

MINUTES OF THE MEETING of the Council Assessment Panel of Mount Barker District Council held in the Council Chambers of the Local Government Centre, 6 Dutton Road Mount Barker on Wednesday 9 November 2022, commencing at 9.30 am.

PRESENT **(Members)** Geoff Parsons (Presiding Member), Sally Roberts and Harry Seager.
(Staff) Manager – Planning, City Development (A Humphries), Senior Planner, City Development (M Dickson), Senior Planner, City Development (R Richards) and the Minute Secretary (S Mann).

1. APOLOGIES

Mark Adcock, Tom Gregory

Sally Roberts moved that Geoff Parsons act as Presiding Member for this meeting with the absence of Mark, Geoff accepted the nomination.

Seconded Harry Seager

CARRIED
CAP20221109.01

2. CONFLICT OF INTEREST DECLARATION

Nil declared.

3. CONFIRMATION OF MINUTES

Moved Harry Seager that the minutes for the meeting held on 21 September 2022 be taken as read and confirmed.

Seconded Sally Roberts

CARRIED
CAP20221109.02

4. REPORTS DEFERRED

Nil.

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5. REPORTS BY OFFICERS

5.1. DEVELOPMENT ACT APPLICATIONS

5.1.1. NON-COMPLYING APPLICATIONS

5.1.1.1 580/343/21 – NICK DUNCAN

Development Number	580/343/21
Applicant	Nick Duncan
Subject Land	2282 Mount Barker Road, Hahndorf
Ward	North Ward
Nature of Development	Additions to the Hahndorf Farm Barn Tourist Centre comprising the change in use of an existing outbuilding to be used in association with the Farm Barn operations (including open pergola and alterations and additions to the building) and the construction of six (6) tourist accommodation units (including decking) for up to 16 guests and ancillary car parking and infrastructure
Lodgement Date	24 February 2021
Development Plan	Consolidated 20 August 2020
Zone	Primary Production
Policy Area	Hahndorf Rural Activity Policy Area 24
Relevant Authority	Council Assessment Panel
Categorisation	Non-Complying
Notification	Category 3
Representations	Two (2)
Persons to be heard	One (1)
Referrals - Statutory	<ul style="list-style-type: none">• Commissioner of Highways• Environment Protection Authority• SA Country Fire Service
Referrals – Non-Statutory	<ul style="list-style-type: none">• Council's Development Engineer• Council's Environmental Health Officers
Responsible Officer	Michael Dickson – Senior Planner
Recommendation	Grant Planning Consent subject to reserved matters, conditions and notes

9.34hrs Sheila Saville spoke against the application.



9.40hrs Peter Meline, Adelaide Hills Development Services spoke for the application.

The Panel discussed the application and reached the following decision;

Sally Roberts moved that the Council Assessment Panel:

DETERMINE 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 Nick Duncan for the additions to the Hahndorf Farm Barn Tourist Centre comprising the change in use of an existing outbuilding to be used in association with the Farm Barn operations (including open pergola and alterations and additions to the building) and the construction of six (6) tourist accommodation units (including decking) for up to 16 guests and ancillary car parking and infrastructure at 2282 Mount Barker Road, Hahndorf in Development Application 580/343/21, subject to the following reserved matters, conditions and notes:

Reserved matters:

1. Additional detail in the Stormwater Management Plan shall be provided to the satisfaction of Council to address the following matters:
 - A rock swale is proposed to intercept stormwater from the development and take it to a biofiltration basin before being discharged into the dam. The stormwater report states that where the swale grade is less than 4%, a vegetated swale can be used instead of a rock swale. Whilst this is referenced in the report, this should be clarified on the plan to show which extent of the swale will be vegetated and which extent will be rock-lined.
 - Supporting calculations/evidence shall be provided that details the rock lined and vegetated swales are appropriately sized to convey the 1% AEP event flows. Additionally, the rock lining should be appropriately sized for these flows to prevent erosion within the swale.
 - Detailed design of the bioretention system is required to be provided to Council specifying inlet/outlet structures, under surface drainage infrastructure and soil layers/material specifications, as well as calculations supporting the outlet orifice diameter nominated as well as which event this is restricting post development flows to.
 - The report notes that "There is overflow from the vegetated basin in a 1% AEP storm event, however the 1% AEP proposed development flow rate is 50 L/s less than the existing development 1% AEP flow rate". Additional detail shall be provided for the overflow weir and downstream swale alignment to understand its construction, functionality and ability to safely convey the overflows.



Council conditions:

