbaptist.se.edu.au
Postal Address: 3 Keithcot Farm Drive Wynn Vale Phone: 8289 0222

BUILDER'S CONTACT DETAILS:

Name: TBA Email: _____
Postal Address: _____ Phone: _____

CONTACT PERSON:

Name: Kristy McMillan (Hodgkison Architects) Email: kristym@hodgkison.com.au

DESCRIPTION OF DEVELOPMENT:

Proposed Development (e.g. Dwelling, Shop, Garage): Community Centre and car parking
Existing Use (e.g. Vacant, Dwelling, Grazing): vacant

LOCATION OF PROPOSED DEVELOPMENT:

Assessment No: _____ Parcel No: _____
House No: 41 Lot / Section No: 1000 Street: Bollen Road
Town: Mount Barker Volume: 6216 Folio: 537

BUILDING RULES CLASSIFICATION SOUGHT: _____ Present classification: _____

If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Male: _____ Female: _____

If Class 9a classification is sought, state the number of persons for whom accommodation is provided: _____

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

Does either Schedule 21 (Activities of Environmental significance) or 22 (Activities of Major Environmental significance (EPA)) of the Development Regulations, 2008 apply? ☐ Yes ☒ No

DEVELOPMENT COST (do not include shop fitout costs): \$3.1M

I acknowledge that copies of this application and supporting documents may be provided to interested persons in accordance with the Development Regulations, 2008.

SIGNATURE:  DATE: 3/12/2020
Applicant / Owner / Agent

RELEVANT FEES, COPIES OF PLANS & COPIES OF ANY OTHER RELEVANT SUPPORTING DOCUMENTATION
ARE DUE ON SUBMISSION OF THIS APPLICATION

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MT BARKER COMMUNITY CENTRE



ARCHITECTURAL DRAWING LIST - PLANNING S2		
SHEET NO.	DRAWING TITLE	REVISION
PL201	COVER PAGE	0
PL202	LOCATION PLAN - COMMUNITY CENTRE PROJECT	0
PL203	SITE PLAN EXISTING AND DEMOLITION	0
PL204	SITE PLAN PROPOSED COMMUNITY CENTRE	0
PL205	SITE ELEVATIONS	0
PL206	COMMUNITY CENTRE FLOOR PLAN	0
PL207	COMMUNITY CENTRE ROOF PLAN	0
PL208	COMMUNITY CENTRE EXTERNAL ELEVATIONS	0
PL209	COMMUNITY CENTRE RENDERS	0
PL210	COMMUNITY CENTRE SITE DETAILS	0

0	PLANNING ISSUE	1/12/20	HA
Rev	Amendment	Date	Init

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architecture
interiors
www.hodgkinson.com.au

MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD, MT BARKER

COVER PAGE

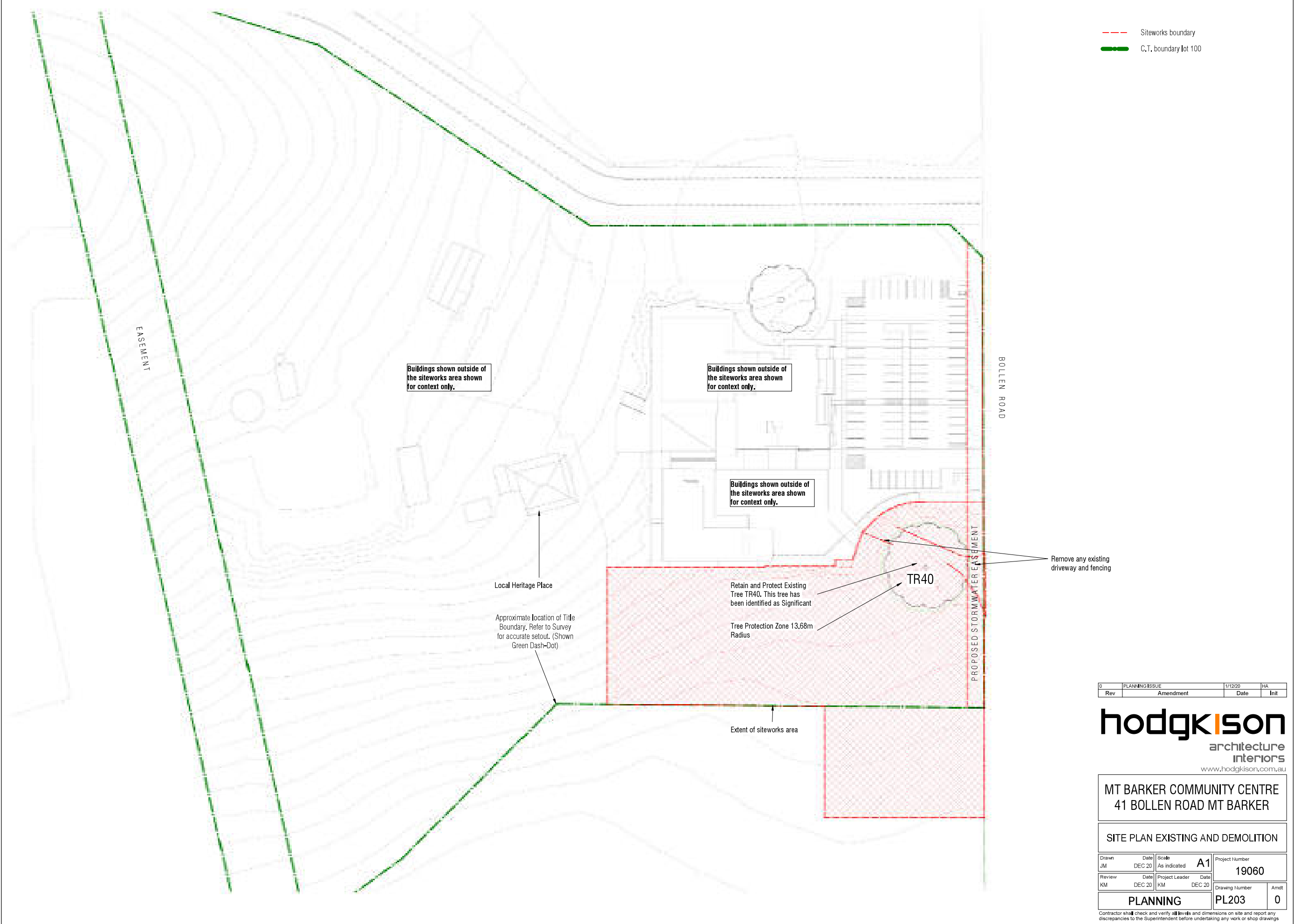
Drawn JM	Date DEC 20	Scale A1	Project Number 19060
Review KM	Date DEC 20	Project Leader KM	Date DEC 20
Drawing Number PL201			Amtd 0

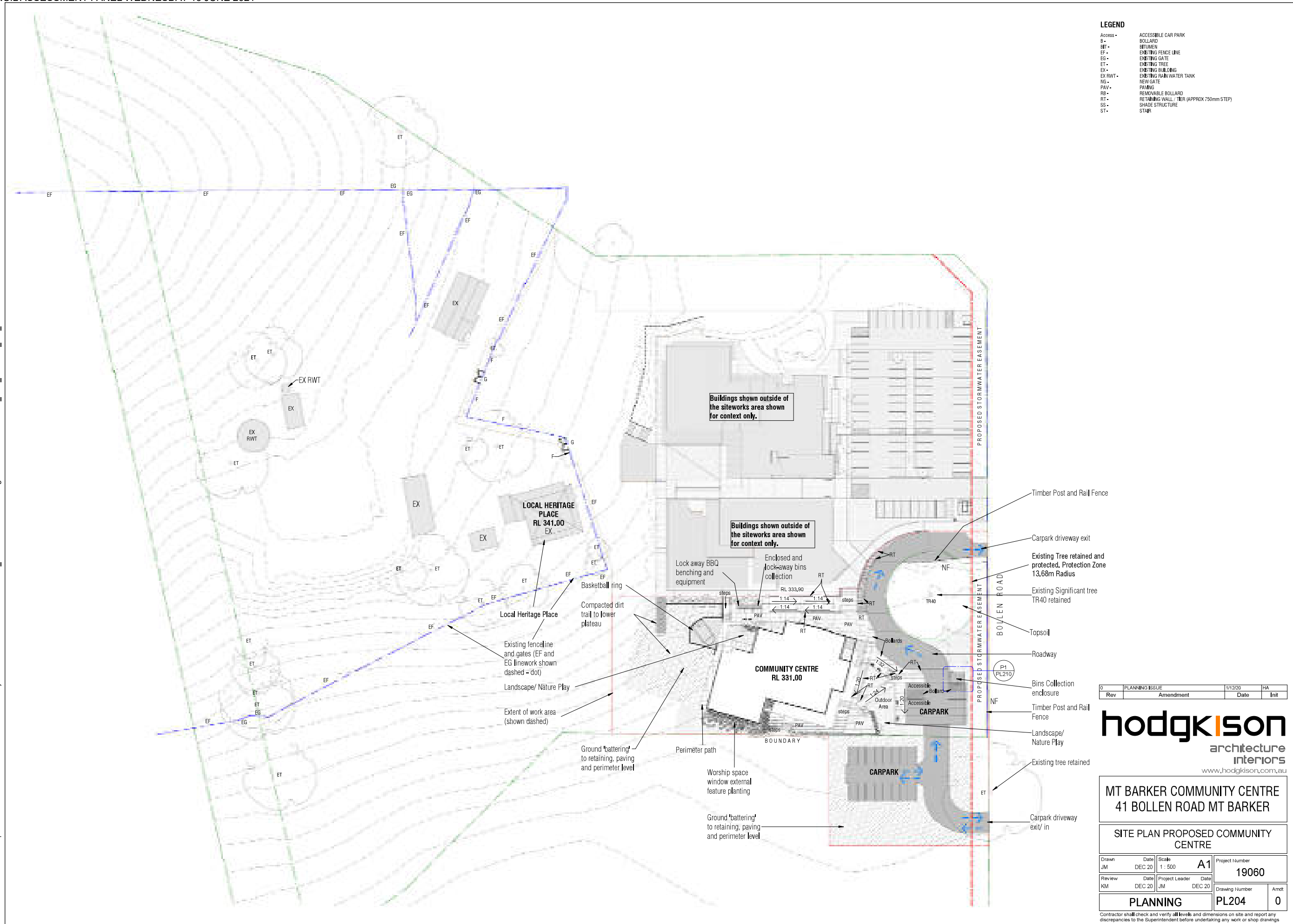
Contractor shall check and verify all levels and dimensions on site and report any discrepancies to the Superintendent before undertaking any work or shop drawings

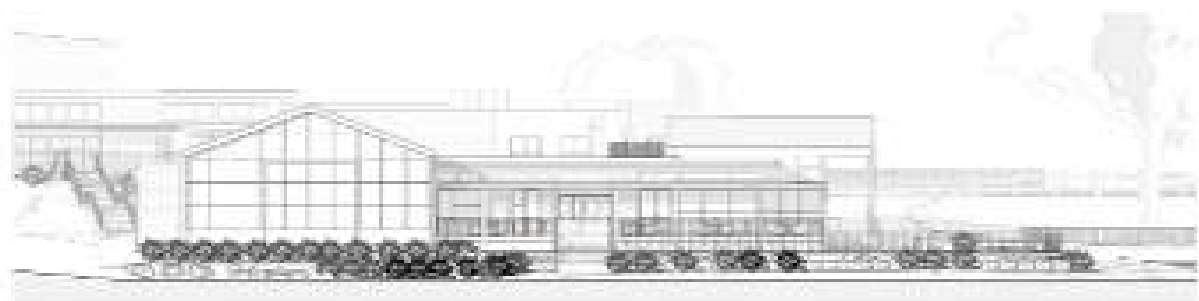
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E1 SITE ELEVATION - COMMUNITY CENTRE SOUTHERN ELEVATION
1 : 200



E2 SITE ELEVATION - COMMUNITY CENTRE EASTERN ELEVATION
1 : 100



E3 SITE ELEVATION - COMMUNITY CENTRE BOLLEN ROAD VIEW
1 : 100

0	PLANNING ISSUE	1/12/20	HA
Rev	Amendment	Date	Init

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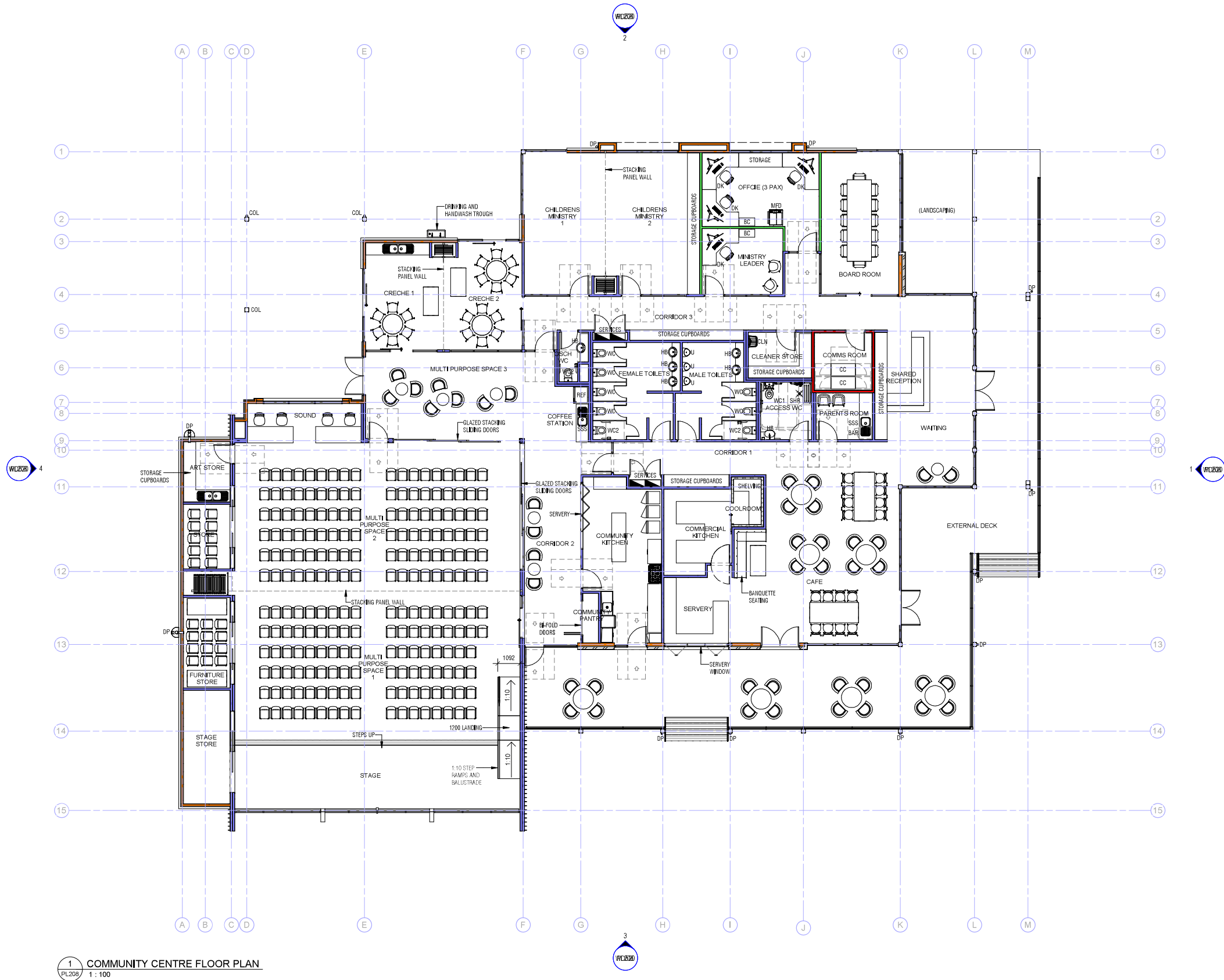
MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD MT BARKER

SITE ELEVATIONS

Drawn	Date	Scale	Project Number
JM	DEC 20	As indicated	A1 19060
Review	Date	Project Leader	Date
KM	DEC 20	KM	DEC 20
Drawing Number		Amdt	
PLANNING		PL205 0	

Contractor shall check and verify all levels and dimensions on site and report any discrepancies to the Superintendent before undertaking any work or shop drawings

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ROOM AREA SCHEDULE	
Name	AREA
ACCESS WC	7 m²
ART STORE	7 m²
BOARD ROOM	26 m²
CAFE	64 m²
CHILDRENS MINISTRY 1	28 m²
CHILDRENS MINISTRY 2	32 m²
CLEANER STORE	7 m²
COFFEE STATION	4 m²
COMMERCIAL KITCHEN	13 m²
COMMS ROOM	8 m²
COMMUNITY KITCHEN	28 m²
COMMUNITY PANTRY	2 m²
COOL ROOM	3 m²
CORRIDOR 1	25 m²
CORRIDOR 2	30 m²
CORRIDOR 3	38 m²
CRECHE 1	20 m²
CRECHE 2	20 m²
EXTERNAL DECK	181 m²
FEMALE TOILETS	19 m²
FURNITURE STORE	10 m²
MALE TOILETS	17 m²
MINISTRY LEADER	13 m²
MULTI PURPOSE SPACE 1	103 m²
MULTI PURPOSE SPACE 2	104 m²
MULTI PURPOSE SPACE 3	40 m²
OFFICE (3 PAX)	23 m²
OSCH WC	3 m²
PARENTS ROOM	6 m²
SERVERY	11 m²
SERVICES 1	Not Placed
SERVICES 2	Not Placed
SHARED RECEPTION	12 m²
SOUND	11 m²
STAGE	49 m²
STAGE STORE	13 m²
STORE	7 m²
WAITING	29 m²

KEYNOTE LEGEND	
CODE	DESCRIPTION
BAR	BAR FRIDGE
BC	BENCH CUPBOARD
CC	COMMUNICATIONS CABINET
CLN	CLEANERS SINK
COL	COLUMN
DK	DESK
DP	DOWNPIPE
HB	HAND BASIN
MFD	MULTI FUNCTION DEVICE
REF	REFRIGERATOR
SHR	SHOWER
SSS	STAINLESS STEEL SINK
U	URINAL
WC	WC PAN & CISTERN
WC1	WC PAN & CISTERN, ACCESSIBLE
WC2	WC PAN & CISTERN, AMBULANT

0	PLANNING ISSUE	DEC 20	HA
Rev	Amendment	Date	Init

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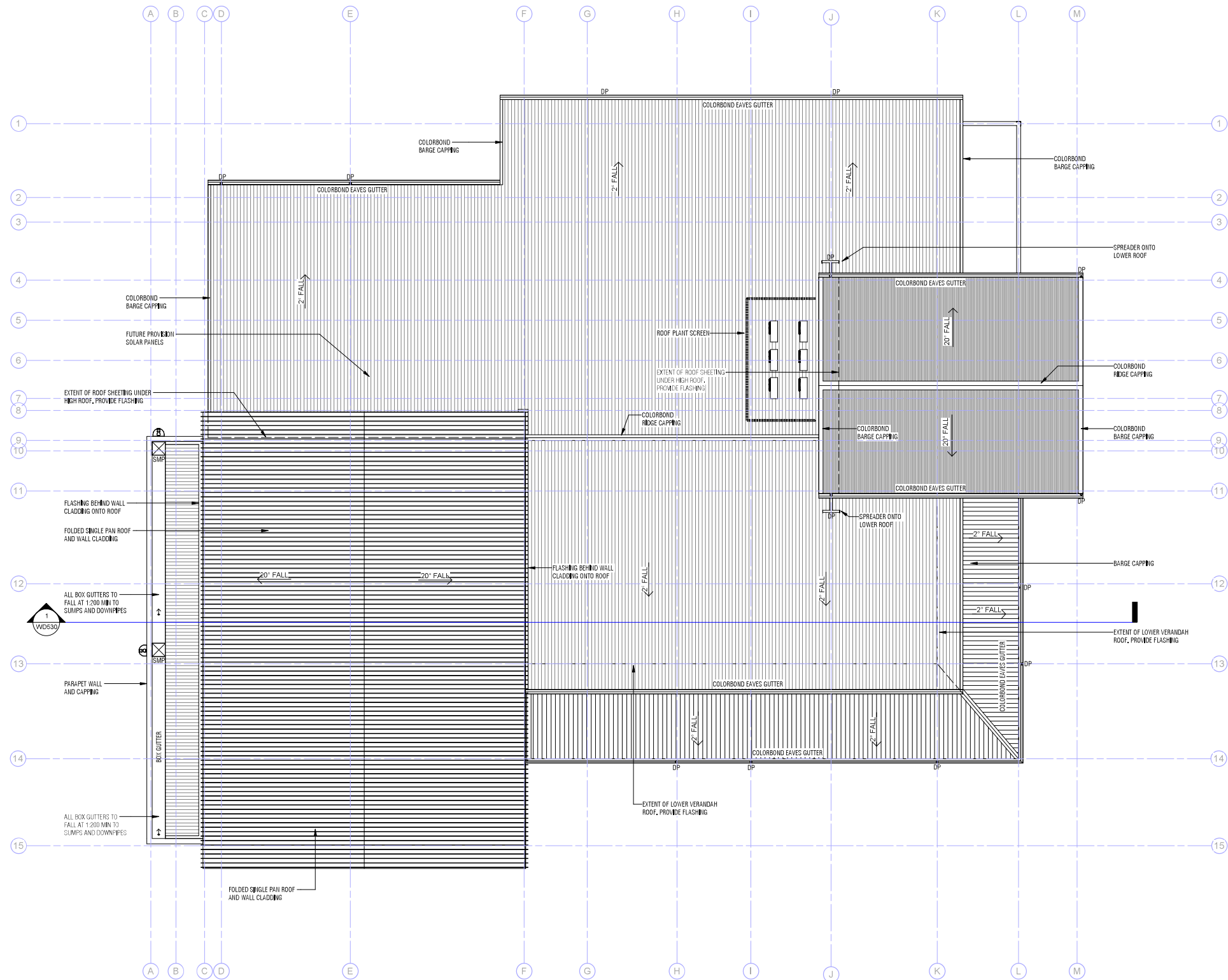
MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD, MT BARKER

COMMUNITY CENTRE FLOOR PLAN

Drawn	Date	Scale	A1	Project Number
PF	DEC 20	1:100		19060
Review	Date	Project Leader	Date	
KM	DEC 20	KM	DEC 20	
PLANNING				Drawing Number
				PL206
				Amtd
				0

Contractor shall check and verify all levels and dimensions on site and report any discrepancies to the Superintendent before undertaking any work or shop drawings

KEYNOTE LEGEND	
CODE	DESCRIPTION
DP	DOWNPIPE
SMP	



1 COMMUNITY CENTRE ROOF PLAN
1 : 100

0	PLANNING ISSUE	DEC 20	HA
Rev	Amendment	Date	Init

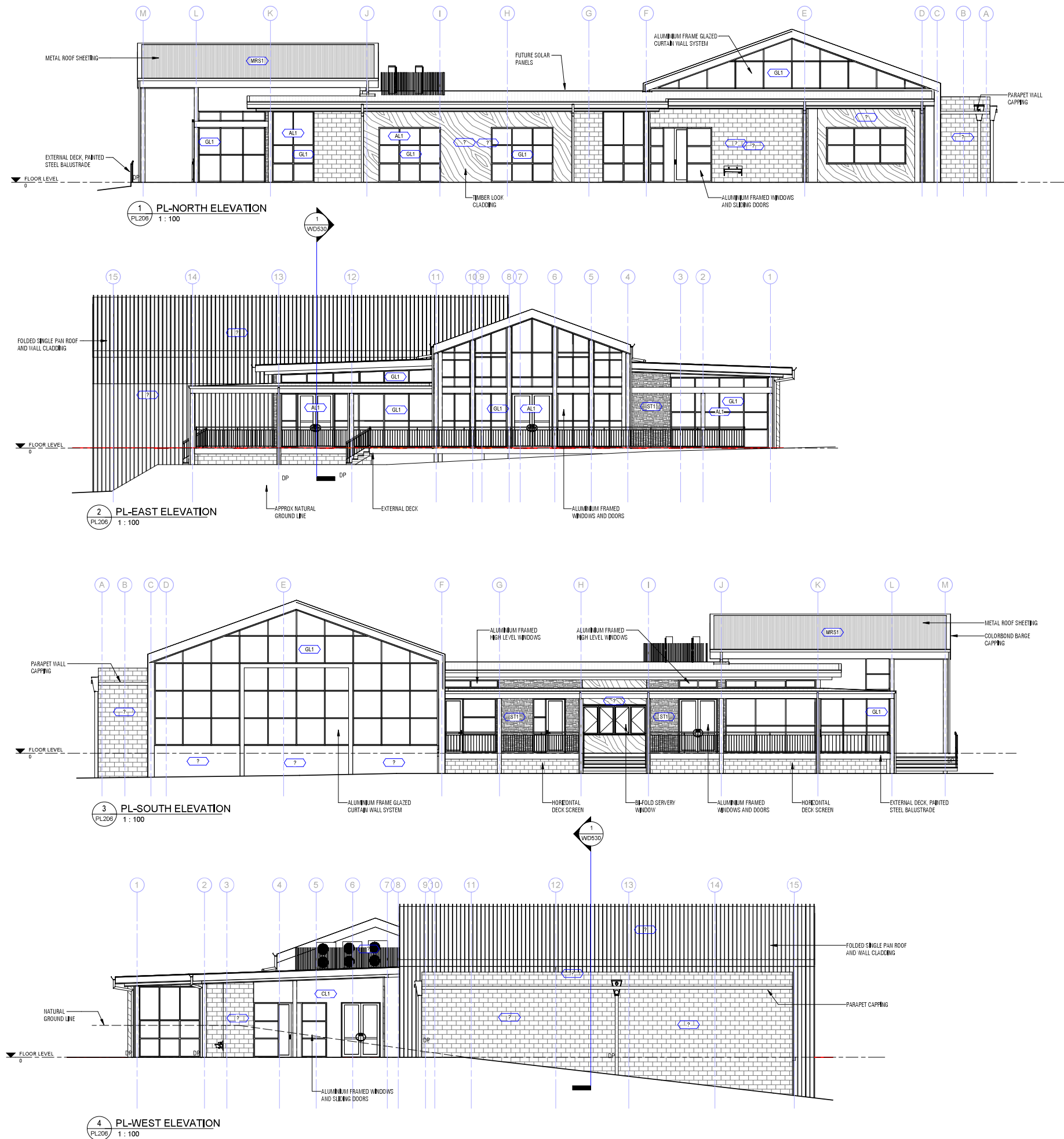
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MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD, MT BARKER

COMMUNITY CENTRE ROOF PLAN

Drawn PF	Date DEC 20	Scale 1 : 100	A1	Project Number 19060
Review KM	Date DEC 20	Project Leader KM	Date DEC 20	Drawing Number PL207
PLANNING				Amt 0

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EXTERNAL FINISHES SCHEDULE		
CODE	DESCRIPTION	COLOUR / FINISH
AL1	ALUMINUM WINDOW FRAMES / DOOR FRAMES	BLACK POWEROAT
BL1	FACE BLOCK	SANDSTONE
CL1	EXOTEC FACADE PANEL 9mm. PAINT FINISH	PANT - GREY
GL1	GLAZING	CLEAR
MRS1	METAL ROOF SHEETING - WIDE PAN PROFILE	COLORBOND SURRIMIST*
MWC1	METAL WALL CLADDING - VERTICAL - WIDE PAN PROFILE	COLORBOND MONUMENT*
ST1	STONE VENEER	SANDSTONE

Rev	PLANNING ISSUE	Amendment	Date	HA
0			DEC 20	HA

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MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD, MT BARKER

COMMUNITY CENTRE EXTERNAL
ELEVATIONS

Drawn PF	Date DEC 20	Scale 1:100	A1	Project Number 19060
Review KM	Date DEC 20	Project Leader KM	Date DEC 20	Drawing Number PL208

PLANNING

0

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0	PLANNING ISSUE	DEC 20	HA
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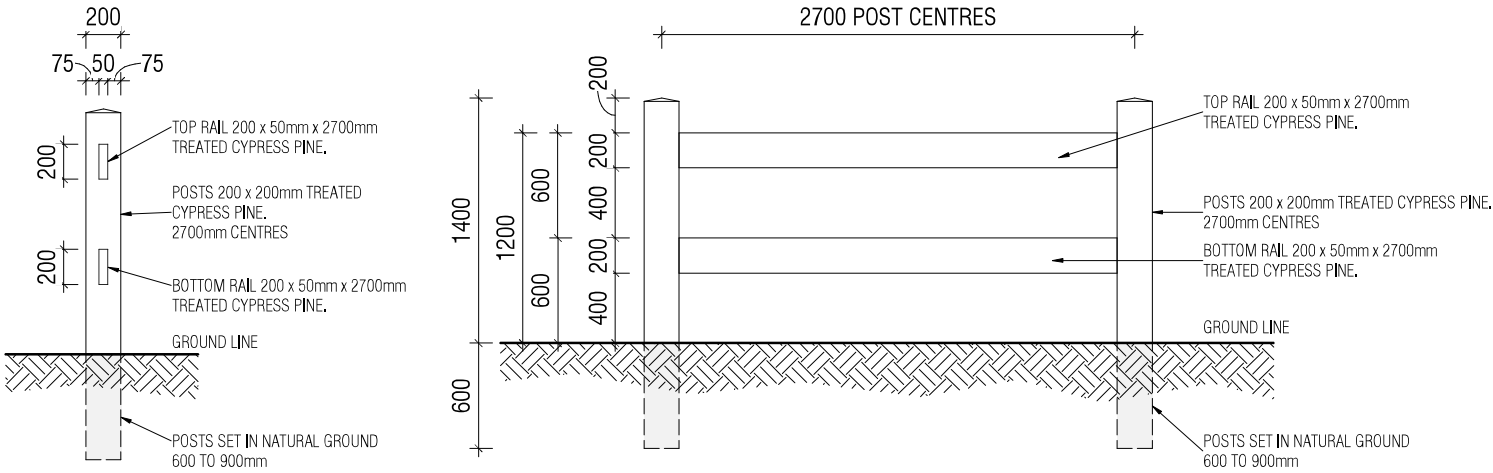
MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD, MT BARKER

COMMUNITY CENTRE RENDERS

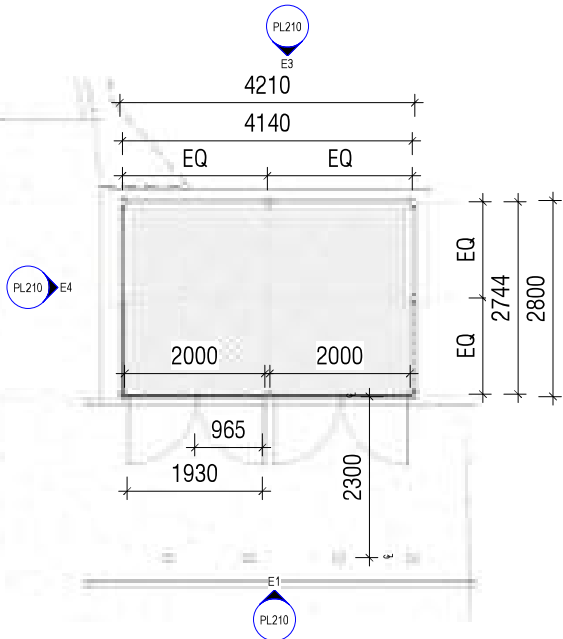
Drawn GA	Date DEC 20	Scale 1 : 80	A1	Project Number 19060
Review KM	Date DEC 20	Project Leader KM	Date DEC 20	Drawing Number PL209
PLANNING				Amdt 0

Contractor shall check and verify all levels and dimensions on site and report any discrepancies to the Superintendent before undertaking any work or shop drawings

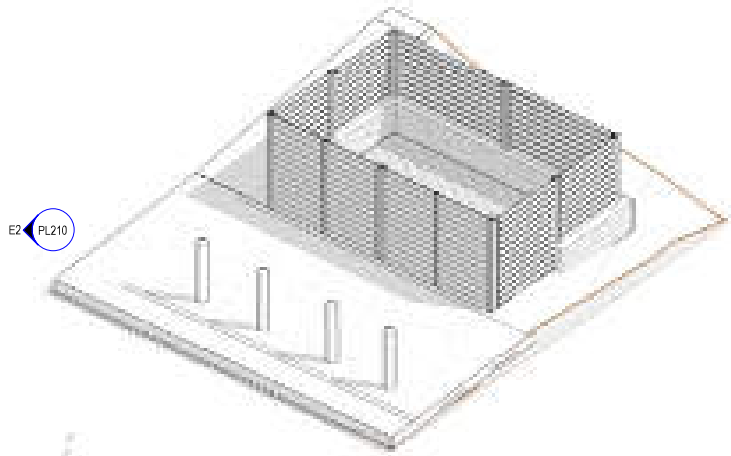
1/12/2020 7:28:16 PM D:\Aplan-2019\19060 Mt Barker School and Community Centre\19060 WD\19060 WD Plots\32_19060 201201 S2 Planning Issue\19060 WD_SITE_CENTRAL_R19_detached.rvt



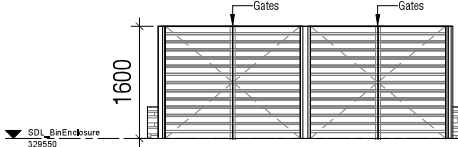
S1 TYPICAL FENCE DETAILS
1 : 20



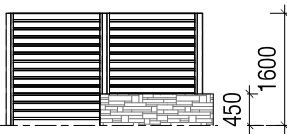
P1 Community Centre Bin Enclosure
PL204 1 : 50



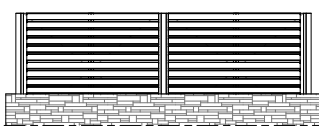
3D1 Community Centee Bin Enclosure



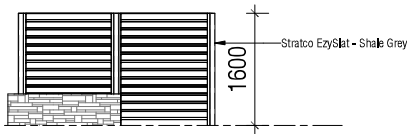
E1 SOUTH Bin Enclosure
PL210 1 : 50



E2 EAST Bin Enclosure
PL210 1 : 50



E3 NORTH Bin Enclosure
PL210 1 : 50



E4 WEST Bin Enclosure
PL210 1 : 50

0	PLANNING ISSUE	1/12/20	HA
Rev	Amendment	Date	Init

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MT BARKER COMMUNITY CENTRE
41 BOLLEN ROAD MT BARKER

COMMUNITY CENTRE SITE DETAILS

Drawn PF/JM	Date DEC 20	Scale As indicated	A1	Project Number 19060
Review KM	Date DEC 20	Project Leader KM	Date DEC 20	Drawing Number PL210
PLANNING				Amtd 0

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COUNCIL DEVELOPMENT APPLICATION

PROPOSED COMMUNITY CENTRE
BOLLEN ROAD, MT BARKER

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LEGEND

- STORMWATER PIPES
- STORMWATER PITS
- GRASSED OPEN DRAIN / BUND
- DOWN PIPES
- BIO-RETENTION / DETENTION AREA
- HOLCIM PRECAST RCBC
- HOLCIM PRECAST CONCRETE HEADWALLS
- OVERLAND FLOW PATH
- FALL ARROWS
- GRATED DRAIN
- 1% AEP FLOOD LEVEL 327.5
- AG DRAIN AND TANKING (REFER STRUCTURAL DRAWINGS)
- SPOON DRAIN

NOT SHOWN

NOTES:

- DOWNPIPES TO CONNECT INTO TO DRAINAGE SHOWN AT LOCATIONS SHOWN ON HYDRAULIC DRAWINGS
- LEVELS SHOWN INDICATIVE ONLY
- DRAINAGE TO ALL LANDSCAPED AREAS BY LANDSCAPE ARCHITECT

30% CONCEPT ISSUE

DATE	24/11/20	DRAWN	MG
SCALE		CHECKED	
SHEET SIZE		APPROVED	

PROJECT **MT BARKER SCHOOL**

CLIENT **HODGKISON**

TITLE **COMMUNITY CENTRE CIVIL WORKS CONCEPT PLAN**

PROJECT NO. **PS114515**

DRAWING NO. **C01**

REVISION **P1**

LEGEND

- ACCESS -
- BOLLARD
- BT -
- EF -
- EG -
- ET -
- EX -
- EX RWT -
- NG -
- PAV -
- RB -
- RT -
- SS -
- ST -

ACCESSIBLE CAR PARK

BOLLARD

BT -

EF -

EG -

ET -

EX -

EX RWT -

NG -

PAV -

RB -

RT -

SS -

ST -

ROAD / PATHWAY

PERMEABLE TRAFFICABLE PAVING

DECORATIVE PAVING

PAVING

PAVING

PAVING

LANDSCAPE PLANTING (INDICATED)

NEW T. GROUND (NOT SHOWN)

STONE PITCHING

SWALE AND CULVERT (PART OF) TO BE INSTALLED AS PART OF STAGE ONE (BY OTHERS - TBC)

DRAINAGE BY LANDSCAPE ARCHITECT

STONE PITCHING

RETAINING WALL MOST LIKELY REQUIRED THROUGH HERE TO PROTECT TPZ

GRASSED SWALE / BIO FILTRATION

STONE PITCHING

B	CONSULTANT COORD UPDATE	20/11/20	HA
A	COUNCIL CARPARK ADDED-MFY	17/11/20	HA
0	COMMUNITY CENTRE PLANNING ISSUE	OCT 20	HA
Rev	Amendment	Date	Init

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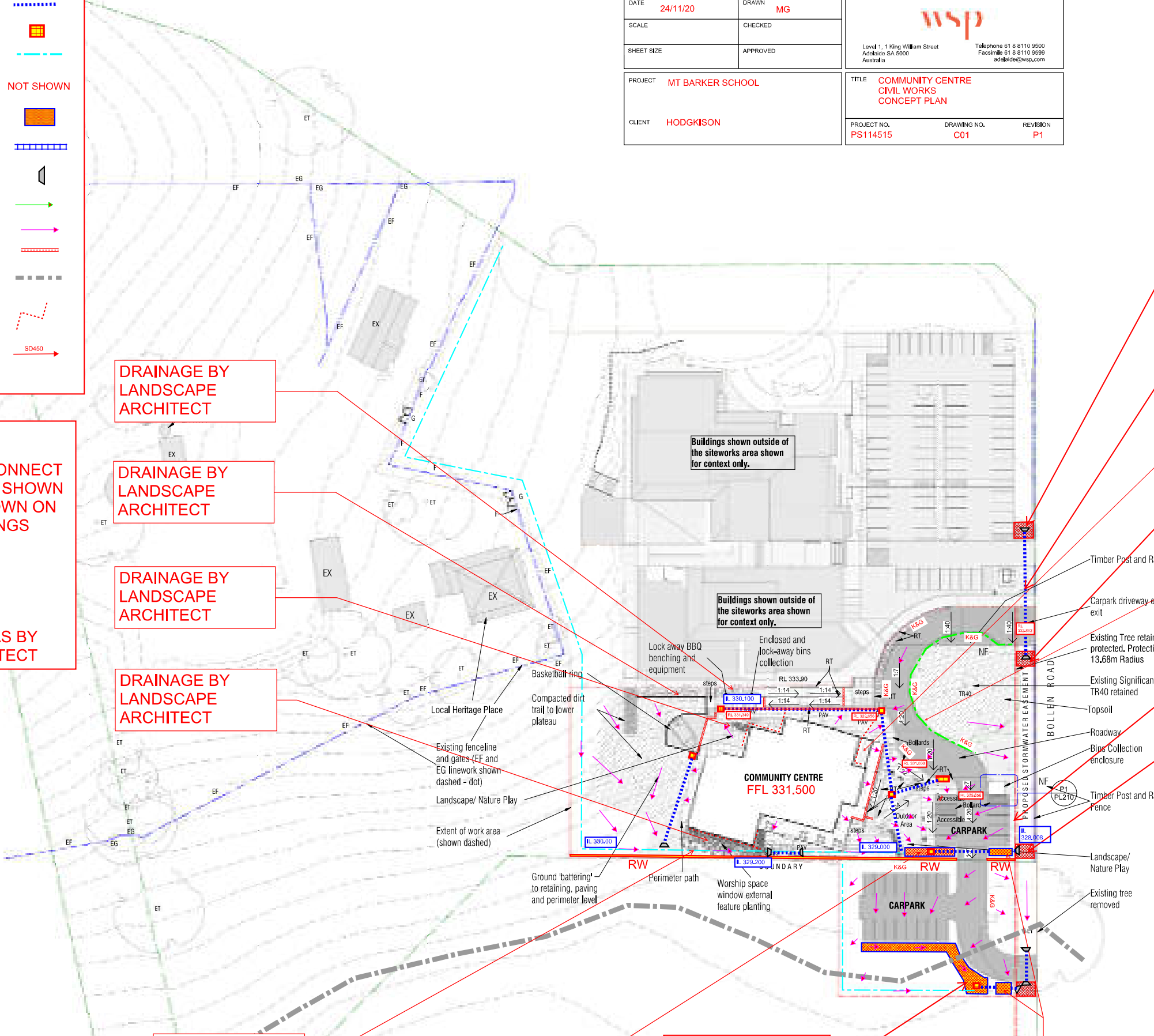
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MT BARKER COMMUNITY CENTRE

SITE PLAN PROPOSED COMMUNITY CENTRE

Drawn	Date	Scale	A1	Project Number
JM	NOV 20	1:500		19060
Review	Date	Project Leader	Date	
KM	NOV 20	JM	NOV 20	
PRELIMINARY				
Drawing Number				PL204
Amdt				B

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Mt Barker Baptist Church
20-0772

COMMUNITY CENTRE
and CARPARKING
MOUNT BARKER BAPTIST
CHURCH

41 Bollen Road, Mount Barker

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8 December 2020



Mt Barker Baptist Community Centre

Lead Architect Hodgkison Architecture and Interiors

Prepared for Mount Barker Baptist Church

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URPS Ref 20-0772

Document history and status

Revision	Date	Reviewed	Details	Revision
R1	23.11.2020	JL	Review with MtBBC	R2 confirmed capacity details
R2	4.12.2020	JL	Review with MFY	R3 issued for planning application

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1.0 Introduction

1.1 Preface

The applicant Mt Barker Baptist Church (MBMC), is jointly developing the subject land with King's Baptist Mount Barker Incorporated (proponent of Stage 1 Kings Baptist Grammar School in DA 580/270/2020).

