

**COUNCIL ASSESSMENT  
PANEL**

**A G E N D A**

**THURSDAY 6 JUNE 2019**

**Membership of this Committee is:-**

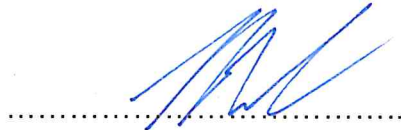
***M L H Roberts (Presiding Member), Cr P L Mitchell, J Egan, T Christensen and I J Fitzsimons.***

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA  
COUNCIL ASSESSMENT PANEL AGENDA  
THURSDAY 6 JUNE 2019**

Date: 29 May 2019

**TO ALL MEMBERS:**

The next meeting of the Council Assessment Panel will be held at 9.00 am on Thursday 6 June 2019, in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln.



**LEITH BLACKER  
ASSESSMENT MANAGER**

**A G E N D A**

**1 WELCOME**

**2 APOLOGIES**

**3 CONFIRMATION OF MINUTES**

***RECOMMENDATION AM***

***“That the minutes of the Council Assessment Panel meeting held on Thursday 2 May 2019, as per copies supplied to members, be confirmed.”***

**4 BUSINESS ARISING**

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA  
COUNCIL ASSESSMENT PANEL AGENDA - 6 JUNE 2019**

**5 DELIBERATIONS IN CONFIDENCE**

***RECOMMENDATION AM***

***“That the Council Assessment Panel, resolves, pursuant to regulation 13(2)(b) of the Planning, Development and Infrastructure (General) Regulations 2017, to exclude the public from the meeting to enable the Panel to discuss and determine those applications in the absence of the public.”***

**6 REPRESENTATIONS**

**Nil.**

**7 ASSESSMENT MANAGER’S REPORT**

***RECOMMENDATION AM***

***“That the Assessment Manager’s Report be received.”***

***RECOMMENDATION AM***

***“That the Assessment Manager’s Report be adopted.”***

**8 LATE CORRESPONDENCE**

**9 GENERAL BUSINESS**

**10 NEXT MEETING**

***RECOMMENDATION AM***

***“That the next meeting of the Council Assessment Panel be held at 9.00 am on Thursday 4 July 2019, in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln.”***

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**1.1 DEVELOPMENT APPLICATION 932/D021/18**

<b>APPLICANT:</b>	<b>G Clayton</b>
<b>SUBJECT LAND:</b>	<b>54B Hidden Valley Lane, Boston</b>
<b>PROPOSAL:</b>	<b>Land Division 1: 3</b>
<b>ZONE:</b>	<b>Rural Living</b>
<b>BUSHFIRE PROTECTION ZONE:</b>	<b>General</b>
<b>FORM OF DEVELOPMENT:</b>	<b>Merit</b>
<b>PUBLIC NOTIFICATION:</b>	<b>Category 1</b>
<b>REPRESENTATIONS</b>	<b>-</b>
<b>PERSONS TO BE HEARD:</b>	<b>-</b>
<b>AGENCY CONSULTATION:</b>	<b>SCAP, SA Water</b>
<b>DECISION 7/3/19:</b>	<b>Refuse to grant consent</b>

**Background**

At its 7<sup>th</sup> March 2019 meeting, the Panel considered this application by G Clayton for the division of an allotment in the Rural Living Zone, with an area of 4.822 hectares to create 3 allotments.

The Panel resolved the following:

- 1) *RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.*
- 2) *RESOLVE to REFUSE to grant Land Division Consent and Development Approval to the proposal by G Clayton for land division (to create two additional allotments) at 54B (Lot 41) Hidden Valley Lane, Boston in Development Application 932/D021/18 for the following reasons:*
  - *the proposed allotments do not have direct access from an all-weather public road; and*
  - *the proposed access arrangements do not meet the Minister's Code February 2009 (as amended October 2012) Undertaking development in Bushfire Protection Areas.*

A copy of the minutes, report and associated folios is attached for member's information.