1. The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions, including:
 - Architectural plans by Holland Building Solutions, including: Locality Plan (Date: 25/02/2021), Part Site Plan (Date: 22/02/2022), Floor Plan (Date: June 2018), Elevations (Date: June 2018), Perspective (Date: June 2018), SHED Floor Plan (Date: 22/02/2022), SHED Elevations (Date: 22/02/2022), SHED Perspective (Date: 22/02/2022);
 - Siteworks and Drainage Plan by Highgrove Design (Job no: HG0626, Revision: C, Date: April 2022);
 - Statement of Effect by Peter Meline and Associates;
 - Stormwater Management Plan by DBN Consulting Engineers Pty Ltd (Revision: 5 Date: 02/02/2022);
 - Traffic and Parking Assessment (File: 20-126, Date: 11/03/2022) and Response to Council RFI (File: 20-126, Date: 28/09/2022) by Phil Weaver and Associates;
 - Onsite Wastewater Management Report by Maxwell Consulting Engineers (Project no: ME1967, Version: B, Date: 01/09/2021);
 - Environmental Noise Assessment by Marshall Day Acoustics (Report no: Rp 001 R06 20190219, Revision: R06, Date: 08/11/2021);
 - Odour Assessment by SLR Consulting Australia (Reference: 650.30005-R01-v1.1, Date: 11/04/2022); and
 - Written correspondence from Naomi and Nick Duncan (Date: 06/10/2022).
2. All requirements in regard to the construction of driveways, carparks and access are to be met prior to operation of the development and maintained thereafter to the satisfaction of Council, including:
 - All vehicle car parks, driveways, vehicle entry and manoeuvring areas must be designed, constructed, delineated with wheel stops, and maintained in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009), including being surfaced and drained to provide structural integrity and traction in both wet and dry conditions in accordance with accepted engineering standards, and shall be maintained in good condition at all times. The disabled parking spaces shall be signposted and a bollard installed in the shared area;
 - A turnaround area shall be provided (including signage or similar to preclude parking) for the car parking adjacent the tourist accommodation buildings to allow vehicles to turnaround and return to the main car park if there are no available parks;



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- Speed limit signage and WG-3 'children' warning signage shall be installed within the car parking areas and driveway to the tourist accommodation as recommended in the Traffic and Parking Assessment (File: 20-126, Date: 11/03/2022) by Phil Weaver and Associates; and
 - All car parks and traffic control devices shall be designed and constructed in accordance with AS 2890 – Off-Street Car parking, AS 1742 Manual of Uniform Traffic Control Devices and the Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999).
3. All requirements in regard to stormwater are to be met prior to operation of the development and maintained thereafter to the satisfaction of Council, including:
 - Management of stormwater shall occur generally in accordance with the Stormwater Management Plan by DBN Consulting Engineers Pty Ltd (Revision: 5 Date: 02/02/2022); and
 - 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, soil erosion or destabilise adjoining land.
 4. All service and delivery vehicles required to service the tourist accommodation shall occur outside of peak usage periods for the approved development.
 5. All scarring or physical disturbances of the land surface during any excavation work shall be restricted to only that which is required for building work and/or access purposes. All resultant exposed faces shall be covered in topsoil and planted with suitable ground cover to the reasonable satisfaction of Council.
 6. All landscaping and vegetation as detailed on the Part Site Plan (Date: 22/02/2022) by Holland Building Solutions shall be planted within three (3) months of operation of the development. The vegetation shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants replaced to the reasonable satisfaction of the Council.
 7. All external lighting of the site, including car parking areas, loading areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.
 8. Waste and rubbish shall not cause nuisance to nearby properties or detract from the amenity of the locality, to the reasonable satisfaction of Council, by:
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- Being appropriately contained, stored, managed and screened from public view to not cause odour impact, visual impact or unsanitary conditions; and
 - Bins stored within the designated enclosed/fenced area at all times except where removed for waste collection.
9. Effective soil erosion and drainage control measures shall be implemented during the construction of the development in accordance with this consent to:
- prevent silt 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;
 - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land; and
 - ensure all disturbed land is managed to prevent silt runoff and dust.

Commissioner of Highways conditions:

10. All access to the development shall be gained via the existing access point on Mount Barker Road in accordance with the amended site plan produced by Holland Building Solutions, dated 22 February 2022.
11. All vehicles shall enter and exit the site in a forward direction. The access and all on-site vehicle manoeuvring areas shall remain clear of any impediments to vehicle movements.
12. Vegetation trimming/removal shall be undertaken on an ongoing basis to ensure that sight lines at the access are maximised.
13. All off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
14. Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the adjoining road network. Any alterations to the road drainage infrastructure required to facilitate this shall be at the applicant's expense.



Environment Protection Authority conditions:

15. The detailed design of the wastewater management system (including grease arrestor, septic tank, balance tank, alternating electronically controlled pumps, and pressure dosed soakage beds) must be established in accordance with the Onsite Wastewater Management Report prepared by Maxwell Consulting Engineers, dated 1 September 2021, and must ensure:
 - a. the soakage beds are located more than 50m from the nearest watercourse, dam or bore, more than 1.2m from the seasonal groundwater table, on a slope less than 20% and not in the 10% AEP flood zone
 - b. all surface water and runoff is diverted away from the soakage area
 - c. the wastewater management system is adequately maintained.
16. The detailed design of the stormwater management system (including vegetated and rock-lined swales, vegetated basin and biofiltration area) must be established in accordance with the treatment train specified in the Stormwater Management Plan, prepared by DBN Consulting Engineers, dated 2 February 2022 and must:
 - a. meet the following quality targets:
 - i. Suspended solids (SS) - 80% reduction of the typical urban annual load with no treatment
 - ii. Total phosphorus (TP) - 60% reduction of the typical urban annual load with no treatment
 - iii. Total nitrogen (TN) - 45% reduction of the typical urban annual load with no treatment
 - b. ensure runoff is maintained at pre development levels
 - c. ensure groundwater resources are not impacted
 - d. mitigate flood risk
 - e. ensure the stormwater management system is adequately maintained.
17. A Soil Erosion and Drainage Management Plan (SEDMP) must be prepared prior to construction and implemented during the construction phase at the site. The SEDMP must include measures to manage soil erosion and runoff during construction.

Country Fire Service conditions:

18. ACCESS TO HABITABLE BUILDINGS
Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.3.1 describes the mandatory provision that 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.