This application is for Stage 2 comprising a community centre, incorporating a place of worship, and parking within Lot 1000, identified as 41 Bollen Road, Mount Barker. The development site includes a portion of land in CT 6189/331, the adjoining allotment to the south owned by the District Council of Mount Barker (the 'council'). There is additional parking to be constructed on the Council owned land, in accordance with an agreement with the council.

The 'development site' is spatially defined on the application drawings provided under separate cover.

The current Certificate of Title for 41 Bollen Road is reproduced in **Appendix A**.

Concurrent with this land use application, a community title land division (580/C031/20) has been lodged for the purpose of creating two allotments to define the Stage 1 school and Stage 2 community centre sites, and another community lot over the area proposed for parking. Any rights of way for access and shared use of parking areas will be considered as part of the division. The proposed division does not affect the procedural matters related to the planning assessment of this community centre land use application.

The supplementary supporting statements provided under separate cover have regard to the integrated nature of the Stage 1 and Stage 2 proposed uses:

- Heritage Report, Anaglypta Architecture
- Traffic and Parking Report, MFY Pty Ltd

An easement for stormwater was negotiated as part of the original land division and is registered on the title for Lot 1000. The applicant and King's Baptist Mount Barker Incorporated, will continue to liaise with Council and adjoining Newenham Estate developers on the broader infrastructure strategy (eg wastewater, stormwater management). The stormwater concept for Stage 2 has been prepared by WSP and is provided in the supporting documents.

1.2 Overview of the Development Application

The proposal is described as a community centre, incorporating a place of worship, which will be the home of the Mt Barker Baptist Church. It will also be available for use by the co-located Kings Baptist Grammar School.

The design details of the single storey building and the floor plan are illustrated in the Planning Drawings prepared by the Project Architect, Hodgkison Architects.

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The Site Plan identifies a Significant Tree to the north of the development site. This is an English Oak (Tree 40) located adjacent the existing driveway to the land. The Stage 1 Tree Protection Plan (30 June 2020) includes an arborist assessment of the tree and an extract is reproduced in **Appendix B** for information.

The range of activities and the anticipated scheduling of those ancillary functions associated with the use of the proposed community centre building identified in the application drawings are broadly described as follows:

Table 1.1 Key activities and indicative schedules

Activity description	Day	Indicative schedule	Other comments
Regular church services	Sunday (weekly)	Service 8.30am to 1pm with arrivals with arrivals and departures typically in the 1/2hr either side.	80-120 currently, including youth and children (combined average 20 each per group) (200 person estimated future attendance, with parking demand based on the allowance of 216 auditorium seats as per drawings)
Special events	Potentially Monday – Saturday, but not frequent: estimate of one every 1-2 months (ie occasional weddings & funerals)	Various duration Between the hours of 9am – 9.30pm	Typical range 100-150 (upper limit capacity as per auditorium seats)
Young adults	One day per week currently Sunday	4.30pm -9.30pm	Estimated typical max. 15 per group session.
Youth group activities	One day per week currently Friday	(some prep and pack up 60 minutes either side of group session)	The focus of evening fellowship groups/programs supporting the church and school community may vary from time to time, concurrent evening group activities may occur occasionally but not concurrently with a larger capacity school or church service event.
Other evening fellowship or similar	One – three sessions / week		
Other day time church organised activities eg Craft / art groups	One to two per week in school terms	9am – 2pm	Estimated typical range 15-20 per group session, with occasionally larger craft group sizes, all outside of the school am and pm school peak.
Church administration and support services	Primarily weekdays	9am - 6pm	2-4 staff Typical activities involve an individual or individual families (eg family counselling or similar care and wellness services)
Café	Monday – Sunday	8am - 6pm (max. estimated) The start time reflects the potential to cater for some	3 staff (average max.) Seated capacity 50 persons



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Activity description	Day	Indicative schedule	Other comments
		<p>parents who are already accessing the site for drop-off Monday-Friday.</p> <p>Typically there will be very limited morning and afternoon opening hours Monday – Friday, but this is subject to longer hours as stated, dependent on the growth of the school and the potential demand from the local area (Newenham residential growth, aged care, other local sport interest associated with shared community use of the future recreation area).</p>	<p>Not licensed, mostly serving visitors to community and school facilities and staff (but can include general public within the stated capacity).</p> <p>Sunday opening is included: - but is unlikely to be in demand in the short term, until such time there is future community use of the envisaged open space/ recreation area to the south.</p> <p>In the short term, if it is open on a Sunday, patrons will typically be the same people attending the church service.</p>
Church creche (for church patrons only)	Sunday (as part of church service)	10.00am-11.30 am	<p>Managed by church patrons (no additional staff)</p> <p>15-20 but not additional to church service capacity</p>
School partnership activities	Monday – Friday School terms	<p>School hours</p> <p>(with some exceptions for school plays/presentations, 2-3 evening activities per school term 5.00pm-9.00pm)</p>	<p>Other than a weekly school assembly, this would likely be limited to small groups at one time.</p> <p>The Church may provide the chaplain role for the school and/or church congregation members may have volunteer roles within the school, but the impact on parking demand is minimal and likely occasional.</p>
OSHC	Monday-Friday	7.30am until school start time – after school hours up to 6.00pm	<p>The OSHC is intended to be aimed at supporting school families.</p> <p>Holiday OSHC program may be developed, depending on parental demand - if initiated it will not alter the use/operating hours of proposed facility overall and is would typically be less than total school capacity.</p>

Having regard to all the above, and consistent with URPS' experience in similar proposals, community facilities involving places of worship and combined school and congregation /community functions, will include activities 7 days per week. The church naturally requires some flexibility as the constitution of group /school partnership activities vary from time to time.

Definitive operating hours or descriptions of who is using the facility at any given time should not form the basis of conditions, but it is reasonable to conclude from the above:

1. The range of services/activities can be accommodated between the hours of 7.00am and 10.00pm on any day consistent with EPA environmental noise policy 'day' period (but with some expected traffic movement in the hour before or after accounting for staggered arrival and departure). In order to maximise flexibility of use, the use can be managed in the context of applying the EPA legislation without conditions attached to the planning consent.
2. Various evening fellowship or similar activities are typically smaller groups.
3. Special events which are less frequent, will not exceed the planned capacity of the auditorium (whether church special events or third party hiring in the future which would be subject to the same 'hours' and will not coincide with regular church service peak capacity or school peaks).
4. Peak church use (Sunday services) does not coincide with ancillary school-related support functions or any other potential larger special functions (eg wedding, funerals).
5. Where there is school use of the community centre concurrent with school terms, this does not generate 'additional' school parking demand (on the church or school site) over and above the estimated demand. The school related activities within the community centre will occur outside the school drop-off and pick-up peaks, and would rarely generate additional traffic movements to and from the subject land (other than the occasional school play or similar event inviting parents and carers).

In summary, a peak capacity has been estimated having regard to the range of typical functions of the proposed community centre that could be active at any one time (even if only on a very occasional basis) to inform the planning and traffic assessment:

- 216 auditorium seats (max)
- 50 café (max. patron seating)

Staff (7 total)

- 4 Church staff (note staff demand as part of a place of worship is within the place of worship parking rate of 1 per 3 seats, or the or community centre rate, but the office and administration is not operating on a Sunday)
- 3 café staff (note staff demand is within the parking rate of 1 per 3 seats)

A total of 24 spaces are proposed as part of this Stage 2 application.

A total of 101 spaces will be accessible to the community centre/place of worship outside of school operating periods (ie accounting for the shared use of Stage 1 and Stage 2 parking areas).



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2.0 Development Assessment

This section provides a planning assessment under a series of headings derived from the Mount Barker District Council Development Plan consolidated 20 August 2020. Key Development Plan objectives and principles of development control considered in the assessment are listed for reference purposes.

2.1 Land Use and Desired Character

Table 2-1 Development Plan provisions

General Section /Zone	Objectives	Principles	Other
Community Facilities	1, 2	1-3	
Design and Appearance	2	10	
Residential Neighbourhood Zone	1, 4, 5, 8, 10	Land Use 1, 2, 5 Form and Character 7, 8 Local and Neighbourhood Centres 26	Desired Character statement Concept Plan Map MtB/16 – Mount Barker and Littlehampton

The above provisions seek to:

1. Locate community facilities where they are conveniently accessible to the population they serve.

The community centre is a desired form of development in the zone. As part of a planned neighbourhood, the land is specifically reserved (via an Encumbrance registered on the Certificate of Title) for the proposed use. The Encumbrance defines the 'Permitted Use' as meaning a school, a community centre, religious worship or any combination of the same.

In this context, the community centre is located as intended in the strategic planning for the neighbourhood, accords with the intended use of land for the zone, and being at the interface with established urban areas it is accessible to both the established and developing community.

2. Community facilities integrated in their design to promote efficient use of land.

The proposed community centre will develop in tandem with the school development. The design has been developed by the same architectural team together with the vision of the broader Kings Baptist community, which aims to share facilities. The design and siting of the built form therefore reflects the shared use of the site more generally, and the individual development being compatible in terms of external materials, site paving and opportunities for coordinated landscape treatment, such they appear as one site.

The proposed internal movement network connects the school and community centre car parking areas. It also includes the construction of some parking on the adjoining council land to the south. The design provides the interconnections for shared use that minimises the duplication of individual carparks that might, if used only by one development type within its 'site', be underutilised the majority of the time. The interconnections in the design of Stage 2 with future recreation land to the south and the school site promotes the efficient use of land as intended by the Development Plan.

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3. Development accessible by roads suitable to meet demand.

As part of this application the development will be connected via two crossovers to Bollen Road. Bollen Road is a major local road in Concept Plan Map MtB/16, which provides equitable access to the established and emerging community.

The Development Plan General Section objectives for *Orderly and Sustainable Development* (in addition to those reproduced above) envisage:

- urban development located *only* in zones designate for such development (Objectives 6 and 7)
- development undertaken in accordance with Concept Plans, in this case *Concept Plan Map MtB/16 – Mt Barker and Littlehampton*, such that it occurs in an orderly sequence and in a manner that ensures demand on services and infrastructure is commensurate with capacity without impact to the detriment of other users (objective 2, principle 12) or otherwise reserves land or is progressively augmented in an economic manner to accommodate demand.

The proposed development is consistent with the outcomes expressed for the RNZ as it applies to Zone Map MtB/12 and the corresponding area identified on the relevant Mt Barker Concept Plan. The proposed education related facilities are specifically envisaged as one of the desired types of community facilities that together will support the planned neighbourhood development and the economic provision of infrastructure and services. The education and community centre uses proposed do not of themselves comprise a 'local centre' as envisaged in Concept Plan Map MtB/16, but are desired within the context of achieving co-ordinated activity centre development (Objective 1, principle 5).

The Council has endorsed a community management plan and draft concept which includes future public reserves and shared clubrooms, oval(s) and parking facilities to the south. The Kings Baptist development sites are co-located with the community land to the south such that the opportunity to share facilities is maximised and different elements of the location are suitably integrated in terms of people movement, access and shared parking.

Having regard to the provisions of the Development Plan, the proposed development promotes the efficient use of land in a location accessible to the population it will serve.

2.2 Built Form and Design

Table 2-2 Development Plan provisions

General Section /Zone	Objectives	Principles	Other
Design and Appearance	1	1-3, 5-9, 11, 12 Building setbacks from Road Boundaries 18	Table MtB/1 – Building setbacks from Road Boundaries
Energy Efficiency	1-3	1-3	
Heritage Places	2, 3	6, 7	
Residential Neighbourhood Zone	10	Form and Character 8	Desired Character statement



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The above provisions seek :

1. Non-residential development exploring opportunities to create a distinctive urban form, with active frontages, adjacent to and within centres, of a nature and scale that is consistent with the character of the locality.
2. Buildings primarily of 1-3 storeys (with potential for more than 3 storeys on land adjacent public open space).
3. Buildings that optimise principles of energy efficiency.
4. Development that materially affects the context of a local heritage place, and is compatible with the place (but not replicating historic detailing).

The architectural expression of the single storey built form represents the applicant's vision to seek a balance between complementing the established prevailing single storey character, complementing the proposed school buildings and achieving outcomes expressed for the Zone.

- Whilst complementing the architecture of the proposed adjacent school buildings (proposed in a separate application) through similar colours and materials, the community centre building exhibits a different design element particularly in the elevation to the street, namely a more prominent gable and entrance. This feature of the built form is consistent with the architectural expression of many traditional places of worship.
- Importantly the Heritage Report concludes that *"the roof form responds to traditional farm shed typologies, which is appropriate given the history and context of the site."*
- Coupled with the variations in the wall height and other built elements (verandas) the heritage assessment is also satisfied that proposed building *"is segmented into proportions more domestic in scale through material and form changes, which assists in reducing apparent bulk."*
- Notwithstanding the different scale and expression of the facade facing the street, the extent of glazing reduces the perception of scale of the façade with its openness and transparency. In turn this is an appropriate response to the Development Plan intent seeking a distinctive urban form, with active frontages.
- Although setback more than 35m from the street frontage, the 'activation' is achieved through the transparency of the glazed façade, and the architecture achieves a distinctive urban form whilst managing the building profile such that it is not overly dominating the prevailing single storey residential character.

The Heritage Report has considered the proposed development in the context of the local heritage place on the subject allotment. No works are proposed to the local heritage place, nor any change in use proposed at this time. The Development Plan provisions nevertheless promote development being compatible with heritage places.

Anagylpta Architecture has assessed the proposal against the relevant provisions of the Development Plan and concludes the following (summarised):

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Views:

- 3D views depicting the topography of the site, and the placement of the school and proposed community centre buildings, conveys the suitable placement of the new built form such that the local heritage place will still be visible from the street between buildings.
- The primary view of the local heritage place is assisted by the topography of the land, and its elevated site will maintain views to it over the longer term, assisted in part by the land to the south of the development site being designated for future recreational open space, including ovals.

Curtilage

- The new building envelope setback of at least 40m from the local heritage place maintains “ample curtilage” around the heritage place.

Prominence

- The new building does not detract from those of the heritage place in terms of scale and setback. While the single storey structures are proportionally larger than the heritage place, the difference in site levels and the breakup of the new built elements, the overall height and scale reduces the apparent height and bulk of the built form in a manner that is appropriate to the context of the heritage place.
- Although the Community centre building is more prominent than the proposed Stage 1 school buildings, the roof form responds to traditional farm shed typologies, which is appropriate given the history and context of the site. Notably the author concluded “*on some level, the development reads like a cluster of ‘farm’ buildings supporting the prominent homestead higher on the hill*”.
- The heritage assessment supported the large expanses of glazing to key elevations for the community centre, noting there is no ‘heritage’ requirement to copy the traditional window proportions of the local heritage place. This is supported by the Development Plan provisions that discourage the replication of historic detailing.
- Fencing, being post and rail cypress pine fencing, and opportunities for landscaping also reinforce the rural characteristics and history of the site.
- The materials selection (consistent with the selection proposed for the school buildings) are neutral in tone and appropriately respond to the natural landscape and materials and finishes of the heritage place.





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The design, siting and features of the proposal is best considered by reference to the suite of plans and architectural drawings. Overall, the design and siting, external materials and area available for a landscaped setting, results in a development that responds positively to its contextual relationship with the proposed school buildings and has no material impact on the setting and context of the local heritage place.

The proposal is generally in accord with the relevant design and appearance provisions and the compatibility of development with heritage places.

2.3 Environment and Landscape

Table 2-3 Development Plan provisions

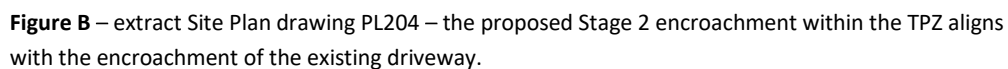
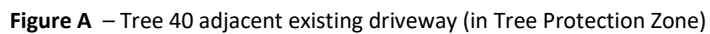
General Section /Zone	Objectives	Principles	Other
Crime Prevention	1	1-10	
Landscaping, Fences and Walls	1, 2	1, 3, 4, 7	
Significant Trees	1, 2	1, 2, 3, 5	
Residential Neighbourhood Zone	10	Form and Character 7	Desired Character reference to “ <i>High Environmentally Significance Area</i> ” (sic) locations on <i>Overlay MtB/12-Development Constraints</i> .

There are no “*High Environmentally Significance Area*” (sic) locations within the development site or subject allotment by reference to *Overlay MtB/12-Development Constraints*. Consistent with the desired character, the development satisfies the policy intent which is to avoid such areas in the zone characterised by natural watercourses and areas of substantial native vegetation of recognised biodiversity importance (Zone Objective 10 and Desired Character).

A Significant Tree was the focus of an arborist report for Stage 1 school development (Tree Environs 30 June 2020). A copy of the arborist report is provided in **Appendix B**.

The location of Tree 40 (English Oak) is identified in Figure A next page (extracted from arborist’s report).

This current application proposes that the internal road to exit the carpark will be in the locality of the Tree Protection Zone (TPZ) as per Figure B next page.





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The arborist considered the proposed Stage 1 school development activities as follows (extract page 12):

Tree 40 (*Quercus robur*)

- Demolition of existing access track located ~4m to north of tree.
- Demolition of existing culvert located ~5m to north of tree.
- Filling of existing drainage channel located ~2m to north of tree.
- New service track located ~10m south of tree.
- Tiered landscaping (max change in level 900mm) located ~11m to north and north west of tree.
- New topsoil shown around tree 40 (indicative only).

The arborist supported the earlier estimated 19% encroachment based on a range of factors having considered the impact of retained levels and new service track through a new area of the TPZ (noting that >10% of the TPZ is considered a major encroachment). The assessment concluded that the tree has good health and vigour and even with the existing encroachment and >10% encroachment proposed, much of the TPZ will remain in an open state which will preserve the health and structure of the tree.

The community centre development amends the Stage 1 works around the Tree 40 which results in less encroachment in the TPZ.

- The TPZ radius is identified by the arborist as a 13.68m radius from the centre of the trunk. The community centre plans indicate the internal road proposed in this application is between 13.0m and 15.0m radius from the centre of the trunk.
- The existing internal access track and culvert is demolished, but the Stage 2 works proposes the new 'exit only' driveway in the same position as the existing service track which has no greater impact than the existing encroachment.
- The new internal road continues around western boundary outside of the TPZ, and will not increase the area of encroachment considered acceptable by the arborist.
- Stage 2 does not involve a 'New service track' (previously proposed to be located 10m south of the tree in the TPZ).
- There is no construction within the structural root zone (3.64m radius from the centre of the trunk) in either the Stage 1 application or as amended in the Stage 2 proposal. There is new topsoil around the tree in Stage 2, which the arborist supported as part of the Stage 1 proposal.

Overall, the plan for works around the significant tree have been modified from the earlier proposal and there is no greater impact on the tree in terms of encroachment of works in the TPZ as originally supported by the arborist in the case of this tree.

The arborist recommendations for the Tree Protection Plan for Tree 40 (pages 16-20) remain relevant and can be adopted for the proposed Stage 2 development.

The landscaping plant schedule proposed for the school application, will be adopted to continue the planting theme for the immediate environs of the community centre building. The form of fencing on the frontage will continue that proposed for the school site. The style and materials of the fencing are supported in the heritage assessment.

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The proposed development is generally in accord with the provisions seeking the retention of significant trees, the adoption of tree protection plans to protect the tree during construction, landscaping and paving materials selected to enhance the site's appearance, and planting schedules that are sustainable.

These outcomes are also consistent with the Newenham Guidelines seeking beatification of this semi-rural environment through natural landscaping reflective of many Adelaide Hills townships. The site plans illustrate the area set aside for site landscaping particularly as viewed from the public road. These are in addition to landscaped outdoor areas for recreation and play, which will provide an attractive landscaped setting for the new building. The proposal is therefore compatible with related strategic objectives applying to landscape character in the public realm.

In summary, a landscaping plan adopting the planting schedule for the school site, will be further detailed and will utilise species of plants suited to the area and in sufficient quantity to enhance the appearance of the locality.

2.4 Movement, Parking and Access

Table 2-3 Development Plan provisions

General Section /Zone	Objectives	Principles	Other
Movement of People and Goods	2	2, 5, 6, 7, 9 Access 29-32, 34, 36 Access for people with a Disability 38 Vehicle Parking 39, 41, 42, 44-48	Table MtB/2 – Off Street Vehicle Parking Requirements
Residential Neighbourhood Zone	4	28, 29	Desired Character statement Concept Plan Map MtB/16 – Mount Barker and Littlehampton

The above provisions are primarily concerned with development being accessible by public roads of suitable capacity, suitable direct access from all weather public roads is provided, and development providing suitable off-street parking including dedicated accessible spaces, with opportunities for shared use of parking and integration of parking areas with adjoining developments to reduce the total extent of vehicle parking and requirements for access points.

Movement corridors and traffic distribution

By reference to **Overlay Map MtB/12 Transport**, Bollen Road is a local council road which intersects with a Secondary Arterial Road, Flaxley Road, to the south. The current posted speed limit is 60km/hr.

Council's preference that Bollen Road operate as a local residential road is reflected in the **Concept Plan Map MtB/16** on which it is referred to conceptually as 'Other Roads'. The Desired Character statement also uses terms such as '*major local road network*' and '*local roads*' but does not further define these terms.



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The initial planning and design of the 2018 land division in this locality for the Newenham Estate was also informed with advice from MFY, in particular the consideration of the location of new roads and intersections. In this context, the Council gave consideration to the role of Bollen Road. The earlier MFY report informed the team that the preference is for it to operate much like a residential street with footpaths on both sides.

MFY has instructed the project team that DPTI has provided in principle support to reduce the speed limit to 50km/hr on Bollen Road, consistent with the intended role of the road. Reducing the speed limit is outside of the control of the applicant in the context of the application, but the applicant nevertheless supports this approach having regard to the access it provides to the Stage 1 school site and this Stage 2 development, and ultimately other community uses to the south and the local neighbourhood generally.

In any case, the development of the community facility/place of worship (or the Stage 1 school) is not the reason to reduce the speed limit, it's merely an approach consistent with the movement concept for the urban neighbourhood reflected in the **Concept Plan Map MtB/16**. The Development Plan objectives and principles referring to the arrangement of land uses to support a sustainable movement network (General Section objective 2, Principles 1, 2) are therefore satisfied. The site's location which generates additional traffic volumes on Bollen Road, distributing traffic north and south, is assessed by MFY as compatible with the nature or function of the road network conceptualised for this part of the Residential Neighbourhood Zone in **Concept Plan Map MtB/16**.

Access

The access has been partly determined by the land form, the intended connectivity with the school site and the land to the south involving the agreement for the shared use of parking areas. The service road connection with Bollen Rd in the Stage 1 application is now obsolete, and a new exit only crossover to access the new parking area in front of the new building is proposed. The design also proposes a second entry/exit crossover in that part of the 'development site' that involves the community land to the south.

The access locations have been informed by MFY to ensure appropriate sight distances and separation distances. All vehicles, including a bus, are able to enter and exit in a forward direction. In so far as the design is supported by MFY, there is no variance with the access objectives in the Development Plan.

Parking

There are 24 new spaces in Stage 2 including a bus loading area adjacent the main building entry. There are 16 surplus school spaces during school hours.

There are 101 spaces available to the community centre across the two sites outside of school hours.

The MFY confirmed the relevant standards for dimensions of spaces are satisfied.

URPS defers to the MFY report that details:

- the nature of demand for vehicle and bicycle parking and how the Stage 2 parking demand will be generated during different periods to the school, thus demonstrating support for the assessment based on a share parking arrangement

- the interrelationship of the school and community centres uses and how demand is met during school hours and outside of school hours.

The MFY assessment concludes :

- the forecast typical daily parking demand of the community centre when the school is operating is 21 spaces which is readily accommodated in the 40 spaces available.
- Church and community events are primarily at times when the school is not using the facility, with some occasional exceptions for special events. These functions form the basis of determining the peak demand and generally occur when there are 101 spaces available across the two sites.
- The peak demand is 82 spaces (using the rate for place of worship and shop of 1 per three seats) or 89 based on the community centre rate (1/10sqm of floor area of the building).
- The forecast community centre peak demand is readily accommodated outside of school hours, irrespective of which demand rate is adopted.

MFY also determined that 11 bike spaces (or 6 bicycle rails) will satisfy the Development Plan rate for Stage 2. The area nominated by MFY for the location of the bike spaces in the outdoor area east of the carpark (northern section) will be implemented by the applicant and can be conditioned.

In terms of Stage 2 traffic generation on the network, the 10 movement per peak hour (office/café) in addition to the Stage 1 morning and evening school peaks, will not have any measurable impact on the road network.

The church or community use/special event traffic generation will be higher but is not occurring during the school or commuter peak. Even if all driver were to arrive at the same time in the community centre peak (eg church service) the additional 90 trips in the peak hour is a volume that is readily accommodated on the road network. MFY concludes there will be negligible impact to the function and amenity of the road.

The Stage 2 application satisfies the Development Plan parking provisions based on the forecast parking demand, will comply with relevant Australian Standards and the volumes will not change the nature or the function of the road network. URPS concurs with the conclusion of MFY that the shared use of the school and community centre will enable the peak parking demand to be accommodated on the site while maximising education and recreation spaces for students and the community, with minimal impact on the adjacent area.



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Assessment conclusions

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3.0 Assessment Conclusions

The application for the King's Baptist community centre, to be integrated with the Stage 1 school development site, proposes a use of land that is consistent with the relevant provisions of the Development Plan outlined in this statement. The application for Development Plan Consent is supported having regard to the following conclusions:

- (a) The architecture is of a high standard, commensurate with the Stage 1 school development, and will make a positive contribution to the emerging urban landscape, complementing the approach and outcomes envisaged in the Newenham Design Guidelines.
- (b) The design and siting of the building and the appearance of the land at the interface with the established residential area to the east, is of an appropriate scale that complements the prevailing single storey residential built form in this locality.
- (c) The Stage 2 community centre is sufficiently connected to the Stage 1 school. The co-location and shared use of parking and floor space, in turn ensures the economic use of facilities and infrastructure that is being planned and developed to support the emerging neighbourhood in the wider locality.
- (d) The development's location, and the connectivity with the proposed school facilities, and the resultant combined traffic volumes and distribution of traffic on Bollen Road, is supported by professional traffic engineer assessment. It is therefore an arrangement of land uses that supports a sustainable movement network, compatible with the nature and function of the road network conceptualised for this part of the Residential Neighbourhood Zone.
- (e) As intended through strategic concepts and agreements, the recreation site to the south is appropriately connected to the Kings Baptist land, and notably achieves other Development Plan objectives promoting the efficient use of parking areas where there is a reasonable expectation that the peak parking demands for different activities occurs at different times.
- (f) Development of the community centre has a positive social and economic effect in terms of supporting the future resident population of the housing estate and the wider neighbourhood generally, and therefore is orderly and sustainable in planning terms.

Julie Lewis RPIA

Assessment Conclusions

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Appendix A

Certificate of Title

PERFECTLY CONVEYED (EL - PEXA)
53 Captain Robertson AV
Golden Grove SA 5125

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23 January 2020

CONFIRMATION OF REGISTRATION NOTICE

The following dealings have been registered -

Dealing(s): DISCHARGE OF MORTGAGE 13239867
TRANSFER 13239868
ENCUMBRANCE 13239869

Title(s): CT 6216/537

Registration Date: 23/01/2020

Customer Reference: 190154

Confirmations of registration are attached on the following page(s).



Brenton Pike

Chief Executive Officer

Land Services SA

Land Services SA acting under delegation of the Registrar-General pursuant to section 17 of the Real Property Act 1886 (SA).

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CONFIRMATION OF REGISTRATION

Certificate of Title - Volume 6216 Folio 537

Estate Type

FEE SIMPLE

Registered Proprietor(s)

KING'S BAPTIST MOUNT BARKER INC
OF 3 KEITHCOT FARM DRIVE WYNN VALE SA 5127

Description of Land

ALLOTMENT 1000 DEPOSITED PLAN 120098
IN THE AREA NAMED MOUNT BARKER
HUNDRED OF MACCLESFIELD

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B ON D120098 TO DISTRIBUTION LESSOR CORPORATION (SUBJECT TO LEASE 8890000) (T 3324926)

SUBJECT TO SERVICE EASEMENT(S) OVER THE LAND MARKED D ON D120098 FOR DRAINAGE PURPOSES TO THE COUNCIL FOR THE AREA (223LG RPA)

Schedule of Dealings

Dealing Number	Description
13239869	ENCUMBRANCE TO MT BARKER PROJECT DEVELOPMENT PTY. LTD. (ACN: 166 777 091)

Registrar-General

Lands Titles Office





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Appendix B

Tree Protection Plan, Tree Environs Pty Ltd (applicable to Tree 40)

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managing
trees in the
urban
landscape

Tree Protection Plan

Kings Baptist School Lot 1000 Bollen Road Mt Barker

Prepared for:

Kristy McMillan
Director
Hodgkison Pty Ltd
189 Wakefield Street
Adelaide SA 5000

30 June 2020

Prepared by:

Dr Martin Ely
Consulting Arborist
Tree Environs Pty Ltd

PO Box 51
Smithfield SA 5114

Ph: 08 8254 2066
Fax 08 8254 2015

info@tree-environs.com
www.tree-environs.com

ABN 755 2346 6131

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020

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Appendices:

Tree Protection Zones Plan

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020

Summary

Two trees were assessed within the development site. Both trees qualify as a significant tree. Both trees possess attributes worthy of preservation based on their locally indigenous status. Both trees are open grown trees with good health and structure. A TPZ and SRZ were calculated for each tree. There is a major encroachment by development activities for both trees. After considering a range of factors under AS 4970-2009, and with the relocation of the access track outside the TPZ of tree 40, the proposed works are unlikely to impact on the long-term health or stability of the trees. A range of tree protection measures will be required during the construction phase at the site.



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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020

Introduction

Brief

I carried out an assessment of two significant trees at Lot 1000 Bollen Road, Mt Barker on the 19 June 2020 following a request from Kristy McMillan, Director at Hodgkison Pty Ltd.

I was requested to assess the legal status of the trees, tree condition, tree retention suitability and tree management requirements. I am also to assess the possible impacts of the proposed development activities at the site on the trees located on the property and to recommend strategies to minimise these possible impacts.

Documents and information provided

I was provided with the following documents to assist me in the preparation of this report;

- *Proposed site plan with trees* by Hodgkison dated March 2020.
- *Newenham School Site Surrounds Vegetation Survey and Viability Assessment* by Adelaide Arb Consultants dated 6/02/2018 (not including the two subject trees).
- Link to tree survey data (including the two subject trees) by others
https://www.google.com/maps/d/viewer?hl=en&mid=1_JAwNSPFxny0QtCTEsi-ghAxI2nHv9IT&ll=-35.077163396585576%2C138.84645008234557&z=18

A detailed survey drawing showing existing site levels and features was not available at the time of the assessment.

Relevant background information

Hodgkison are preparing designs for a new school on a vacant rural site. The proposed works include new school buildings and car parking, and other landscaping and site works. I was advised that an existing dam near one of the trees is also to be filled by others as part of road construction works on the adjacent site.

Scope of this report

This report is concerned with the two significant trees only.

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Observations

Site visit

I had full access to the tree/s in question and observations were from what was visible from within and around the property boundaries. I carried out a level 2 assessment of the trees^a and all my observations were visual from ground level^b. All dimensions marked (~) are estimates. All distances are measured from centre of tree trunk.

Site description

The site comprises a parcel of currently open rural land. The site falls to the east towards Bollen Road. A farmhouse and outbuildings are located in the western part of the general area, with an access track from Bollen Road adjacent to one of the subject trees (shown as tree 40 on the drawing provided). There is also a large dam on the site adjacent to the north of the second subject tree (shown as tree 1 on the drawing provided). Refer to aerial image below showing the site (defined extent of works) and subject trees.



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Tree details

Tree 1	<i>Eucalyptus camaldulensis</i> River red gum
Origin	<i>Eucalyptus camaldulensis</i> is the most widespread species of eucalypt in Australia, occurring in every mainland State. It is notably a tree of riverine sites whether of permanent or seasonal water, often extending to adjoining floodplains and into the slopes. It is a medium sized woodland tree (up to 45m) with a short, thick bole, smooth bark in irregular plates of varying colour, rough bark at the base and large open crown. This species naturally occurs in the hills of the Mt Lofty Ranges and plains around Adelaide and the south east of South Australia. It is indigenous to many parts of Adelaide ^c and notably provides a wide range of environmental and amenity benefits to the areas in which it occurs. The tree has a good tolerance to development activities and copes well with challenging growing conditions.
Location	Lot 1000 Bollen Rd Mt Barker ~7m from adjacent dam.
Height	~18m
Crown spread	~18m
Trunk circumference 1m above ground level	4.1m
Legal status under <i>Development Act 1993</i>	Significant tree ^d
Diameter at breast height (DBH) ^e	1290mm
Diameter at ground level	1.33m
Tree health	This is an open grown tree in good health with good foliage colour, distribution, and density. There are a moderate number of dead branches in the crown. The tree is free of notable pests or diseases.
Tree structure	Good.

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020



Tree 1



Tree 1 showing adjacent dam.

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020

Tree 40	<i>Quercus robur</i> English oak
Origin	<i>Quercus robur</i> is a broad spreading deciduous tree that is native to Europe from Scandinavia extending to the Mediterranean. It will grow in a variety of soils but prefers good drainage. It will also tolerate some moderately saline conditions. It is often used as an ornamental in Adelaide but requires a generous amount of supplemental water and mulch. It can attain heights up to 25 meters in favourable conditions.
Location	Lot 1000 Bollen Rd Mt Barker ~18m from Bollen Road. ~4m from adjacent gravel access track. ~2m from existing drainage channel, ~5m from existing culvert.
Height	~18m
Crown spread	~25m
Trunk circumference 1m above ground level	3.95m
Legal status under <i>Development Act 1993</i>	Significant tree
Diameter at breast height (DBH)	1140mm
Diameter at ground level	1.24m
Tree health	This tree is not in leaf but is an open grown tree which appears to be in good health.
Tree structure	Good structure typical of older trees of this species, with a wide spreading crown overhanging the existing access track. Evidence of some past pruning over access track.

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020



Tree 40 viewed from west.



Tree 40 showing crown overhang.

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Tree 40 showing existing stormwater channel and culvert.

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Tree attributes

Trees with a trunk circumference greater than 3.0m qualify as a significant tree^f under the *Development Act 1993*.

The Principle of Development Control 1 of the City of Mount Barker Council *Development Plan* (consolidated 8 August 2017) states:

Development should preserve the following attributes where a significant tree demonstrates at least one of the following attributes.

The following table indicates my opinion on how significant tree 1 relates to these attributes.

(a) Does the tree make an important contribution to the character or amenity of the local area ^g ?	Yes	A large tree, that contributes to the character and amenity of the local area
(b) Is the tree indigenous to the local area and the species listed under the National Parks and Wildlife Act as a rare or endangered native species?	No	
(c) Does the tree represent an important habitat for native fauna ^h ?	Yes	As a locally indigenous tree species, it provides important habitat value.
(d) Is the tree part of a wildlife corridor of a remnant area of native vegetation?	Yes	An isolated paddock tree but likely to form links with other native trees, forming part of a wider wildlife corridor.
(e) Is the tree important to the maintenance of biodiversity in the local environment?	Yes	As a locally indigenous tree species, it provides important biodiversity values.
(f) Does the tree form a notable visual element to the landscape of the local area ⁱ ?	Yes	The tree is currently located in an open paddock and is visible from the road and surrounding areas.

The following table indicates my opinion on how significant tree 40 relates to these attributes.

(a) Does the tree make an important contribution to the character or amenity of the local area?	Yes	A large spreading tree that contributes to the character and amenity of the local area
(b) Is the tree indigenous to the local area and the species listed under the National Parks and Wildlife Act as a rare or endangered native species?	No	An exotic species.
(c) Does the tree represent an important habitat for native fauna?	No	An exotic species.
(d) Is the tree part of a wildlife corridor of a remnant area of native vegetation?	No	An exotic species.
(e) Is the tree important to the maintenance of biodiversity in the local environment?	No	An exotic species.
(f) Does the tree form a notable visual element to the landscape of the local area ⁱ ?	Yes	The large spreading tree is in a prominent location visible from the road and surrounding areas.

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Tree Assessment at Lot 1000 Bollen Road Mt Barker – June 2020

Proposed development activities

The proposed development activities at the site include:

Tree 1 (*Eucalyptus camaldulensis*)

- New school buildings located ~18m from tree (south).
- New paving located ~13m from tree (south).
- Filling of existing dam (by others) located ~5m to north of tree.
- New topsoil shown around tree 1 (indicative only).

Tree 40 (*Quercus robur*)

- Demolition of existing access track located ~4m to north of tree.
- Demolition of existing culvert located ~5m to north of tree.
- Filling of existing drainage channel located ~2m to north of tree.
- New service track located ~10m south of tree.
- Tiered landscaping (max change in level 900mm) located ~11m to north and north west of tree.
- New topsoil shown around tree 40 (indicative only).