**(REFER FOLIO: CAP19.06.01)**

Following this decision, the applicant lodged an appeal with the Environment, Resources and Development Court against the Panel's decision.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.1 DEVELOPMENT APPLICATION 932/D021/18 CLAYTON**

**CONT'D:**

The applicant's reasons for appeal include:

- the allotments proposed to be created by the division have access to a public road via existing and proposed rights of way; and
- the proposal can meet the *Minister's Code: Undertaking development in Bushfire Protection Areas*.

**(REFER FOLIO: CAP19.06.02)**

Since this time a preliminary conference was held on the 6<sup>th</sup> May 2019 to determine how the appeal was to proceed. A further conference occurred on the 21<sup>st</sup> May 2019 at which time a further conference was set for 13<sup>th</sup> June 2019. This was to allow the applicant and the applicant's planner to prepare further information to offer a compromise in the appeal matter.

**Proposed compromise**

The proposal is to upgrade Driveway 2 (as shown on the attached plan) to a suitable formed all weather surface, with the addition of formed passing lanes to meet Minister's Code specification for internal roads.

Driveway 2 is located along the western property boundary and would be an extension of the existing right of way.

**(REFER FOLIO: CAP19.06.03)**

The main difference between the compromise and the proposal considered by the Panel is the removal of the proposed right of way 'N' which linked the rights of way on both the eastern and western property boundaries, providing access to both proposed Lots 60 and 61. This has been removed as the existing access along the eastern boundary (shown as driveway 1) is sub-standard in regard to safe sightlines and the Works Manager has advised that no further increased use of that access should be allowed.

The applicant's planner also draws similarities between two community title land divisions located on Lincoln Highway.

Accordingly, the Panel should consider whether or not the proposal now satisfies the relevant provisions of the Development Plan and the reasons for the refusal, specifically:

- *do the proposed allotments have direct access from an all-weather public road?*
- *do the proposed access arrangements meet the Minister's Code February 2009 (as amended October 2012) Undertaking development in Bushfire Protection Areas?*

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.1 DEVELOPMENT APPLICATION 932/D021/18 CLAYTON**

**CONT'D:**

In considering the above questions, in my opinion:

- The proposed three allotments do not have direct access from an all-weather public road. The access, although the applicant has committed to ensure it is all-weather, it is not a public road.
- The internal driveway is able to meet the Minister's Code February 2009 (as amended October 2012) Undertaking development in Bushfire Protection Areas in regard to Section 2.3.3.1 Private roads and driveways.

**RECOMMENDATION PLANNING CONSULTANT**

***"That the Council Assessment Panel:***

- 1) ***RESOLVE that the proposed compromise is not acceptable and to advise the Applicant and Environment, Resources and Development Court accordingly."***

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19**

<b>APPLICANT:</b>	<b>S Jericho</b>
<b>SUBJECT LAND:</b>	<b>4453 Tod Highway, Cummins</b>
<b>PROPOSAL:</b>	<b>Land Division 1:2</b>
<b>ZONE:</b>	<b>Primary Production</b>
<b>BUSHFIRE PROTECTION ZONE:</b>	<b>General</b>
<b>FORM OF DEVELOPMENT:</b>	<b>Merit</b>
<b>PUBLIC NOTIFICATION:</b>	<b>Category 1</b>
<b>REPRESENTATIONS</b>	<b>-</b>
<b>PERSONS TO BE HEARD:</b>	<b>-</b>
<b>AGENCY CONSULTATION:</b>	<b>SCAP, SA Water, DPTI</b>
<b>RECOMMENDATION:</b>	<b>Land Division Approval</b>

**Proposal**

The application proposes to divide an existing allotment with an area of 334 hectares, to separate the existing dwelling from the surrounding farming land:

<b>Proposed Lot</b>	<b>Size (ha)</b>	<b>Access</b>	<b>Characteristics</b>
80	330	<ul style="list-style-type: none"> <li>• Tod Highway via a 10m wide right of way over lot 81 – existing driveway</li> <li>• Bratten Way</li> </ul>	<ul style="list-style-type: none"> <li>• Farming land</li> <li>• Farm buildings</li> <li>• Cleared farming land</li> </ul>
81	4	<ul style="list-style-type: none"> <li>• Tod Highway via existing driveway</li> </ul>	<ul style="list-style-type: none"> <li>• Dwelling and associated outbuildings</li> <li>• Farm buildings</li> </ul>

**(REFER FOLIO: CAP19.06.04)**

**Development Plan and Form of Development**

The subject land is located within the **Primary Production Zone** of the Lower Eyre Peninsula Council Development Plan (consolidated on 12 July 2018), as delineated on Map LEP/1.

