



STATE COMMISSION ASSESSMENT PANEL

A COMMITTEE OF THE STATE PLANNING COMMISSION

Minutes of the 81st Meeting of the State Commission Assessment Panel held on Friday 8 May 2020 commencing at 10.00am Cisco Webex video conferencing

1. OPENING

1.1. PRESENT

Members	Dennis Mutton (Deputy Presiding Member) Mark Adcock Chris Branford Peter Dungey Sally Roberts
Secretary	Jessie Surace
DPTI Staff	Nicholas Giannakodakis (Agenda Item 2.1.1) Will Gormly (Agenda Item 2.1.1)

1.2. APOLOGIES

Simone Fogarty (Presiding Member)

Note: Meeting procedures of the SCAP have been modified in the light of COVID-19 and State Government protocols. Where possible participation in this meeting has been undertaken remotely to minimise risks.

2. SCAP APPLICATIONS

2.1. DEFERRED APPLICATIONS

2.1.1 Steve Layton Design C/- Ben Green Associates 145/L025/19

63 Armata Road, Onkaparinga Hills
City of Onkaparinga

Proposal: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping.

The Deputy Presiding Member welcomed all in attendance to the State Commission Assessment Panel hearing:

Applicant

- Ben Green, Ben Green & Associates - presented

Representor

- Peter Meline (on behalf of Michael Hodgson) - presented

The State Commission Assessment Panel discussed the application.

RESOLVED

1. That the proposed development is NOT seriously at variance with the policies in the Development Plan.
2. That the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Onkaparinga Council Development Plan (consolidated 20 December 2018); and
3. To grant Development Plan Consent to the proposal by Steve Layton Design for the construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping, subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.

Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.

2. The building approved shall only be used for the purposes of tourist accommodation, and any alternative land use will require the approval of Council.

Reason for condition: to ensure the site is strictly used for its designated purpose.

3. The tourist accommodation units shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and water table, water supply and sewerage services, drainage/stormwater disposal and electricity services.

Reason for condition: to ensure the development has the necessary infrastructure prior to operation.

4. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

Reason for condition: to ensure relevant Australian standards are met.

5. During construction and at all times thereafter, effective measure be implemented 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 in a suitable covered 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 the land.

Reason for condition: to ensure the site is appropriately managed to not cause unreasonable nuisance or loss of amenity in the locality.

6. All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface and must be maintained in a good condition at all times.

Reason for condition: to ensure access and parking facilities adhere to the necessary standards.

7. Landscaping shown on the approved plans shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

Reason for condition: to ensure the proposed landscaping is established and consistent with the landscaping concept.

8. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason for condition: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.

9. A final detailed Stormwater Management Plan shall be submitted, in consultation with the City of Onkaparinga to the satisfaction of the SCAP. The details of the plan shall be incorporated within the Building Rules Consent documentation, submitted for Development Approval, and be implemented prior to occupation or use of the development.

Reason for condition: to ensure Stormwater Management Plan is appropriately submitted and implemented prior to occupation or use of the development.

10. During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved stormwater drainage system.

Reason for condition: to ensure stormwater infrastructure is designed and constructed to the necessary standard to not cause unreasonable nuisance or loss of amenity in the locality.

11. Prior to occupation of the development, final details of the waste collection arrangements which identify how waste would be stored, transported and disposed of, shall be submitted in consultation with the City of Onkaparinga to the satisfaction of SCAP.

Reason for condition: to ensure the appropriate documentation is submitted and implemented prior to occupation.

12. All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the *South Australian Public Health Act 2011*.

Reason for condition: to ensure wastewater is appropriately managed.

13. All external finishes shall have surfaces which are of a low light reflective nature and be of dark natural colours.

Reason for condition: to ensure the natural elements of the locality remain dominant to the introduced elements of the development, and the scenic quality of the Hill's Face is protected.

14. All exposed cut and fill shall be rounded off to follow and blend with the natural contours of the land, covered with approximately 100mm of top soil immediately after excavation and seeded with ground covers and screened with trees and shrubs to avoid erosion and visual concerns within 6(six) months of the site being excavated.

Reason for condition: to ensure the impacts of any earthworks are mitigated through appropriate remediation practices.

15. Any external mechanical plant shall be appropriately screened to the reasonable satisfaction of the SCAP.

Reason for Condition: To ensure all mechanical plant is appropriately screened to mitigate the visual and acoustic impacts on adjoining properties.

CFS Directed Conditions

Access to habitable building

16. The Code Part 2.3.3.1 requires the mandatory provision for '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.

- 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 and minimum internal radii of 9.5 metres
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.
- The all-weather road shall incorporate passing bays. The combined width of the passing bay & access track shall be 6m, and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to the public road or other passing bay, passing bays may be required at intervals of less than 200 metres.
- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

Reason for condition: to ensure bushfire fighting vehicles have appropriate access to buildings in the event of a bushfire.