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Appraisal

Legal status

Both trees qualify as a significant tree. The trees also possess attributes worthy of preservation and offer a lot to the local community and environment. The proposed development should aim to preserve these attributes.

Tree health

Both trees are both in good health and do not have a short life expectancy. If the trees and their surrounding growing environment (soil) is protected from the potentially adverse impacts of the entire development process and well maintained in the future, the trees could remain an asset at the site for many years.

Improvements to the growing environment should include the application of organic mulch. Landscaping activities should be low impact and keep the requirements of the trees in mind. Landscaping guidelines are supplied at the end of the report. Topsoil levels should be no greater than 100mm above existing layers and should consist of a sandy loam type soil.

Tree structure

The trees are both free of notable structural defects at this point in time. They do not present an unacceptable risk to public or private safety.

Pruning may be required to provide suitable clearances for the proposed open space areas and new service track. In addition, larger dead branches should be shortened or removed to reduce risk to future users of the site.

This pruning must not remove tree parts excessively and must not be performed by building contractors. All pruning must conform to the Australian Standard AS 4373 – 2007 *Pruning of Amenity Trees*. All pruning should be carried out or supervised by appropriately qualified and experienced arborists.

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Impact assessment

To protect a tree from the possible adverse impacts of development activities, a tree protection zone (TPZ) is required. TPZs preserve tree root systems and the immediate soil environs as well as protecting the above ground parts of the tree from inadvertent crown or trunk damage. The zone within the TPZ must be monitored and managed during the development process by qualified Arborists to avoid the many potentially adverse consequences of uncontrolled development. The tree protection zones for these trees is calculated as follows.

	Tree 1	Tree 40
The TPZ radius ^k from the centre of the trunk	15m	13.68m
The TPZ area ^l around tree	707m ²	587m ²
The Structural Root Zone ^m (SRZ) radius from the centre of the trunk	3.73m	3.64m

Trees can tolerate some encroachment into their TPZⁿ. The following impact assessment has been carried out for each of these trees.

Tree 1

The proposed development activities at the site encroach into this TPZ area as follows.

Proposed paving	~32m ² (4.5%)
Filling of dam	~120m ² (17.0%)
Total encroachment	~152m ² (21.5%)
Works within structural root zone (SRZ)	No

Consideration has been given to TPZ occupancy by existing structures and surfaces. The existing dam occupies ~120m² (17.0%) of the TPZ. This has been established for a long period of time and the tree will have adapted to its presence. It is likely that fluctuating water levels in the dam will limit oxygenation of the trees root system. This dam is to be drained and filled with soil and base layers as part of the proposed road works on the adjoining land. Overall, there is no significant change to the growing conditions in this zone. The remainder of the TPZ is of an open/rural character.

The total level of encroachment, including filling of the dam is ~152m² (21.5%) is a major encroachment (>10% of TPZ area). In assessing impacts on the tree, consideration has been given to a range of factors as outlined in section 3.3.4 TPZ encroachment considerations of Australian Standard AS 4970-2009 *Protection of trees on development sites* as follows:

- *Eucalyptus camaldulensis* (River Red Gum) has a good tolerance of development activities. It is recognized by the arboricultural community that *Eucalyptus camaldulensis* is a tree species with a good tolerance to development activities. This is due to the trees relatively deep root system, ability of its dimorphic^o root system to draw on underground water sources, and natural adaptation to disturbed riverine sites.
- This is an open grown tree, growing in its preferred environment and has good health and vigour.
- The new encroachment on the tree would be offset by the remaining area within and contiguous with the TPZ which will remain in an open state.
- The filling of the dam is unlikely to significantly alter the current growing environment of the tree.
- Tree sensitive methods are advised for the proposed landscaping works around the tree.

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After considering these factors it is concluded that the proposed works are unlikely to impact on the long-term health or stability of the tree.

Tree 40

The proposed development activities at the site encroach into this TPZ area as follows.

Proposed service track	~50m ² (8.5%)
Landscape tiering	~60m ² (10.5%)
Total encroachment	~112m ² (19.0%)
Works within structural root zone (SRZ)	No

Consideration has been given to TPZ occupancy by existing surfaces. The existing access track occupies ~80m² (13.6%) of the TPZ. This has been established for a long period of time and the tree will have adapted to its presence. This is to be demolished as part of the proposed works and a proportion of the tiered landscape will be constructed in the same location. The remainder of the TPZ is of an open/rural character.

The total level of encroachment is ~112m² (19.0%) is a major encroachment (>10% of TPZ area). In assessing impacts on the tree, consideration has been given to a range of factors as outlined in section 3.3.4 TPZ encroachment considerations of Australian Standard AS 4970-2009 *Protection of trees on development sites as follows:*

- *Quercus robur* is considered to have a moderate tolerance to development activities.
- The tiered landscape area will be constructed partially on top of the existing access track and does not all form 'new' encroachment.
- Much of the current and future root zone is open grown tree and has good health and vigour.
- The new encroachment on the tree would be offset by the remaining area within and contiguous with the TPZ which will remain in an open state.
- Tree sensitive methods are advised for the proposed landscaping works around the tree.
- Consideration should be given to relocating the proposed access road outside the TPZ and crown of the tree.

After considering these factors, and with the relocation of the access track outside the TPZ, the proposed works are unlikely to impact on the long-term health or stability of the tree

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Tree Protection Plan

To protect those trees to be retained on a development site, consideration must be given to the various activities that are occurring within the vicinity of these trees. Modifications to the design and methodology of installing these structures and surfaces has been considered during the design development for the site. In addition, protective fencing and other protective measures are required during the entire development process. In relation to the proposed development at this site, the following tree protection measures are required. A tree protection plan with tree protection guidelines is attached at the end of the report.

Protective fencing

Protective fencing must be erected around the trees to be retained on site prior to any development activities commencing as follows. This fencing is to protect the tree trunk, branches, surrounding soils and tree roots.

- Sturdy 1.8m high chainmesh fence to be erected as indicated on the plans prior to any works.
- The TPZ fence should follow the crown dripline of each tree.
- Protective fencing and other protective measures to remain in place till completion of project.
- TPZ signage to be attached to fencing.
- Area within TPZ to be mulched - 75-100mm deep.
- The fenced area shall not be used for storage of machinery or construction materials.
- The fenced area shall not be used for parking or vehicle access.
- No entry to TPZ without consulting project arborist.
- Fencing can be removed to facilitate final soft landscaping.

Site access

- Site access should be directed around tree protection zones.
- Site access for demolition and construction activities should not be from the existing access track, but from a new access track outside the crown of tree 40.
- Any vehicle access through a TPZ will require ground protection consisting of mulch/gravel layers with trackmats suitable for vehicle use placed on top.

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Demolition and site clearing activities

The demolition of existing structures, surfaces and vegetation will require heavy machinery to move about on the site. If they work within any TPZ area, they can potentially compact the soil and damage tree roots, trunks, and branches. To protect the trees during demolition works, the following is required.

- The tree protection zones must be established prior to demolition and site work activities commencing.
- Demolition of the existing access track within the TPZ of tree 40 should be undertaken with care, removing top layers and gravel to natural ground level with no lowering of natural grade.
- Options for removing the existing concrete culvert include leaving it in place, or carefully lifting it out in sections with light machinery without damaging the tree branches above.
- Any machinery must work with caution adjacent to the tree by removing material in a retreating fashion, starting at the tree, and working away from the tree.
- Existing hard surfaces should be retained where practicable to act as ground protection from vehicles during site works. These can then be removed near the end of the project as required.
- No stockpiling of debris, soil, or any other material within any TPZ.

Site preparation/earthworks

The preparation of a site for a new development requires a range of activities such as levelling, grade changing and trenching for footings and underground services. These activities usually require heavy machinery to move about on the site and can potentially cause harm to the tree, surrounding soils, and its root system.

- Earthworks at this site include filling of the existing dam (by others) and localized fill in existing drainage channels.
- Localized fill may be required to establish new levels and or landscaping purposed.
- Any new fill in these areas within the TPZs should comprise sandy loam with >5% organic matter (or similar).
- Existing levels are to be retained within the TPZs, with maximum 50-100mm new soil depth following existing contours except where exiting drainage lines are to be filled.
- All earthworks and trenching must stay outside of the TPZ unless approved by council and project arborist.
- Any approved earthworks within the TPZ must be carried out with caution under the supervision of the project arborist.
- No grade changes (cut or fill) within any TPZ without approval.
- Excavation machinery should stand in a position away from the TPZ to avoid soil compaction and conflict with the trunk and branches.

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- No stockpiling of soil within any TPZ.
- Fill material within any TPZ must use coarse, single graded materials with no fines.
- No continuous trenching for underground services within the TPZ without approval.

Underground services

Several underground services are required to service the site. These should be routed outside of the TPZ areas. If underground services must pass through any TPZ, they must utilise underground boring methods, hydro excavation or manually excavated trenches where tree roots are left intact and undamaged.

Construction activities

Construction activities are wide and varied. These activities may include but are not limited to; laying of building foundations, building the frame of the structure, brickwork or other walling materials, scaffolding, roofing, interior fitting etc.

These activities require a range of different contractors accessing the site, receiving and storing materials, generating waste and spoil etc. If these activities occur unchecked within a tree protection zone, the cumulative effects of these activities may cause harm to the tree, surrounding soils and its root system.

The trees must be well protected with fencing and other suitable ground protection during all phases of the construction process. Areas for parking, storage, waste disposal, mixing and wash out areas must be clearly defined, well away from the tree protection zone.

Paving

Paving works often require excavation works, soil compaction and the installation of impervious surfaces. These can all have an adverse impact on the soil and the trees root system which can adversely affect tree health.

Any paving works at the site within any TPZ must be kept to a minimum, must utilize a no dig method, use permeable subbase preparations and permeable paving materials.

Landscaping

There are a range of landscaping activities that may cause harm to the soil and roots of the tree. These include but are not limited to; grade changes up or down, soil compaction from heavy machinery and stockpiling of materials, damage to tree trunks and branches from machinery, soil contamination from improper chemical use, root cutting from trenching activities for underground services (power and irrigation) and retaining walls, root damage from soil cultivation and planting and from paving activities. This can have an adverse impact on the long-term health of a tree. The following guidelines apply to landscaping around this mature tree.

- TPZ fencing can be removed to facilitate final soft landscaping.
- The landscape design should provide the mature trees with suitable growing conditions.
- Landscaping activities must avoid disturbance to the root system.
- Existing levels are to be retained within the TPZ with maximum 50-100mm new soil depth following existing contours except where exiting drainage lines are to be filled.
- Paving works should be kept to a minimum within the TPZ.

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- The root zone of the trees should have a 75-100mm layer mulch applied.
- Cultivation of the area under the trees should be kept to a minimum and undertaken with hand tools.

Fencing

Fencing works on the boundaries of the property within the TPZ must not use continuous trenching or excavation, as would be the case for a masonry wall, concrete plinth, retaining wall or other similar fence construction. It is recommended that boundary fencing at the site use lightweight panel fencing on a post and rail support system with concrete pads to support the posts.

Pruning

The following pruning is recommended to improve tree appearance, provide suitable clearance for the proposed structure and site access and to mitigate any risk issues that may be present in the tree. Tree pruning works should occur prior to development activities commencing according to the pruning specifications below.

- All pruning must conform to the Australian Standard AS 4373 – 2007 *Pruning of Amenity Trees*.
- All pruning should be carried out or supervised by level 3 qualified and experienced arborists (or higher).
- Pruning must not be carried out by building contractors.
- The following pruning is recommended for **tree 1**.
 - Crown lifting on the southern side of the tree over paved areas.
 - Remove dead branches throughout the crown over 40mm in diameter. Dead branches over 100mm in diameter should be retained in the crown for their habitat value but shortened to reduce the risk of failure.
- The following pruning is recommended for **tree 40**.
 - Minor crown lifting on the northern side of the tree over proposed landscape tiering.
 - Crown lifting on southern side to provide vehicle clearances for new service road.
 - Remove dead branches throughout the crown over 40mm in diameter.
- This pruning should occur prior to development activities commencing.
- This tree should be assessed by a qualified arborist every 2-3 years to determine future management requirements.

This pruning is considered maintenance pruning and development approval may not be required. Council should be notified of such pruning to ensure they are satisfied that it is acceptable.

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Site monitoring and certification

The project arborist should be engaged to brief the project manager about tree protection requirements, undertake inspections and provide certification at the following stages.

- a. Establishment of tree protection zones.
- b. Demolition stage.
- c. Site preparation and earthworks stage.
- d. Installation of underground services.
- e. Pre-construction stage.
- f. Construction stage (several visits may be required).
- g. Post construction stage.
- h. Landscaping stage.

Fines

Regulated and/or significant trees cannot be removed or damaged without development approval. Failure to adequately protect these trees may constitute a tree damaging activity^P, which can attract fines of up to \$120,000.

If all these strategies to minimise the impacts on the trees in the tree protection plan are observed, there will be a minimal impact on their long-term health.

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Conclusion

On the basis of my observations and discussion, I summarise my conclusions as follows:

- Two trees were assessed within the development site.
- Both trees qualify as a significant tree.
- Both trees possess attributes worthy of preservation based on their locally indigenous status.
- Both trees are open grown trees with good health and structure.
- A TPZ and SRZ were calculated for each tree.
- There is a major encroachment by development activities for both trees.
- After considering a range of factors under AS 4970-2009, and with the relocation of the access track outside the TPZ of tree 40, the proposed works are unlikely to impact on the long-term health or stability of the trees.
- A range of tree protection measures will be required during the construction phase at the site.

As the tree qualify as significant trees, an application must be made to your local council to approve this development in relation to them (including tree pruning and/or removals). While I believe the recommendations made above are the most appropriate to minimise the impacts on the tree, Council may take an alternative point of view and refuse consent. Development activities cannot occur until appropriate planning approvals have been granted from your local Council.

If you have any further queries regarding issues raised in this report, please feel free to contact me.

Yours sincerely



Dr. Martin Ely
B Arch Dip Hort (Arb)
Member AILA
Registered Landscape Architect

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I have based this report on my education, experience, ongoing training, site observations and the information provided to me. I have 25 years' experience in the field of landscape architecture and eight years in the field of arboriculture. A summary of my qualifications includes:

- Diploma (Level V) of Horticulture (Arboriculture) (2014)
- Bachelor of Architecture, University of Adelaide 1991.
- PhD, School of Earth and Environmental Sciences, University of Adelaide 2010. *'Integrating Trees into the Design of the City: Developing More Sustainable Practices for Planting Street Trees in Australian Cities'*.
- Member of Arboriculture Australia.
- Member Australian Institute of Landscape Architects (AILA).
- Registered Landscape Architect (No 1419).

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Endnotes

^a Tree and risk assessments can be conducted at different levels and may employ various methods and tools. The level of assessment applied should be appropriate for the circumstances.

Level 1 - Limited visual assessment.

- A visual assessment from a specified perspective, near specified targets.
- The aim is to identify obvious defects or specified conditions.
- Typically identifies trees with imminent or probable likelihood of failure.
- This is the fastest and least thorough form of assessment intended for larger populations of trees.
- This can be carried out as a walkover, drive-by or fly-over inspection.

Level 2 - Standard assessment.

- A level 2 assessment is a detailed ground based visual tree inspection of a tree and its surroundings.
- The use of simple tools (mallet, binoculars, probes, spades), may be required.
- In some instances only limited information may be gained on specific internal, below ground or upper crown factors.
- For the majority of tree assessments the standard assessment provides adequate information to guide tree management.

Level 3 - Advanced assessment.

- A level 3 assessment is performed to provide detailed information about specific tree parts, defects, targets or site conditions.
- This assessment is usually conducted after a standard assessment has undertaken if additional information is required and with the approval of the client.
- Specialised equipment is often required for advanced assessment.
- The assessments are generally more time intensive and expensive.
- Advanced assessment techniques may include; aerial inspection, detailed target analysis, detailed site evaluation, decay testing, health evaluation, root inspection, tree stability monitoring and load testing.

NOTE: If tree condition cannot be adequately assessed at the specified level a higher level of assessment may be required.

^b A visual tree assessment (VTA) is an analytical process undertaken by a qualified Arborist or other suitably trained person to determine the structural soundness of a tree. Biological and mechanical components of trees are assessed, including tree health; presence of pests and diseases, die-back, foliage density and distribution, and vitality; growth rate, wound wood development, capacity to respond to improved conditions. Mechanical components include trunk lean, crown bias, bark inclusions, wounds, hollowing, trunk bulges, ribs, cracks, branch form, failure history, pruning history, condition of trunk flare, and other existing defects. All these factors are examined to determine if internal weaknesses may be present. If abnormalities are detected, we may conduct further investigations using a range of tools. These include sounding mallets, long thin drill bits, Resistograph, Sonic Tomograph, Air spade and other tools as required. Ref: Mattheck, Claus & Breloer, Helga. *The Body Language of Trees. A Handbook for Failure Analysis*. Department of the Environment. London 1997.

^c Boland, D., Brooker, M., Chippendale, G., Hall, N., Hyland, B., Johnston, R., Kleinig, D., McDonald, M. and Turner, J *Forest Trees of Australia - Fifth Edition* CSIRO Publishing 2006 and Centre for Plant Biodiversity Research (2006)- Contributors: AV Slee, MIH Brooker, SM Duffy, JG West *EUCLID – Eucalypts of Australia* Interactive CD ROM. Nicolle, D (1997). *Eucalypts of South Australia*.

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^d **Significant tree** means (as defined in Section 4 Interpretation (1) of the *Development Act 1993*)

(a) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or

(b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

6A—Regulated and significant trees (as defined in the *Development Regulations 2008*)

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of **regulated tree** in section 4(1) of the Act, namely trees within the designated area under subregulation (3) that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.
- (2) Subject to this regulation—
 - (a) a prescribed criterion for the purposes of paragraph (b) of the definition of **significant tree** in section 4(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level; and
 - (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.

^e Diameter at Breast Height (DBH) is the diameter of the trunk measured at breast height. This measurement is taken at 1.40m above ground level. This is the nominal point measured to determine Tree Protection Zones using the Australia Standard method AS 4970-2009 *Protection of trees on development sites*. When calculating a DBH for a tree with multiple trunks, the combined DBH do not accurately represent the root volume or area and the TPZ becomes exaggerated. Combining DBH in the following formula results in a revised total DBH that better represents the total stem cross sectional area as if it were 1 stem. From this a more proportional TPZ can then be calculated.

$$\text{Combined DBH} = \sqrt{A^2 + B^2 + C^2 \text{ etc.}}$$

(A, B and C etc. are the DBH of each individual stem)

^f **Significant tree** means (as defined in Section 4 Interpretation (1) of the *Development (Regulated Trees) Amendment Act 2009*)

(a) a tree declared to be a significant tree, or a tree within a stand of trees declared to be significant trees, by a Development Plan (whether or not the tree is also declared to be a regulated tree, or also falls within a class of trees declared to be regulated trees, by the regulations); or

(b) a tree declared to be a regulated tree by the regulations, or a tree within a class of trees declared to be regulated trees by the regulations that, by virtue of the application of prescribed criteria, is to be taken to be a significant tree for the purposes of this Act;

6A—Regulated and significant trees (as defined in the *Development (Regulated Trees) Variation Regulations 2011*)

- (1) Subject to this regulation, the following are declared to constitute classes of regulated trees for the purposes of paragraph (a) of the definition of **regulated tree** in section 4(1) of the Act, namely trees within the designated area under subregulation (3) that have a trunk with a circumference of 2 metres or more or, in the case of trees with multiple trunks, that have trunks with a total circumference of 2 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level.

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(2) Subject to this regulation—

- (a) a prescribed criterion for the purposes of paragraph (b) of the definition of **significant tree** in section 4(1) of the Act is that a regulated tree under subregulation (1) has a trunk with a circumference of 3 metres or more or, in the case of a tree with multiple trunks, has trunks with a total circumference of 3 metres or more and an average circumference of 625 millimetres or more, measured at a point 1 metre above natural ground level; and
- (b) regulated trees under subregulation (1) that are within the prescribed criterion under paragraph (a) are to be taken to be significant trees for the purposes of the Act.

⁹ Trees and shrubs are proven to provide a range of social, environmental, economic and psychological benefits that improve the pleasantness of a local area that positively affect human wellbeing. The amenity value of trees include gaseous and particulate pollution mitigation, amelioration of climatic extremes (shading, cooling and wind speed reduction), mitigation of heat islands, attenuation of noise pollution, store and sequester carbon (reducing greenhouse gasses), improve air quality, improve water quality, stormwater mitigation and erosion control, visual screening of undesirable views, aesthetically enhance local areas, aesthetically enhance urban structures, improve property values, reduce urban glare, improve human health, wellbeing and relaxation, reduce stress and anxiety, reduce crime and improve healing rates of patients. In addition, locally indigenous plants provide further benefits including; provide important habitat for local fauna, maintain biodiversity in the local environment, provide wildlife corridor links with areas of native and indigenous vegetation.

^b Important habitat and biodiversity value is considered to be present when the tree is indigenous to the local area and provides an opportunity for native animals to perch, nest, breed, feed and shelter in the tree. Animals that may use the tree include native birds, mammals, insects and other invertebrates, lizards and other reptiles. Australian native trees will also provide some of these benefits, but are not considered to be as important as locally indigenous trees. Exotic trees can also provide some of these benefits, but are considered to provide limited habitat and biodiversity value.

ⁱ This opinion may need to be verified by a qualified landscape architect.

^j This opinion may need to be verified by a qualified landscape architect.

^k The Tree Protection Zone (TPZ) radius is calculated by multiplying the trunk diameter at 1.4m by a factor of 12. The radius is measured from the centre of the trunk at ground level. A TPZ should not be less than 2m nor greater than 15m (except where crown protection is required). This method is outlined in the Australian Standard AS 4970 – 2009 *Protection of trees on development sites*.

^l TPZ area = πr^2

^m The Structural Root Zone (SRZ) is the area around the base of a tree required for the tree's stability in the ground. The woody root growth and soil cohesion in this area are necessary to hold a tree upright. The SRZ is nominally circular with the trunk at its centre and is expressed as a radius in metres. This zone considers the tree's structural stability only, not the root zone required for the tree's vigour and long-term viability, which will usually be a much larger area. There are many factors that affect the size of the SRZ (e.g. tree height, crown area, soil type, soil moisture). The SRZ may also be influenced by natural or built structures, such as rocks and footings. An indicative SRZ radius can be determined from the following formula. Root investigations may provide more information on the extent of these roots. From AS 4970-2009 *Protection of Trees on Development Sites*.

$$\text{SRZ radius} = (D \times 50)^{0.42} \times 0.64$$

(D= trunk diameter in metres when measured above the root buttress)

Any work within the SRZ should be avoided. Where no alternative exists, the work must be supervised by a qualified Arborist and approved by Local Council. Tree removal may be required depending upon the size and number of roots affected.

ⁿ It may be possible to encroach into or make variations to the standard Tree Protection Zone (TPZ). Encroachment includes excavation, compacted fill and machine trenching. **Minor encroachment** - If the encroachment is less than 10% of the TPZ area and is outside the Structural Root Zone (SRZ), detailed root investigations should not be required. The area lost to this encroachment should be compensated for elsewhere

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and contiguous with the TPZ. Variations must be made by the project arborist considering relevant factors listed on section 3.3.4 of the standard. **Major encroachment** - If the proposed encroachment is greater than 10% of the TPZ area or inside the SRZ, the project arborist must demonstrate that the tree would remain viable. The area lost to this encroachment should be compensated for elsewhere and contiguous with the TPZ. This may require root investigation by non-destructive methods and consideration of relevant factors including: location and distribution of roots, the potential number and size of root loss, tree species and tolerance to root disturbance, age, vigour and size of tree, lean and stability of the tree, soil characteristics, volume, topography and drainage, the presence of existing or past structures or obstacles and design factors. From Australian Standard AS 4970 – 2009 *Protection of trees on development sites*, section 3.3.

° Dimorphic refers to two or dual root systems of many species of trees. The surface or lateral root system utilizes shallow soil layers to source moisture and nutrients and to aid in tree stability. A vertical or sinker root system develops from the lateral roots close to the trunk and grows vertically down to the water table or its capillary fringe, providing a secure moisture source in times of drought. These roots also provide additional anchorage to aid tree stability. Reference: *Water and Salinity issues in agro-forestry* No. 5. RIRDC Publication 99/37 'The Way Trees Use Water' 1999. Paper No. 4. J.H. Knight. 'Root distribution and water uptake patterns in Eucalypts and other species'.

^p **tree-damaging activity** means

- (a) the killing or destruction of a tree; or
- (b) the removal of a tree; or
- (c) the severing of branches, limbs, stems or trunk of a tree; or
- (d) the ringbarking, topping or lopping of a tree; or
- (e) any other substantial damage to a tree,

and includes any other act or activity that causes any of the foregoing to occur but does not include maintenance pruning that is not likely to affect adversely the general health and appearance of a tree or that is excluded by regulation from the ambit of this definition;

(From section 4 - Interpretation of the *Development Act 2003*)

Development Regulations 2008

Section 6A (8)

For the purposes of the definition of **tree damaging activity** in section 4(1) of the Act, pruning—

- (a) that does not remove more than 30% of the crown of the tree; and
- (b) that is required to remove—
 - (i) dead or diseased wood; or
 - (ii) branches that pose a material risk to a building; or
 - (iii) branches to a tree that is located in an area frequently used by people and the branches pose a material risk to such people, is excluded from the ambit of that definition.

Stage 1 proposed TPZ impact to be amended by Stage 2 proposal (reduces TPZ encroachment based on dimensions/ radius of SRZ and TPZ page 14 of this report June 2020 report)

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Mount Barker Baptist Church

**PROPOSED COMMUNITY CENTRE
BOLLEN ROAD, MOUNT BARKER**

TRAFFIC AND PARKING ASSESSMENT

December 2020

20-0213

Traffic • Parking • Transport

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DOCUMENT ISSUE

Revision issue	Date	Description	Approved by
Draft 1	03 December 2020	Draft	MLM
Final	07 December 2020	Final	MLM
Rev A	07 December 2020	Updated Numbers	MLM

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1.0 INTRODUCTION

This proposal relates to the development of a Community Centre on the Kings Baptist Grammar School site, as envisaged in the master plan. The community centre would include multi-purpose areas which would be used by students during school periods and by the Church community at other times. The facilities would also be available for use by the broader community.

This report summarises the traffic and parking impacts associated with the proposed community centre. The assessment includes a review of the proposed vehicular access arrangements with specific consideration to sightlines on Bollen Road.

Consideration has also been given to pedestrian access given that there will be demand for pedestrian movements between the school and the community centre sites. In addition, potential links with future reserves and public facilities have been investigated.

Parking requirements for the proposal has considered the shared-use of the facility with the school. The design of the parking will comply with relevant Standards and, importantly, grades accessing the parking and manoeuvring areas for the site will also comply with relevant requirements for pedestrians and commercial vehicle access. Details of these design criteria are documented in the report.



2.0 EXISTING SITUATION

The existing site is a greenfield development site on Bollen Road. A land division has been approved which will create a new road along the northern boundary of the site which will intersect with Bollen Road.

An application has been lodged for the development of Stage 1 of King's Baptist Grammar School on the subject site. The Stage 1 development, which will be located on the north-east corner of the site will include the school and an early learning centre.

The proposed community centre will be located to the south of the school site. The site will have frontage to Bollen Road. Figure 1 identifies the subject site with respect to the proposed location of the school.



Figure 1: Subject site

Bollen Road is within the care and control of the Mount Barker District Council. It has an average annual daily traffic (AADT) in the order of 1,060 vehicles per day (vpd). The road has a posted speed limit of 60 km/h, although the operating speed (85th percentile speed) has been measured as 67km/h on this road. There are no pedestrian footpaths on either side of the road. Historically Bollen Road essentially defined the western boundary of the Mount Barker township but the identification of land to the west for development as part of the 30 year growth plan means that this road is now located within the future township and is within a Residential Neighbourhood Zone.



Bollen Road provides access to residential properties on its eastern side and access has been identified to the subject land in an endorsed masterplan. Council has therefore given consideration as to the appropriate role for this road in its network (given that it will now be within the township) and has indicated that there is a preference for Bollen Road to operate akin to a residential street with footpaths and potential treatments which will reduce speed. Such an upgrade will be a matter for further investigations by Council and while the ultimate intention is to achieve approval from the Department for Infrastructure and Transport (DIT) for the speed limit to be reduced to 50 km/h, design parameters are currently being assessed having regard to the current speed environment.

Bollen Road forms an intersection with Hawthorn Road at its northern end and Flaxley Road at its southern end. Hawthorn Road is a collector road within the care and control of the Council, with an AADT of approximately 2,000 vpd. Flaxley Road is an arterial road within the care and control of the Commissioner of Highways. It has an AADT of 5,700 vpd.

2.1 FUTURE DEVELOPMENT

Council is proposing to develop a community sporting facility on land to the south of the subject site. It will include sports fields and clubrooms. Pedestrian and cyclist links will be provided to the greater road network. Figure 2 illustrates a concept illustration of Council's proposal.



Figure 2: Council's sporting facility proposal



3.0 PROPOSAL

The proposal is for the development of a community centre that will be shared by the school, Mount Barker Baptist Church and the community.

The proposed community centre, as illustrated in Hodgkison's drawing PL204, dated October 2020, will comprise of:

- approximately 245 m² of multi-purpose space with a capacity for 216 seats;
- a creche for 15 children which will only be used in association with the Church;
- 64 m² of space allocated for children's ministry;
- a café with 50 seats;
- an office for a maximum of four staff (including the Church minister); and
- ancillary facilities such as reception, boardroom, kitchen and servery areas.

The multi-purpose area will be used by the school on school days and for Church or community events during other times.

3.1 ACCESS

Access for the development is proposed to be provided via two crossovers on Bollen Road. The crossovers will also provide access to the community sporting facility when it is developed.

A Safe Intersection Sight Distance (SISD) assessment was undertaken at the proposed crossover locations, considering the sightline constraints created by the vertical alignment of Bollen Road. The sightline assessment confirmed that SISD for an operating speed of 70 km/h would be achieved at both access points.

The proposed crossovers will be designed in accordance with Australian/New Zealand Standard, *Parking Facilities Part 1: Off-street car parking (AS/NZS 2890.1:2004)*. The southern crossover will permit all movements to/from the site while the northern crossover will permit only exit movements.

The southern crossover will be located to achieve a 6 m separation to the Bollen Road/Allen Avenue intersection in accordance with *Figure 3.1: Prohibited Locations of Access Driveways* in *AS/NZS 2890.1:2004* as shown in Figure 3.

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Figure 3: Separation of the southern crossover to the Allen Avenue intersection

A series of ramps will be constructed between the access points to reconcile the variation in levels across the site. The design of the ramps has considered the access needs for larger vehicles (i.e. refuse vehicles and buses) as well as pedestrians access requirements and therefore, will meet the requirements in Australian Standard, *Parking Facilities Part 2: Off-street commercial vehicle facilities (AS 2890.2:2018)* in addition to Australian Standard, *Parking Facilities, Part 1: Off-Street parking (AS/NZS2890.1:2004)*.

3.1.1 SET-DOWN BAY

A set-down bay is proposed adjacent the front entrance of the community centre. This facility will also provide for delivery vans. Figure 4 illustrates a van accessing the set-down bay.

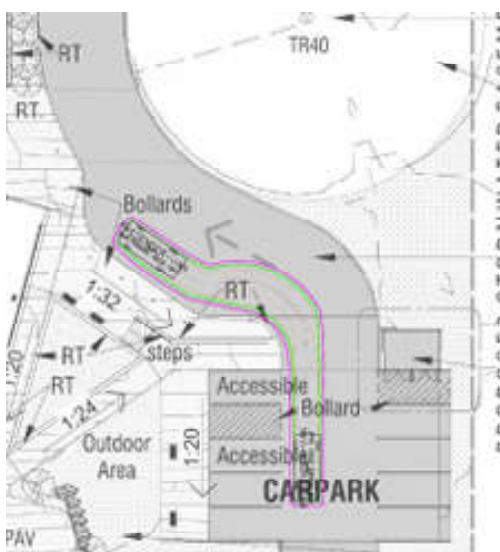


Figure 4: Van accessing the set-down bay

3.1.2 BUS PARKING

An area for bus parking will be created adjacent the northern access. This will provide for an opportunity for students or other community groups to access a bus within the site rather than on the adjacent road network. Figure 5 illustrates a 12.5 m bus accessing the bus parking area.

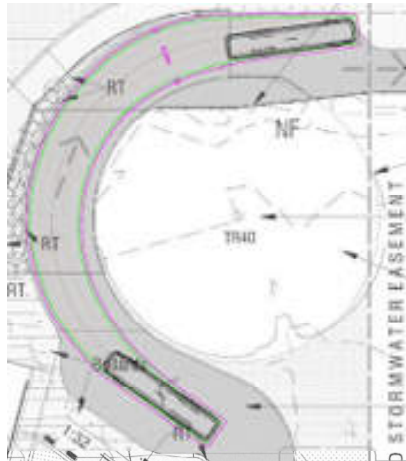


Figure 5: Bus accessing the parking area

It can be seen on the figure above that the parked bus would not obstruct egress movements of other vehicles.

3.1.3 REFUSE COLLECTION

Refuse will be collected from the eastern driveway by a 10 m refuse vehicle. Figure 6 illustrates a refuse vehicle accessing the subject site.

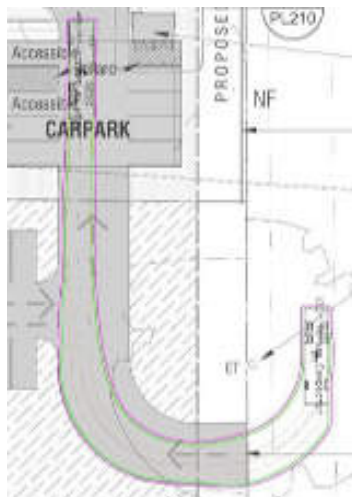


Figure 6: Refuse vehicle accessing the site



3.2 PARKING AREA

The proposal includes two parking areas which will comprise of 24 parking spaces. The parking areas will comply with *AS/NZS 2890.1:2004* in that:

- spaces will have a width of 2.6 m and a length of 5.4 m long;
- aisles will have a width of 5.8 m; and
- the dead-end aisle at the southern parking area will have an extension of 1.0 m beyond the last space.

Two spaces will be allocated for use by people with a disability in the eastern car park. These spaces will be 2.4 m wide with an adjacent 2.4 m wide shared space and will be installed in accordance with the requirements of the Australian/New Zealand Standard, *Parking facilities Part 6: Off-street parking for people with disabilities* (AS/NZS 2890.6:2009).

The proposal will ensure safe pedestrian access between the parking areas and the entry plaza, with pedestrian routes being developed along desire lines. Specifically, convenient pedestrian access will be provided to/from the school car park. Paths and ramps will be constructed in accordance with Australian Standards and DDA criteria.



4.0 PARKING ASSESSMENT

The proposal will generate a demand for vehicle and bicycle parking. Such parking will be generated during different periods to the school and can therefore be assessed based on a shared parking demand requirement.

4.1 VEHICLE PARKING

The parking assessment for the school identified that there will be a surplus of 16 spaces provided as part of the initial stage of the development. These spaces could be utilised by patrons or staff of the community centre when the balance of the car park is used by staff or visitors associated with the school. At other times, patrons of the community centre would also be able to utilise the balance of the school parking spaces in addition to the spaces proposed as part of this application.

Separate analysis has, therefore, been undertaken to determine the community centre's parking demand when the school is operating and at other times. Consideration has also been given to the parking demand anticipated when there is a Church or community event at the proposed facility.

4.1.1 SCHOOL PERIODS

It is proposed that the multi-purpose area and the Children's Ministry spaces within the community centre will be used by the school during school operating periods. While there will still be a demand for staff associated with the community centre, there will be negligible demand for visitors during this period.

Accordingly, the following criteria has been adopted when assessing the peak parking demand for the proposed facility during school operating periods:

- the multi-purpose space and the Children's Ministry space will not generate additional parking;
- the office will be used by the community centre staff and the boardroom and reception areas will be ancillary to the office; and
- demand for café will be all external. While it is anticipated that a high proportion of the café use will be by parents associated with the school (following set-down or prior to pick-up of students) the length of stay would be extended at the site and therefore the parking has been assessed as additional.

Council's Development Plan (Consolidated 08 August 2017) identifies the following rates for each component:

- one space per 25 m² of gross leasable area for the office with a minimum of four spaces; and



- one space per three seats for the café;

Based on the above the proposal will generate a demand for 21 spaces.

Including the excess 16 spaces to be provided within the school car park, the proposal will have a total of 40 spaces and will readily accommodate the forecast typical daily parking demand.

4.1.2 EVENING/WEEKEND PERIODS

The proposed development would accommodate Church and community events at times when the school is not using the facility. Such events will typically occur during evening or weekend periods, albeit some events could occur during school holidays.

In respect to parking, the following criteria have been adopted to determine the peak demand which could occur as a result of the facility being used for a Church service:

- the Church will use the multi-purpose spaces for worship. These spaces could accommodate up to 216 seats. These spaces could also be used for community events;
- 50% of the café demand will be associated users of the multi-purpose spaces;
- the creche will only be used by patrons on the Church and therefore will be ancillary to this use;
- the office will not be operational during these periods; and
- other facilities (such as kitchen areas) will be ancillary.

In addition to Council's rate for a café, the rate of one space per three seats for a place of worship identified in Council's Development Plan is relevant to the assessment:

Adopting the above rates, should the multi-purpose spaces be fully occupied during a period of worship, there would be a peak demand for 82 spaces.

By way of comparison, Council's Development Plan identifies a rate of one space per ten square metres for a community centre. Should the entire building be assessed at this rate, the proposal would generate a demand for 89 spaces.

Including the spaces in the school car park, there will be a total of 101 spaces available for use by the community centre outside of school operating periods which will readily accommodate the forecast peak demand, irrespective as to which assessment is adopted.

4.2 BICYCLE PARKING

Table 1 is an extraction of the relevant bicycle parking requirements identified in Council's Development Plan.

Table 1: Council's bicycle parking requirement

Form of development	Employee/resident bicycle parking spaces	Visitor/shopper bicycle parking spaces
Café	1 per 25 square metres of public area	2
Community centre	1 per 1500 square metres	2 plus 1 per 1500 square metres
Office	1 per 200 square metres	1 per 750 square metres over 1000 square metres

Based on the above requirements, the proposed development will require a total of 11 bicycle parking spaces. This will equate to a requirement for six bicycle rails which could be provided as shown in 7.

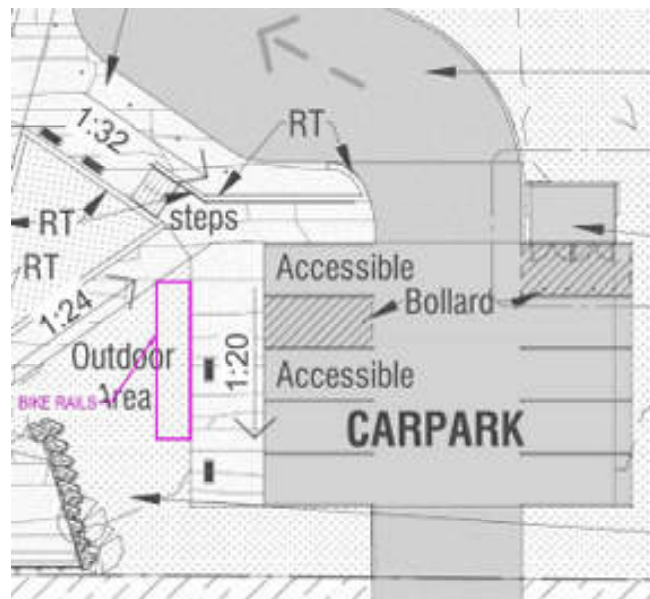


Figure 7: Potential bicycle rails



5.0 TRAFFIC ASSESSMENT

Traffic generated during morning and afternoon peak hours will be related to the areas within the proposed facility which will operate when during school periods, namely:

- the office; and
- the café.