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SA CFS has no objection to utilising the existing access driveway as detailed on drawing named Part Site Plan, dated at last revision 22/02/2022 and upgraded, where necessary, to comply with the following conditions:

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - i. A loop road around the building, OR
 - ii. A turning area with a minimum radius of 12.5 metres, OR
 - iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres (for each 'leg') and minimum internal radii of 9.5 metres.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.

19. WATER SUPPLY & ACCESS (to dedicated water supply)

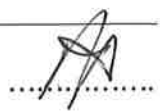
Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" July 2020, as published under the Planning, Development and Infrastructure Act 2016, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with MBS008.

The proposed location of dedicated fire water has not been detailed on drawings provided.

SA CFS has no objection to the existing water supply (existing concrete tank) or proposed new water tanks being utilised as the dedicated supply, providing an outlet can be positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 60 metres from the furthest part of the proposed accommodation units.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross



vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.

- SA CFS appliance's inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- Ideally a remote water supply outlet should be gravity fed, where this is not possible the following dimensions shall be considered as the maximum capability in any hydraulic design for draughting purposes:

The dedicated water supply outlet for draughting purposes shall not exceed 5 metres maximum vertical lift (calculated on the height of the hardstand surface to the lowest point of the storage) and no greater than 6 metres horizontal distance.

The suction outlet pipework from the tank shall be fitted with an in line non return valve of nominal internal diameter not less than that of the suction pipe and be located from the lowest point of extract from the tank. All fittings shall be installed to allow for easy maintenance.

Please note that where the water supply is an above-ground water tank, the tank (including any support structure) must be constructed of non-combustible material, such as concrete or metal.

20. VEGETATION MANAGEMENT

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012), Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property.

- A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries - whichever comes first) as follows:
 - i. The number of trees and understorey plants existing and to be established within the VMZ shall be maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.

- ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
- iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
- iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
- v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height from the trees' lowest branches.
- vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
- vii. No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
- viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
- ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

Council notes:

1. An On-site Wastewater Works Application, must be approved by Council prior to the commencement of building work for the approved development.
2. As the application includes a new animal handling area, careful consideration is required to reduce the risk of illness associated with animal contact. The plans detail provisions for a handwashing trough to be included in the Farm Activity Shed. Any handwashing facilities should be designed in accordance with the SA Health Animal Contact Guidelines 2015 - SA Health Animal Contact Guidelines 2015. This will be assessed further through the application for the on-site system.
3. The development shall operate generally in accordance with *Local Noise and Litter Control Act 2016*.
4. Signage has not been included in the application. Should advertising signage be proposed, a separate development approval must be granted unless the signage is excluded from the definition of development pursuant to the *Planning, Development and Infrastructure (General) Regulations 2017*.
5. 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.

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6. 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.
7. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
8. The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).
9. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).

Environment Protection Authority notes:

10. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to 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.
11. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc. can be accessed on the following web site: <http://www.epa.sa.gov.au>



Country Fire Service notes:

12. TOURIST ACCOMMODATION - BUSH FIRE SURVIVAL PLAN

CFS further recommends that the applicants prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season. The BSP:

- a. should provide clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions; and
- b. should address the possibility that the owners may not be present at the time of the bushfire event; and
- c. should not expect guests to be involved in fire-fighting operations.

The SA CFS 'Bushfire Safety Guide For Business' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.

The applicant should consider reducing operating hours and restrictions on days of heightened bushfire danger and/or bushfire events and consider including any alterations to bookings and services offered due to actual or predicted conditions during the Fire Danger Season in any booking/refund policy.

13. Compliance with the fire protection requirements is not a guarantee the habitable building will not burn, but its intent is to provide a '*measure of protection*' from the approach, impact and passing of a bushfire.

14. BUILDING CONSIDERATIONS

Please refer to the NCC, relevant standards and state provisions for construction requirements and performance provisions.

15. COMMERCIAL BUILDING CONSIDERATIONS

For construction requirements and performance provisions, refer to the NCC "FIRE SAFETY" and Australian Standard TM3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas", for the relevant provisions applicable to the classification of the building.

16. An officer of the SA Country Fire Service (SA CFS) Development Assessment Service, has assessed the proposed development site, allotment and adjoining areas. The BAL rating for Tourist Accommodation Units 1 - 6 is determined to be BAL 12.5. This BAL rating is conditional upon the establishment and maintenance of a 20m Vegetation Management Zone, in accordance with the vegetation management



condition of consent placed on the planning consent with same application reference.

This report is considered relevant at the date of assessment with respect to the elevations detailed on proposed Site Plan, dated at last revision 22/02/2022, and shall not be considered as SA CFS endorsement of any subsequent development.

Seconded Harry Seager

CARRIED
CAP20221109.03

5.1.2. CATEGORY 3 APPLICATIONS

5.1.2.1 580/1446/20 – PC INFRASTRUCTURE PTY LTD

Development Number	580/1446/20
Applicant	PC Infrastructure Pty Ltd
Subject Land	239 Wellington Road, Mount Barker
Ward	Central Ward
Nature of Development	Integrated petrol filling station complex (24hr) including new control building comprising 'On the run' retail services with integrated quick service restaurant & drive-through facility, free-standing bulky goods outlet, canopy and fuel filling facilities, automatic and manual car wash facilities, dog wash facility, underground fuel storage tanks, free-standing illuminated signage & building signage, car parking, retaining walls, fencing, landscaping and associated infrastructure
Lodgement Date	18 November 2020
Development Plan	Consolidated 20 August 2020
Zone	Residential Neighbourhood
Relevant Authority	Council Assessment Panel
Categorisation	Merit
Notification	Category 3
Representations	Two (2)
Persons to be heard	Nil
Referrals - Statutory	<ul style="list-style-type: none">• Commissioner of Highways• Environment Protection Authority



Referrals – Non-Statutory	<ul style="list-style-type: none">• Council’s Development Engineer• Council’s Environmental Health Officer• Council’s Landscape Technical Officer
Responsible Officer	Michael Dickson – Senior Planner
Recommendation	Grant Planning Consent subject to conditions

9.58hrs Bob Ellis spoke against the application.