Access (to a dedicated water supply)

17. The Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling.
- 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 flat 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 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.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

Water supply

18. The Code Part 2.3.4.1 mandates a dedicated and accessible water supply to be made available at all times for fire-fighting purposes:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.

- 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.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

Vegetation

19. The Code Part 2.3.5 requires landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire 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 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%’.
 - 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.
 - 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 1 metre 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.

Reason for condition: to ensure landscaping includes pre-emptive protective measures to prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

Siting

20. The Code Part 2.3.2 requires for buildings to be sited away from areas that pose an unacceptable bushfire risk. This includes areas with rugged terrain or hazardous vegetation.
- The dwelling shall be sited no less than 20 metres from property boundaries, for the establishment of an asset protection zone.

Reason for condition: to ensure buildings are sited appropriately to minimise the risk of damage to buildings in the event of a bushfire.

Bushfire survival plan

21. 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.
- This BSP should give 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.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event. The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS 'Bushfire Safety and Survival for Business and Organisations' 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 extreme weather or bushfire events

Reason for condition: to ensure a visitors of the site are appropriately prepared in the event of a bushfire.

Manifest box (or similar)

22. 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. Containing a site plan highlighting vehicle access, turning ability, building location, water i.e. fill locations, and fire protection equipment, and on-site hazards or storage of dangerous materials i.e. LPG, fuels or chemicals with a list of emergency contact phone numbers.

Reason for condition: to ensure firefighters have adequate information of the site in the event of a bushfire.

ADVISORY NOTES

- a. The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the SCAP.
- b. The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c. The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the SCAP.

- d. The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. 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).
- e. A waste control application must be lodged with Council's Community Health Team and approved prior to the commencement of any building work. The owner/applicant must sign the application form and provide a contour site plan drawn to a scale of 1:200, with details of all drains shown including the method of disposal of the wastewater. The approved waste water system must be installed and constructed in accordance with the relevant provisions of the *South Australian Public Health Act 2011* & AS/NZS 3500, prior to habitation/occupation.
- f. Pursuant to the *South Australian Public Health Act 2011*, no building work, structures, paving, parking of vehicles or driving over an approved on-site waste water system is permitted.
- g. The proposed building work should not be located over, or within the minimum setback distances from the septic tank or waste water disposal areas as outlined in the table below.

	Septic tank/AWTS/Distribution Device			Wastewater disposal system	
	Septic tank Grease arrestor Pump sumps	Aerobic (AWTS) Grey water systems Sand filter Reed bed	Distribution devices	Subsurface Disposal i.e. trench, bed, ETA	Irrigation areas Surface or Shallow subsurface
Allotment boundaries	2.5 m	3.0 m	2.5 m	2.5 m	0.5 m
Buildings/Structures	2.5 m	3.0 m	2.5 m	3.0 m	1.5 m
Swimming pool	2.5 m	3.0 m	2.5 m	3.0 m 6.0 m upslope from pool	3.0 m* 6.0 m* upslope from pool

- h. Retaining walls constructed to retain a difference in ground levels exceeding (1) metres in height require development approval.
- i. The land owner/developer is responsible for ensuring that building work is sited in the approved position. This may necessitate a survey being carried out by a licensed land surveyor. Allotment boundaries will not be certified by council staff; however council may enforce removal of any encroachments over council land.
- j. You are further advised that Building Rules Consent is required for the application pursuant to the *Development Act 1993*.
- k. If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the *Native Vegetation Act 1991* and its Regulations, which may include the provision of a Significant Environmental Benefit. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9777 or visit: <http://www.nvc.sa.gov.au>.

2.2. **NEW APPLICATIONS** - Nil

2.3. **RESERVED MATTERS** - Nil

3. **CROWN DEVELOPMENTS (ADVISORY ITEMS) – Nil**

3.1. **DEFERRED APPLICATIONS – Nil**

3.2. **NEW APPLICATIONS - Nil**

4. **MAJOR DEVELOPMENTS – VARIATIONS - Nil**

5. **OTHER BUSINESS – Nil**

6. **NEXT MEETING**

6.1. Thursday 14 May 2020 Via Cisco Webex video conferencing.

7. **CONFIRMATION OF THE MINUTES OF THE MEETING**

7.1. **RESOLVED** that the Minutes of this meeting held today be confirmed.

8. **MEETING CLOSE**

The Deputy Presiding Member thanked all in attendance and closed the meeting at 10:45am.

Confirmed 08/05/2020



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Dennis Mutton
DEPUTY PRESIDING MEMBER