The following traffic generation rates from the New South Wales' (formerly RMS) *Guide to Traffic Generating Developments* are relevant to the above uses:

- office – two trips per 100 m² for an office; and
- café – five trips per 100 m².

Based on the above rates, the proposal will generate in the order of 10 trips in the am and pm peak hours. Such an increase will not have any measurable impact on the road network during the peak hour.

Traffic generated by the facility when it is used for church or community events will potentially be higher but will not occur during commuter or school peak periods. Even in the event that the peak forecast parking demand was to occur on the site and all such drivers were to arrive within the same hour (such as could occur prior to a Church service), there would only be an additional 90 trips per hour on the road network. Such a volume be readily accommodated on the road network. Further, the traffic will be distributed and hence there will be negligible impact to the function or amenity of the road.



6.0 SUMMARY

In summary the proposal to develop a community centre that is used by multiple user groups provides the unique opportunity to maximise use of the facility and minimise the requirement to duplicate infrastructure such as parking. The facilities in the proposed community centre will be shared between the school, Mount Barker Baptist Church and the community.

Access for the community centre will be provided on Bollen Road and will be designed to ensure that vehicles, including a bus, will be able to enter and exit the site in a forward direction. The location of the access points on Bollen Road will satisfy appropriate sightline criteria. The design has also considered service vehicle access and grade requirements.

The proposed parking area will comply with relevant Australian Standards and will accommodate the forecast parking demand. The shared use of parking for the school and the community centre will enable the peak parking demand to be accommodated on the site while maximising education and recreation spaces for students and the community.

The design of the facility will provide for pedestrian connectivity to the proposed school and to future community facilities to ensure a coordinated design approach for facilities being delivered in stages by different developers.

Traffic generated by the community centre will not be significant and will be distributed to the adjacent road network north and south of the site. The additional volumes will not change the nature or function of the road network and will have minimal impact on the adjacent area.

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Heritage Report – Stage 2: Community Centre

Property Address: Bollen Road, Mount Barker
CT Vol 6216 Folio 537

Heritage Listing: Local Heritage Place 'House & Former Cemetery Fairfield (Regency Farm)'

General Section: Heritage Places

Zone Section: Residential Neighbourhood

Policy Area: n/a

Ref Maps: MtB/12

Report By: Anaglypta Architecture
Pippa Buckberry

Date: 30/11/2020

Purpose of this Report:

This report has been prepared for Hodgkison Architects on behalf of Mount Barker Baptist Church to accompany the Development Application – Stage 2 Community Centre. This report builds upon the Stage 1 report (replicating information on the Local Heritage Place history & significance) and assumes that Stage 1 works will receive Provisional Planning Consent (at the time of writing this is currently pending).

Existing Heritage Listings:

The property was identified for Local Heritage listing by Pope & Booth in 2004 and authorised as a Local Heritage Place 11 October 2007.

History & Significance

An extract of the Heritage Survey states;

"The house and remains of the cemetery at Regency Farm have outstanding associations with one of the district's most significant early properties and settlers: Fairfield and Joseph May. They also have significant associations with the religious and farming development of the area, and the house demonstrates early and later 19th century design & construction."

The property has been assessed as having met the following criteria for listing as a Local Heritage Place under the Development Act 1993;

(a) it displays historical, economic or social themes that are of importance to the local area, having outstanding associations with one of the district's most significant early properties and settlers: Fairfield and Joseph May, as well as significant associations with the religious and farming development of the area.

(b) it represents customs or ways of life that are characteristic of the local area, demonstrating the typical way of life of the earliest pioneers in the Mount Barker area, including the way in which farms often develop, and the early Quakerism which was adhered to by several local pioneers.

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(d) it displays aesthetic merit, design characteristics or construction techniques of significance to the local area, being an important example of a mid-to-late-19th-century farmhouse which demonstrates typical local design & construction techniques of the periods in which it was built and then restored.

(e) it is associated with a notable local personality or event, namely Joseph and Hannah May, significant pioneers of the Mount Barker area and founders of the local Quaker meeting place.

The extent of listing is described as;

Walls constructed of local stone with hipped cgi gable roof, timber framed openings with timber doors & timber-framed windows, red-brick chimneys with coursing to top, and raked cgi return verandah with timber posts. Also concrete and stone monument with inlaid plaque and surviving fragments of Quaker cemetery headstones.

Significant historic records, including photographs, newspaper articles and artwork exist. These sources depict the original house and give detailed accounts of the use and activities which occurred on the site, some examples are provided below and in the appendices. (High resolution copies are typically available through the State Library of South Australia.)

The level and quantity of information available is unusually high for a Local Heritage Place of this kind.

Some of the available images are provided on the following pages.

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Figure 1, Sketch by Frederick Mackie, 1854
Source: <https://trove.nla.gov.au/work/19186960>



Figure 2, Historic Photograph c 1870-1875
Source: State Library of South Australia/B 72166/44

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Figure 3, Historic Photograph c 1860
Source: <https://trove.nla.gov.au/work/208437921>



Figure 4, Historic Photograph c 1885
Source: <https://trove.nla.gov.au/work/208488113>



B 68637 Reproduction rights: State Library of South Australia

Figure 5, Historic Photograph c 1880
Source: <https://trove.nla.gov.au/work/208494735>



Figure 6, Friends Meeting House, Mount Barker, Sketch by Frederick Mackie, c 1854
Source: <https://trove.nla.gov.au/work/19186974>

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Description of Property

The site is located on Bollen Road, currently amongst rural farmland in an area being developed for residential housing.

The primary fabric of significance (the house) is situated towards the centre of the existing allotment, with its front façade facing South-East, towards the corner of Bollen Road and Flaxley Road (the historic allotment boundary), marked 'A' in Figure 7 below.

The items of secondary significance (the headstones and plaque of the former cemetery) are located adjacent to Bollen Road in the northern corner of the allotment, marked 'B' in Figure 7 below.



Figure 7, Aerial view of site

Source: Location SA Map Viewer <http://location.sa.gov.au/viewer/>

House 'Fairfield/Regency Farm'

The most significant difference between the historic records of the property and the current structure is the fact that the building is now single story, not the original double storey structure. This is due to a fire on the property on 28 January 1905. Critically there are a few remaining elements which suggest that the remaining extant fabric is that of the original two-storey structure;

1. Comparisons of the shape, size and location of stonework and openings visible in the front façade match those in earlier photos.
2. The existing hallway of the remaining dwelling, is unusually wide, possibly due to a former stairwell within the space, and are of the proportions you would expect in a grander two-storey dwelling.

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Figure 8, View from Bollen Road
Source: Anaglypta Architecture, June 2019

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Figure 9, View from South
Source: Anaglypta Architecture, June 2019



Figure 10, View of existing hallway (note unusually wide proportions)
Source: Anaglypta Architecture, June 2019

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The condition and integrity of the remaining fabric of the Local Heritage Place (the House) is good, retaining key features of the original appearance, consistent with the heritage datasheet, although the roof sheet is described as corrugated iron, and is in fact metal tiles (likely over the original corrugated iron).

There is some deterioration in the stone, particularly in the south-western corner, which is local pink sandstone commonly found throughout the Mount Lofty Ranges and is known to be extremely soft (and difficult to source).

Other items of note are;

- Verandah
Originally there was no verandah to the two-storey structure. The shape, proportion and detailing of the posts suggest they have been replaced over time. The verandah is also asymmetrical, wrapping around the eastern corner of the dwelling. There is also evidence that the verandah may have been a bullnosed shape before the current form. The verandah is considered of medium significance and could be removed or altered (its main function is protection of the sandstone from the weather). Consideration to continuing the verandah around the western side should be made. Changing to an eyelash or bullnosed form with more traditional detailing is recommended.
- Extensive underground cellar
Critical to the stability of the structure, the underground cellar should be conserved so that poor ventilation and stormwater management doesn't undermine the fabric of the place.
- Unsympathetic additions
There are several unsympathetic additions to the north & north-western sides of the property which should be removed.
- Unsympathetic alterations
Only a preliminary visit has been undertaken at this point, however it is clear there has been some unsympathetic alterations to the Local Heritage Place, such as rendering of stone walls, installation of metal tiles to the roof and non-traditional gutter profiles. A more detailed inspection should be undertaken and identified items rectified.



*Figure 11, View from SW (note rendering & shape of un-rendered section adjacent verandah
Source: Anaglypta Architecture, June 2019*

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Monument to Former Cemetery

The location of the former cemetery is described in a number of sources including a newspaper article from 1930 (refer Figure 12 below).

The location suggested is over 1600m (one mile) SW of the former Quakers Meeting house (Location B in Figure 7 above).

As demonstrated in Figure 13 below, the site would be well clear of the allotment boundary for the proposed Baptist College which is between 300 and 350m from the identified location in a south-westerly direction.

a daughter of Mr. May in 1854. There are people still living who can remember Mr. May with his Quaker hat and antique speech. He built the Quakers' meeting house, about a mile and a half west of Mount Barker. The foundations of the little meeting house are still traceable. It stood in the corner of a paddock, and was a building about 20 x 16 feet. Nearly a mile south-west of the meeting house in the middle of the paddock, is a grave enclosure with four headstones. One bears the name of Henry May, died April 16, 1846, aged 60. Another, Joseph May, junior, died November 17, 1847, aged 22. The third bears the name Ellen Margaret Phillips, died January 21, 1849, aged 1 year. And the fourth, Rupert May, died March 19, 1870, aged 4 months.

Figure 12, Extract of Mount Barker Courier and Onkaparinga and Gumeracha Advertiser (SA : 1880 - 1954), Friday 11 July 1930
Source: National Library of Australia <http://nla.gov.au/nla.news-article147847784>



Figure 13, Aerial Map with dimensions
Source: Hodgkison June 2019

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With regards to the remaining headstones and plaque, which form part of the listed fabric, these items are located in a discrete part of the site, off Bollen road and are expected to have no impact on the proposed development.



Figure 14, Plaque at location 'B' off Bollen Road
Source: Anaglypta Architecture June 2019



Figure 15, 16, 17, 18, (clockwise) Gravestone fragments at location 'B' off Bollen Road
Source: Anaglypta Architecture June 2019



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Proposed Development

The proposed development, Stage 2: Mount Barker Community Centre by Hodgkison architects for Mount Barker Baptist Church consists of one building, a Community Centre, and siteworks including carparking and landscaping.

The building is located in excess of 40m from the Local Heritage Place, to the east and situated 10m below the Finished Floor Level of the Local Heritage Place.



Figure 19, Proposed Community Centre by Hodgkison (View 1)
Source: Hodgkison Pty Ltd, November 2020



Figure 20, Proposed Community Centre Site Plan (with view references)
Source: Hodgkison Pty Ltd, November 2020

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Figure 21, Proposed Community Centre by Hodgkison (View 2)
Source: Hodgkison Pty Ltd, November 2020



Figure 22, Proposed Community Centre by Hodgkison (View 3)
Source: Hodgkison Pty Ltd, November 2020

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Figure 23, Proposed Community Centre by Hodgkison (View 4)
Source: Hodgkison Pty Ltd, November 2020

Given the proximity of the proposed new buildings, the impact of Stage 2 works on the Local Heritage Place are limited to their effect on its setting and context. The relevant principles of development control (PDC's) are:

PDC 3

Development of a State or Local Heritage Place should retain those elements contributing to its heritage value, which may include (but not be limited to):

- a) Principle elevations*
- b) Important vistas and views to and from the place*
- c) Setting and setbacks*
- d) Building materials*
- e) Outbuildings and walls*
- f) Trees and other landscaping elements*
- g) Access conditions (driveway form/width/material)*
- h) Architectural treatments*
- i) The use of the place.*

PDC 6

New buildings should not be placed or erected between the front street boundary and the façade of existing State or local heritage places.

PDC 7

Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to:

- a) Scale and bulk*
- b) Width of frontage*
- c) Boundary setback patterns*
- d) Proportion and composition of design elements such as rooflines, openings, fenestration, fencing and landscaping*
- e) Colour and texture of external materials*

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The existing site is currently farmland, but like many other historic homesteads within the outskirts of Mount Barker, that context is rapidly changing with the urbanisation of this land into new housing estates. (Refer Newnham, Parkindula, The Butress House, Greengables House & Dairy). In this respect, the decision to alter the context of these Local Heritage Places has already been made and the next step is to determine appropriate curtilages, maintain key views to & from the places in question and to ensure the Local Heritage Place still has pride of place (or prominence) within its new setting.

1. Views



*Figure 24, Primary and secondary (dashed) views to/from Local Heritage Place
Source: Anaglypta Architecture June 2019*

Figure 24 above identifies existing key primary and secondary views to and from the Local Heritage Place.

Importantly, the primary frontage of the Local Heritage Place does not directly face either Bollen or Flaxley Roads, but instead it is angled to face their intersection.

Maintaining the primary view is assisted by topography of the land, which elevates the structure and enables views to it. In addition, recreational grounds (an oval) are identified for the area, which will help to protect views to the heritage place into the future.

Views from Bollen Road will be affected by the removal of the existing hedge as well as the addition of buildings placed between it and the Local Heritage Place

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Place. However, some glimpses of the building should still occur in similar locations to existing vantagepoints (refer Figure 26-28 below).



Figure 25, Primary and secondary (dashed) views to/from Local Heritage Place
Source: Anaglypta Architecture June 2019

Figure 25 above shows the footprint of Stage 1 & Stage 2 structures with the same primary and secondary views highlighted.

While Stage 1 works had minimal impact on the key views to and from the Local Heritage Place, Stage 2 will have more impact, reducing visibility of the Local Heritage Place from Bollen Road. However, as demonstrated by the following 3D views, due to the topography of the site and the careful placement of new buildings, the Local Heritage Place will still be visible, despite the encroachments.

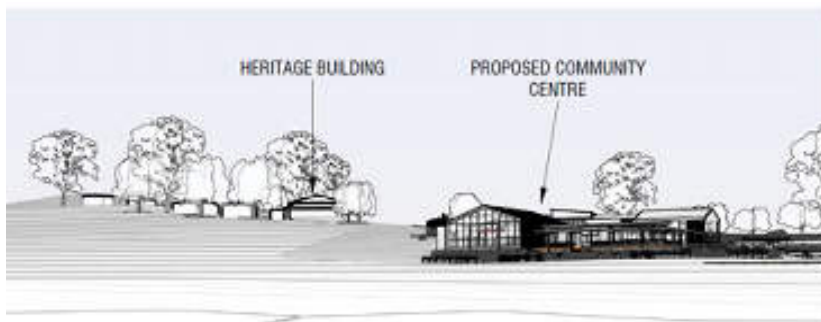


Figure 26, View from Bollen Road, with Local Heritage Place visible between buildings
Source: Hodgkison Pty Ltd, November 2020

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*Figure 27, View between Stage 1 (right hand side) and Stage 2 (left hand side)
with Local Heritage Place visible between buildings
Source: Hodgkison Pty Ltd, November 2020*



*Figure 28, View from Flaxley Road, with Local Heritage Place visible
Source: Hodgkison Pty Ltd, November 2020*

In addition, as Figure 28 above demonstrates, the Local Heritage Place will still be clearly visible from the Flaxley Road/Bollen Road intersection. Importantly, this area is earmarked for an oval and landscaped areas, so the visibility and prominence of the Local Heritage Place should be able to be maintained into the future.

Therefore, specifically with respect to PDC 6, while buildings have been placed forward of the façade of the Local Heritage Place, due to the angle at which the building is orientated and the topography of the land, the Local Heritage Place maintains visibility and prominence within the new development.

2. Curtilage

As previously identified, the proposed new buildings are at least 40m from the Local Heritage Place, maintaining ample curtilage around the building.

3. Prominence

In order to maintain the prominence of the Local Heritage Place within its new setting consideration of the design elements referred to in PDC 7 is required,

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and as identified in PDC 7 imitation of the features on the Local Heritage Place is not necessarily the most appropriate response, what is critical is that the features of new buildings do not detract or distract from those of the Local Heritage Place.

a) Scale and bulk

Appropriately, the proposed new buildings are single storey, and while the new structures are proportionally larger than the Local Heritage Place, with the new site levels their apparent height will be minimised. In addition, the proposed buildings are segmented into portions more domestic in scale through material and form changes, which assists in reducing the apparent bulk.

b) Width of frontage

Not relevant to this application.

c) Boundary setback patterns

Not relevant to this application.

d) Proportion and composition of design elements such as rooflines, openings, fenestration, fencing and landscaping

The Community Centre (Stage 2) is a key focal point to the new campus, and architecturally is more prominent and engaging than the Stage 1 buildings. The proposed development expresses strong gable features in the Southern and Eastern directions identifying the key spaces of entrance and worship with strong gable forms at 20 degree pitches. These roof forms respond to traditional farm shed typologies, which is appropriate given the history and context of the site. On some level, the development reads as a cluster of 'farm' buildings supporting the prominent homestead higher on the hill.

Large expanses of glazing to key elevations characterise the development, providing an open and engaging conduit to the activities within the building, which is important to a community facility such as this. The extent of glazing in this instance becomes a transparent wall and therefore its proportions are not intended, nor should they, relate to the traditional window proportions on the local heritage place.

Fencing and landscaping also reinforces the rural characteristics and history of the site, being post and rail cypress pine fencing.

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e) Colour and texture of external materials

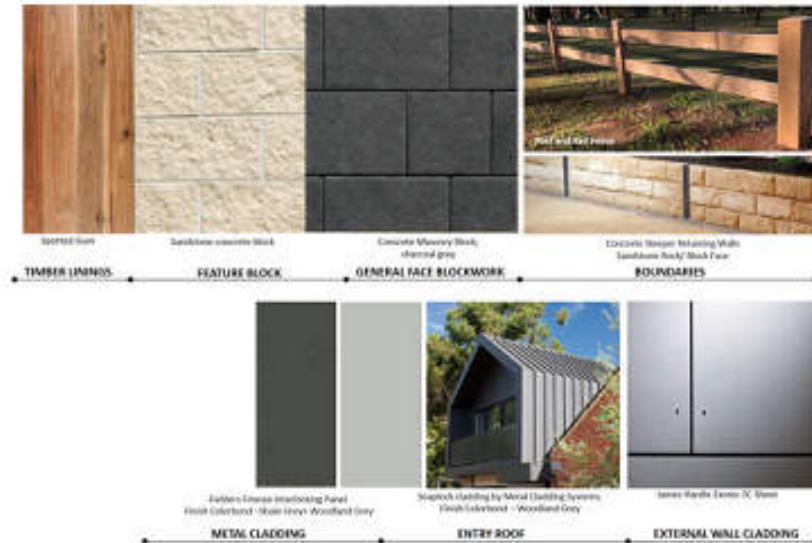


Figure 29, External Materials & Finishes
Source: Hodgkison Pty Ltd, November 2020

The proposed materials and finishes of the new buildings include stone, sheet metal (in Woodland Grey for 20 degree roofs and associated walling and Shale Grey for other roofs) blockwork and render. Figure 29 above identify these selections will be neutral in tone, appropriately responding to the natural landscape and materials and finishes of the Local Heritage Place.

There is also a bin storage structure close to Bollen Road which will be horizontal metal slats in shale grey, with landscaping this should not be a prominent feature.

Conclusion

Stage 2 of Kings Baptist Grammar School will have no physical impact on the Local Heritage Place and an acceptable level of impact on the setting and context of the Local Heritage Place.

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01 DA: 580: 1558 :20

flightpath

2085DA
7 February 2021

Derek Henderson
Senior Planner
Mount Barker District Council
6 Dutton Road
Mount Barker
South Australia 5251

Dear Derek,

HERITAGE ADVISOR COMMENT
Kings Baptist Grammar School: Mount Barker
DA: 580: 1588 :20 and 580/C031/20

Thank you for inviting a heritage comment and providing the planning application documentation for Stage 2.

The proposal for Stage 2 comprises a community centre, also a place of worship, and parking at 41 Bollen Road, Mount Barker.

Concurrently a community title land division (580/C031/20) has been lodged for the purpose of creating two allotments to define the Stage 1 school and Stage 2 community centre sites, and another community lot over the area proposed for parking.

The land contains a Local Heritage Place listed in Table MtB/8 as: House & fr Cemetery Fairfield (Regency Farm, May) that is outside of the Stage 2 area.

I have considered the Architectural Drawings prepared by Hodgkison Architects and Heritage Report prepared by Anaglypta Architecture.

The proposed community centre, incorporating a place of worship, will also be available for use by the co-located Kings Baptist Grammar School. The Site Plan below indicates the whole of the currently open landscape setting and indicates the relationship with proposed Stage 1 to the north and the Local Heritage Place to the west of Stage 2.

The drawing also indicates the proximity to Bollen Road (approximately 35 metres) and Flaxley Road. Stage 1 and Stage 2 are to the east side of the Local Heritage Place, which retains its elevated rural position and setting relative to Flaxley Road to the south.

2085 DA: DA 580:1558:20
4 February 2021

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Site Plan by Hodgkison Architects

The Development Application documentation of relevance to this heritage assessment includes the following:

- URPS Amended Report 20ADL-0772 dated 4 December 2020;
- Hodgkison drawings 19060 Drawings PL201 to PL210 inclusive plus Exterior Finishes Schedule and Stormwater Plan;
- Anaglypta Architecture Heritage Report dated 30 November 2020.

Proposed Development

The proposal is for a single storey building, a Community Centre, and siteworks including carparking and landscaping.

The building is located approximately 40m from the Local Heritage Place, to the west and situated 10m below the Finished Floor Level of the Local Heritage Place.

The proposal does not involve physical works to the LHP other than amendments to fencing.

Stage 2 development is proposed to the east of the LHP and south of Stage 1 and includes:

- Single storey school building that is oriented at an angle to Bollen Road;
- Roadway and carparking between the proposed building and Bollen Road with entrances to the south and north, the northern encircles the TPZ of the significant tree to be retained;
- The new building will have a floor level that is 10 metres lower than the

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LHP and lower than Stage 1, requiring ramp and step connections between Stage 1 and Stage 2;

- Earthworks, fencing, landscaping, outdoor learning and play areas.

The earthworks include the formation of the Stage 2 plateau for the building and ramp and the associated civil works. This with Stage 1 will further transform open, sloping rural land into relatively large, level, portions of land that are stepped to best match with site topography.

The proposal retains a significant tree at the existing entrance.

The Local Heritage Place is described as follows:

House & fr Cemetery Fairfield (Regency Farm, May); Walls constructed of local stone with hipped cgi gable roof, timber-framed openings with timber doors & timber- framed windows, red-brick chimneys with coursing to top, and raked cgi return veranda with timber posts. Also concrete and stone monument with inlaid plaque and surviving fragments of Quaker cemetery headstones

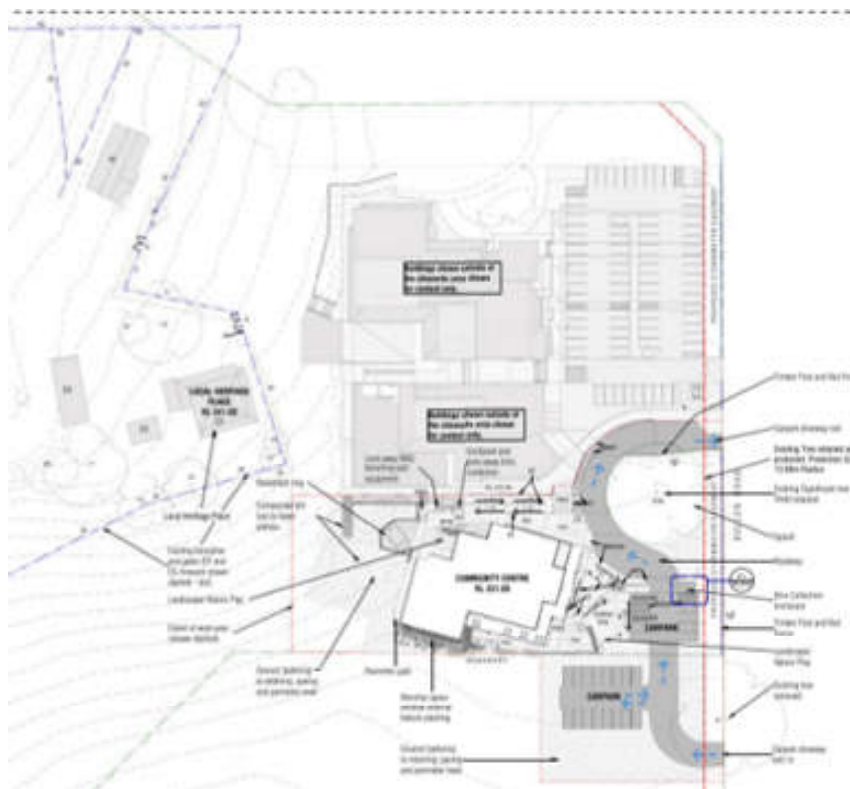
The Section 23(4) Criteria adopted and fulfilled in the 2004 Heritage Survey include: (a) (b) (d) (e). This means the following:

23(4)	Reason:
(a)	it displays historical, economic or social themes that are of importance to the local area
(b)	it represents customs or ways of life that are characteristic of the local area
(d)	it displays aesthetic merit, design characteristics or construction techniques of significance to the local area
(e)	it is associated with a notable local personality or event

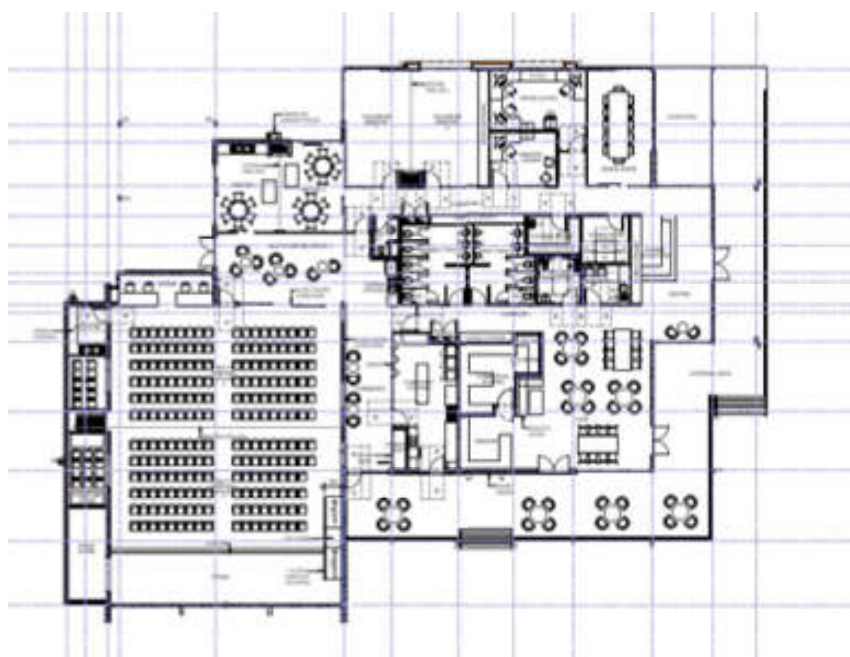
The proposed building and plateau occupy a considerably larger area of disturbed land than the LHP building, but not in comparison to the whole site.

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Detailed Site Plan by Hodgkison Architects



Floor Plan by Hodgkison Architects

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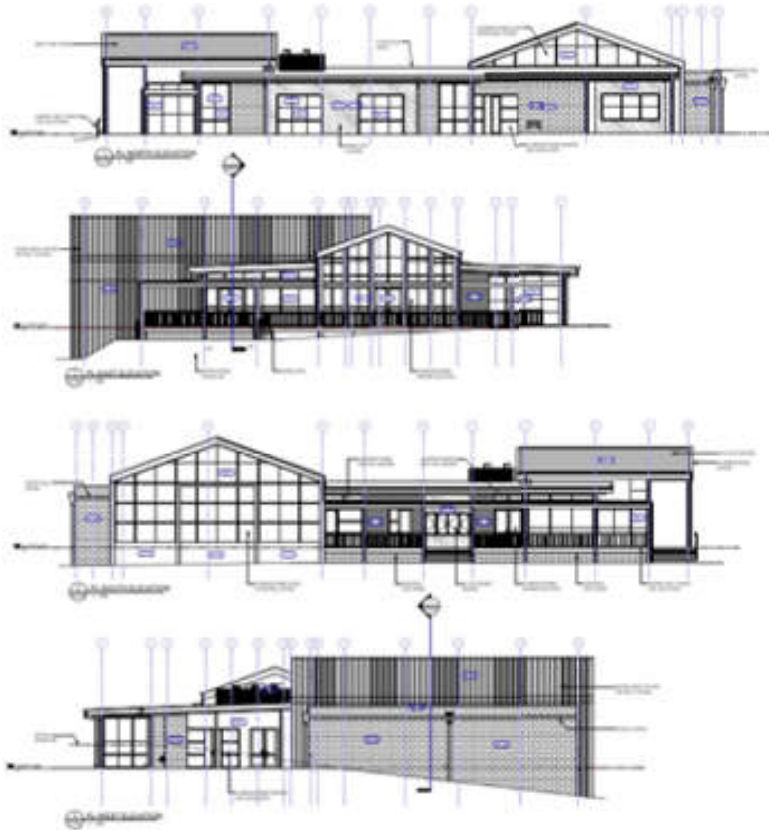
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Elevations by Hodgkison Architects

EXTERNAL FINISHES SCHEDULE		
CODE	DESCRIPTION	COLOUR / FINISH
AL1	ALUMINIUM WINDOW FRAMES / DOOR FRAMES	BLACK POWERCOAT
BL1	FACE BLOCK	SANDSTONE
CL1	EXOTEC FACADE PANEL 9mm, PAINT FINISH	PAINT - GREY
GL1	GLAZING	CLEAR
MRS1	METAL ROOF SHEETING - WIDE PAN PROFILE	COLORBOND 'SURFMIST'
MWC1	METAL WALL CLADDING - VERTICAL - WIDE PAN PROFILE	COLORBOND 'MONUMENT'
ST1	STONE VENEER	SANDSTONE

Finishes Schedule by Hodgkison Architects

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4 February 2021

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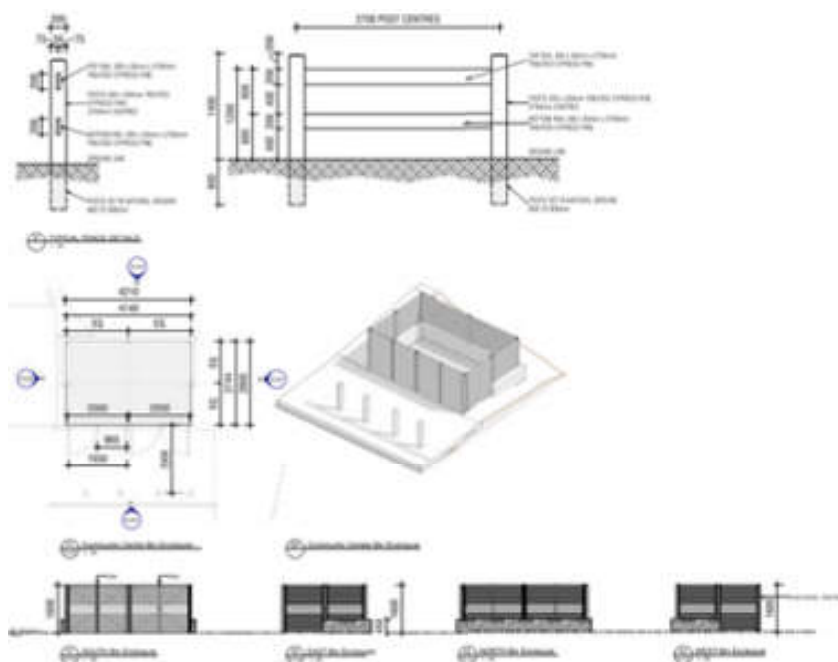
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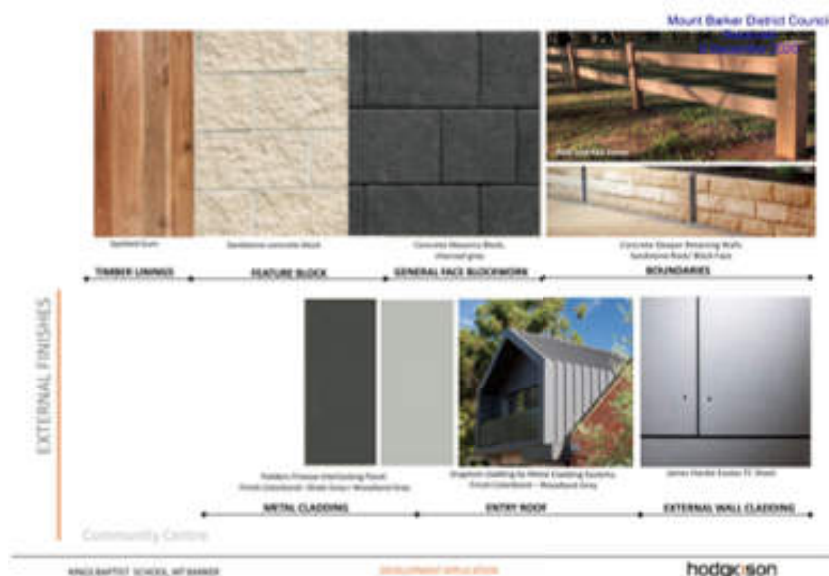
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Fence Details by Hodgkison Architects



Finishes proposed by Hodgkison Architects

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The new building will include:

- An entrance waiting area and reception;
- An open café area;
- Kitchen;
- Offices;
- Creche and Children Ministry Rooms;
- The main Multi-Purpose Room

The building will have a covered external deck, nature play and basketball ring area. The roof form includes two main and separated gable roof forms with a twenty degree roof pitch that occur above a two degree pitch main roof. The gables will have their ridge line oriented at 90 degrees to each other. One will occur over the main entrance and the other over the Multi-Purpose Area.

The building will be angled to Bollen Road, reflecting the angled orientation of the Local Heritage Place.

The material palette includes feature timber cladding, timber fencing, sandstone blockwork, compressed sheet and metal cladding to walls and roof with black anodized aluminium window frames.

The floor level is 331.00, which is 10m lower than the floor level of the Local Heritage Place.

As development affecting a Local Heritage Place I have considered the following:

- Design and Appearance
- OBJECTIVES: 1
- PRINCIPLES OF DEVELOPMENT CONTROL : 1,2,3,5,7,8,9,11,12,13,14,15
- Heritage Places
- OBJECTIVES: 1,2,3
- PRINCIPLES OF DEVELOPMENT CONTROL : 1,2,3,4,5,6,7,8,11

HERITAGE ADVISOR COMMENTS

The Heritage Report prepared by Anaglypta Architecture includes very useful documentary and physical information on the degree of previous alteration of the Local Heritage Place and identifies the remnant fabric of Heritage Value.

Of importance also is the confirmation of the location of the surviving fragments of the cemetery, which is significantly separate from the dwelling but also outside the Stage 2 area.

From a Heritage Advisory perspective, I consider the key heritage design principles to be:

- Ensuring sufficient separation between the earthworks, building and the

01 DA: 580: 1558 :20



- Local Heritage Place;
- Maintaining views of the Local Heritage Place;
- Proposing building that visually connect with the Local Heritage Place and are designed with some contextual reference;
- Cohesive development that visually and physically integrates with the Stage 1 proposal.

The proximity of the earthworks and new building to the LHP is affected by the placement of carparking and roadway in front of the new building, effectively pushing the new building and earthworks closer to the Local Heritage Place.

General Section Design and Appearance Objective 1, in seeking development of a high architectural standard is satisfied by the high functional quality of the new building. Despite the large footprint the proposed built form consists of two gable forms that provide contextual reference to a rural setting vernacular and some reference to the Local Heritage Place. The material palette selected is natural, modern and complementary.

The proposal is considered innovative and contemporary in nature and functional in planning, and sympathetic to the scale of the LHP. General Section Design and Appearance PDC 1 is satisfied, by the separation orientation and the location of the development to the side of the LHP, effectively preserving its primary frontage, as explained in the Heritage Report by Anaglypta.

The new building has a large footprint but through articulation of forms, gables and verandah, successfully avoids extensive areas of walling, satisfying PDC 2 and 3.

The Stage 2 building while altering the views available from the east of the development, maintains some semblance of the rural setting through landscape treatments and its angled orientation, satisfying PDC 5.

The proposed gable roof forms adopt a scale, form and pitch of rural areas that complement the Local Heritage Place, satisfying PDC 7. The roof mounted plant appears reasonably well screened in a manner that integrates screens with the building form, satisfying PDC 8.

General Section Design and Appearance PDC 9 is satisfied by the simple wayfinding embedded in the site planning and the material selection is also appropriately sympathetic with the natural features of the site.

The new building adopt the advice of PDC 13, by facing the primary street frontage of Bollen Road. The angled orientation avoids the building turning its back on the LHP and allows some views from the immediate east.

The analysis by Anaglypta Architecture indicates the views from Bollen Road to be secondary. The primary view from Flaxley Road will be maintained and the Stage 2 building will have a much lower floor level than the LHP, providing viewing opportunities from Bollen Road.

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Objective 1 of Heritage Places is part achieved through an undertaking to eventually integrate the former homestead within the overall enlarged campus. For now, Council has a Local Heritage Fund that can assist with small conservation works, that should be encouraged. The Local Heritage Place presents an opportunity for training in conservation trades, such as stonework, roofing, carpentry and external painting, all of which will activate the Place and avoid its demise through lack of use.

For now Objective 2 cannot be satisfied because a use for the Place is not identified and its vacancy and deterioration a possible threat. A proactive approach to future use and activation is encouraged.

The setting of the Place to the east will be understandably altered through substantial earthworks to achieve a stepped building plateau that has a lesser slope than the existing rural landscape, but fortunately a lower level than the LHP.

Generally, the curtilage to the Place is sufficient and maintained on all but one side. The Local Heritage Place enjoys greater elevation, form and height retaining most of its dignified setting sought in Objective 3. It has a presence to be maintained and remembered, especially if integrated with future planning and provided with an active use. The proposed fencing assists in this goal.

The proposal involves no demolition of the described fabric and therefore PDC1 is fulfilled.

PDC 2 of Heritage Places provides guidance for new development, encouraging development that is of a scale, siting, form, roof pitch, detailing and proportion complementary to the heritage character of the area while avoiding confusion between new and old. The building are designed to avoid that confusion, but cleverly adopt rural gable forms that facilitate visual integration.

The guidelines seek siting that maintain the prominence of heritage building and an orientation that matches or reinforces the placement of heritage building. The guidelines seek consideration of scale and encourage transitional elements. Consideration is encouraged with respect to surrounding development and new building of a scale and form that complement existing building and minimise visual intrusion. Given the disturbance occurs to one side only, this aspect has been reasonably addressed through the articulation of roof forms, separation distances and angled orientation.

The Guidelines encourage new building to be sited to blend with the surrounding landscape and not to detract from any features such as trees, vegetation and landform.

The guidance of PDC 2 has been adopted and PDC 2 satisfied.

The Flaxley Road elevation and views will be retained. The current Master Plan indicates this portion of land to become a community oval, with views of the Place retained into the future.