10.06hrs Tim Beazley, Peregrine Corporation spoke for the application.

The Panel discussed the application and reached the following decision;

Sally Roberts moved that the Council Assessment Panel:

DETERMINE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan, with the inclusion of a reserved matter.

RESOLVE to GRANT Planning Consent to the application by PC Infrastructure Pty Ltd for the Integrated petrol filling station complex (24hr) including new control building comprising ‘On the run’ retail services with integrated quick service restaurant & drive-through facility, free-standing bulky goods outlet, canopy and fuel filling facilities, automatic and manual car wash facilities, dog wash facility, underground fuel storage tanks, free-standing illuminated signage & building signage, car parking, retaining walls, fencing, landscaping and associated infrastructure at 239 Wellington Road, Mount Barker (Development Application 580/1446/20) subject to the following conditions and advisory notes:

Reserved matter:

1. Applicant to provide an amended site plan and elevations demonstrating a reduction in the height and / or number of pylon signs to the reasonable satisfaction of the Council Assessment Manager.

Council’s conditions:


1. The development herein approved to be carried out in accordance with the stamped plans and details accompanying this application, except where amended by the following conditions, including:
 - Planning report by Peregrine Corporation, 30 September 2021;
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- Plans and details by ADS Architects, including Site Plan (Reference: 20/JN1404/sk01k, Date: 07/09/2022), Elevations (Reference: 20/JN1404/sk02c, Date: 07/04/2022), Elevations (Reference: 20/JN1404/sk03f, Date: 08/04/2022), and Elevations (Reference: 20/JN1404/sk04e, Date: 07/04/2022);
 - Landscape Plan by Oxygen (Reference: 15.047.067, Revision: E, Date: 28/09/2022);
 - Civil & Stormwater Plan by TMK Consulting Engineers (Drawing no: 2011006-C1/PB, Revision: PB, Date: 19/09/2022);
 - Stormwater Calculations by TMK Consulting Engineers (Job no: 2110107, Date: 22/04/2022);
 - Environmental Noise Assessment by Sonus (Reference: S6335.1C4, Date: December 2021);
 - Site Traffic Compliance Statement by Stantec (Reference: 301401112.1050, Date: 01/10/2021), including attached swept path assessments;
 - OTR Service Station Generic Parking and Traffic Management Report by GTA Consultants (Reference: S1177712, Date: 29/11/2017);
 - Written correspondence by Stantec (Reference: 30140112-1050, Date: 19/01/2022) including attached Traffic Management Plans; and
 - Written correspondence by Peregrine Corporation (Date: 30/09/2022).
2. All requirements in regard to the construction of driveways and carparks are to be met prior to operation of the development, and maintained thereafter, including:
- a. The driveways and car parking areas shall be designed, drained, constructed, line-marked and sealed with asphalt, pavers, or concrete providing both structural integrity and traction in both wet and dry conditions and include adequate stormwater drainage in accordance with accepted engineering standards. The use of unbound materials (e.g. gravel or quarry rubble) is not acceptable;
 - b. The driveway crossovers between the back of kerb and the boundary shall be constructed of a grade suitable for the anticipated commercial traffic and shaped to provide a verge slope no greater than 2.5 per cent fall towards the road where a footpath is present and a maximum 5% where no footpath is present, suitable for pedestrian traffic and in accordance with Council's current standards;
 - c. All car parks and any traffic control devices shall be designed and constructed in accordance with AS 2890 –Off-Street Car parking, AS 1742 Manual of Uniform Traffic Control Devices and the Notice to Council (Part 1 and 2) under the Road Traffic Act 1961 from the Minister for Transport and Urban Planning (December 1999);
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- d. A Traffic Control Plan together with a Traffic Impact Statement (TIS) shall be provided including traffic control measures and treatments to manage vehicle movements are to be addressed and finalised as a part of the detailed design to Council's satisfaction; and
 - e. Bollards shall be provided within the car park to prevent vehicle overhang over pedestrian thoroughfares (specifically parks 1-10 and 20-36) as well as the shared zone area adjacent the third party tenancy in accordance with AS2890.6.
3. All requirements in regard to stormwater are to be met prior to operation of the development, and maintained thereafter, including:
- a. Management of stormwater shall occur generally in accordance with the Civil & Stormwater Plan by TMK Consulting Engineers (Drawing no: 2011006-C1/PB, Revision: PB, Date: 19/09/2022);
 - b. All stormwater shall be discharged to the appropriate side entry pit within Heysen Boulevard which directs water to the Amblemead detention and retention basin;
 - c. 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; and
 - d. A system to improve stormwater quality shall be provided and constructed in a location and of a design to the reasonable satisfaction of Council to ensure that pollutants are trapped prior to exiting the site or entering the natural watercourse. The treatment system shall have a high capture efficiency for oils and petroleum/hydrocarbons.
4. All recommendations within the Environmental Noise Assessment by Sonus (Reference: S6335.1C4, Date: December 2021) shall be implemented prior to operation of the development, and maintained thereafter, including:
- a. Construction of a 1.8m high fence on top of the boundary retaining wall at the south of the site. The extent of the fence is shown in the diagram as ORANGE on page 12 of the report and shall be constructed from no less than 0.42BMT sheet steel (Colorbond or similar), which is sealed airtight at all junctions, including at the ground;
 - b. Ensure there are no irregularities on the site and all inspection points, grated trenches, etc. are correctly fixed to remove the potential for impact noise being generated when driven over;
 - c. Construct the walls of the automatic carwash from laminated glass which is a minimum of 10.38mm thick and/or precast concrete panels;
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- d. Install glass doors to the entry and exit of the automatic car wash which automatically close during operation (i.e., close before the start of the wash cycle, and do not open until the end of the wash cycle, including any drying). The doors should be constructed from a minimum of 10.38mm thick laminated glass (or a material with a higher surface density in kg/m^2) and be sealed as close to airtight as possible at all junctions when closed;
 - e. Incorporate a layer of 6mm thick compressed fibre cement sheet (or equivalent material with surface density of at least 8kg/m^2) to the underside of the roof structure of the car wash and include insulation in the cavity (with a density of at least 11 kg/m^3). Install acoustic absorption material to the underside of the lining, such as 50mm thick insulation (minimum density of 32kg/m^3), in accordance with the detail on page 11 of the report;
 - f. Incorporate an in-line attenuator to the discharge side of any significant exhaust fan if installed (such as may serve a kitchen); and
 - g. Construct a mechanical plant barrier on the southern and eastern sides of the control building plant (as shown in the diagram on page 12 of the report as a RED line) which is a minimum of 0.5m higher than the equipment and ensure it is sealed air tight at all vertical junctions and extends down to the roof as close as is practicable. The barrier may be constructed from a material such as sheet steel ("Colorbond" or similar) or a material with a greater surface density (4.3kg/m^3).
5. All recommended operational restrictions within the Environmental Noise Assessment by Sonus (Reference: S6335.1C4, Date: December 2021) shall be implemented for the ongoing operation of the development, including:
 - a. All deliveries to the site, including fuel, shall only occur between the hours of 7:00AM and 10:00PM on any day;
 - b. The manual wash bays shall only be operated between the hours of 7:00AM to 10:00PM on any day;
 - c. Reduce noise from any alarms produced by site equipment, such as for compressed air, to not detrimentally impact on adjoining land uses; and
 - d. Reduce noise from any amplified music played outdoors (under the canopy) to not detrimentally impact on adjoining land uses.
6. All retaining walls visible in the public realm (including along the site boundaries), as detailed on the Civil & Stormwater Plan by TMK Consulting Engineers (Drawing no: 2011006-C1/PB, Revision: PB, Date: 19/09/2022) shall have a decorative textured profile (e.g. Kensington or similar) in order to enhance the amenity of the streetscape and locality to the reasonable satisfaction of Council.