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The opportunity for the integration of the Local Heritage Place remains through the retention of the LHP and community uses can be compatibly accommodated within a future restoration of the homestead. Therefore PDC 4 remains open and possible.

Flaxley Road is accepted as the primary frontage and therefore PDC 6 is satisfied.

The scale and bulk and proportions and composition of a development that materially affects the setting of a Local Heritage Place are addressed through the considerate design of the new building and PDC 7 satisfied.

CONCLUSION

The Stage 2 proposal is considered to be a high standard of responsive, functional architecture and acceptable for the following reasons:

- Local Heritage Place is retained;
- Adaptive reuse of the Local Heritage Place is possible;
- Setting of the LHP is mostly maintained;
- Primary views to and from the place will be retained and the Bollen Road view achieved by the angled orientation of Stage 2.

The new building is acceptable for the following reasons:

- It is sufficiently separate from the Local Heritage Place;
- The scale, bulk, proportions and composition of elements articulate the large new building into smaller rural forms.

I trust the commentary is of use for your report. Please feel free to contact me on 8211 6355 or douglas@flightpatharchitects.com.au with any queries.

Yours sincerely,
FLIGHTPATH ARCHITECTS PTY LTD



Douglas Alexander
Principal Architect and Practice Director

Flightpath Architects Pty Ltd
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DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION FOR CATEGORY 2
Pursuant to Section 38(4) of the Development Act, 1993

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT; IF YOU WISH TO DO SO. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

DEVELOPMENT NO. 580/1558/20 *41 Bollen Road, MOUNT BARKER*
Community Centre (incorporating assembly building/place of worship and ancillary cafe, offices, meeting rooms and services including school activities and OHSC) and associated carparking, landscaping, fencing, retaining and infrastructure.

YOUR DETAILS: (all fields with an asterisk * must be completed to ensure that this is a valid representation as per Regulation 35 of the Development Regulations 2008).

* NAME: *ELIZABETH INKLEY*
* HOME ADDRESS: *4 mansfield rd MT Barker*
* POSTAL ADDRESS: *(totally oppisite Kings Baptist buildings)*
PHONE NO: _____ E-MAIL: *Liz.i@hotmail.com*

My interest/s are affected as: (please tick the following boxes as appropriate)

- ☒ The owner or the occupier of the property located at: *4 mansfield rd MT Barker.*
☐ Other (please state): _____

YOUR COMMENTS:

* I/We:

- ☐ Support the proposal and provide the following comments.
☒ Oppose the proposal and provide the following comments.

RECEIVED
MOUNT BARKER
DISTRICT COUNCIL

21 APR 2021

File: *DA-1558/20*

(Please note that your comments should demonstrate reasonable particularity)

Lack of privacy and peace & Quiet Bollen rd and adjoining

ac-33306, 3109

roads are not suitable for current traffic.

Already being woken by lighting from x-convenience store through front bedroom windows plus noise & dust. Do not want my driveway blocked by people parking over it. This is a residential area and with additional proposal will place houses close by with ongoing noise traffic and no peace & quiet for residents



Do not wish to be heard by the Council Assessment Panel in support of my representation.



Wish to be heard by the Council Assessment Panel in support of my representation, and I will be:



Appearing personally.

OR



Be represented by the following person:

Contact details:

(Please note, matters raised in your representation will not need to be repeated at the Council Assessment Panel meeting).

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development - the relevant authority 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.

Your written representation must be received by Council no later than 11.59pm on Friday 23 April 2021, to ensure that it is a valid representation and taken into account.

If you make representation you will be notified by a separate letter of the date and time of the Council's Assessment Panel (CAP) meeting at which CAP will consider the application.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993 and may be uploaded to the Council's website as an attachment to a Development Assessment Panel agenda.

SIGNED



DATE

8/4/21

my neighbours
6 Mansfield rd
(Directly next door to me)
and #1 Alan Ave
Never got this letter

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DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION FOR CATEGORY 2
Pursuant to Section 38(4) of the Development Act, 1993

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

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DEVELOPMENT NO. 580/1558/20 **41 Bollen Road**
Community Centre (incorporating assembly building/place of worship and ancillary cafe, offices, meeting rooms and services including school activities and OHSC) and associated carparking, landscaping, fencing, retaining and infrastructure.

YOUR DETAILS: (all fields with an asterisk * must be completed to ensure that this is a valid representation as per Regulation 35 of the Development Regulations 2008).

* NAME: **DR PAUL KILVERT**

* HOME ADDRESS: **16 Bollen Rd Mt Barker 5251**

* POSTAL ADDRESS: **16 Bollen Rd Mt Barker 5251**

PHONE NO: **0421 122949** E-MAIL: **spkilverf@ozemail.com.au**

My interest/s are affected as: (please tick the following boxes as appropriate)

☒ The owner or the occupier of the property located at: **16 Bollen Rd Mt Barker**

☐ Other (please state):

YOUR COMMENTS:

* I/We:

☒ Support the proposal and provide the following comments.

☐ Oppose the proposal and provide the following comments.

(Please note that your comments should demonstrate reasonable particularity)

PLEASE SEE ATTACHED

RECEIVED

MOUNT BARKER
DISTRICT COUNCIL

23 APR 2021

File: **DA - 1558/20**

Doc:

**PL-33326,
34709**

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* I/We:

☒

Do not wish to be heard by the Council Assessment Panel in support of my representation.

☐

Wish to be heard by the Council Assessment Panel in support of my representation, and I will be:

☐

Appearing personally,

OR

☐

Be represented by the following person:

Contact details:

(Please note, matters raised in your representation will not need to be repeated at the Council Assessment Panel meeting).

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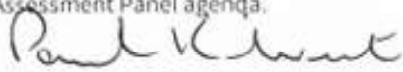
Your written representation must be received by Council no later than 11.59pm on Friday 23 April 2021, to ensure that it is a valid representation and taken into account.

If you make representation you will be notified by a separate letter of the date and time of the Council's Assessment Panel (CAP) meeting at which CAP will consider the application.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993 and may be uploaded to the Council's website as an attachment to a Development Assessment Panel agenda.

SIGNED



DATE

26/4/2021

Statement of representation for Category 2
RE Proposed Community Centre at 41 Bollen Rd, Mt Barker

In my Statement of Representation, I indicate my support for the proposal. However I wish to make the following comments on the project's impact on the traffic use of Bollen Rd.

1. The Assessment Panel's documentation does not provide adequate consideration of the proposal's impact of the increased traffic flow on the intersection of Bollen Road and Flaxley Road.
2. The Assessment Panel's documentation only considers the traffic impact on the access and egress to the Community Centre itself. It does not consider the proposal's combined impact on the Bollen/Flaxley Roads intersection. It does not take into account the proposal's combined impact of the Newnham Estate and, more recently, Clover Estate traffic flow on the intersection.
3. As indicated below, the absence of the detailed analysis of the impact on the Bollen/Flaxley Roads intersection is at variance with the Council's previous documentation and advice.
4. The absence of a detailed analysis of the impact of these combined developments on the Bollen/Flaxley Roads intersection creates a risk to the safety of the users of Bollen Rd, in particular the residents of Bollen Road.
5. I respectfully submit that the matter of intersection of Bollen Road and Flaxley Road be the subject of Council attention and further community engagement and communication.

To substantiate the validity of above comments I draw attention to the following material from the Assessment Panel's documentation for the proposal.

The URPS Report, under the heading "Movement Corridors and Traffic Distribution", refers specifically to the interrelationships between the Stage 2 Community Centre development, with the Stage 1 school development, and with the Newnham Estate development, and, by implication, their combined impact on the Bollen/Flaxley Road intersection:

- *Bollen Rd is a local council road which intersects with a Secondary Arterial Road, Flaxley Road, to the south (p. 14)*
- *The initial planning and design of the 2018 land division for the locality at the Newnham Estate was also informed by advice from MYF, in particular of the location of new roads and intersections. In this context the Council gave consideration of the role of Bollen Rd. (p. 15)*
- *In a further paragraph, the statement is made: "... the applicant nevertheless supports this approach having regard to the access it provides to the Stage 1 school site and the Stage 2 development, and ultimately other community uses to the south and the local neighbourhood generally (p. 15)*

The MYF Traffic and Parking Assessment Report, under the heading "2.0 Existing Situation", refers to the *Stage 2 Development of Kings Baptist School on the subject site (p. 2)* and that *Bollen Road forms an intersection with Hawthorn Rod at its northern end and Flaxley Road at its southern end.*

However despite the reference to these contextual factors, the Report exclusively addresses the internal traffic and parking factors of the proposed development site. It does not address the impact of both the Stage 1 and Stage 2 developments for the Bollen/Flaxley Road intersection.

Paul Kilvert
23 April 2021

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Ref: 20ADL-0772

29 April 2021

Derek Henderson
Senior Planner – City Development
Mount Barker District Council

dhenderson@mountbarker.sa.gov.au



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Carlton, VIC 3053

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urps.com.au

Dear Derek,

580/1558/20 Response to Category 2 Representations

URPS has considered the two representations received from Bollen Road residents in response to Category 2 public notification of the application and provides this response on behalf of the applicant, Kings Baptist Mount Barker Inc.

Dr P Kilvert

URPS interprets the representor's reference to the Assessment Panel's documentation as the application documents publicly notified. The author indicates support for the proposal and provides additional comments. The matters raised by the representor are interconnected, primarily related to traffic on Bollen Road and are summarised as follows:

- The MFY Traffic and Parking Assessment Report exclusively addresses the internal parking and traffic parking factors of the proposed development.
- The application documents do not address the impact of both the Stage 1 and 2 development for the Bollen Rd / Flaxley Rd intersection .
- In the absence of a detailed impact analysis of the combined Stage 1 and 2 development, taking into account the proposal's combined impact of the Newenham Estate and Clover Estate, there is no adequate consideration of the impact of increased traffic flow on the intersection of Bollen Rd / Flaxley Rd.
- This creates a risk to the safety of the users of Bollen Road, in particular residents fronting this road, and should be the subject of Council attention and further community engagement and communication.



URPS engaged with MFY on the matters raised in the submission and the traffic engineer's response is **attached**.

URPS defers to the opinion of MFY in relation to traffic matters. It is acknowledged that there is further investigation warranted in terms of a review of the design speed for Bollen Road and future design of the identified intersection as the area develops in accordance with the Residential Neighbourhood Zone (now identified as a Master Planned Neighbourhood Zone in the Planning and Design Code), the Concept Plan for the area and the Mount Barker 30 year growth plan.

E. Inkley

The representor is opposed to the proposal on the following for the following reasons:

- Lack of privacy and quiet for residents in this residential area (refers to impact of 'X Convenience' development in form of lighting penetrating front windows, plus noise and dust).

The representor's affected property is a corner site with frontage to Mansfield Road on two sides. It is separated from Bollen Road by a landscaped verge on its southern side. There is open style fencing along the frontage orientated to Bollen/Mansfield Roads and solid fencing on the secondary road frontage. The proposed development does not change the nature of the interface of the allotment with the public realm which provides a thoroughfare for pedestrian and other movements within public road reserves.

The perceived impact of lighting from an unrelated commercial development identified in the submission is not a matter related to the assessment of the proposed community facility. It is relevant to note that the type of commercial use referred to typically comprises flood lighting for safety and illuminated signage, features commonly employed to attract passing trade and extended trading hours. The proposed use is not of a commercial nature.

- Bollen Road and adjoining roads are not suitable for current traffic.

The subject development application is in principle realising some of the envisaged development in this zone. The MFY supporting documentation and the attached correspondence satisfactorily considers the impact on the local network. The approach to road and or intersection upgrades will be part of a more strategic analysis.

- Opposed to people parking over driveway and blocking access.

There is on-site parking proposed to meet the estimated demand necessary to support the development. Mansfield Street is two-way with no signage related to parking restrictions. There are two driveway crossovers on this 80+ metres section of public



road (measured between Mansfield Road at the representor's corner allotment and its intersection with Allen Avenue). These circumstances present a low risk of potential for parking across any driveway.

Conclusions

Having considered the content of the submissions, the intended use of land and desired character of the Residential Neighbourhood Zone, and review of MYF's further response in relation to the matters raised, no amendments to the application related to traffic movement, on-site activities or hours of use are proposed in response to the representations.

Assuming the application is not to be determined under delegation (notwithstanding no person requested to be heard), the applicant wishes to attend personally or by representative at the Council Assessment Panel meeting scheduled to determine the matter should there be questions from the Panel on any matter related to the proposed development. Further information on the procedures and timing of the determination of the application will be appreciated.

Yours sincerely

A handwritten signature in dark ink, appearing to read 'Julie Lewis', is placed over a light grey rectangular background.

Julie Lewis
Principal Planner

Enc. MFY response to representations

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MLM/20-0213

29 April 2021

Ms Julie Lewis
Principal Consultant
URPS
12/154 Fullarton Road
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Traffic • Parking • Transport

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MRY Pty Ltd

ABN 79 102 630 759

Dear Ms Lewis,

DA580/1550/20 - PROPOSED COMMUNITY CENTRE

I am in receipt of representations relating to the proposed Community Centre development on Bollen Road, Mount Barker. As requested, I have reviewed the representations as they relate to traffic and parking matters.

Representations were received from the following representors:

- Dr Paul Kilvert who resides at 16 Bollen Road Mount Barker; and
- Ms Elizabeth Inkley who resides at 4 Mansfield Road Mount Barker

While Dr Kilvert indicates support for the proposal, he raises the following concerns in respect to traffic:

1. *The Assessment Panel's documentation does not provide adequate consideration of the proposal's impact of the increased traffic flow on the intersection of Bollen Road and Flaxley Road.*
2. *The Assessment Panel's documentation only considers the traffic impact on the access and egress to the Community Centre itself. It does not consider the proposal's combined impact on the Bollen/Flaxley Roads intersection. It does not take into account the proposal's combined impact of the Newnham Estate and, more recently, Clover Estate traffic flow on the intersection.*
3. *As indicated below, the absence of the detailed analysis of the impact on the Bollen/Flaxley Roads intersection is at variance with the Council's previous documentation and advice.*
4. *The absence of a detailed analysis of the impact of these combined developments on the Bollen/Flaxley Roads intersection creates a risk to the safety of the users of Bollen Rd, in particular the residents of Bollen Road.*
5. *I respectfully submit that the matter of intersection of Bollen Road and Flaxley Road be the subject of Council attention and further community engagement and communication.*

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Ms Inkley has indicated that she opposes the proposal and raises the following traffic and parking related concerns:

- “adjoining roads are not suitable for current traffic”
- “do not want my driveway blocked by people parking over it”
- “additional proposal will place houses close by with ongoing noise traffic”

In considering the traffic impact associated with the specific application, consideration needs to be given to that development rather than the broader transport requirements associated with development associated with the rezoning of land.

The subject application relates to a proposed community centre. The development will generate traffic volumes outside the commuter or peak hour periods. The traffic report identified a forecast peak of only ten trips during these times (that is five trips to and five trips from the site).

The critical factor when assessing impact associated with a development at an intersection is the capacity during peak traffic periods. Allowing for distribution of traffic, there would be less than five additional vehicles executing any turning movement at the intersection. The increase of such low volumes will have a negligible impact on the operation and capacity of the intersection and does not warrant analysis.

Further, a detailed Sidra analysis was provided to Council as part of the Stage 1 Kings Baptist Development Application (reference MFY report 20-0030 dated 11 March 2021). Table 1 summarises this assessment.

Table 1: Sidra assessment summary completed for Kings Baptist Stage 1 assessment am(pm)

Key Movements	Degree of Saturation		95 th percentile queue (m)		Average Delay (s)	
	Existing	With Dev	Existing	With Dev	Existing	With Dev
Flaxley Road Right Turn	0.15 (0.18)	0.20 (0.21)	5 (2)	8 (4)	7.7 (6.6)	7.7 (6.6)
Bollen Road Right Turn	0.07 (0.05)	0.12 (0.11)	2 (1)	3 (3)	9.8 (8.7)	10.1 (8.9)

The above table confirms that the intersection will continue to operate with low queues and delays and will have significant spare capacity. The proposal, which would result in less than ten additional movements during the above periods (that is one movement every six minutes) will result in no material change to the above results.

Notwithstanding the above, the significant factor which needs to be considered is that transport network planning should be completed when land is rezoned to identify future upgrade requirements. In this instance, a transport study was completed in association with the areas rezoned by the Government as part of the 30 year plan. This assessment informed the infrastructure upgrade requirements associated with the land rezoning.

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In addition, Council has completed a number of additional studies to identify infrastructure requirements and I understand is considering options for the treatment of Bollen Road. It is during these assessments that any requirements at the Bollen Road/Flaxley Road intersection should be considered in association with the holistic land zone changes and associated development.

In regard to the concerns raised by Ms Inkley, I provide the following response:

- Any existing traffic related issues on the road network are a matter for consideration by Council. Based on many discussions I am aware that Council is reviewing options for the future development of Bollen Road and previously raised traffic concerns have been a matter for review as part of that assessment.
- Parking for the proposed community centre will be provided on the subject site, although obstruction of a driveway would not be consistent with the requirements of the Australian Road Rules; and
- Traffic generation associated with the adjacent residential development is not associated with the subject application and should be considered in the context of the broader transport requirements for the western sector of Mount Barker, as described above.

In summary, there can often be confusion in respect to matters that should be addressed as part of a specific application, particularly where redevelopment occurs following the change of land use. In this instance, the actual proposal will generate very low traffic volumes during peak traffic periods and will not significantly contribute to the holistic increase in traffic associated with future development of adjacent land.

Yours sincerely,
MFY PTY LTD

A handwritten signature in black ink, appearing to read 'Melissa Mellen'.

MELISSA MELLEN
Director

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5.1.3.2. SUMMARY DETAILS

Application No.	580/250/19
Applicant	Beyond Ink
Subject Land	LOT: 2 FP: 4635 CT: 5862/68 72 Mount Barker Road, Hahndorf
Ward	North Ward
Proposal	Alterations and additions to the café and restaurant including the enclosure of the outdoor dining deck (new and retrospective works), additional toilets and solar panels (retrospective)
Development Plan	Consolidated 8 August 2017
Zone	Township Zone
Policy Area	Hufendorf Policy Area 20
Heritage	State Heritage Area
Form of Assessment	Merit
Public Notification	Category 2
Representations	One (1)
Persons to be heard	One (1)
Agency Consultation	Minister for Environment and Water (Heritage SA)
Responsible Officer	Michael Dickson (Senior Planner)
Main Issues	<ul style="list-style-type: none"> • Heritage • Interface • Car Parking • Encroachment
Recommendation	Grant Development Plan Consent

1. BACKGROUND

The site contains the German Inn (formerly Café Assiette), which has indoor and outdoor dining areas including an outdoor deck on the northern side of the building. The current application seeks to enclose the outdoor deck with walls and a roof. The existing deck was:

- Originally approved as part of Development Approval 580/890/95.
- Later extended in an easterly direction between the site's existing buildings as part of Development Approval 580/466/15 ("Additions to existing café and restaurant for an outdoor dining deck").
- Partially covered with a verandah as part of Development Approval 580/476/18, with this verandah retained as part of the current application.

2. PROPOSAL

The proposed enclosure:

- Will have walls enclosed by rough sawn timber cladding painted charcoal and expansive clear glazed windows with black framing.
- Includes infill walling between the existing buildings, facing Balhannah Road (retrospective).
- Will not increase the dining area.
- Will have a 1°-2° roof pitch.

The application also includes a toilet addition to the northern side of the building and retrospective solar panels mounted parallel to the roof.

Refer to **Attachment One (1)** for details of the proposal page **173**.

3. SITE / LOCALITY

The site address is 72 Mount Barker Road, Hahndorf (Allotment 2, Filed Plan 4635 in the Area named Hahndorf, Hundred of Onkaparinga, held in Certificate of Title Volume 5862 Folio 68).

The site has a frontage of approximately 15m to Mount Barker Road, a secondary frontage to Balhannah Road and a site area of approximately 1277m². It is used as a restaurant/café and prominently located on the corner of Mount Barker Road and Balhannah Road.

The site contains single storey buildings constructed of exposed masonry walls and corrugated gable roofing, located on the primary and secondary frontage boundaries, while the rear of the site contains bitumen car parking and scattered mature gum trees.

While the site's buildings have not been entered into the State Heritage Register, the site constitutes a State Heritage Place by virtue of its location in a State Heritage Area (per Section 4 of the *Development Act 1993*).

The Certificate of Title confirms that a portion of the site provides a registered "Right of Way" to the adjoining land at 74 Mount Barker Road, Hahndorf. The existing deck and the proposed enclosure are contained within the subject land but do encroach within the "Right of Way".

The locality includes the surrounding main street environment which has a high concentration of 19th century buildings of German architectural influence typically built on or near the street boundary. The locality predominantly contains a mix of commercial land uses and mature deciduous street trees which are a prominent landscape element.

The surrounding sites comprise:

- North: "Our Plate" Restaurant and "Stables Inn Motel".
- East: Playing courts associated with Hahndorf Primary School.
- South (across Balhannah Road): Two-storey stone and render building described within the State Heritage Register as "Hahndorf Academy, including front boundary wall, timber barn and gymnasium ruins". This building is set in a landscaped open setting.
- West (across Mount Barker Road): Predominantly single storey original buildings located near the front boundary, used for non-residential purposes such as retail and dining.

The locality, including the adjacent sites described above, are all contained inside the Hahndorf State Heritage Area.

Mount Barker Road is a secondary arterial road under the care and control of the Department of Infrastructure and Transport (DIT).

An aerial image of the site and zone mapping follows. Refer to **Attachment Two (2)** for site inspection photographs page **185**.

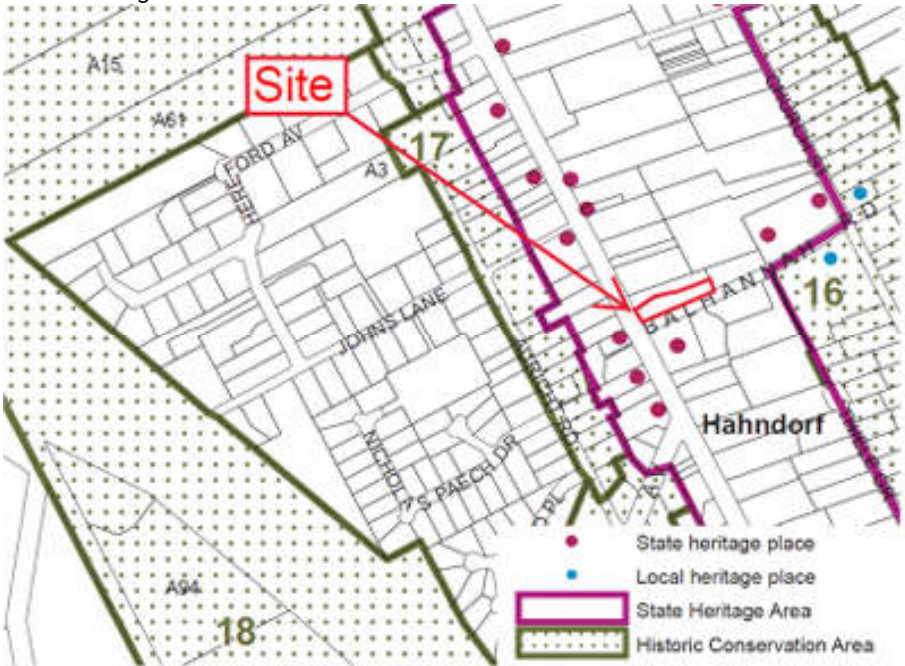
Aerial image below, with subject site and representor identified:



Zone and Policy Area Maps below (T=Township Zone)



State Heritage Area below:



4. SUMMARY OF KEY ISSUES

It is recommended that planning consent be granted for the following key reasons:

- Land use – The proposal does not involve a change or intensification in land use, but it does support an existing desired land use (shop in the form of restaurant).
- Heritage and built form – The proposal does not compromise the State Heritage area.
- Interface – The proposed enclosure is anticipated to reduce interface impacts between abutting sites such as noise. The enclosure will not cause overlooking as the floor level (deck) is existing, and overshadowing of adjacent land will be minimal due to the site's orientation.
- Car parking – The proposal does not increase the dining floor area and therefore does not increase the site's parking demand, nor does it reduce the number of parking spaces on the site.
- Encroachment into "Right of Way" – This is considered to be a civil issue rather than a Development Plan consideration.

5. GOVERNMENT AGENCY SUBMISSIONS

5.1. Minister for Environment and Water (Heritage South Australia)

The proposed development affects a State Heritage Place, being the Hahndorf State Heritage Area. In accordance with Section 37 of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*, the application was referred to the Minister for comment. Council is required to have regard to the Minister's response in making its decision on the proposal.

In summary, the delegate for the Minister advised they support the proposal for the following reasons:

- The proposed addition is separated from the historic corner building.
- The addition's modest scale, simple form, steel frame and dark colours will be subservient to the significant original fabric of the stone corner building.
- The significant elements of the site and mainstreet will not be diminished by the addition.
- The addition will be less prominent than and distinguishable from the traditional building.
- Heritage South Australia has been involved over some time in advising on the revised design.

Refer to **Attachment Three (3)** for a copy of the Minister's response page **189**.

6. COUNCIL DEPARTMENT COMMENTS

6.1. Council's Environmental Health Officer

The application was referred to Council's Environmental Health Officer (EHO) as the proposal involves new toilets elevated above an existing grease trap. The site's wastewater drains to SA Water sewer. Council's EHO advised that they have no requirements, but noted the applicant must comply with SA Water's Trade Waste Guidelines.

7. **PUBLIC NOTIFICATION**

The Public Notification table of the Zone assigns shops, consulting rooms and offices to Category 1 in this Policy Area, while “all other forms of development” are assigned to Category 2 (except where non-complying). The application defaults to Category 2 as it comprises elements outside the Category 1 list (e.g. solar panels).

The application was advertised in accordance with Part 4 of the *Development Act 1993* (Category 2 Notification).

Pursuant to Part 4, Section 38(10)(a) of the *Development Act 1993*, the Council Assessment Panel may at its discretion allow a person who made written representation to appear personally or by representative before it to be heard in support of the representation.

7.1. **Representations**

One (1) representation was received as a result of public notification, summarised as follows.

	Representor	Address	Summary of Issues	Request to be heard (Cat 2)
1	Thomas Knipp	74 Mount Barker Road, Hahndorf	<ul style="list-style-type: none">• Encroaches the representor’s land and a Right of Way.• The presence of 2 adjacent trees is inconsistently shown on the plans, and these trees should not be removed.• In the past, works have been undertaken without approval and “late into the evening” causing nuisance.• Stockpiling of stone and firewood on the site causing nuisance, vermin, fire hazard.• Site’s general waste bin is too small and causes litter, nuisance, vermin.• Applicant and their staff park vehicles on representor’s land and interfere with the Right of Way.• Applicant has not resolved the above concerns in the past.	Yes

A number of the concerns raised by the representor are not considered to be relevant to this planning assessment (eg storage of wood and stone on-site; bin management; existing parking issues).

The representor’s property was previously mapped in the ‘Site/Locality’ section of this report.

Refer to **Attachment Four (4)** for a copy of the representation received page **191**.

7.2. Response to Representations

In summary, the applicant's response states:

- The development will not encroach adjoining land based on existing survey pins.
- While the development will encroach within a part of the Right of Way, a number of structures/items on both sites already encroach the reciprocal Right of Way.
- The trees near the Mount Barker Road frontage have been shown on the site plan and will be retained.
- Frequency of waste collection doubled in November 2020 (and the bin lids remain closed) which addresses concerns about litter spill.
- Wood is currently stored beneath the deck and sandstone is stored at the rear. The sandstone has been relocated further from the shared boundary.
- The applicant acknowledges that there are existing issues with the use/management of the Right of Way and car park, and suggests the two owners could adopt a number of strategies to improve the situation.

Refer to **Attachment Five (5)** for a copy of the applicant's response to the representation page 201.

8. ASSESSMENT

8.1. Classification of Development

The proposed development is neither identified as being complying nor non-complying in the Zone, and accordingly is required to be assessed on its merits having regard to the relevant provisions of Council's Development Plan.

8.2. Relevant Development Plan Provisions

The development application is required to be assessed against the Development Plan in effect at the time of lodgement, being the Mount Barker (DC) Development Plan Consolidated – 8 August 2017.

Township Zone Objectives: 1, 3, 4, 5, 6 PDCs: 1, 3, 5, 7

Hufendorf Policy Area 20 Objectives: 1, 2, 3, 4 PDCs: 1, 5, 7, 10, 12

Crime Prevention Objectives: 1 PDCs: 1, 2, 3, 5, 6, 7, 8, 10

Design and Appearance Objectives: 1, 2 PDCs: 1-13, 18, 19

Energy Efficiency Objectives: 1, 2, 3 PDCs: 1, 2, 3, 5

Hazards Objectives: 1, 2, 4, 5, 7, 8, 10 PDCs: 1, 2, 3, 4, 5, 7, 8, 10, 12, 13

Heritage Places Objectives: 1, 2, 3, 4 PDCs: 3, 4, 5, 6, 7, 11

Interface between Land Uses Objectives: 1, 2, 3 PDCs: 1, 2, 3, 8, 10

Natural Resources Objectives: 1, 2, 5, 6, 7, 10 PDCs: 1, 2, 4, 5, 8, 10, 11, 12, 13, 14, 15, 17, 21, 22, 28, 33

Orderly and Sustainable Development Objectives: 1, 2, 3, 4, 7 PDCs: 1, 3, 4, 5, 11, 12, 13,

Siting and Visibility Objectives: 1 PDCs: 1, 2,

Sloping Land Objectives: 1 PDCs: 1, 2, 7

Transportation and Access Objectives: 2 PDCs: 29-31 (insofar as it relates to the access for adjoining land)

Table MtB/6 – Design Guidelines for Hahndorf State Heritage Area

While all of the above provisions are considered applicable, only the most relevant to this site and application, are discussed in detail below.

8.3. Land Use

The proposal does not involve a change of land use, nor is it considered to materially increase the intensity of the existing restaurant/café (although the enclosed dining deck will be more likely to be used during inclement weather).

The proposal supports the existing land use (shop in the form of restaurant). This is considered to be consistent with the land use provisions of the Township Zone and Policy Area 20, which seek:

- A mix of community, commercial, residential uses including shops (Policy Area Objective 1).
- Retail and commercial activity concentrated along the Main Street (Zone Desired Character).
- Shops (Zone PDC 1 and Policy Area PDC 1).
- Small-scale commercial development (Zone PDC 1).
- The continuation of envisaged uses (Zone Objective 5).

8.4. Heritage and Built Form

As explained in the 'Site/Locality' section of this report, the site is located within a State Heritage Area and by extension is a State Heritage Place.

This section deals with the implications of building within a State Heritage Area, with particular reference to the Development Plan sections titled "Heritage Places" and "Table MtB/6 – Design Guidelines for Hahndorf State Heritage Area".

Refer to **Attachment Six (6)** for a Table MtB/6 – Design Guidelines for Hahndorf State Heritage Area, on page **205**.

The proposal is considered to achieve a high level of consistency with these provisions. In particular:

- Demolition - While the proposal involves demolition of existing deck balustrading and bi-fold doors, the proposal does not involve the demolition of original building elements (Heritage Places PDC 1).
- Valued elements - Important elements that contribute to the heritage value of the building and locality to be retained, including the principal elevations of the building, views to the building, original materials, street setbacks, and existing trees around the building (Heritage Places PDC 3).
- Style - The proposal avoids the replication of heritage features and maintains the prominence/integrity of the original building within the streetscape (clause 5.1 of Table MtB/6).
- Scale - The scale of the addition remains subservient yet compatible with the scale, width and form of the original building (Heritage Places PDC 7 and cl 4.4).
- Bulk - Rather than continuing or mimicking the original pitched roof form, the proposed addition has a flat roof, and is set behind the principle façade. The addition therefore has very low visual bulk which will not dominant the original building or the street (cl 4.4)
- Siting and Setbacks - No new structures are proposed in front of the building (Heritage Places PDC 6). The plan and roof form of the original building remains clearly legible (clause 4.3 of Table MtB/6). The proposal has minimal impact on the original walls, roof and interior of the original cottage. A negative space is proposed between the façade of the addition and the original building which maximises the distinction/separation between the new and old elements. The addition's proximity to the side boundary is not considered to materially impact the heritage value of adjacent buildings or the street.

- Frontage – This proposal preserves the existing frontage width (Heritage Places PDC 7).
- Original Materials - Original stonework is to remain unpainted and preserved (Heritage Places PDC 5).
- New Materials – The proposed addition provides a complementary distinction between old and new building fabric (clause 4.1 of Table MtB/6).
- The solar panels have very low visibility from ground level.
- The infill wall facing Balhannah Road is compatible with the scale, form and materials of the original buildings and does not impact the principal elevation.

The referral response from Heritage South Australia supported the proposed design with respect to the State Heritage Area based on its scale, materials, siting, form and relationship to the original building.

8.5. Interface Between Land Uses

The Development Plan seeks development located and designed to minimise adverse conflict between land uses; to protect community health and amenity; and to protect desired land uses from the encroachment of incompatible development (IBLU Objectives 1-3). Development should have minimal off-site impacts such as noise, light spill, vibration, air, water and waste emissions, traffic generation and movement, particularly on the amenity of residents (Policy Area PDC 12).

The proposal involves various alterations and additions to an existing restaurant, which is generally surrounded by other non-residential uses such as retail shops, restaurants and a primary school. The representor's land to the north however contains a motel.

The proposal is anticipated to cause negligible impacts and is considered to provide an appropriate interface with adjacent land with regard to the provisions above. In particular:

- The enclosure of the existing outdoor dining deck is likely to reduce noise impacts from this area.
- The enclosure of the existing outdoor dining deck will not introduce any additional overlooking impacts.
- The proposed structures will not materially overshadow adjacent land due to the orientation of the site (whereby the shadows will generally extend into the subject land or onto public land).
- The proposal does not involve any changes to operating hours, parking demand or traffic volumes.
- The toilet addition is enclosed and will be connected to SA Water mains sewer rather than relying upon an on-site disposal solution.
- The solar panels are discreetly sited and will not impair the visual amenity of surrounding land.
- The floor plan indicates that an "Air conditioner compressor" will be located under the northern side deck "if required". The compressor is likely to achieve a reasonable separation from adjacent land/buildings, but a note is recommended in regards to the development operating in accordance with *Local Noise and Litter Control Act 2016*.

8.6. Car Parking and Traffic

The representation refers to existing problems whereby vehicles park within the right of way and/or the representor's property.

The proposal is not considered to intensify or increase the existing land use for the reasons provided earlier in this report. It therefore follows that the proposal is unlikely to exacerbate the car parking problems cited by the representor. Accordingly, the arrangement and supply of on-site car parking, and the traffic volume generated by this site, is not relevant to this assessment, and alterations to the car park cannot be requested.

8.7. Encroachment

The representor suggests the proposed deck enclosure will encroach their property and will encroach the registered Right of Way, and they submit that the application must therefore be refused.

The proposed structures will be contained entirely within the boundaries of the applicant's property according to the site plan. It is the applicant's responsibility to ensure the site has been surveyed correctly and that the development will be undertaken in accordance with the plans insofar the structure does not encroach into adjacent land.

The existing deck and the proposed enclosure will encroach within the Right of Way marked "A" as illustrated on the site plan. This is not considered to be a relevant consideration within this planning assessment because:

- Property rights are not listed as a relevant consideration under Section 33(1) of *Development Act 1993*. Instead, the proposal must be assessed against the provisions of the Development Plan as confirmed by Section 33(1)(a) of the *Development Act 1993*.
- Section 38(6) of the *Development Act 1993* also provides that representations and third party appeals "must be limited to...(d) what should be the decision of the relevant authority as to development plan consent". Therefore, property rights are only a consideration if the Development Plan contains any relevant provisions.
- In this case, the Development Plan does not contain any provisions that speak against structures being located within a Right of Way or easement.
- The proposal does not jeopardise the continuance of the adjacent motel and restaurant, it does not prevent access to the adjoining land, and it does not worsen the existing situation as it encloses an existing deck. Both sites contain a number of encroachments within this portion of the "Right of Way" which inhibits its intended function.

Council as a planning authority is considered to have no role or authority to intervene in this property dispute for the reasons above.

That said, it is recommended that the applicant and/or representor obtain independent advice to determine if and how the development can be enacted in its current form (if approved).

9. CONCLUSION

The proposal involves alterations and additions to an existing café/restaurant including the enclosure of the outdoor dining deck (new and retrospective works), additional toilets, solar panels (retrospective) and infill wall cladding.

The application is an “on-merit” kind of development. Category 2 public notification was undertaken with one (1) representation received which opposed the development. It is considered that the representation has been appropriately addressed by the applicant.

The structure’s encroachment within a “Right of Way” has been raised as a concern by the representor, but is not considered to be a shortcoming on assessment against the Development Plan. Importantly, the proposal does not materially reduce or prevent access to the adjoining land.

The main planning considerations relate to land use, heritage, interface between uses and car parking.

The proposal does not involve a change or intensification in land use, but instead it supports an existing desirable land use.

The proposal complements the valued heritage elements of the site and streetscape. Original building elements will not be demolished, the proposal maintain the prominence and integrity of the original building, the siting/materials of the addition distinguish itself from the original building and Heritage SA support the design.

The proposal, particularly the dining deck enclosure, is anticipated to reduce interface impacts between abutting sites such as noise and overlooking.

The proposal does not increase the dining floor area, does not increase the site’s parking demand, nor does it reduce the number of parking spaces on the site. The proposal does not lead to any car parking or traffic concerns

Overall the proposed works are consistent with the anticipated forms of development within the zone and warrants Planning Consent.

10. RECOMMENDATION

It is recommended 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 Planning Consent to the application by Beyond Ink to alterations and additions to the café and restaurant including the enclosure of the outdoor dining deck (new and retrospective works), additional toilets and solar panels (retrospective) at 72 Mount Barker Road, Hahndorf (Development Application 580/250/19) subject to the following conditions and advisory notes:

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:
 - Notes (Sheet PA00, Revision C, 27 August 2020) by Beyond Ink;
 - Existing/Demolition Plan (Sheet PA01, 03 October 2019) by Beyond Ink;
 - Site Plan (Sheet PA02, Revision C, 07 April 2021) by Beyond Ink;
 - Floor Plan (Sheet PA03, Revision D, 27 August 2020) by Beyond Ink;
 - Roof Plan (Sheet PA04, Revision D, 27 August 2020) by Beyond Ink;
 - External Elevations (Sheet PA05, Revision C, 27 August 2020) by Beyond Ink;
 - External Elevations (Sheet PA06, Revision C, 27 August 2020) by Beyond Ink.
2. 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. When configuring a stormwater collection system, it is important that it remains independent of any waste control system.
Under no circumstance shall stormwater be diverted or incorporated into either:
 - Council's Common Waste Management System (CWMS)
 - SA Water's Sewerage system, or
 - A localised waste water system (septic tank).Stormwater entering into any of these systems is detrimental to the function for which they are intended. This will ensure that all stormwater discharge points are properly controlled and diverted in such a manner to minimise impact on waste control systems and/or adjoining property owners.
3. 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 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.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.

Notes:

1. The owner/applicant should undertake a boundary survey of the land by a licensed surveyor to ensure that the development is constructed wholly on the subject land and does not encroach upon adjoining land.
2. It is recommended that the owner/applicant obtain independent advice on the implications of undertaking building work within a right-of-way prior to the construction of the development.