7. Landscaping shall be established generally in accordance with the Landscape Plan by Oxygen (Reference: 15.047.067, Revision: E, Date: 28/09/2022), within three (3) months of operation of the petrol filling station. All vegetation shall be nurtured and maintained with any diseased or dying vegetation replaced in a timely manner.
8. All signage shall:
- Not contain any element of LED or LCD display, except for the fuel prices on the pylon sign;
 - Not flash, scroll, move or change, with the exception of the LED fuel price signs, which may change on an as-needs basis;
 - Not be permitted to operate in such a manner that could result in impairing the ability of a road user by means of high levels of illumination or glare. Accordingly, all illuminated signs visible from the adjacent roads should be limited to a low level of illumination (i.e. $< 150\text{Cd/m}^2$), except in the case of electronic signage, which shall be limited to the following stepped luminance levels:
- | Ambient Conditions | Sign Illuminance Vertical Component (Lux) | Sign Luminance (Cd/m ²) Max |
|--------------------|---|---|
| Sunny Day | 40000 | 6300 |
| Cloudy Day | 4000 | 1100 |
| Twilight | 400 | 300 |
| Dusk | 40 | 200 |
| Night | <4 | 150 |
- In the case of electronic signage, incorporate an automatic error detection system which will turn the display off or to a blank, black screen should the screen or system malfunction.
9. Construction of a footpath within the Wellington Road road reserve, connecting the internal pedestrian pathway at the Wellington Road access to the footpath at the Wellington Road and Heysen Boulevard intersection, shall be completed by the developer prior to operation of the development. The detailed design of the footpath shall be provided to Council for approval prior to construction of the footpath commencing.
10. All external lighting of the site, including car parking areas, loading areas and buildings, shall be located, directed, shielded and of an intensity not exceeding lighting in adjacent public streets, so as not to cause nuisance or loss of amenity to any person beyond the site to the reasonable satisfaction of the Council.

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11. All service and delivery vehicles required to service the development shall be scheduled to occur outside of peak usage periods for the approved development.
 12. Waste and rubbish shall not cause nuisance to nearby residential properties or detract from the amenity of the locality, to the reasonable satisfaction of Council, by:
 - Being appropriately contained, stored, managed and screened from public view to not cause odour impact, visual impact or unsanitary conditions; and
 - Bins stored within the designated enclosed/fenced area at all times except where removed for waste collection.
 13. The development must not commence operation until the adjacent section of Heyesen Boulevard is constructed (including channelized turn lanes), practical completion has been accepted by Council and the road is open for public use.
 14. The Wellington Road access shall facilitate Left-in and Left-out vehicle manoeuvres only. Appropriate line marking and signage shall be provided at this access to the satisfaction of Council to reflect the Left-out only arrangement as a result of the opposing solid median to be constructed with the upgrade of the Wellington Road/Heyesen Boulevard roundabout.
 15. The development must be connected to an operational wastewater service for the drainage of wastewater, prior to the commencement of operation. All financial and augmentation requirements of the Water Industry Entity shall be met in regard to the connection to and construction of any wastewater connections, drains and services.
 16. Effective soil erosion and drainage control measures shall be implemented during the construction of the development in accordance with this consent to:
 - prevent silt 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;
 - ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land; and
 - ensure all disturbed land is managed to prevent silt runoff and dust.
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Commissioner of Highways conditions:

17. Access to Wellington Road and Heysen Boulevard shall be constructed as shown on ADS Architects Site Plan, Drawing No. 20/JN1404/sk01h, dated 27 April 2022 and updated Stantec Traffic Compliance Statement, GTA ref: 301401112.1050, dated 1 October 2021 and Turn Path Diagrams, Drawing No. S3014011-01, 02, 03 and 04, Issue P3, dated 1 October 2021.
18. All vehicles shall enter and exit the site in a forward direction.
19. Signage and line marking shall be utilised to reinforce the desired flow of traffic to, from and through the site.
20. The largest vehicle permitted on-site shall be a 19 metres articulated vehicle. All vehicles larger than 6.4 metres shall access the site via Heysen Boulevard only.
21. All off-street car parking shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009. Clear sightlines, as shown in Figure 3.3 'Minimum Sight Lines for Pedestrian Safety' in AS/NZS 2890.1:2004, shall be provided at the property line to ensure adequate visibility between vehicles leaving the site and pedestrians on the adjacent footpaths.
22. All off-street commercial vehicle facilities shall be designed in accordance with AS 2890.2:2018.
23. A Traffic Management Plan for the construction period of the development shall be produced to the satisfaction of DIT and Council prior to the commencement of construction.
24. Stormwater run-off shall be collected on-site and discharged without jeopardising the integrity and safety of the adjacent road network. Any alterations to the road drainage infrastructure required to facilitate this development shall be at the applicant's expense.

Environment Protection Authority conditions:

25. Prior to operation, all fuel storage tanks (apart from diesel and LPG) must be fitted with a Stage 1 vapour recovery system (which includes underground storage tank vent pipes being fitted with a pressure vacuum relief valve) that directs the displaced vapours back into the tank during filling.



26. Prior to operation, all fuel dispensers (apart from diesel and LPG) must be fitted with a Stage 2 vapour recovery system that directs vapours back into the tank during vehicle refuelling.
27. Prior to operation, all underground fuel storage tanks must be double-walled and fitted with a leak detection system designed and installed in accordance with clause 4.5 of *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.
28. Prior to operation, all fuel lines between the underground storage tanks and fuel dispensers must be double contained and fitted with a leak detection system, designed and installed in accordance with clause 4.5 of *Australian Standard 4897-2008 The design, installation and operation of underground petroleum storage systems*.
29. Stormwater runoff from all hardstand areas (including the refuelling and fuel delivery areas) must be managed in accordance with the Stormwater Plan (Drawing number 2011006 - C1/PB) and stormwater calculations prepared by TMK Consulting dated 22 April 2022 and must be directed via grates and grade changes to a SPEL Puraceptor full retention oil/water separator (no bypass function) that:
 - a. has as a minimum spill capture capacity of 10,000 litres
 - b. reduces oil content in the outlet to less than 5 mg/L at all times (as confirmed by independent third party scientific testing
 - c. operates effectively in the event of a power failure.
30. Any sludge or oily residue collected within the SPEL Puraceptor full retention oil/water separator must be removed by an EPA licensed waste transporter to a licensed waste depot.

Council notes:

1. An On-site Wastewater Works Application (including payment of applicable augmentation / sewer infrastructure fees) and a Trade Waste Application, must be approved by Council prior to the commencement of building work for the approved development.
2. Notification as a food business shall be provided to Council prior to operation of the development. For further information, please refer to Council's website: <https://www.mountbarker.sa.gov.au/community/food-safety/infoforfoodpremises>.

3. The development shall operate generally in accordance with *Local Noise and Litter Control Act 2016*.
4. 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.
6. As your proposed development includes construction works on Council roads or connections to Council assets, you are advised that an 'Undertake Works on Council Land' Permit Application will need to be issued by Council prior to the commencement of the works. The permit application form is available on Council's website.
7. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
8. The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).
9. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).



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Environment Protection Authority notes:

10. The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to 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.
11. An environmental authorisation in the form of a licence is required for the operation of this development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements. Information on applying for a licence (including licence application forms) can be accessed here: http://www.epa.sa.gov.au/business_and_industry/applying_for_a_licence
12. A licence may be refused where the applicant has failed to comply with any conditions of development approval imposed at the direction of the Environment Protection Authority.
13. If in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment that is not trivial, taking into account the land use, or harm to water that is not trivial, the applicant may need to remediate the contamination in accordance with EPA guidelines.
14. If at any stage contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA.