3. The development shall operate in accordance with *Local Noise and Litter Control Act 2016*.
4. The applicant/owner is reminded, that if any works impact or require the usage of a public road, a hoarding permit may be required. For more information please refer to the 'Public Space Occupation (Hoarding)' permit information on Council's website at www.mountbarker.sa.gov.au.
5. 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.
6. Please note the following requirements of the *Heritage Places Act 1993*:
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.For further information, contact the Department for Environment and Water.
7. Please note the following requirements of the *Aboriginal Heritage Act 1988*:
 - (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.



Development application form

Development Act 1993

PO BOX 54 OR 6 Dutton Road
MOUNT BARKER SA 5251 MOUNT BARKER
TELEPHONE: (08) 8391 7200 FAX: (08) 8391 7299
www.mountbarker.sa.gov.au

Office use only
DEVELOPMENT NUMBER:

580 / 250, 19

Please use BLOCK LETTERS and Black or Blue ink so that photocopies can be made of your application

PLEASE TICK AS REQUIRED

Development Plan Consent ☒ Building Rules Consent ☐ Development Approval (both) ☐

APPLICANT'S CONTACT DETAILS:

Name: BEYOND INK Email: admin@beyondink.com.au

Postal Address: PO BOX 531 Hahndorf 5245 Phone: 8388 1179

OWNER'S CONTACT DETAILS:

Name: RISHAN NEELAWALA Email: _____

Postal Address: c/- Applicant Phone: _____

BUILDER'S CONTACT DETAILS:

Name: _____ Email: _____

Postal Address: _____ Phone: _____

CONTACT PERSON:

Name: Jordana O'Sullivan Email: jordana@beyondink.com.au

DESCRIPTION OF PROPOSED DEVELOPMENT (e.g. Dwelling, Shop, Garage):

Additions and alterations

LOCATION OF PROPOSED DEVELOPMENT:

Assessment No: _____

Parcel No: 20765

House No: 72 Lot No: 2 Street: MOUNT BARKER RD Town: Hahndorf

Section No (full/part): _____ Volume: 5862 Folio: 68

Existing Use (e.g. Vacant, Dwelling, Grazing): CAFE

BUILDING RULES CLASSIFICATION SOUGHT: NO Present classification: _____

If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Male: _____ Female: _____

If Class 9a classification is sought, state the number of persons for whom accommodation is provided: _____

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

Does either Schedule 21 (Activities of Environmental significance) or 22 (Activities of Major Environmental significance (EPA)) of the Development Regulations, 2008 apply? ☐ Yes ☒ No

DEVELOPMENT COST (do not include shop fitout costs): \$ 90,000

I acknowledge that copies of this application and supporting documents may be provided to interested persons in accordance with the Development Regulations, 2008.

SIGNATURE: _____

Applicant / Owner / Agent

DATE: 22/3/2019

RELEVANT FEES, THREE (3) COPIES OF PLANS & TWO (2) COPIES OF ANY OTHER RELEVANT SUPPORTING DOCUMENTATION ARE DUE ON SUBMISSION OF THIS APPLICATION



Product	Register Search (CT 5862/68)
Date/Time	25/03/2019 04:10PM
Customer Reference	580/250/19
Order ID	20190325010269



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5862 Folio 68

Parent Title(s)	CT 5114/333			
Creating Dealing(s)	AD 9106899			
Title Issued	13/12/2001	Edition	7	Edition Issued 30/11/2016

Estate Type

FEE SIMPLE

Registered Proprietor

RISHANTHA NEELAWALA NEELAWALA DUMBARARA GEDARA
CHANDI RASIKA WIJESIRI HATHARALIYADHDE GEDARA
OF 8 RUDALL AVENUE CRAFTERS SA 5152
AS JOINT TENANTS

Description of Land

ALLOTMENT 2 FILED PLAN 4635
IN THE AREA NAMED HAHNDORF
HUNDRED OF ONKAPARINGA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED E TO THE COUNCIL FOR THE AREA (T 4253157)
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B TO THE MINISTER FOR INFRASTRUCTURE (T 4253158)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D

Schedule of Dealings

Dealing Number	Description
12630095	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)
12837713	CAVEAT BY BIDFOOD AUSTRALIA LTD. (ACN: 000 228 231)

Notations

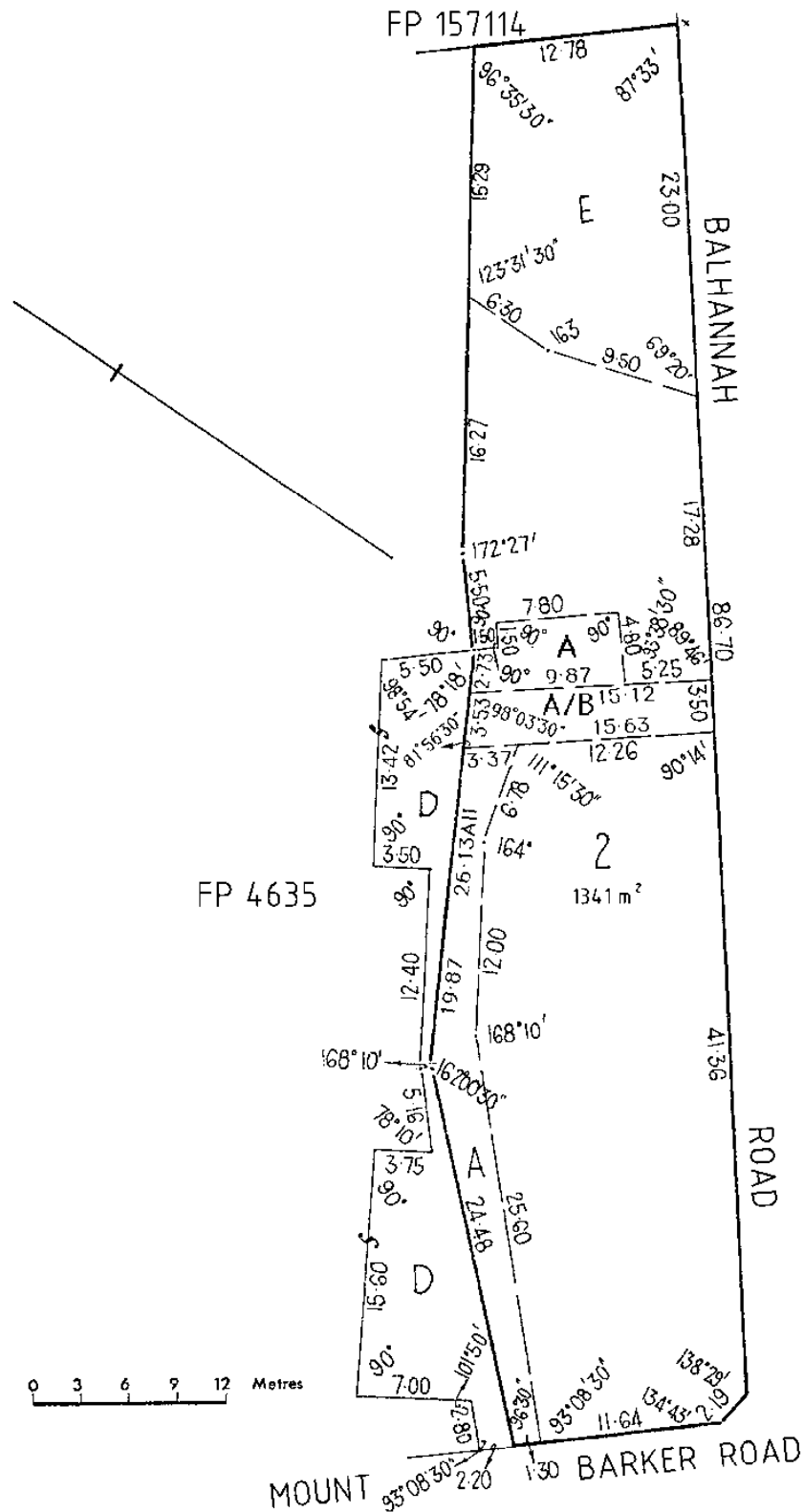
Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL

Administrative Interests

PROPERTY IN A STATE HERITAGE AREA 25/08/1988



Product	Register Search (CT 5862/68)
Date/Time	25/03/2019 04:10PM
Customer Reference	580/250/19
Order ID	20190325010269



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AMENDED Mount Barker District Council
Received
03 September 2020

PROPOSED ADDITIONS & ALTERATIONS FOR CAFE ASSIETTE



PERSPECTIVE FROM STREET DINING



EXISTING CAFE (GREY)
PROPOSED ADDITION



PERSPECTIVE FROM REAR CARPARK



PERSPECTIVE FROM STREET

FOR APPROVAL

C	27/08/2020	Covered awning added to rear toilets
B	13/05/2020	External gutter recessed to top of wall - windows to boundary full height
A	11/02/2020	Details added to front dining area
Revision Number	Revision Date	Revision Description

BEYONDINK
DESIGN | ARCHITECTURE | BUILD
100A River Street, Fremantle SA 5040 | 08 9437 1170
www.beyondink.com.au
ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

Sheet Name

Drawn NW

Date 03/10/2019

Scale @A3 size

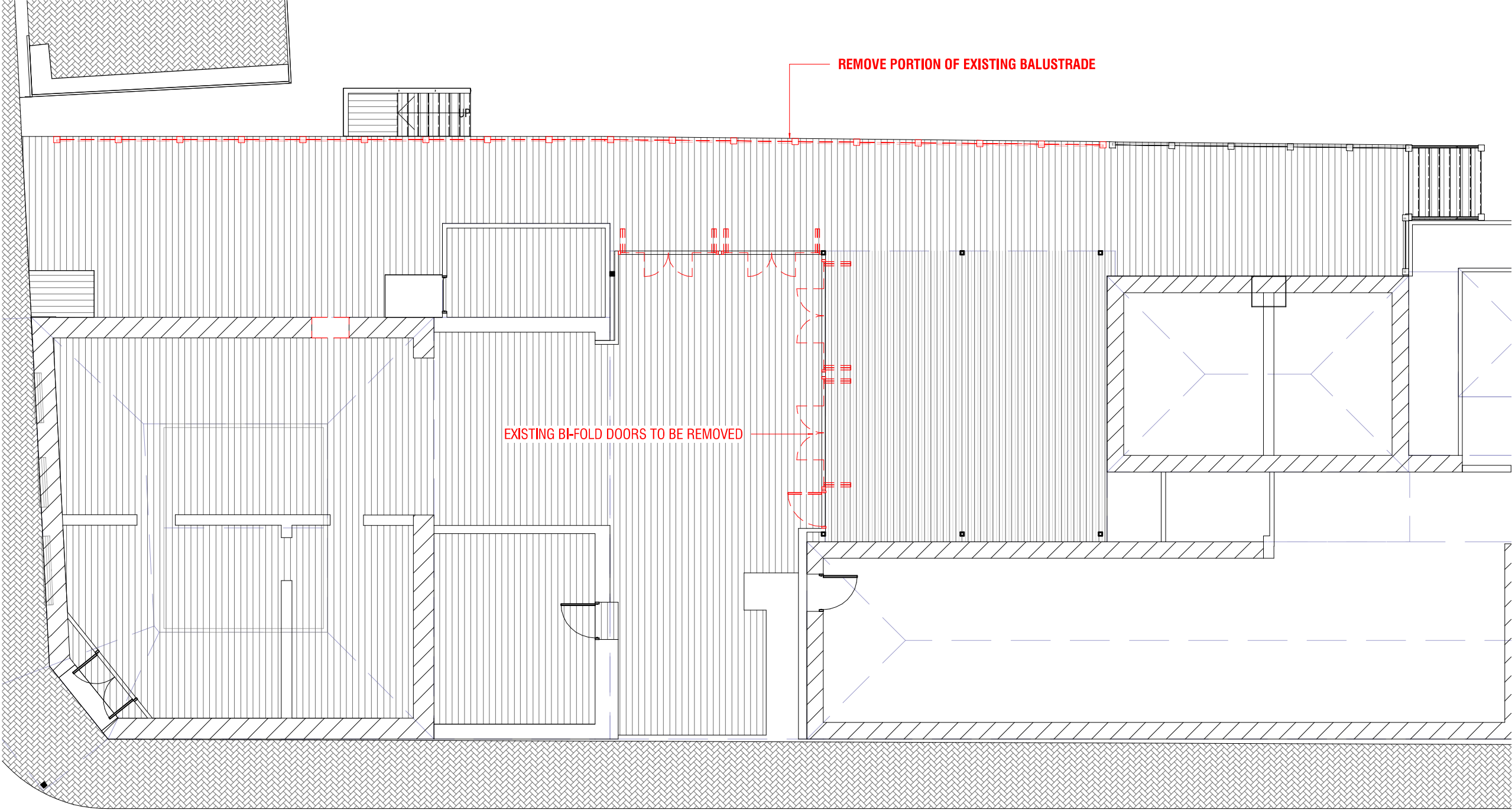
1 : 1

NOTES

Sheet Number

PA00

AMENDED Mount Barker District Council
Received
03 September 2020



EXISTING/DEMOLITION PLAN
1 : 100

FOR APPROVAL

Revision Number	Revision Date	Revision Description
-----------------	---------------	----------------------



ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

Sheet Name		EXISTING/DEMOLITION PLAN
Drawn	NW	Sheet Number PA01
Date	03/10/2019	
Scale	@A3 size 1 : 100	

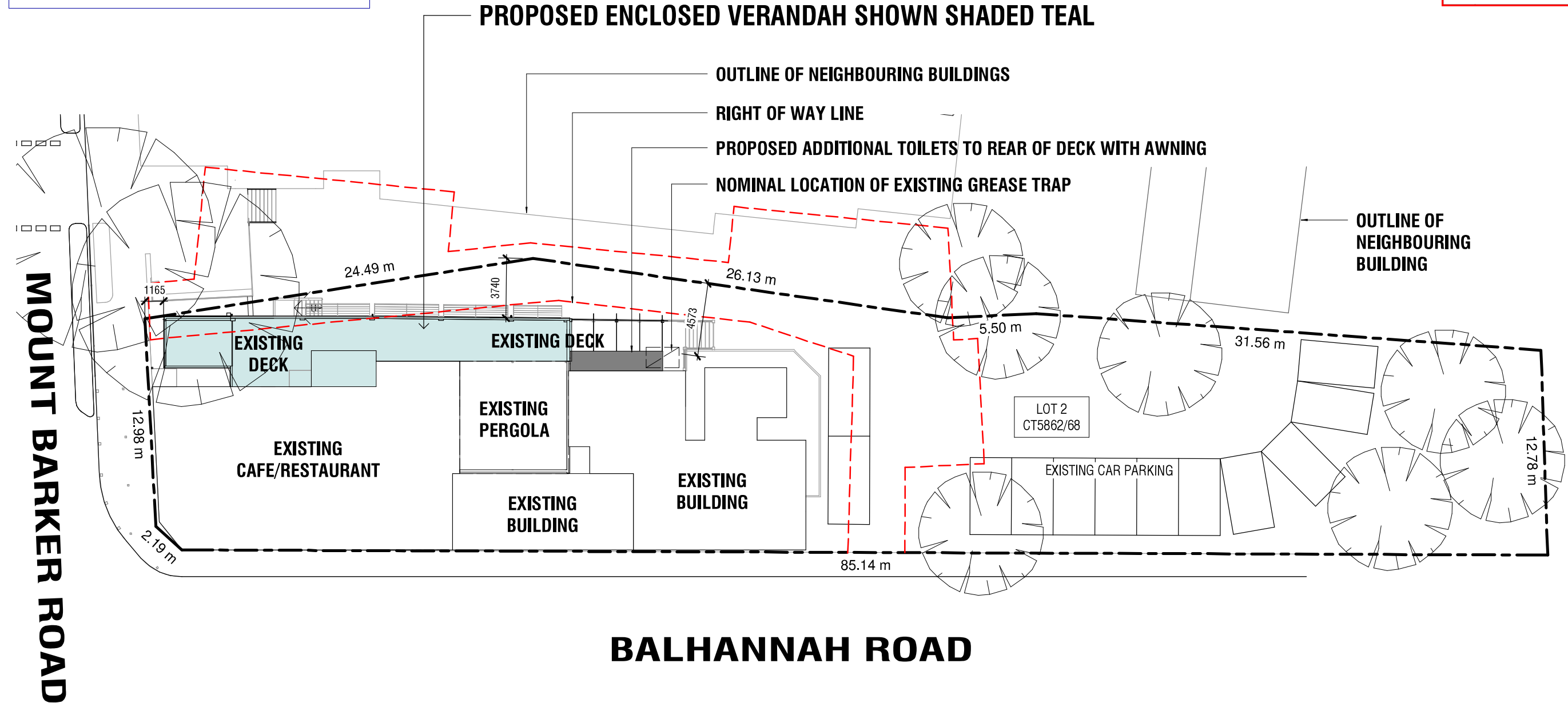
ALL DIMENSIONS, LEVELS AND BOUNDARY LOCATIONS SHALL BE VERIFIED ON SITE PRIOR TO CONSTRUCTION. ALL DIMENSIONS TO TAKE PRECEDENCE OVER SCALED DRAWINGS. DO NOT SCALE THIS DRAWING. NO WORK CAN COMMENCE ON SITE UNTIL FULL DEVELOPMENT APPROVAL IS GRANTED BY THE LOCAL APPROVAL AUTHORITY.

AMENDED

STORMWATER TO EXISTING SYSTEM VIA 90MM UPVC PIPE.
OVERFLOW TO EXISTING PROVISIONS VIA 90MM UPVC PIPE

SITE STORMWATER DRAINAGE WILL BE CONSTRUCTED
IN ACCORDANCE WITH AS/NZS 3500.3.2 - STORMWATER
DRAINAGE

BOUNDARY LOCATIONS INDICATIVE. REFER TO BOUNDARY SURVEY FROM JEANES & SOMMERVILLE REFERENCE NUMBER 6127 ID V01 140415



SITE PLAN
1 : 250

FOR APPROVAL

C	07/04/2021	PD Response - Added trees and neighbouring house outline.
B	27/08/2020	Covered awning added to rear toilets
A	11/02/2020	Details added to front dining area
Revision Number	Revision Date	Revision Description

BEYONDINK
DESIGN | ARCHITECTURE | SERVICES
72 MOUNT BARKER ROAD
HAHNDORF SA 5245
www.beyondink.com.au
ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

Sheet Name	SITE PLAN
Drawn	NW
Date	03/10/2019
Scale	@A3 size 1 : 250
Sheet Number	PA02

NOTE: NO AIRCONDITIONER
COMPRESSORS TO BE VISIBLE
FROM STREET SCAPE

WALL WETTING SPRINKLERS
OVER ALUMINIUM WINDOWS
WITHIN 3M OF BOUNDARY

FIRE RATED WALL WITH
FULL HEIGHT AL
WINDOWS - BLACK

NEW AL BI-FOLD
DOORS - BLACK

FULL HEIGHT AL FRAMED
GLAZING - BLACK

EXISTING TIMBER RAMP

EXISTING STEPS

GLAZING INFILL TO SIDE OF DECK.
SILL HEIGHT OF 1.0M ABOVE DECK LEVEL
90MM STUDWORK BELOW

PROPOSED POLYCARBONATE
SHEETING OVER HW VERANDAH
BEAMS OVER

PROPOSED ADDITIONAL TOILETS
TO REAR OF DECK

AIR CONDITIONER
COMPRESSOR LOCATION
UNDER DECK IF REQUIRED

LOCATION OF GREASE ARRESTOR
UNDER DECK - ACCESS IN
ACCORDANCE WITH SA WATER
TRADES WASTE GUIDELINES (1M
CLEAR ON 2 SIDES OF TRAP)

UNDER DECK ACCESS TO
ARRESTOR

UP

NEW FIRE RATED DOOR AT STEPS

EXISTING DECK

NEW DOOR

EXIT

EXISTING DECK

EXISTING DECK

NEW FRAMELESS
GLAZED DOOR

EXISTING AMENITIES

EXISTING
PERGOLA

EXISTING BUILDING

EXISTING CAFE/RESTAURANT

EXISTING DINING

ENCLOSED DINING
(TEMPORARY)

EXISTING BI-FOLD DOORS TO BE
REMOVED AS PART OF WORKS

EXISTING KITCHEN

EXISTING STORE

EXISTING BUILDING

PROPOSED ENCLOSURE OF BALHANNAH ROAD ENTRY
WITH DOORS AND GLAZING AS SHOWN ON SOUTH EAST ELEVATION

LEGEND

FE

= PROVIDE 4.5 KG ABE FIRE EXTINGUISHER ADJACENT FIRE EXITS

EXIT

= ILLUMINATED EXIT SIGNS TO COMPLY WITH AS 2293.1



PROPOSED FLOOR PLAN

1 : 100

D	27/08/2020	Covered awning added to rear toilets
C	13/05/2020	External gutter recessed to top of wall - windows to boundary full height
B	11/02/2020	Details added to front dining area
A	05/06/2019	Location of grease arrestor confirmed and access notes added
Revision Number	Revision Date	Revision Description

BEYONDINK
DESIGN | DOCUMENT | BUILD
360 William Street, Fremantle WA 6150
www.beyondink.com.au
ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

Sheet Name

Drawn NW
Date 03/10/2019
Scale @A3 size 1 : 100

FLOOR PLAN

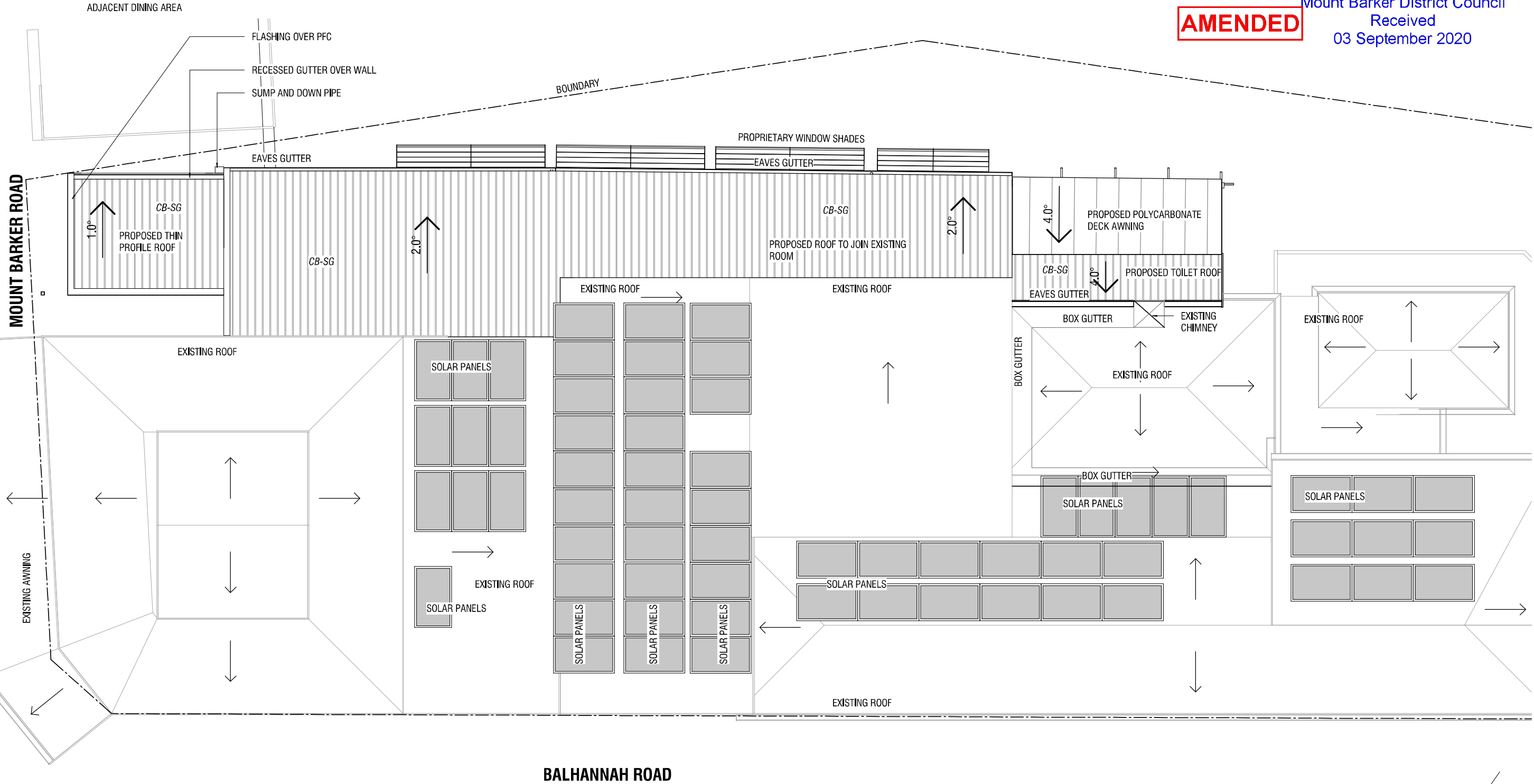
Sheet Number

PA03

FOR APPROVAL

Mount Barker District Council
Received
03 September 2020

AMENDED



ROOF PLAN
1 : 100

FOR APPROVAL

D	27/08/2020	Covered awning added to rear toilets
C	13/05/2020	External gutter recessed to top of wall - windows to boundary full height
B	7/05/2020	6 solar panels removed from plans
A	11/02/2020	Details added to front dining area
Revision Number	Revision Date	Revision Description

BEYONDINK
BUILDING | DESIGN | BUILD
154A Beach Street, Fremantle SA 5040 | 08 9467 1170
www.beyondink.com.au
ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

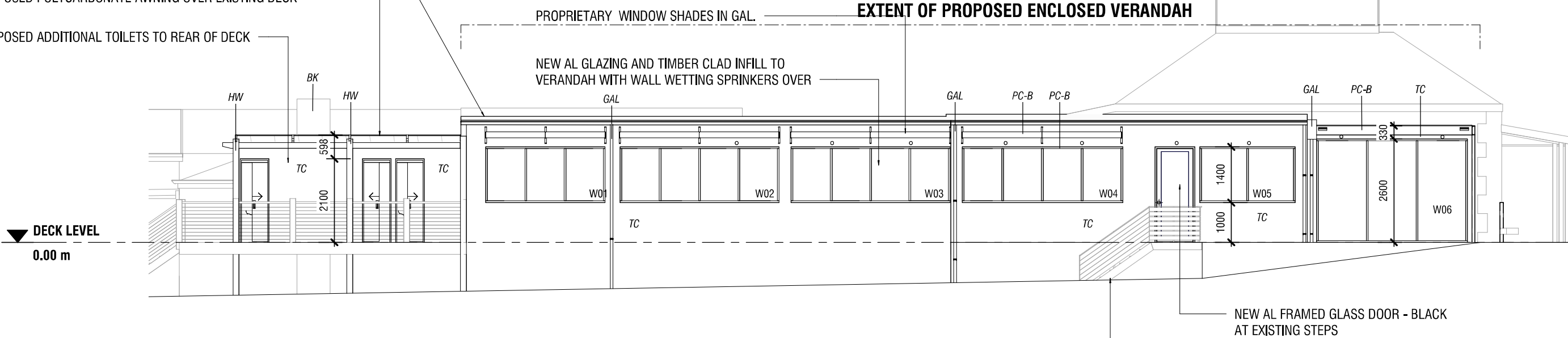
Sheet Name
Drawn NW
Date 03/10/2019
Scale @A3 size 1 : 100

ROOF PLAN
Sheet Number
PA04

2 DEGREE VERANDAH TO MATCH EXISTING PERGOLA
PROPOSED POLYCARBONATE AWNING OVER EXISTING DECK
PROPOSED ADDITIONAL TOILETS TO REAR OF DECK

AMENDED

Mount Barker District Council
Received
03 September 2020



NORTH WEST ELEVATION

1 : 100

WINDOW AND DOORS

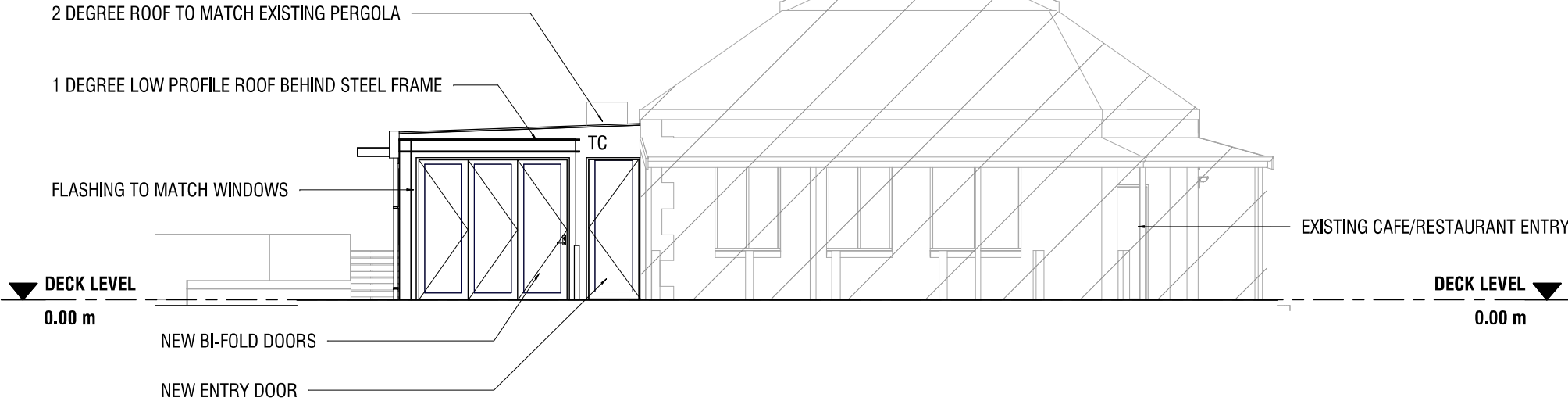
WINDOW - ALSPEC MCARTHUR CENTRE POCKET FRAMING POWDERCOAT
BLACK, CLEAR GLASS COLOUR

BIFOLD DOORS - ALSPEC HAWKESBURY MULTIFOLD DOOR POWDERCOAT
BLACK, CLEAR GLASS COLOUR

SWING DOORS - ALSPEC SWAN 45, POWDERCOAT WHITE FRAMING OR 30%
DIFFERENT FOR PA EXIT DOOR, CLEAR GLASS COLOUR

TC - VERTICAL ROUGH SAWN TIMBER CLADDING
PAINTED MATT CHARCOAL COLOUR
PC-B - POWDERCOAT - BLACK
PC-C - POWDERCOAT - CHARCOAL
HW - HARDWOOD NATURAL
BK - BRICK (EXISTING)
STN - STONE (EXISTING)
GAL - HERITAGE GAL

EXTERNAL FINISHES SCHEDULE



SOUTH WEST ELEVATION (MOUNT BARKER ROAD)

1 : 100

C	27/08/2020	Covered awning added to rear toilets
B	13/05/2020	External gutter recessed to top of wall - windows to boundary full height
A	11/02/2020	Details added to front dining area
Revision Number	Revision Date	Revision Description

BEYONDINK
DESIGN | EXTERIOR | BUILD
300 Main Street, Fremantle WA 6155
www.beyondink.com.au
ABN 36 960 210 275

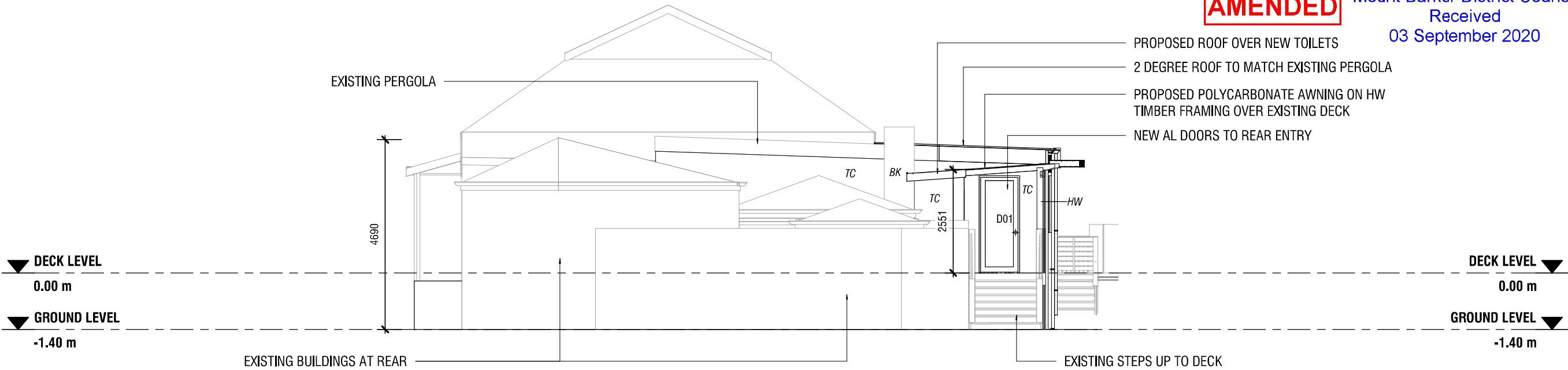
PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

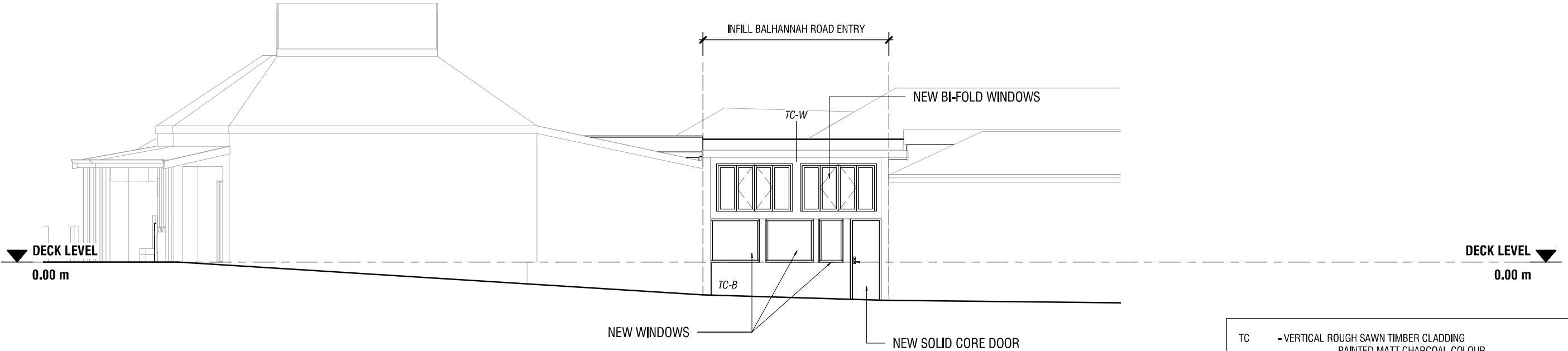
Sheet Name	EXTERNAL ELEVATIONS
Drawn	NW
Date	03/10/2019
Scale	@A3 size As indicated
Sheet Number	PA05

FOR APPROVAL

AMENDED Mount Barker District Council
Received
03 September 2020



NORTH EAST ELEVATION
1 : 100



SOUTH EAST ELEVATION (BALHANNAH ROAD)
1 : 100

TC	- VERTICAL ROUGH SAWN TIMBER CLADDING PAINTED MATT CHARCOAL COLOUR
PC-B	- POWDERCOAT - BLACK
PC-C	- POWDERCOAT - CHARCOAL
HW	- HARDWOOD NATURAL
BK	- BRICK (EXISTING)
STN	- STONE (EXISTING)
GAL	- HERITAGE GAL

EXTERNAL FINISHES SCHEDULE

FOR APPROVAL

C	27/08/2020	Covered awning added to rear toilets
B	13/05/2020	External gutter recessed to top of wall - windows to boundary full height
A	11/02/2020	Details added to front dining area
Revision Number	Revision Date	Revision Description

BEYONDINK
DESIGN | ARCHITECT | BUILD
124/126 Main Street, Fremantle WA 6155
www.beyondink.com.au
ABN 36 960 210 275

PROPOSED ADDITIONS & ALTERATIONS
FOR CAFE ASSIETTE

72 MOUNT BARKER ROAD
HAHNDORF SA 5245
LOT 2 CT5862/68

Sheet Name	EXTERNAL ELEVATIONS
Drawn	NW
Date	03/10/2019
Scale	@A3 size As indicated
Sheet Number	PA06

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Item 5.1.3.2 - Attachment Two (2)







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Mount Barker District Council
Received
07 September 2020

Item 5.1.3.2 - Attachment Three (3)



Government of South Australia
Department for Environment
and Water

Heritage South Australia

Environment, Heritage and
Sustainability Division

81-95
Waymouth Street
Adelaide SA 5000

GPO Box 1047
Adelaide SA 5001
Australia
DX138

Ph: +61 8 8124 4922
Fax: +61 8 8124 4980

www.environment.sa.gov.au

Ref: SH/13673D
Date: 7 September 2020

Chief Executive Officer
Mount Barker District Council
PO Box 54
Mount Barker 5251

Attention: Michael Dickson

Dear Mr Dickson

DESCRIPTION: ALTERATIONS AND ADDITIONS TO THE CAFÉ ASSIETTE AND RESTAURANT INCLUDING THE ENCLOSURE OF THE OUTDOOR DINING DECK (NEW RETROSPECTIVE WORKS), ADDITIONAL TOILETS, AND SOLAR PANELS (RETROSPECTIVE)AT 72 MOUNT BARKER ROAD WITHIN THE HAHNDORF STATE HERITAGE AREA

Application number: 580/250/19
Referral received: 12/06/2019
State heritage place: 72 Mount Barker Road, Hahndorf
Documentation: Revised drawings Beyond Ink provided to Heritage SA 3rd September

The above application has been referred to the Minister for Environment and Water in accordance with Section 37 of the *Development Act 1993* as development that directly affects a State heritage place or, in the opinion of the relevant authority, materially affects the context within which a State heritage place is situated. Please note that under Section 4 of the *Development Act*, a State heritage place includes: (b) *a place within an area established as a State Heritage Area by a Development Plan.*

The proposed development is considered to be acceptable in relation to the above State heritage place for the following reason/s.

- The proposed development consists of the addition of a covered dining room extension adjacent to, but separated from, the historic corner building,
- The modest scale, simplified precise form, steel frame materiality and dark colours of the proposed addition would be subservient to the significant original fabric of the stone corner building.
- The elements of significance on the site and in the historic Hahndorf mainstreet streetscape location would not be diminished by the addition as proposed. Although modern and facing the public street, the addition would be less visually prominent than the adjacent traditionally constructed building and readily distinguishable from same.
- Heritage South Australia has been involved over some time in advising on the revised design.

General notes

1. Any changes to the proposal for which planning consent is sought or granted may give rise to heritage impacts requiring further consultation with the Department for Environment and Water, or an additional referral to the Minister for Environment and Water. Such changes would include for example (a) an application to vary the planning consent, or (b) Building Rules documentation that incorporates differences from the proposal as documented in the planning application.

2. In accordance with Regulation 43 of the *Development Regulations 2008*, please send the Department for Environment and Water a copy of the Decision Notification.
3. The relevant planning authority is requested to inform the applicant of the following requirements of the *Heritage Places Act 1993*.
 - (a) If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity shall cease and the SA Heritage Council shall be notified.
 - (b) Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit is required prior to commencing excavation works.

For further information, contact the Department for Environment and Water.

4. The relevant planning authority is requested to inform the applicant of the following requirements of the *Aboriginal Heritage Act 1988*.
 - (a) If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under Section 20 of the *Aboriginal Heritage Act 1988*.

Any enquiries in relation to this application should be directed to Kevin O'Sullivan on telephone (08) 8124 4922 or e-mail DEW.StateHeritageDA@sa.gov.au.