Seconded Harry Seager

CARRIED
CAP20221109.04

5.1.3. CATEGORY 2 APPLICATIONS
Nil.

5.1.4. CATEGORY 1 APPLICATIONS
Nil.



5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

5.2.1 21017282 – SUSANNA VERCO

Development No.	21017282
Applicant	Susanna Verco
Subject Land	63 Mueller Close, Bugle Ranges
Ward	South Ward
Nature of Development	Horse Keeping, Training of Equestrian Students, Tourist Accommodation, construction of Horse Keeping Yards, associated Fencing and removal of Condition 2 from Development Application 580/490/19.
Planning and Design Code Number	2022.6
Zone	Rural
Relevant Authority	Council Assessment Panel
Categorisation	Performance Assessed
Notification	Yes
Representations	Four (4)
Persons to be heard	Nil
Referrals - Statutory	<ul style="list-style-type: none">• SA Country Fire Service• Department for Environment and Water
Referrals – Non-Statutory	<ul style="list-style-type: none">• Council's Assets and Infrastructure Officer• Council's Environmental Health Officers
Responsible Officer	Randall Richards – Senior Planner
Recommendation	Grant Planning Consent subject to conditions and notes

10.59hrs Peter Meline, Adelaide Hills Development Services answered questions from Panel Members.

The Panel discussed the application and reached the following decision;

Harry Seager moved that the Council Assessment Panel:

DETERMINE that the proposed development is not seriously at variance with the provisions of the Planning and Design Code, with the changes to condition 4, and removal of condition 8.



GRANT Planning Consent to the application by Suzanna Verco for the Horse Keeping, Training of Equestrian Students, Tourist Accommodation, construction of Horse Keeping Yards and associated Fencing at 63 Mueller Close, Bugle Ranges, as detailed in Development Application 21017282 subject to the following conditions and advisory notes:

1. The development herein approved shall be carried out and maintained in accordance with the plans and documentation accompanying this application, except where amended by the following conditions and requirements, including but not limited to the following:
 - Report by Peter Meline and Associates, for Susanna Verco, lot 19 No 63 Mueller Close, Bugle Ranges SA 5251;
 - Report by Charles Kidd, Insight Agriculture (Insight ag), on Susanna Verco Equine Enterprise, 63 Mueller Close Bugle Ranges;
 - Location Plan & Site Plans, by Royal Green House, Horse keeping, training of equestrian students, retention of existing dwelling and conversion to occasional student accommodation, construction of horse keeping yards and associated fencing, dated 23/2/22, Job No 466-19, Rev A;
 - Letter from Adelaide Development Services dated 20/10/2022 and;
 - Plan of Horse Yards as stamped and approved.
2. Equestrian Tuition is to be limited to the following hours and Students:
 - November to March: 7am – 8.30pm
 - March to April: 7am – 6pm
 - May to August: 7am – 5.30pm
 - September to October: 7am – 7pm
 - Private Lessons: 1 x Student at any one time up to 10 x per week.
 - Event Lessons: 2 x Students at any one time up to 3 x per week.No private and event lessons will overlap, there will only be one private or one event lesson taking place at any one time.
3. No more than Fifteen (15) horses are to be kept on the subject land at any given time.
4. The four main paddocks shall be managed in accordance with the Report by Charles Kidd as it relates to pasture and grazing management to ensure suitable ground cover at all times to prevent dust, soil erosion and plugging.
5. Paddock manure to be dispersed evenly over the land with harrows or similar in accordance with the Report by Charles Kidd, Insight Agriculture (Insight ag) on Susanna Verco Equine Enterprise, 63 Mueller Close, Bugle Ranges.



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6. Stables, Holding Yards and Arena Manure will be managed in accordance with 5.4, 5.5 and 5.6 of the Report by Charles Kidd, Insight Agriculture (Insight ag) on Susanna Verco Equine Enterprise, 63 Mueller Close, Bugle Ranges, and must not create any adverse impacts on the locality.
 7. Stormwater run-off from horse keeping yards and shelters must be managed to prevent erosion or pollution of the site and the environment, and diverted away from wastewater disposal areas, such as septic tanks and aerobic systems.
 8. Traffic management, parking areas is to be in accordance with the submitted plans and achieve the following:
 - The parking of vehicles for patrons, staff and other entities shall, at all times, be restricted to the confines of the subject land;
 - Off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009;
 - The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with AS 2890.2:2018 and;
 - The car parking areas shall be gravelled, drained and marked to accepted engineering standards (timber wheel stops or similar) and shall be maintained in good condition at all times.
 9. Effective measures are to be implemented during the construction of the development in accordance with this consent to:
 - a) prevent silt run-off from the land to the environment;
 - b) control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - c) ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - d) ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
 - e) ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land and within the locality.



Country Fire Service conditions:

10. SITING

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 2.1, 4.2, 4.3) details the mandatory requirements for buildings and structures to be located away from areas that pose an unacceptable bushfire risk in order to provide sufficient defensible space for occupants and fire fighters; ensure radiant heat levels at the buildings are minimised in line with the assessed bushfire attack level & construction level; whilst maintaining reduced fuel loads and ensuring it can be maintained in perpetuity by the occupants.

- Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable building, unless built to relevant building standards for associated structures in Bushfire Prone Areas.

11. ACCESS TO HABITABLE BUILDING

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective use, operation and evacuation for firefighting and emergency personnel and evacuation of residents, occupants and visitors where required. These requirements apply when the furthest point of the building is more than 60m from the nearest public road.

SA CFS has no objection to utilising the existing access driveway as detailed on drawing named SITE PLAN dated at last revision 23/02/2022 and upgraded, where necessary, to comply with the following conditions:

- The driveway shall be connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8).
- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles, to within 60m of the furthest point of the building.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 1. A loop road around the building, OR
 2. A turning area with a minimum radius of 12.5 metres, OR
 3. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres (for each 'leg') and minimum internal radii of 9.5 metres OR
 4. A 'U' shaped 'drive-through' option.
- Private access shall have minimum internal radii of 9.5 metres on all bends.

- Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
12. WATER SUPPLY & ACCESS (to dedicated water supply)
- Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with MBS008.

‘The Planning and Design Code’ Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

SA CFS has no objection to the proposed location for the dedicated water supply as detailed on drawing named SITE PLAN dated at last revision 23/02/2022, providing the outlet is positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the furthestmost point of the building, to enable fire services to reach all parts of the building with no more than two lengths of hose from the hardstand area.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering “FIRE WATER”).
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance’s inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.



- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

Please note that where the water supply is an above-ground water tank, the tank (including any support structure) must be constructed of non-combustible material, such as concrete or metal.

13. MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT

'The Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Objective 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire fighters.

- Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:
 1. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
 2. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.
 3. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
 4. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.
 5. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height from the trees' lowest branches.
 6. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.
 7. No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).
 8. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves
 9. The VMZ shall be maintained to be free of accumulated dead vegetation.



Council notes:

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. The applicant has a right of appeal against the conditions which have been imposed on this Planning Consent. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).
3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. The proposed development is required to be connected to an approved **wastewater management system** (includes new or alterations to existing on-site systems, sewer systems and associated underfloor plumbing). A wastewater management system should be approved by Council prior to the commencement of construction.

Country Fire Service Notes

6. **BUILDING CONSIDERATIONS**
Ministerial Building Standard MBS008 "Designated bushfire prone areas - additional requirements" 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.

Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.



A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

Category of Bushfire Attack Level: **BAL 12.5**

This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.

This report is considered relevant at the date of assessment with respect to the elevations detailed on proposed Site Plan, dated 23/02/2022 and shall not be considered as SA CFS endorsement of any subsequent development.

7. TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN

CFS further recommends:

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season. The BSP:
 1. should provide clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions; and
 2. should address the possibility that the owners may not be present at the time of the bushfire event; and
 3. should not expect guests to be involved in fire-fighting operations.
 4. The SA CFS 'Bushfire Safety Guide For Business' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.
 5. The applicant should consider reducing operating hours and restrictions on days of heightened bushfire danger and/or bushfire events and consider including any alterations to bookings and services offered due to actual or predicted conditions during the Fire Danger Season in any booking/refund policy.

8. MANIFEST BOX (or similar)

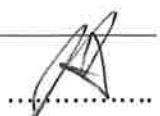
Given the complexities that the subject site presents, SA CFS further recommends the installation of a Manifest Box at the entrance of the property. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the property. Information contained should include, but is not limited to, a list of emergency contact phone numbers and a site plan highlighting vehicle access, turning ability,



building location, water i.e. fill locations, all fire protection equipment, and any on-site hazards or storage of dangerous materials i.e. LPG, fuels or chemicals.

Department for Environment and Water Notes

9. The applicant is reminded of the General Duty of Care under Section 23 of the *River Murray Act 2003*, which requires that a person must take all reasonable measures to prevent or minimise any harm to the River Murray through his or her activities.
10. It is important to note that the following applies to the subject land:
 - The *Prescription of the Water Resources in the Eastern Mount Lofty Ranges*, which requires those that are or are proposing to use surface, watercourse and/or underground water for any purpose – other than stock and domestic use – at any time in the future, to apply for a water licence with the Department for Environment and Water (DEW);
 - The *Notice of Authorisation to Take Water* (Government Gazette 27 June 2019, p2287) permits up to 1500 kilolitres of roof runoff to be taken per annum for commercial purposes within surface water prescribed areas;
 - If there is a proposal to take surface water, watercourse water or underground water (including additional to any quantity currently authorised) or if there are any existing water uses that may be impacted by the development, the interested parties should contact the DEW Water Licensing Branch (Berri office) on (08) 8595 2053 or visit: <http://www.environment.sa.gov.au/topics/water/water-licences-and-permits>
11. **The holder of Water Licence 115767 will be required to apply to the Department for Environment and Water to vary the licence such that it endorses the subject land (i.e. CT 5653/572).** Any intention to use a well other than that currently endorsed on the licence, or roof runoff in excess of 1500 kilolitres per annum, will also require an application to vary the licence. For further information contact the DEW Water Licensing Branch on (08) 8463 6876 or visit: <http://www.environment.sa.gov.au/topics/water/water-licences-and-permits>.
12. Section 119 of the *Landscape South Australia Act 2019* requires the occupier of the land on which a well is situated to ensure that the well (including the casing, lining and screen of the well and any mechanism used to cap the well) is properly maintained. A permit is required from the Department for Environment and Water (DEW) for any work to be carried out on a well or for new wells to be drilled. Information on specific wells can be obtained from www.waterconnect.sa.gov.au. For information regarding permit applications contact the DEW Water Licensing



Branch on telephone (08) 8735 1134 or visit:
<http://www.environment.sa.gov.au/topics/water/water-licences-and-permits>

Seconded Sally Roberts

CARRIED
CAP20221109.05

6. REVIEW OF ASSESSMENT MANAGER DECISIONS

Nil

7. INFORMATION REPORTS

Nil

8. CONFIDENTIAL REPORTS

Nil.

9. POLICY MATTERS ARISING FROM THIS AGENDA

Nil.

10. OTHER BUSINESS

Mount Barker District Council Assessment Panel Terms of Reference requirements and review process discussed.

Moved Harry Seager that the terms of reference as presented be accepted.

Seconded Sally Roberts

CARRIED
CAP20221109.06

11. CLOSURE

Meeting declared closed at 11.21hrs


CHAIRMAN

21/12/22
DATE