Yours sincerely



Kevin O'Sullivan
Senior Conservation Architect
Department for Environment and Water
as delegate of the
MINISTER FOR ENVIRONMENT AND WATER

DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION FOR CATEGORY 2
Pursuant to Section 38(4) of the Development Act, 1993

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

RECEIVED
22 OCT 2020
MOUNT BARKER
DISTRICT COUNCIL

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT; IF YOU WISH TO DO SO. PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

DEVELOPMENT NO. 580/250/19
Alterations and Additions to the Cafe and Restaurant including the enclosure of the outdoor dining deck (new and retrospective works), additional toilets, and solar panels (retrospective)

YOUR DETAILS: (all fields with an asterisk * must be completed to ensure that this is a valid representation as per Regulation 35 of the Development Regulations 2008).

* NAME:

MR. THOMAS KNIPP

* HOME ADDRESS:

74 MOUNT BARKER Rd, HAHNDORF 5245

* POSTAL ADDRESS

P.O Box 293, HAHNDORF 5245

PHONE NO:

0418 486 216

E-MAIL:

k.thomas46@hotmail.com

My interest/s are affected as: (please tick the following boxes as appropriate)



The owner or the occupier of the property located at:

74 MOUNT BARKER Rd, HAHNDORF



Other (please state):

YOUR COMMENTS:

* I/We:



Support the proposal and provide the following comments.



Oppose the proposal and provide the following comments.

RECEIVED
MOUNT BARKER
DISTRICT COUNCIL

22 OCT 2020

File:

250/19

Doc:

(Please note that your comments should demonstrate reasonable particularity)

PLEASE SEE LETTER ATTACHED

(pc/20765)

★ I/We:

☒ Wish to be heard by the Council Assessment Panel in support of my representation, and I will be:

☐ Be represented by the following person:

Contact details: maria.garcia@univie.ac.at

Development Act 1993 - Part 4, 38 (10)(a)

Your written representation must be received by Council no later than 11.59pm on Friday 23 October 2020, to ensure that it is a valid representation and taken into account.

Representor's Declaration:

SIGNED

DATE _____

22/10/20

OBJECTION BY THOMAS KNIPP (Neighbour at 74 Mount Barker Road, Hahndorf SA 5245)

To Notice of Application for Category 2 Development

Development Number 580/250/19

By Beyond Ink

For Alterations and Additions to the Café and Restaurant including the enclosure of the outdoor dining deck (new and retrospective works), additional toilets, and solar panels (retrospective)

At Lot 2 FP: 4635 CT: 5862 /68

GROUND OF OBJECTION

1. A material portion of the Existing Deck is built on the Land owned by me ("my Land"), which is not owned by the Applicant/Owner.
2. I attach a copy of the Certificate of Title Register Book Volume 6121 Folio 145 of my Land and the Certificate of Title Register Book Volume 5862 Folio 68 of the Applicant/Owner's Land for the Council's examination and reference.
3. The Applicant/Owner does have a Free and Unrestricted Right of Way over that portion of my Land marked "D" as shown on my said the Certificate of Title.

However, that does not legally entitle the Applicant/Owner to build any Structures on my Land. The said Free and Unrestricted Right of Way only legally allows the Applicant/Owner a Free and Unrestricted Right of Way over that said portion of my land marked "D".

4. I am not aware of and have never seen a copy of any Council Approval for the Applicant/Owner to have built the Existing Deck, the Existing Renovations and the Existing Extensions.
5. As a matter of Law, the Applicant/Owner could never legally obtain Consent to build the Existing Deck, as the Existing Deck is partly on the land owned by the Applicant/Owner and partly on my Land.
6. If any such Consent had ever been obtained, it would've been Unlawful and therefore Null and Void.
7. The Amended Site Plan lodged by the Applicant with his Application is inaccurate, in that the said Plan shows all the Existing Stairs as being situated on the Applicant's land, whereas part of the rear Existing Stairs (closest to Mount Barker Road) is situated on my Land.
8. The Pictures lodged by the Applicant with his Application clearly show that the 2 Large Trees at the front and to the side of the Applicants' land are to remain.
9. The said Amended Site Plan lodged by the Applicant with his Application purports to show some of the Existing Trees, however does not show the 2 Large Trees at the front and to the side of the Applicants' land.
10. This is a critical and blatant inconsistency between the said Amended Site Plan lodged by the Applicant with his Application and the said Pictures lodged by the Applicant with his Application.

2

11. I object to the removal of either of the 2 Large Trees at the front and to the side of the Applicants' land, as they provide excellent shade and shelter to my tenant, staff and customers of the restaurant in the adjoining Restaurant and my Motel Guests on my Land, as well as members of the public, and are an important part of the beauty and amenity of the area.
12. In the past, the Applicant has carried out Significant Building Works without Council Consent.
13. In the past, the Applicant has carried out some of his Building Works late into the evening causing excessive noise, a disturbance and a nuisance to me, my tenant in the adjoining Restaurant and my Motel Guests.
14. The Proposed Building is too Bulky and too Close to my Motel Rooms. This would interfere with the use and enjoyment of my Land, my tenant in the adjoining Restaurant and my Motel Guests.
15. The Proposed Building (the Existing Stairs which are already built on my Land) would continue to interfere with the said Free and Unrestricted Right of Way for both the Applicant and me on my Land.
16. For many years now and continuing, the Applicant has dumped his Sandstone in large volume at the rear of my Land, causing damage to my property including damage to my fence.
17. This Pile of Sandstone has created a very real and serious Health Hazard, including the housing of rats, snakes and vermin.
18. I have made numerous requests to the Applicant to remove his Sandstone, but he simply ignores me and refuses to do so.
19. I have recently reported this to Nicole from the Council, who has inspected the relevant area of land and will take appropriate action.
20. The Applicant's General Waste Bin is only about 1.5 m³ which is very small.

The Applicant's said General Waste Bin is constantly overflowing with Rubbish and Restaurant Food and Waste, which is a very real and serious Health Hazard.
21. I am constantly cleaning the Applicant's overflowing Rubbish and Restaurant Food and Waste because it is a very real and serious Health Hazard.
22. The Applicant's overflowing Rubbish and Restaurant Food and Waste has now attracted rats, snakes, vermin, as well as a Colony of Ibis Birds which now reside on my Land on which my home in which I live is built.

These Birds leave faeces all over my Land on a daily basis, which I have to clean for Health, Safety and Amenity Reasons.
23. The Applicant also uses the space under his Existing Deck to store Tons of Firewood, which is a very High Fire Risk, as well as causing a mess and nuisance for me to clean up.

3

24. The Applicant and his Staff constantly park their cars on my Land on a daily basis, interfering with the Free and Unrestricted Right of Way over my Land, interfering with my use and enjoyment of my Land and obstructing and/or preventing delivery vehicles, tradesmen and potential emergency vehicles from using the said Free and Unrestricted Right of Way.
25. I have discussed all of these above Issues with the Applicant at length on numerous occasions and his response has always been and remains to completely ignore me and do nothing about any of the above Issues.
26. The Applicant has had no respect or regard and continues to have no respect or regard for Council Laws, Health and Safety, and me as his neighbour, including my tenant in the Restaurant, the Staff and Customers of that Restaurant, as well as my Motel Guests.

A handwritten signature in black ink, appearing to read 'T. King'. The signature is written in a cursive style with a long horizontal stroke extending to the left.



Product	Register Search (CT 5862/68)
Date/Time	25/03/2019 04:10PM
Customer Reference	580/250/19
Order ID	20190325010268

REAL PROPERTY ACT, 1986



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5862 Folio 68

Parent Title(s)	CT 5114/333			
Creating Dealing(s)	AD 9106899			
Title Issued	13/12/2001	Edition 7	Edition Issued	30/11/2016

Estate Type

FEE SIMPLE

Registered Proprietor

RISHANTHA NEELAWALA NEELAWALA DUMBARARA GEDARA
CHANDI RASIKA WIJESIRI HATHARALIYADHDE GEDARA
OF 8 RUDALL AVENUE CRAFERS SA 5152
AS JOINT TENANTS

Description of Land

ALLOTMENT 2 FILED PLAN 4635
IN THE AREA NAMED HAHNDORF
HUNDRED OF ONKAPARINGA

Easements

SUBJECT TO EASEMENT(S) OVER THE LAND MARKED E TO THE COUNCIL FOR THE AREA (T 4253157)
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED B TO THE MINISTER FOR INFRASTRUCTURE (T 4253158)
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED D

Schedule of Dealings

Dealing Number	Description
12630095	MORTGAGE TO WESTPAC BANKING CORPORATION (ACN: 007 457 141)
12837713	CAVEAT BY BIDFOOD AUSTRALIA LTD. (ACN: 000 228 231)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL

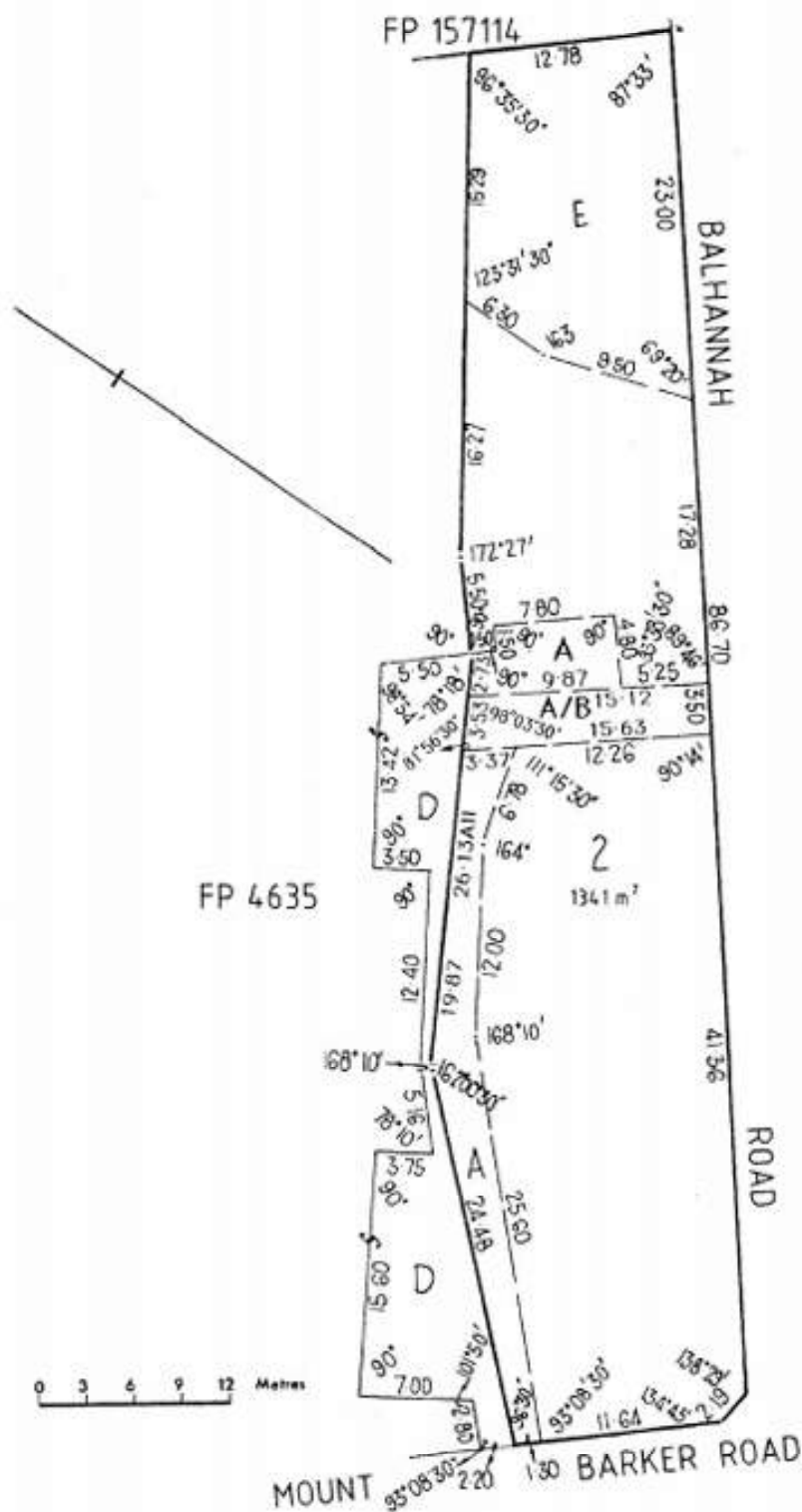
Administrative Interests

PROPERTY IN A STATE HERITAGE AREA 25/08/1988



Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5862/68)
25/03/2019 04:10PM
580/250/19
20190325010269



CERTIFICATE OF TITLE

REAL PROPERTY ACT, 1886



South Australia

VOLUME 6121 FOLIO 145

Edition 2

Date Of Issue 16/10/2013

Authority DOA 12018672

I certify that the registered proprietor is the proprietor of an estate in fee simple (or such other estate or interest as is set forth) in the land within described subject to such encumbrances, liens or other interests set forth in the schedule of endorsements.

B PH

REGISTRAR-GENERAL



REGISTERED PROPRIETOR IN FEE SIMPLE

THOMAS KNIPP OF 74 MAIN ROAD HAHNDORF SA 5245

DESCRIPTION OF LAND

ALLOTMENT 1 FILED PLAN 4635
IN THE AREA NAMED HAHNDORF
HUNDRED OF ONKAPARINGA

EASEMENTS

SUBJECT TO THE EASEMENT OVER THE LAND MARKED E TO THE COUNCIL FOR THE AREA
(T 4253157)

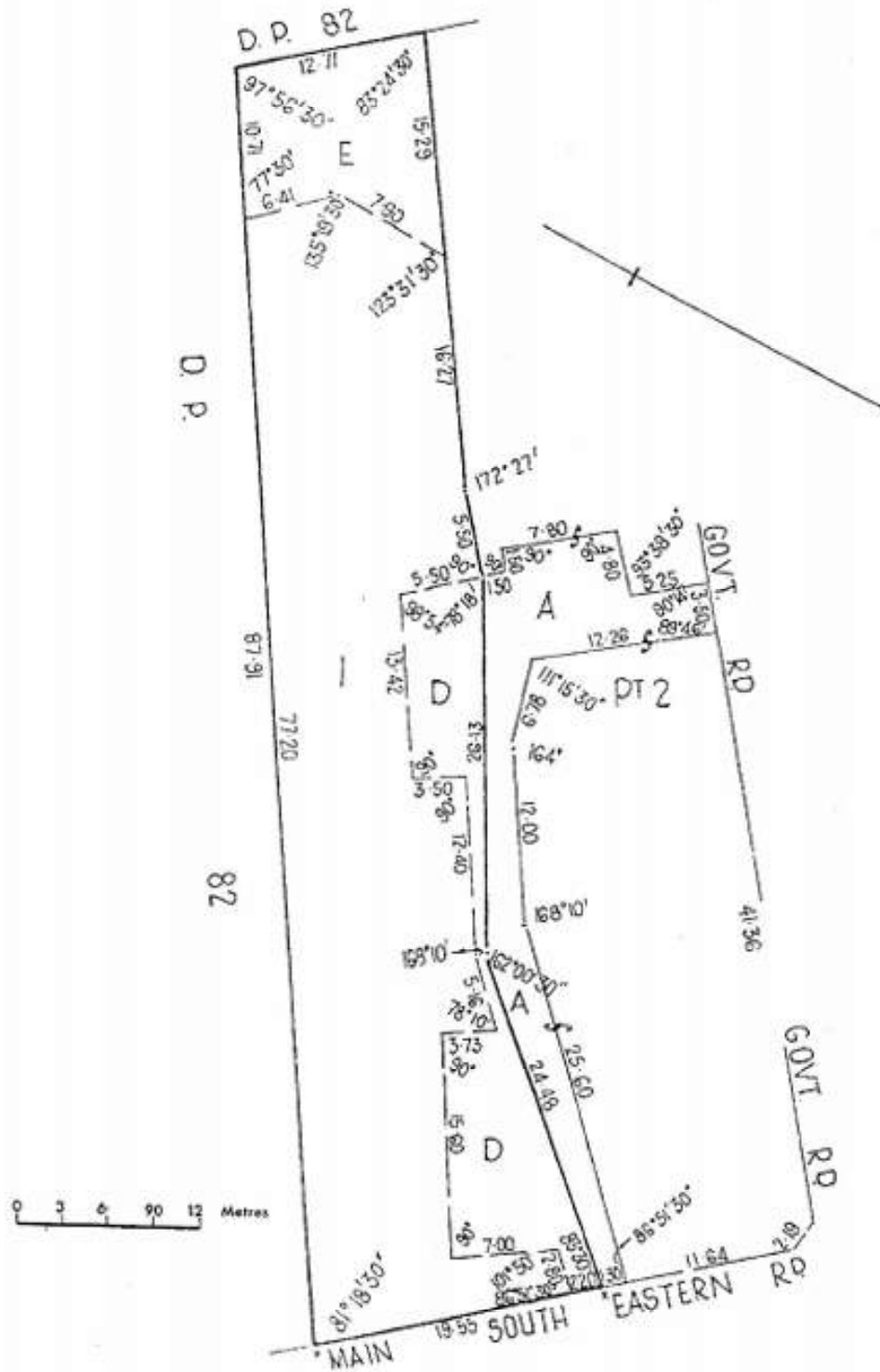
SUBJECT TO A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED D
TOGETHER WITH A FREE AND UNRESTRICTED RIGHT OF WAY OVER THE LAND MARKED A

SCHEDULE OF ENDORSEMENTS

12193336 MORTGAGE TO JOHN STANLEY BATES

WARNING: BEFORE DEALING WITH THIS LAND, SEARCH THE CURRENT CERTIFICATE

LANDS TITLES OFFICE ADELAIDE SOUTH AUSTRALIA
DIAGRAM FOR CERTIFICATE OF TITLE VOLUME 5302 FOLIO 50
SEARCH DATE : 31/08/2012 TIME: 13:01:14



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Item 5.1.3.2 - Attachment Five (5) Mount Barker District Council
Received
09 April 2021



Friday, 9 April 2021

District Council of Mount Barker
PO BOX 54
MOUNT BARKER SA 5251

Attention: Michael Dickson

Dear Michael,

580/250/19

**Alterations and Additions to Café/Restaurant including Enclosure of Outdoor Dining Deck (New and Retrospective Works), Additional Toilets and Solar Panels (Retrospective) at
72 Mount Barker Road, Hahndorf.**

Please refer below in response to representation received through public notification from Mr. Thomas Knipp. While many of the issues raised are not strictly related to the proposal, we have tried to provide information and clarification where we can.

The Proposal Plans

The two large trees nearest Mt Barker Road are to remain. They are an important feature in the landscape of the Hahndorf main street, there has never been any intention to remove them. For clarity, this has been amended on the site plan as attached.

Location of the Existing Deck and Stairs in Relation to the North-Eastern Boundary

The existing deck was approved in 1996 under previous ownership (Development Application No. 580/890/95). At that time both number 72 and 74 were under the same ownership.

A boundary survey was undertaken at the property some time ago and some of the pins still remain. The image below shows the location of the pin located in the footpath and approximate direction of boundary line. It is our view that the deck at no. 72 has been constructed within the property boundaries.

08 8388 1179
admin@beyondink.com.au
beyondink.com.au

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The Proposed Enclosure of the Existing Deck

The enclosure of the existing deck, as proposed will facilitate all weather dining for patrons of Café Assiette at no. 72.

As the deck currently exists, it has an enclosed subfloor with balustrade atop when viewed from the neighbouring no. 74.

The works proposed:

- Involve the removal of a portion of the existing balustrade which will then be replaced with a timber clad wall with windows spanning its length, as shown on the elevations
- Are within the existing built footprint of no. 72
- Include windows with a sill height of 1m above the deck, consistent with the height of the existing balustrade. The number, placement and height of the windows is intended to maintain the 'light and open' feel of dining area as much as possible without resulting in an imposing structure.
- Will have some impact on the amenity of the users of no. 74 in particular. However in our view this will result in beneficial outcomes with the Stables Motel and Our Plate Restaurant guests experiencing increased visual and acoustic privacy.

Rights of Way

There are a number of issues experienced by both no. 72 and 74 in relation to the use and access of the rights of way that intersect the two properties.

Location of Existing Structures

As has been raised by Mr Knipp, a small portion of the existing deck adjoining Café Assiette (no. 72) has been constructed within the shared right of way. As has been mentioned, the approval and construction of this deck occurred at a time when the two properties were under the same ownership. That being the case at the time, permission was effectively granted by the owner of each property for this to occur.

We acknowledge also, that the dining deck associated with Our Plate Restaurant (no. 74) has also been constructed within the shared right of way.

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Free and Unrestricted Access to the Shared Rights of Way

In our research, there does appear to be issues with the way in which each of the intersecting rights of way are used. However, these issues are being experienced by both No. 72 and no. 74. Refer below table for additional clarity.

Right of Way	No. 72	No. 74
Land Marked 'A'	Facilitates property access	Facilitates property access
Land Marked 'D'	<p>Free and unrestricted access not achieved due to:</p> <ul style="list-style-type: none"> • Encroachment of dining deck associated with the Our Plate Restaurant • Regular use of right of way as parking for owners/staff of Our Plate Restaurant 	<p>Free and unrestricted access not achieved due to:</p> <ul style="list-style-type: none"> • Encroachment of existing deck into right of way <p>However:</p> <ul style="list-style-type: none"> • Deck approved when two properties under the same ownership, so permission given at that time for extent and location

Location and Use Carpark

Between the two properties there are most definitely issues with the way in which staff and guests/patrons utilise the rear carpark.

While modifications to this carpark do not form part of this application, the issues may be able to be resolved quite easily with clearer information provided to carpark users. Some considerations:

- The method in which the Stables Motel guests access the stacked carpark arrangement at no.74, making use of the right of way that exists for that purpose
- Signage denoting the carparks at the rear of no 72. as being dedicated for Café Assiette staff/patrons and not for use by motel guests
- Confirmation as to the ownership of the carparks adjacent the home at the rear of no. 74. Surveyed boundary pins are no longer present in this portion of the site, but it appears as though these parks may straddle the shared property boundary. If this is the case, then an agreement could be reached between the two property owners about how these spaces may be shared
- Acceptance or removal of the ability to park in the right of way nearest Mt Barker Road (behind the deck of Our Plate Restaurant). Taking into account that both parties have structures that limit access to this portion of the right of way.

Waste

The capacity and frequency of waste collection associated with Café Assiette was increased in November 2020. We believe the concerns raised by Mr Knipp have been addressed as a result.

To clarify, Café Assiette makes use of a 1.5m³ waste bin and 3m³ cardboard bin. Waste is now collected twice weekly which is double the frequency it was prior to November last year. When not actively in use, the bin lids are kept closed.



Storage of Wood Under Deck

We acknowledge that on occasion hardwood is stored beneath the deck of no.72, however this also occurs at beneath the dining deck at no. 74.

The Rear of No. 72

We acknowledge that there is a pile of sandstone at the rear of no. 72. The owner has moved the pile to be further from the shared property boundary. Refer image below.



We hope that this response goes some way to alleviating the concerns raised. Please don't hesitate to contact us should you require any clarification.

Yours Sincerely,

Jordana O'Sullivan

Item 5.1.3.2 - Attachment Six (6)

Mount Barker District Council
Table Section

Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
1. General Clarifications and Principles	
1.1 Context	<p>These guidelines are provided for initial general information. Owners and applicants are encouraged to seek further advice from Council to discuss their specific queries and issues.</p> <p>The declaration of the Hahndorf State Heritage Area in 1988 acknowledged the town of Hahndorf as Australia's oldest (1839) surviving German settlement.</p> <p>The historic character of the State Heritage Area precinct, centred on Main Street and Victoria Street, arises from the town's unique hybrid plan, and is strengthened by a significant concentration of early nineteenth century buildings with a distinctive German (Prussian) influence.</p>
1.2 Legislation	<p>Under the Development Act (1993) 'Development' is considered to be; in relation to a State Heritage Place—the demolition, removal, conversion, alteration or painting of, or addition to, the place, or any other work that could materially affect the heritage value of the place.</p> <p>The <i>Heritage Places Act, 1993</i> sets out further provisions for the identification, recording and conservation of places (including enforcement, fines and funding). These guidelines are provided for initial general information. Owners and applicants are encouraged to seek further advice from Council to discuss their specific queries and issues.</p>
1.3 Definitions & further information	<p>For further clarification on the definitions of terms and overarching concepts articulated in these guidelines refer to <i>Australia ICOMOS Burra Charter (1999)</i>. Additional information and resources can be found at www.dcmrbarker.sa.gov.au and www.environment.sa.gov.au/heritage.</p>
2. Demolition	
2.1 General	<p>Many properties in Hahndorf have an old stone ruin, stable or galvanised iron out-building that contributes to the historic character and significance of Hahndorf. Demolition and alterations of anything within the State Heritage Area is considered Development and must first be approved through Council.</p>

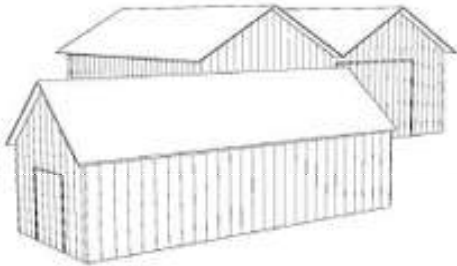
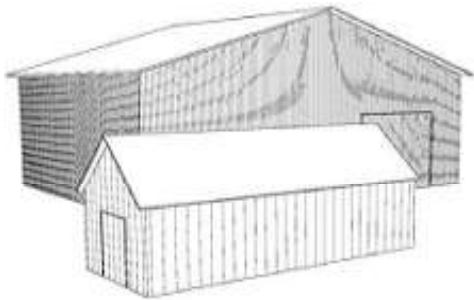
Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
3. Conservation, Restoration and Maintenance of Existing Structures	
3.1 Original finishes	<p>Original building materials should be retained where practicable and missing elements reinstated wherever possible, based on clear documentary evidence.</p> <p>Mortars for re-pointing and repairs should match the colour, texture and mixture of the original as closely as possible.</p> <p>Mortars should include high lime content.</p> <p>Replacement wall material should match the original laying pattern and pointing style of the existing.</p> <p>Paint removal should not damage masonry walls. Sand blasting shall not be used.</p> <p>The treatment of rising damp and investigation of the cause will require professional advice. Chemical injection is not the preferred course of action.</p> <p>All painted surfaces should be maintained in good repair with use of colours of a kind similar to or compatible with original colours where they can be determined from physical or archival evidence.</p> <p>Unpainted surfaces should remain unpainted (notably timber surfaces).</p>
3.2 Roof and verandas	<p>Materials closely consistent with early materials such as galvanized corrugated iron should be used.</p> <p>Evidence of original timber shingles within roof spaces should be retained. New roofing should be fixed over original material.</p> <p>Zincalume sheeting shall not be used.</p> <p>Traditional roof forms and eaves profiles should be retained.</p> <p>Verandas, including posts should be reinstated to original or appropriate form and detailing where sufficient evidence exists.</p> <p>Decorative elements such as cast iron lacework should not be installed on buildings where this never existed.</p> <p>For acceptable new roof forms refer to 4. Alterations & Additions to Existing Structures and 5. New Development in these guidelines.</p>
3.3 Gutters and downpipes	<p>The profile, finish and material of these elements should be closely consistent with the original form; for example "ogee" or ½ round gutters, round metal downpipes and rain-heads of a traditional profile.</p>
3.4 Windows and doors	<p>The original materials, configuration and finishes should be retained, specifically timber framing of windows that are highly visible to the general public.</p> <p>Materially unsound sections should be replaced in preference to total window replacement. The size, profile and finish of new timber components should be consistent with the original.</p> <p>Original doors and door hardware should be retained.</p> <p>Timber framed windows, doors and shopfronts should be retained and repaired where possible.</p> <p>Metal frame windows should not be introduced.</p>





Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
4. Alterations of and Additions to Existing Structures	
4.1 General	<p>Extensions and additions should maintain and strengthen the character of the heritage place without compromising its integrity.</p> <p>Additions should maintain a complementary and subtle distinction between new work and the original building fabric. New work should be designed to permit the return of the building to its original condition at a later date.</p> <p>Building envelopes should follow the traditional forms and proportions of its neighbours in terms of height, scale, pitch, eaves lines, window and veranda heights. Materials should be complementary in colour and texture, with complementary ratios of solid walls to openings to produce a sympathetic or neutral development, which is contemporary, not a historic imitation.</p> <p>New additions should be designed so that it avoids cutting through/across historic architectural elements such as windows, quoins, door openings, fireplaces etc.</p>
4.2 Materials for extension & addition	<p>Materials used for repair or infill of original walls should match or be closely compatible with the original materials of construction, including vertical timber boards, rendered masonry, stone, brick or lightweight construction with timber or corrugated iron cladding.</p> <p>Materials used for roofs should match or be closely compatible with the original materials for construction. Generally painted or galvanised corrugated iron is the most appropriate roofing material.</p>
4.3 Location of addition	<p>The siting of the addition should respect and harmonize with the historic character of the original building. The plan and roof form of the original building should be clearly legible.</p> <p>The impact of visible change to original buildings should be minimised.</p> <p>Additions should consider the character and structure of the original building and seek to minimise the impact of change.</p> <p>The addition should be located on the side considered to be of lesser heritage significance or to maintain the principal view of the original building.</p>



Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
4.4 Scale & proportion of new addition	<p>The scale and bulk of the new work should not dominate the significant building.</p> <p>Lean-to additions should be set out from below the gutter line of the existing roof, unless the lean-to sections of the original building are otherwise constructed. A lean-to form is generally suited to a narrow addition across the width of a building and traditionally may have involved the enclosure of a veranda.</p> <p>Additions similar in size to the original building should be proportionate with those of the original building. The eaves line and roof height of the addition must be consistent with the original building</p> <div style="text-align: center;">  <p>Appropriate</p>  <p>Inappropriate</p> </div>
4.5 Form of additions or alterations	<p>Additions should respect the existing building form. The most important elements are the roof, type and pitch, the veranda and spacing of support posts and proportions of windows and other openings.</p> <p>Roof form and pitch and overhang should closely resemble or match the existing building.</p> <p>Additions other than lean-to additions should continue the form and elements of the building to which they are attached; for example the shape and pitch of the roof and the height and projections of eaves and gables.</p> <p>The following examples outline various acceptable forms of proportional extensions and additions to a dwelling:</p>

Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
	 <p>Existing German style cottage</p>
	 <p>Front veranda added</p>
	 <p>Rear addition added</p>
	 <p>Rear skillion added</p>
4.6 New Openings	The size and proportion of window, door and other openings should complement existing openings.
4.7 Eaves and Barges	Traditional edge details should be retained.



Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
4.8 Detailing	<p>Detailing of the original building can be reflected by the detailing on the new section. However, a clear visual distinction between old and new should be maintained.</p> <p>Appropriate details such skillion veranda additions, steps to veranda and colonial balustrade:</p>  <p>Appropriate</p>  <p>Inappropriate</p>




5 New Development

5.1 General	<p>These guidelines do not require new infill development to have as its predominant design characteristic the imitation or replication of buildings contributing to the historic character of the locality.</p> <p>However, it is envisaged that new development should maintain the historic integrity of the streetscape or precinct by emulating proportions and silhouettes, and through complimentary siting, style, colours and materials.</p> <p>A good infill building is considered to be one which has regard to its context, and is prepared to give prominence to its genuinely historic neighbours. It will not diminish or confuse our appreciation of Hahndorf's authentic heritage buildings or character.</p> <p>The characteristics of German building in Hahndorf derives principally from its construction technique (half timbered with wattle and daub/brick infill), timber shingle/thatched roofs, and unpretentious stone buildings with corrugated galvanized iron roofs at steep pitches (approximately 45 degrees) and half hipped roof forms. Noting timber was rarely painted but rather left to weather naturally.</p>
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Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
5.2 Siting	<p>The street edge and existing setbacks of adjacent buildings should be maintained.</p> <p>New buildings should be located to match any consistent or generally consistent set-back of existing buildings to maintain the traditional arrangement of buildings in the road concerned.</p> <p>The location of open space should also be considered. New development should not exceed 9 metres continuous street façade width and not exceed a ratio of façade width to open space frontage of 4:1.</p> <p>The orientation of new buildings should match or reinforce the placement of adjacent heritage buildings (walls generally at 90 degrees to each other and site boundaries).</p> <p>Rear yards should not be built out, the traditional footprint of all buildings on a site should generally not exceed 25 per cent of the total site area and does not extend across creek lines.</p>
5.3 Scale	<p>The height of eaves should be similar to the height of the eaves of any adjoining buildings which contribute to the historic character of the locality.</p> <p>Vertical heights and horizontal lines should be maintained along the street facade. New infill buildings should be of similar scale and massing to the prevailing historic character of the locality.</p>
5.4 Roof forms	<p>Traditional roof forms and eaves profiles should be utilized in the construction of new structures. Simple ridge lines with minimal eaves; roof pitches between 35 and 45 degrees; ½ hipped or gable ended; attics within roof spaces without dormer windows; roof areas are typically less than 100 square meters. Verandas if used were typically continuous to the main roof. Refer to the following sketches:</p> <div style="text-align: center;">  <p>Appropriate</p>  <p>Appropriate</p> </div>

Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
	 <p>Appropriate</p>  <p>Inappropriate</p>  <p>Inappropriate</p>
5.5 Roof material	Corrugated iron roofing (galvanised, pre-painted) should be used.
5.6 Wall material	Materials of a traditional kind, such as rendered masonry, timber and corrugated iron (galvanised, pre-painted or painted zincalume) should be used to complement significant stone walling.
5.7 Colour	The colours of external building materials should be closely complimentary to and where possible reinforce the traditional colours of the locality.

Mount Barker District Council
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Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
5.8 Windows and doors	<p>Openings in walls that are viewed from public places should generally have proportions that complement adjacent significant buildings.</p> <p>Simple rendered surrounds of windows and doors are preferable to elaborate projecting quoins.</p> <p>Small casement under half hipped gables, panelled double doors and close picket fences painted white.</p> <p>Detailing of sashes and frames should be consistent with those of original windows as outlined below:</p> <div data-bbox="986 741 1182 981" data-label="Image"> </div> <p>double hung window with dressed stone sill</p> <div data-bbox="979 1039 1198 1279" data-label="Image"> </div> <p>6 pane casement window with dressed stone sill</p>
6 Interiors	
6.1 General	<p>Interior restoration work should seek to maintain the character of the building as a whole.</p>
6.2 Internal finishes	<p>Painting, other than maintaining the existing painted surfaces in existing colours, is development in the State Heritage Area.</p> <p>Consideration should be given to the original painting colour scheme (determined by paint scrapes), especially in the most significant areas of the building.</p> <p>A matching scheme or one with similar tonal variance and contrast should be used. It is preferable to leave in place previous paint or wallpaper, painting or physical fabric of the building.</p>
6.3 Lighting and fittings	<p>The installation of lighting and fittings should cause a minimum of disturbance to the physical fabric of the building.</p> <p>Replicas should be avoided. The use of simple, unobtrusive contemporary fittings is preferable.</p> <p>Door hardware and switch ware should be retained where possible.</p>



Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
6.4 Ceilings and cornices	Ceilings beyond repair should be covered with a new ceiling, not removed.
6.5 Floors	Original flooring should be retained where possible and individual boards or components replaced with matching species and size.
6.7 New services	The impact of new services should be minimised. New services such as wiring or plumbing should be concealed by using existing cavities, conduits and fitting as far as possible.
7. Carports, garages, outbuildings and sheds	
7.1 Existing structures	Existing structures, particularly stone, corrugated iron and timber should be retained and repaired where possible.
7.2 Form	A carport, garage or shed should be designed to relate to the form and materials of the existing adjacent buildings, but they should not detract from or obscure the important views of a heritage building. Roof pitches should be consistent with adjacent significant structures.
7.3 Materials	Materials should complement adjacent structures and include stone, timber or corrugated iron (galvanised, pre-painted or painted zincalume) or rendered masonry with minimal decoration. Combinations of appropriate materials to create patterns of wall materials should be encouraged. Car park paving materials such as compacted earth, fine screenings, brick paving, concrete square edged cobblestones are the most appropriate surfaces. Provide soft, informal edges to carparking areas through ground cover plants, avoiding raised garden beds and strongly geometric layouts.
7.4 Location	The location of a new carport, garage, outbuilding or carport should preserve or enhance the setting of existing buildings. Carports, garages and sheds should be detached. Carports can be attached to the heritage building provided they are to be well set back to allow the original form of the structure to be read clearly and provided they are constructed at walls where windows will not be obstructed.
7.5 Size	The height and proportion of new sheds should be sympathetic to the adjacent significant structures.
7.6 Openings	Openings should be carefully positioned in locations to maintain a traditional appearance.
8. Landscape, Fences and Gardens	
8.1 Generally	Landscaping enhances the appearance of buildings and species selected should be appropriate to the form and scale of the heritage place.

Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
8.2 Fences	<p>Original fences and gates should be retained and reinstated where possible.</p> <p>Where evidence regarding the original fence is not available, a fence sympathetic to the style of the building on the site to be fenced should be erected.</p> <p>The fence should be compatible in height, design and materials to the existing building or other similar fencing in the street.</p> <p>Low and relatively open fencing is appropriate to enable significant buildings to be viewed from public places.</p>
8.3 Stone walls	<p>Stone walls should be retained and restored using similar size and type of stone and laying technique.</p>
8.4 Hedges	<p>Hedges provide an acceptable alternative to fence. Species that already exist in the area should be planted.</p> <p>Existing hedges should be retained.</p>
8.5 Gardens and trees	<p>Mature trees are often a landmark in the area and should be retained wherever possible.</p> <p>Established garden areas of significance should be retained.</p>
8.6 Public gardens	<p>Public spaces in Hahndorf were traditionally centred around traditional activities of German origin such as band concerts, singing and shooting festivals, community and religious ceremonies.</p> <p>Public spaces should be carefully designed, landscaped and maintained.</p> <p>Established public garden areas of significance should be retained.</p>
9. Signage & Advertising Display	
9.1 General	<p>Signs are one of the strongest visual elements in a street. Their location, scale and proportion, text and colour affect the character of the State Heritage Area.</p> <p>A development application is required for all signage.</p>
9.2 Location	<p>Signage displays can be located within the buildings street facing zone, and on one other façade. The zone between kerb and path is appropriate for Council, Transport SA and local tourism signage only.</p> <p>Traditional and historical locations such as painted on the fascia boards of verandas, on wall panels, parapets etc.</p> <p>Signage should take clues from and complement the existing structural rhythms and details of the building i.e. Signage that obscures building details or roof forms are inappropriate.</p> <p>Projecting signage displays that are more than 2.3 metres above the footpath level are permitted beyond the building boundary, only if locations meet safety requirements.</p>

Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

Component / Aspect / Issue	Guidelines for Development
9.3 Scale, proportion and shape	<p>Generally, sign should be designed to be of a scale that reflects pedestrian traffic, and not overwhelm the buildings or other streetscape elements.</p> <p>The total area of the all advertisements should not exceed 10 per cent of the area of any facade of the building on which it is displayed.</p> <p>The shape of signs should be simple in shape and form. Corporate signs, logos and symbols should only be displayed where their size and location is compatible with the objectives for the zone.</p> <p>Business specific signs will have a maximum surface area of 0.5 m². Flat wall signs with business labels should have a maximum dimension of 1.5 metres wide x 500 millimetres high, provided they are in proportion with the building or building elements to which they are attached, Veranda signage should be generally limited to 1.8 metres wide x 300 millimetres high.</p> <p>Structural supports should be designed wherever possible to be concealed from public view or be designed to be aesthetically pleasing.</p>
9.4 Text	<p>Where signage comprises individual painted/cut out letters, the height of letters must not exceed 200 millimetres or in proportion with the building or building elements to which they are attached, whichever is lesser.</p>
9.5 Material & colour	<p>Materials will be of colour and texture that is appropriate to the building.</p> <p>Finish of signs should generally not be of a highly reflective material or finish. Colour of signs are to appropriate to building. Generally, the background for signs should comprise a single colour.</p> <p>Advertisements should wherever practical use pictorial representations to maintain the character of the street and ready recognition by tourists.</p>
9.6 Lighting	<p>Internally illuminated and neon signs, bunting, flashing lights are not appropriate for historic buildings, particularly above veranda level.</p>
9.7 Signage should be designed to compliment a veranda:	
<div style="display: flex; justify-content: space-around; align-items: flex-end;"> <div style="text-align: center;">  <p>Appropriate</p> </div> <div style="text-align: center;">  <p>Appropriate</p> </div> </div>	

Mount Barker District Council
Table Section
Table MtB/6 - Design Guidelines for Hahndorf State Heritage Area

9.8 Signage should not dominate or obstruct veranda:



Inappropriate



Inappropriate

9.9 Signage should be incorporated into existing verandas:

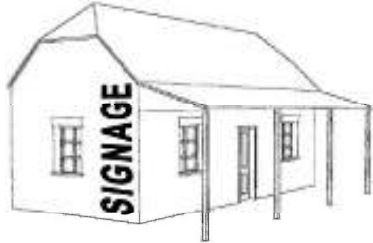


Appropriate

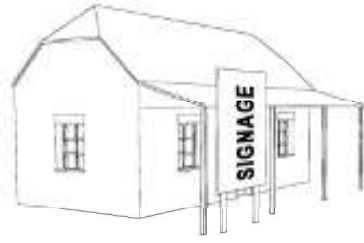


Inappropriate

9.10 Signage should not dominate or obstruct the building:



Inappropriate



Inappropriate

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5.1.3.3. SUMMARY DETAILS

Application No.	580/358/21
Applicant	Beyond Ink
Subject Land	LOT: 84 SEC: 4428 FP: 157319 CT: 5809/653, LOT: 51 DP: 59666 CT: 6090/44, LOT: 871 DP: 122435 CT: 6237/665, LOT: 872 DP: 122435 CT: 6237/666, LOT: 874 DP: 122435 CT: 6237/668 81, 83, 85 & 87 Princes Highway, Littlehampton
Ward	North Ward
Proposal	Partial change of land use to a fitness studio
Development Plan	Consolidated 20 August 2020
Zone	Neighbourhood Centre Zone
Historic Conservation Area	Littlehampton Area 9
Form of Assessment	Merit
Public Notification	Category 2 pursuant to Schedule 9, Part 2, clause 19 of the SA Development Regulations 2008 – Change of use within the Neighbourhood Centre Zone, adjacent to land within a different zone
Representations	One (1)
Persons to be heard	Nil
Agency Consultation	Nil
Responsible Officer	Michael Dickson (Senior Planner)
Previous applications	580/655/17 – demolition of existing shop and construction of 2 new shops – granted planning consent on 15/1/18 580/D001/17 – land division and additional car parking – granted planning and land division consent on 17/1/19
Main Issues	<ul style="list-style-type: none"> • Land Use • Car Parking • Traffic • Interface Between Land Uses
Recommendation	Grant Development Plan Consent

1. BACKGROUND

The land has recently been redeveloped as a result of Development Approval 580/655/17 that comprised of the removal of a street-facing building and rear car park used by National Pharmacies circa 2018-2019, and replaced with 2 new buildings (shops) that are integrated with the broader shopping complex which contains a supermarket, bakery, service station and shared car parking. An additional 26 parking spaces were approved/constructed after DA 580/655/17 received consent.

The current application proposes to partially change the use of one shop building approved and constructed as part of 580/655/17 to a fitness studio.

2. PROPOSAL

This proposal seeks to alter an existing single tenancy building (shop) so that it contains two tenancies (shop and fitness studio). As such, the application involves a partial change of land use from shop to fitness studio.

The fitness studio comprises the following:

- The proposed tenant is a “specialised and small scale fitness studio centred around injury rehab and prevention, pre/post-natal and strength based training.”
- Clients will have supervised access to the fitness studio by appointment only.
- Appointment hours will be 5:30am to 7:30pm weekdays and 6:00am to 10:00am Saturdays.
- Two treatment rooms are also proposed for remedial massage and physiotherapy.
- There will be a maximum 2 staff and 12 clients (14 people total) on-site at any one time, however the applicant advises that typical peak operation will involve 6-8 clients at 9:30am.
- The subject tenancy has a total floor area of some 175m².
- The proposal will rely on shared car parking within the adjoining shopping complex.

Refer to **Attachment One (1)** for details of the proposal page **231**.

3. SITE / LOCALITY

The site address is 87 Princes Highway, Littlehampton (Allotment 84, Filed Plan 157319 in the Area named Littlehampton, Hundred of Macclesfield, held in Certificate of Title Volume 5809 Folio 653).

The site provides an area of about 930m² and a frontage of about 18m to Princes Highway. It contains two single storey buildings of traditional form and scale, one sited behind the other. This proposal affects the street-facing tenancy. The site forms part of a broader shopping complex containing a supermarket, integrated service station (fuel sales, retail, restaurant, Australia Post outlet), pharmacy, bakery, small shop and shared car parking of 148 spaces.

Land uses and architecture in the locality varies as follows:

- West and North: The recently developed shopping complex integrated with this site. Further north there is a more recent residential subdivision primarily consisting of single storey detached dwellings. The main street precinct extends further west and includes the town hall, public car parking, public tennis courts, hotel and bottleshop.
- East: Consulting rooms (Littlehampton Medical Centre).
- South: An older, established residential area on the opposite side of Princes Highway, comprising low density detached dwellings.

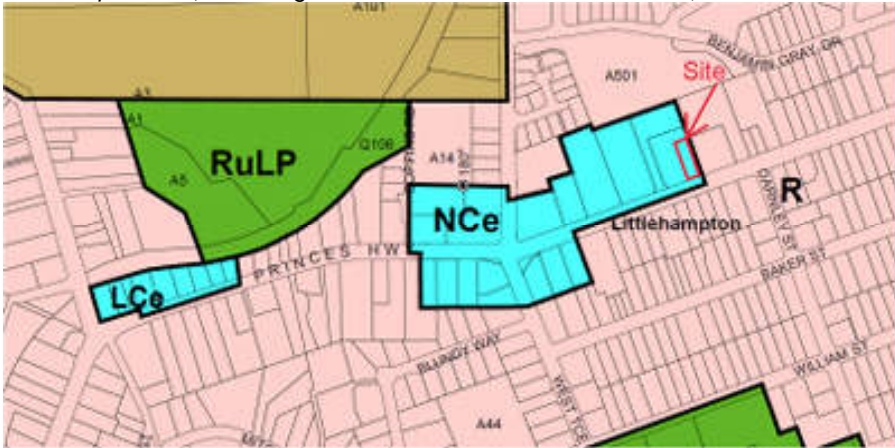
This section of Princes Highway is a secondary arterial road with a total road reserve width of about 20m and experiences a two-way daily traffic volume of 6000 vehicles (Department for Infrastructure & Transport 2018).

An aerial image of the site and zone mapping follows. While the Development Plan indicates the site contains a “Contributory Item”, this was lawfully demolished for the new buildings.

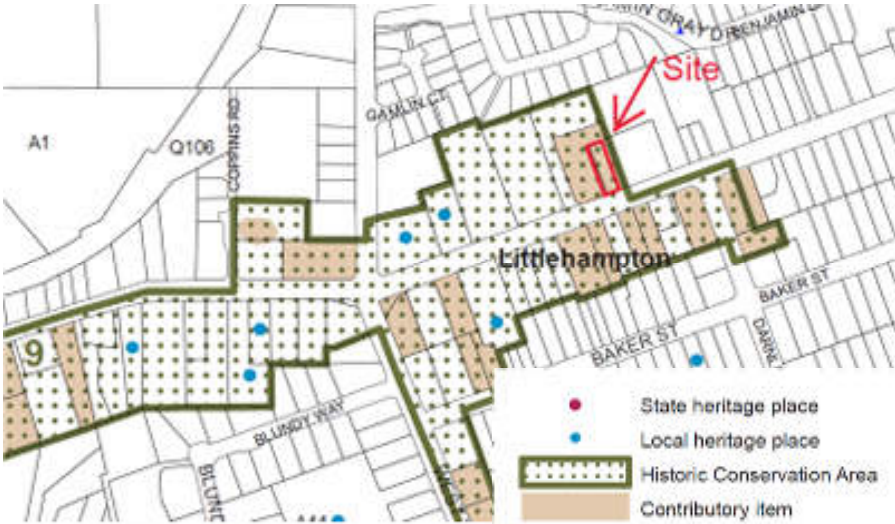
Aerial image below, with subject site and representor identified:



Zone Map below (NCe=Neighbourhood Centre & R=Residential):



Historic Conservation Area below:



Refer to **Attachment Two (2)** for photos of the site, page **239**.

4. SUMMARY OF KEY ISSUES

It is recommended that planning consent be granted for the following key reasons:

- Land use - The proposed fitness studio is considered an appropriate use in a Neighbourhood Centre Zone as it is small scale and contributes to the range of shopping, community, business, and recreation facilities for the surrounding neighbourhood per Zone Objective 1.
- Interface - The proposed land use is anticipated to have a low impact on adjacent land uses.
- Car parking - The proposal results in theoretical increase in parking demand of 4 spaces, which can be comfortably accommodated within the shared car park of the complex.
- Traffic - The proposed land use is considered to be a low traffic generator which will not exceed the capacity of the complex car park or impact on the surrounding road network.
- Built form and character - The proposal primarily involves internal building works which will cause no impact upon the historic character of the locality.

5. GOVERNMENT AGENCY SUBMISSIONS

The proposal involves the change of land use to part of an existing building, which does not trigger a requirement for government agency referrals. In particular, a referral to the Commissioner of Highways was not considered to be required as the proposal does not involve alterations or changes to the existing arterial road access points nor the fundamental nature of vehicle movements through the existing access points.

6. COUNCIL DEPARTMENT COMMENTS

The application was not referred to Council's Heritage Advisor, Development Engineers or other departments as the proposal involves internal fit-out works (per Council's Internal Referral Policy).

7. PUBLIC NOTIFICATION

This development is assigned to Category 2 by Schedule 9, Part 2, clause 19 of the *Development Regulations 2008* as it involves a change of use within the Neighbourhood Centre Zone that is adjacent to land in a different zone (Residential Zone). The application was subsequently notified in accordance with Part 4 of the Development Act 1993.

Pursuant to Part 4, Section 38(10)(a) of the *Development Act 1993*, the Council Assessment Panel may at its discretion allow a person who made written representation to appear personally or by representative before it to be heard in support of the representation.

7.1. Representations

One (1) representation was received as a result of public notification, summarised as follows.

	Representor	Address	Summary of Issues	Request to be heard (Cat 2)
1	Phillip Dennis Coates	96 Princes Highway, Littlehampton	<ul style="list-style-type: none">• Will exacerbate existing noise issues caused by adjacent service station.• Concerned about sleep disturbance as a result of noise.• Concerns regarding more vehicles going into the site for early morning starts at 5:30am and 6:00am weekends is not acceptable.	No

The representor's property was previously mapped in the 'Site/Locality' section of this report.

Refer to **Attachment Three (3)** for a copy of the representation received page **241**.

7.2. Response to Representations

The applicant's response states that the representor's concerns substantially relate to the noise generated by the petrol filling station's 24 hour operation and that the proposed fitness studio is "low key and will generate less noise than a shop, and will have no impact on the residential amenity of the area".

Refer to **Attachment Four (4)** for a copy of the applicant's response to the representation page **243**.

8. ASSESSMENT

8.1. Classification of Development

The proposed development is neither identified as being complying nor non-complying in the Zone, and accordingly is required to be assessed on its merits having regard to the relevant provisions of Council's Development Plan.

8.2. Relevant Development Plan Provisions

The development application is required to be assessed against the Development Plan in effect at the time of lodgement, being the Mount Barker (DC) Development Plan Consolidated 20 August 2020.

Neighbourhood Centre Zone Objectives: 1, 2, 4 PDCs 1, 4
Centres and Retail Development Objectives: 1, 2, 5, 6 PDCs: 1, 7, 8
Community Facilities Objectives: 1, 2 PDCs: 1, 2, 3
Crime Prevention Objectives: 1 PDCs: 1, 4, 5

Hazards Objectives: 1, 2, 4, 5, 10, 11 PDCs: 1, 2, 3, 4, 23
Historic Conservation Area Objectives: 1, 2, 3, 4, 5 PDCs: 1, 2, 15
Infrastructure Objectives: 5 PDCs: 1, 2, 4
Interface Between Land Uses Objectives: 1, 2, 3 PDCs: 1, 2, 3, 6, 8
Orderly and Sustainable Development Objectives: 1, 2, 3, 4, 6, 7 PDCs: 1, 3, 4, 5, 6, 7, 8, 9
Residential Development Objectives: 1 (insofar as impact upon dwellings is relevant)
Transportation and Access Objectives: 1, 2, 3, 4 PDCs: 1, 2, 8, 16, 30, 39, 40

While all of the above provisions are considered applicable, only the most relevant to this site and application, are discussed in detail below.

8.3. Land Use

The Neighbourhood Centre Zone provides for the more frequent and regularly recurring needs of the community with a range of shopping, community, business, and recreational facilities for the surrounding neighbourhood (Zone Objectives 1 and 2). Small scale “service uses” for the day-to-day needs of residents are anticipated, but should not threaten the function of the Regional Town Centre and should be compatible with the adjoining Residential Zone (Zone Desired Character). A wide array of land uses are envisaged in the Zone including health centres, recreation areas, consulting rooms, offices, shops and places of worship (Zone PDC 1).

The proposed land use involves a fitness studio and ancillary consulting rooms. This use is considered to align with the land use provisions above as:

- It is small scale, with a maximum of 2 staff and 12 clients at any one time.
- It does not threaten the Regional Town Centre due to the small scale of the business.
- It serves the day-to-day needs, and constitutes a “service use”, for people within the surrounding neighbourhood. In particular, it provides guided/supervised exercise, rehabilitation, physiotherapy and remedial massage.
- The proposed use is considered to be benign and low-impact upon residential amenity, particularly as the site is separated from the Residential Zone by Princes Highway. Interface impacts are discussed in more detail in the next subsection of this report.
- The use is wholly contained within an existing building.

The proposal also satisfies various provisions within the ‘Centres and Retail Development’ module of the Development Plan, including:

- Objective 1 which seeks shopping, administrative, cultural, community, entertainment, educational, religious and recreational facilities located in integrated centres.
- Objective 2 which seeks centres that ensure rational, economic and convenient provision of goods and services and provide a focus for community life.
- PDC 1 which suggests that development within centres should provide integrate facilities and allow for the sharing of utility spaces (car parking in this case).
- PDCs 7 and 8 which suggests that centres should be developed on one side of an arterial road to minimise the need for pedestrians to cross the road.

8.4. Interface Between Land Uses (IBLU)

The Development Plan seeks development located and designed to minimise adverse conflict between land uses; to protect community health and amenity; and to protect desired land uses from the encroachment of incompatible development (IBLU Objectives 1-3). Specific land use conflicts to be minimised or avoided include emissions, noise, operating hours and traffic impact (IBLU PDC 1). Non-residential development should be designed to minimise noise impacts upon an abutting residential zones (IBLU PDC 6). Development that emits noise (other than music) should comply with the Environmental Protection (Noise) Policy Criteria.

The proposal involves a non-residential use on a site that is adjacent the Residential Zone located on the opposite side of Princes Highway. Further, the representor resides within the Residential Zone and has raised concerns relating to noise and morning operating hours (appointments will begin from 5:30am weekdays and from 6:00am Saturdays). Portions of the existing shared car park also abut dwelling sites in the Residential Zone.

The proposal seeks to replace one non-residential use with another (from shop to fitness studio). In this context, the proposed use is considered to result in negligible additional/new impacts and is considered to result in an appropriate interface with adjacent land uses. In particular:

- The fitness studio is likely to generate less waste collection than a shop (and is very unlikely to noticeably increase the frequency of waste collection).
- The difference in traffic volumes generated by the shop compared to the fitness studio is likely to be minimal.
- The difference in internal noise levels for the two uses is also likely to be minimal.
- Besides the associated parking and traffic movements, the proposed activities will be contained wholly within the existing building, ensuring there will be minimal external impacts.
- Noise generated from within the fitness studio is unlikely to be heard within the Residential Zone. This is because the road reserve is 20m wide, it contains an arterial road with an estimated daily volume of 6000 vehicles which provides some background noise, and the applicant has provided a written undertaking that “music will be kept to a volume suitable for trainers and clients to easily communicate with one another and lower again prior to 8.00am. Music should not be audible outside of the building”.
- While some activity will occur within the fitness studio from 5:30am onwards on weekdays and from 6:00am on Saturdays, this is considered reasonable in a Neighbourhood Centre complex which has been developed with an array of envisaged uses including a supermarket and petrol filling station. Child care facilities are also envisaged in this zone. Therefore, the zone envisages land uses which typically operate to some extent before 7:00am. Further, the proposed fitness studio is not expected to operate at peak intensity until after 7:00am.
- The fitness studio is considered to be compatible with surrounding non-residential uses (supermarket, integrated service station, bakery, shop, medical centre consulting rooms, motor vehicle repair station). As set out later in this report, enough car parking is provided for all the businesses that share the car park.
- The fitness studio will not cause nuisance in relation to odour, smoke, fumes or dust etc.

8.5. Orderly and Sustainable Development

For the same reasons given in the preceding section, the proposal is not considered to jeopardise the continuation of adjoining authorised land uses, nor does it prevent the objectives of either zone from being achieved (in accordance with Orderly and Sustainable Development Objectives 3-4 and PDC 1).

The proposed land use occurs within an existing built-up, non-residential zone and does not involve the undesirable spread of non-residential development along arterial roads, outside of centres - i.e. “ribbon development” (Orderly and Sustainable Development PDCs 4 and 6).

The proposal makes use of existing infrastructure, expands the economic base of the region, and utilises an untenanted portion of the building – i.e. it develops underutilised land (Orderly and Sustainable Development PDCs 7-9).

8.6. Car Parking

The applicant correctly states that the approved shop generates a theoretical car parking demand of 10 spaces (based on the Development Plan rate of 5.5 spaces per 100m² of gross leasable floor area for a 175m² shop).

The Development Plan suggests 17.5 car parking spaces would be required if the proposed land use was treated as “indoor recreation/gymnasium” (based on the rate of 1 space per 10m² of GLA). The Development Plan rate is considered excessive given the proposed use has a maximum capacity of only 14 people.

An alternative rate of 1 car parking space per person is considered reasonable yet conservative. Using this rate, the proposal results in a theoretical parking demand of 14 spaces, which represents an increase in car parking demand of only 4 spaces (compared to 10 spaces for the approved shop). This increase is considered acceptable because:

- It is minor in the scheme of this 148-space complex (the additional demand equates to only 2.7% of the total parking supply).
- Based upon previous planning assessments for this complex, the existing shared car park is considered to provide enough capacity to accommodate the addition of 4 parked cars. In particular:
 - The assessment of DA 580/655/17 determined that 122 car parking spaces was sufficient to service all tenancies within the complex (despite there being a theoretical shortfall according to the Development Plan parking rates).
 - Following this, a car park expansion providing an additional 26 spaces was approved and constructed (580/D001/17).

The proposed fitness studio will therefore have access to sufficient off-street parking to meet anticipated demand, which satisfies the intent of Transport and Access Objective 2(c) and PDCs 39-40.

No further consideration needs to be given to the design, layout, access points or ‘sharing’ of the car park as these aspects are not being changed by this application and have been addressed under previous applications/approvals.

8.7. Traffic

The relevant Transportation and Access objectives and principles promote development that provides for the safe, convenient and efficient movement of all anticipated transport modes (Objective 2 and PDC 8). Development should have safe and convenient access, avoid unreasonable interference with the flow of traffic on arterial roads, and accommodates the type and volume of traffic likely to be generated (Transportation and Access PDC 30). Commercial vehicle movements through residential side streets and adjacent other sensitive uses should be discouraged (Transportation and Access PDC 16)

The proposal is considered to satisfy the key provisions summarised above as:

- The existing access and car parking layout will be unchanged. The existing arrangement is considered to provide safe and convenient conditions, including forward facing access and egress onto Princes Highway.
- Based on the limited client and staff numbers proposed, the fitness studio is expected to be a low-traffic generator which will not exceed the capacity of the car park, its access points and the surrounding road network.
- In reality, the proposed fitness studio is likely to have a comparable or smaller traffic volume than the shop it replaces - The RTA Guide to Traffic Generating Development suggests the existing shop of 175m² would generate in the order of 213 vehicle movements per day (based on 121 daily movements per 100m² of shop GLA – per Table 3.2 of the guide).
- The fitness studio will result in very few “commercial and industrial” vehicle movements. The vast majority of vehicles movements to/from this use will be in the form of passenger vehicles.
- Further to the point above, the proposal will not encourage vehicle movements through residential side streets as the site has a direct frontage to a main road.

8.8. Built Form and Historic Conservation Area

The site is located in the Historic Conservation Area (Littlehampton Area 9).

The proposal primarily involves internal building work which will have no impact upon the historic character of the area or any nearby heritage places. The relevant building will retain an appropriate appearance to the street, comprising a front verandah with a symmetrical cottage form/appearance.

No signage is proposed as part of this application. There is a multi-tenancy pylon sign at the front of the site which may suffice, however if additional signage is proposed for the building, this will be assessed via a separate development application should the proposal be granted consent.

9. CONCLUSION

The proposal involves a partial change of land use from shop to a fitness studio. In summary, the fitness studio will contain a maximum of 2 staff and 12 clients at any one time, with all clients to attend by appointment only between the hours 5:30am-7:30pm weekdays and 6:00am-10:00am Saturdays.

The application is an on-merit kind of development. It underwent Category 2 public notification as the site is located within a Neighbourhood Centre Zone, adjacent a Residential Zone. One adjacent resident submitted a representation raising concerns with noise, sleep disturbance and operating hours. The impacts as a result of the development have been considered as minor and acceptable having regard to the applicant's response, the nature of the locality and the applicable policies as addressed in this report.

The main planning considerations relate to land use, interface impacts on adjacent land, car parking, traffic and character.

The land use is considered to be appropriate as it is small scale, provides a service to the surrounding community and does not undermine the higher order centres

It is also anticipated to have a low impact on adjacent land uses. Noise is to be contained within the building.

The proposal results in theoretical increase in parking demand of 4 spaces, which can be accommodated within the car park of the complex (148 spaces).

The fitness studio is considered to be a low traffic generator which will not exceed the capacity of the car park or the surrounding road network (particularly when considered in comparison to the shop it replaces).

The proposal primarily involves internal building works which will cause no impact upon the historic character of the locality.

Taking all relevant planning matters into consideration, the subject proposal sufficiently accords with the relevant development plan policy to warrant Development Plan Consent.

10. RECOMMENDATION

It is recommended 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.

RESOLVE to GRANT Planning Consent to the application by Beyond Ink for the partial change of use to a fitness studio at 87 Princes Highway, Littlehampton (Development Application 580/358/21) subject to the following conditions and advisory notes:

1. The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, including:
 - Letter titled 'Partial Change in Use at 2/87 Princes Hwy, Littlehampton' dated 25 February 2021 by Beyond Ink;
 - Floor Plan (Sheet PA01, Revision A, 19 March 2021) by Beyond Ink.
2. The hours of operation shall be limited to:
 - 5.30am to 7.30pm Monday to Friday; and
 - 6.00am to 10.00am Saturday.
3. All amplified music shall be limited to a volume to not have an unreasonable impact upon the amenity of the adjacent residential dwellings to the satisfaction of Council.

Notes:

1. The development shall operate in accordance with *Local Noise and Litter Control Act 2016*.
2. A separate development application is required for any proposed advertising signage.
3. 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.

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Item 5.1.3.3 - Attachment One (1)



AMENDED

Development application form

Mount Barker District Council
Received
26 Feb 2021
Development Act 1993

PO BOX 54 OR 6 Dutton Road
MOUNT BARKER SA 5251 MOUNT BARKER
TELEPHONE: (08) 8391 7200 FAX: (08) 8391 7299
www.mountbarker.sa.gov.au

Office use only
DEVELOPMENT NUMBER:
580 / /

Please use **BLOCK LETTERS** and Black or Blue ink so that photocopies can be made of your application

PLEASE TICK AS REQUIRED

Development Plan Consent ☒ Building Rules Consent ☐ Development Approval (both) ☐

APPLICANT'S CONTACT DETAILS:

Name: Beyond Ink Email: admin@beyondink.com.au
Postal Address: PO Box 531 Hahndorf SA 5245 Phone: 8388 1179

OWNER'S CONTACT DETAILS:

Name: Peter Wilson Email: _____
Postal Address: C/- applicant Phone: _____

BUILDER'S CONTACT DETAILS:

Name: TBC Email: _____
Postal Address: _____ Phone: _____

CONTACT PERSON:

Name: Jordana O'Sullivan Email: jordana@beyondink.com.au

DESCRIPTION OF DEVELOPMENT:

Proposed Development (e.g. Dwelling, Shop, Garage): Small scale specialist fitness studio

Existing Use (e.g. Vacant, Dwelling, Grazing): Retail

LOCATION OF PROPOSED DEVELOPMENT:

Assessment No: _____ Parcel No: _____
House No: 87 Lot / Section No: 84 Street: Princes Hwy
Town: LITTLE HAMPTON Volume: 5809 Folio: 653

BUILDING RULES CLASSIFICATION SOUGHT: _____ Present classification: _____

If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Male: _____ Female: _____

If Class 9a classification is sought, state the number of persons for whom accommodation is provided: _____

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: _____

Does either Schedule 21 (Activities of Environmental significance) or 22 (Activities of Major Environmental significance (EPA)) of the Development Regulations, 2008 apply? ☐ Yes ☒ No

DEVELOPMENT COST (do not include shop fitout costs): \$ 0.00

I acknowledge that copies of this application and supporting documents may be provided to interested persons in accordance with the Development Regulations, 2008.

SIGNATURE: [Signature] DATE: 25.02.2021
Applicant / Owner / Agent

RELEVANT FEES, COPIES OF PLANS & COPIES OF ANY OTHER RELEVANT SUPPORTING DOCUMENTATION
ARE DUE ON SUBMISSION OF THIS APPLICATION



Product Register Search (CT 5809/653)
Date/Time 04/03/2021 09:45AM
Customer Reference 358/21
Order ID 20210304001750



The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5809 Folio 653

Parent Title(s) CT 3214/162
Creating Dealing(s) CONVERTED TITLE
Title Issued 22/09/2000 Edition 4 Edition Issued 28/02/2018

Estate Type

FEE SIMPLE

Registered Proprietor

4 MOUNT BARKER RD PTY. LTD. (ACN: 130 719 532)
OF PO BOX 797 LITTLEHAMPTON SA 5250

Description of Land

ALLOTMENT 84 FILED PLAN 157319
IN THE AREA NAMED LITTLEHAMPTON
HUNDRED OF MACCLESFIELD

Easements

NIL

Schedule of Dealings

Dealing Number	Description
13094059	LEASE TO FRIENDLY SOCIETY MEDICAL ASSOCIATION LTD. (ACN: 088 347 602) COMMENCING ON 15/10/2018 AND EXPIRING ON 14/10/2025 OF PORTION (SHOP 1 IN F254134)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL

Registrar-General's Notes

APPROVED FILED PLAN FOR LEASE PURPOSES FX254134

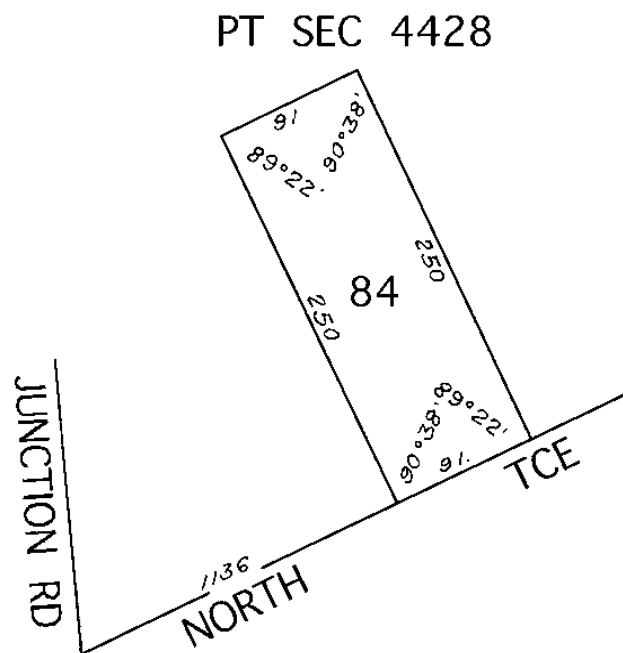
Administrative Interests	NIL
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Product
Date/Time
Customer Reference
Order ID

Register Search (CT 5809/653)
04/03/2021 09:45AM
358/21
20210304001750

THIS PLAN IS SCANNED FOR CERTIFICATE OF TITLE 3214/162



100 50 0 100 LKS

DISTANCES ARE IN LINKS
FOR METRIC CONVERSION
1 LINK = 0.201168 METRES
1 CHAIN = 100 LINKS

NOTE: SUBJECT TO ALL LAWFULLY EXISTING PLANS OF DIVISION



Product Historical Search
Date/Time 04/03/2021 09:45AM
Customer Reference 358/21
Order ID 20210304001750

Certificate of Title

Title Reference: CT 5809/653
Status: CURRENT
Parent Title(s): CT 3214/162
Dealing(s) Creating Title: CONVERTED TITLE
Title Issued: 22/09/2000
Edition: 4

Dealings

Lodgement Date	Completion Date	Dealing Number	Dealing Type	Dealing Status	Details
10/04/2019	22/05/2019	13094059	LEASE	REGISTERED	FRIENDLY SOCIETY MEDICAL ASSOCIATION LTD. (ACN: 088 347 602)
16/02/2018	28/02/2018	12878489	TRANSFER	REGISTERED	4 MOUNT BARKER RD PTY. LTD. (ACN: 130 719 532)
23/05/2008	17/06/2008	10965119	TRANSFER	REGISTERED	FRIENDLY SOCIETY MEDICAL ASSOCIATION LTD. (ACN: 088 347 602)
23/05/2008	17/06/2008	10965118	DISCHARGE OF MORTGAGE	REGISTERED	9759752
23/05/2008	17/06/2008	10965117	WITHDRAWAL OF CAVEAT	REGISTERED	10922480
20/03/2008	31/03/2008	10922480	CAVEAT	REGISTERED	GERALDINE ELIZABETH SHEPPARD
02/01/2004	27/01/2004	9759752	MORTGAGE	REGISTERED	HOMESTART FINANCE
02/01/2004	27/01/2004	9759751	TRANSFER	REGISTERED	MARIE-JOSE ELISABETH VAN BAVEL
02/01/2004	27/01/2004	9759750	DISCHARGE OF MORTGAGE	REGISTERED	6673549
28/05/2002	24/06/2002	9348403	TRANSFER OF MORTGAGE	REGISTERED	HOMESTART FINANCE 6673549
23/01/1989	09/03/1989	6673549	MORTGAGE	REGISTERED	



Thursday, 25 February 2021

District Council of Mount Barker
PO BOX 54
MOUNT BARKER SA 5251

Attention: Michael Dickson

Dear Michael,

Partial Change in Use at 2/87 Princes Hwy, Littlehampton

Please find attached application for a partial change in use of 2/87 Princes Hwy, Littlehampton, totaling 175m² of gross leasable floor area.

Elevate Fitness and Movement is a specialised and small scale fitness studio centered around injury rehab and prevention, pre/post natal and strength based training. Clients will have access to the studio by appointment only, working directly with their trainer at all times. There will be no unsupervised use of the studio by clients.

Appointments will be available between 5.30am and 7.30pm Monday to Friday as well as between 6.00am and 10.00am Saturday. There will be 1 to 2 trainers on site at any one time, each working with a limited number of clients to ensure they are able to provide one on one attention and guidance to each.

Overall, there will be an absolute maximum of 12 clients within the studio at any one time. In terms of what the likely reality is in terms of client numbers, Elevate Fitness and Movement currently operate well below this maximum figure with the busiest period being around 9.30am with about 6-8 clients booked.

The music will be kept to a volume suitable for trainers and clients to easily communicate with one another and lower again prior to 8.00am. Music should not be audible outside of the building.

In addition to the fitness offering outlined above, there will also be space dedicated for remedial massage and an occasional visiting physiotherapist. Remedial massage and physio will again both be available by appointment only. While each of these services will be offered within the same overall operating hours as the fitness studio component, these activities are very much the subordinate to the studio itself.

08 8388 1179
admin@beyondink.com.au
beyondink.com.au

DESIGN | COUNCIL | BUILD

Mount Barker District Council

Received
25 February 2021
BEYONDINK

The business owner is both the trainer and the sole massage therapist, meaning that when booked for remedial massage there will be one less trainer in the studio and therefore a significant reduction in the number of clients on site.

Physiotherapy services will be offered on an occasional basis with a visiting physio taking clients for half a day per fortnight.

The existing building has an approved retail use with the 175m² portion being afforded 10 parking spaces at the rate of 5.5 spaces per 100m² of gross leasable floor area. The specialist nature of the fitness studio necessitates a site-specific approach to the carparking demand generated by the proposal.

If operating at absolute capacity, there will be 14 people on site associated with the studio. While this does result in a small shortfall in carparks (based on the retail provision), the reality is that this will be a rare occurrence with the studio generally operating at a lesser capacity based on their experience in their current studio space. In addition to this, the shared carpark at the rear more than meets the demand of the site as a whole, with a substantial portion consistently vacant.

Please let me know whether you have any queries on the above.

Yours Sincerely,

Jordana O'Sullivan



A	19/03/2021	Door reinstated
Rev No	Rev Date	Revision Description
		ABN 36 960 210 275
<p>3D AND PERSPECTIVE DRAWINGS MAY BE INACCURATE OR INCOMPLETE, THEY ARE CONSIDERED TO BE INDICATIVE.</p>		
<p>CHANGE IN USE TO SMALL SCALE SPECIALIST FITNESS STUDIO</p>		
<p>87 OLD PRINCES HIGHWAY, LITTLEHAMPTON SA 5250</p>		
<p>FLOOR PLAN</p>		
FOR APPROVAL		Revision: A
<p>Drawn: AK</p> <p>Date: 25/02/21</p> <p>Scale: @A1 size : 1 : 100</p>		<p>Sheet Number</p> <p>PA01</p>

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Item 5.1.3.3 - Attachment Two (2)



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Item 5.1.3.3 - Attachment Three (3)

RECEIVED
MOUNT BARKER
DISTRICT COUNCIL
19 APR 2021

DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION FOR CATEGORY 2
Pursuant to Section 38(4) of the Development Act, 1993

File: 358/21

TO: Chief Executive Officer
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

1891,30215,
35919,35920,
35921,35922

Doc:

THIS SHEET PROVIDES YOU WITH THE OPPORTUNITY TO MAKE COMMENTS IN RELATION TO A PROPOSED DEVELOPMENT; IF YOU WISH TO DO SO, PLEASE FIND ATTACHED DETAILS OF THE PROPOSED DEVELOPMENT.

DEVELOPMENT NO. 580/358/21
Partial change of land use to a fitness studio

YOUR DETAILS: (all fields with an asterisk * must be completed to ensure that this is a valid representation as per Regulation 35 of the Development Regulations 2008).

* NAME: PHILIP DENNIS COATES
* HOME ADDRESS: 96 PRINCES HIGHWAY LITTLEHAMPTON
* POSTAL ADDRESS: PO Box 305 LITTLEHAMPTON
PHONE NO: 0408 890 021 E-MAIL: philcoates48@gmail.com

My interest/s are affected as: (please tick the following boxes as appropriate)

☒ The owner or the occupier of the property located at: 96 PRINCE HIGHWAY LITTLEHAMPTON
☐ Other (please state): (OPPOSITE PROPOSED FITNESS STUDIO)

YOUR COMMENTS:

* I/We:

☐ Support the proposal and provide the following comments.
☒ Oppose the proposal and provide the following comments.

(Please note that your comments should demonstrate reasonable particularity)

As we live opposite we already have considerable noise from OTR (rubbish collection at 4.45 am etc) which disturbs our sleep. Having more vehicles going into the site for

early morning starts at 5.30am and 6.00am weekends
is NOT acceptable. Prior to OTR being 24 hours
Bardies was no noise after 10.00pm. Noise
is an issue. You seem to take NO notice of any
previous OBJECTIONS re noise issues.

We are in our seventies and light sleepers. Please
respect our rights.

Previously in your decision 06/12/19 regarding development
580-0057-99 the premises offsite was only to be used
* I/We: between 6.00am and 10.00pm. OTR changed this so
we do not want any more noise.



Do not wish to be heard by the Council Assessment Panel in support of my representation.
as you usually go with the application.



Wish to be heard by the Council Assessment Panel in support of my representation, and I will be:



Appearing personally,

OR



Be represented by the following person:

Contact details:

(Please note, matters raised in your representation will not need to be repeated at the Council Assessment Panel meeting).

Development Act 1993 - Part 4, 38 (10)(a)

In the case of a Category 2 development - the relevant authority 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.

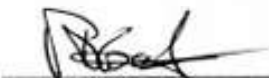
Your written representation must be received by Council no later than 11.59pm on Wednesday 21 April 2021, to ensure that it is a valid representation and taken into account.

If you make representation you will be notified by a separate letter of the date and time of the Council's Assessment Panel (CAP) meeting at which CAP will consider the application.

Representor's Declaration:

I am aware that the representation will become a public document as prescribed in the Freedom of Information Act 1991, and will be made available to the applicant, agencies and other bodies pursuant to the Development Act 1993 and may be uploaded to the Council's website as an attachment to a Development Assessment Panel agenda.

SIGNED



DATE

7/04/2021

Item 5.1.3.3 - Attachment Four (4) Mount Barker District Council
Received
04 May 2021

BEYOND!NK

Tuesday, May 4, 2021

Mount Barker District Council
Po Box 54
MOUNT BARKER SA 5251

Attention: Michael Dickson

Dear Michael

RE: D/A 580/358/21 Proposed partial change of and use to a fitness studio at Littlehampton.

The representation received from the residents at 96 Princes Hwy, Littlehampton, substantially relates to the noise generated by the 24 hour OTR operation activities.

The proposal for the small-scale fitness studio will not adversely affect the amenity of the respondents.

The small-scale fitness operation will have less impact on the residential amenity than would a shop. There will be no deliveries, no trade rubbish collection, and limited weekend activities.

Carparking is behind the existing bakery shop, as is the access to the building.

The proposal is low-key and will generate less noise than a shop, and will have no impact on the residential amenity of the area.

Please contact me if you require further information

Yours sincerely



John Ashcroft
Business Principal

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5.1.4. CATEGORY 1 APPLICATIONS

Nil.

5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

Nil.

6. REVIEW OF ASSESSMENT MANAGER DECISIONS

Nil

7. INFORMATION REPORTS

Nil.

8. CONFIDENTIAL REPORTS

Nil.

9. POLICY MATTERS ARISING FROM THIS AGENDA

10. OTHER BUSINESS

11. CLOSE