**(REFER FOLIO: CAP19.06.05)**

The Primary Production Zone is a zone seeking economically productive, efficient and environmentally sustainable primary production.

As the application was lodged on 29 March 2019, it has been assessed against the Development Plan consolidated on 12 July 2018.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO**

**CONT'D:**

Land division is listed as non-complying development within the Primary Production Zone, except where it achieves one the following criteria:

Except where it is for a boundary realignment or where it achieves one of the following:

- (a) allotments of at least 200 hectares
- (b) to create an allotment for one of the following (i)-(iv):
  - (i) of at least 1 hectare to excise one of two habitable dwellings (each built or under construction before 13 June 1985) from an existing allotment
  - (ii) of at least 1 hectare for the purposes of processing, display, or sale of locally grown produce
  - (iii) of at least 10 hectares for the purposes of horticulture
  - (iv) for the purposes of accommodating a dwelling ancillary to farming, occupied by one of the following:
    - (A) an employee of the farm
    - (B) the owner of the farm for the owner's retirement.

The applicant's surveyor has confirmed that the purpose of the division is to accommodate a dwelling for the farm owner's retirement. Accordingly, the proposal satisfies (iv)(B) above and therefore the application is to be considered on 'merit'.

The following provisions of the Development Plan are considered particularly relevant in the assessment of this application. It is not an exhaustive list of all Development Plan provisions; however it is considered to contain the most relevant provisions to the proposal:

<b>ZONE</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Primary Production Zone	1, 2, 3, 4, 6	1, 2, 5, 10, 12
<b>COUNCIL WIDE</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Hazards	1, 2, 4, 5, 6	1, 2, 3, 7, 8, 13, 14, 15
Land division	1, 2, 3, 4, 5	1, 2, 3, 4, 5, 8, 11, 18, 19
Natural Resources	1, 10, 13	1, 26, 27
Orderly and Sustainable Development	1, 2, 3, 4	1, 2
Transportation and Access	2	22, 23, 25, 26, 28

**Public Notification**

The division of land which creates no more than 4 additional allotments is Category 1 for the purposes of public notification, in accordance with Part 1, 2(f) Schedule 9 of the Development Regulations, 2008.

Given the application proposes one additional allotment, the application is Category 1 for the purposes of public notification.

continued:



**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO**

**CONT'D:**

**Site and Locality**

The subject site is located approximately 1.8km north of the township of Cummins and has frontages to both Tod Highway and Bratten Way.

The subject site is formally known as Allotment 70 in Deposited plan 94689 in the area named Cummins, Hundred of Cummins in Certificate of Title Volume 6158 Folio 626.

**(REFER FOLIO: CAP19.06.06)**

The allotment is irregular in shape and has a total area of approximately 334 hectares. The allotment has a 1324m frontage to the Tod highway on its eastern boundary and an 858m frontage to Bratten Way.

The site appears to be predominantly cleared cropping land, with vegetation concentrated around the existing dwelling and either side of the driveway.

The property to the north of the subject land has been the subject of a similar land division.

The character of the locality is primarily open farming land with vegetated road reserves.

**(REFER FOLIO: CAP19.06.07)**

**Agency Comments**

The application was referred to the following State Government Agencies and the following responses were received (summarised):

<b>SCAP</b>	<ul style="list-style-type: none"><li>• Requests that a standard condition (final plan) be included on any approval</li></ul> <p style="text-align: right;"><b>(REFER FOLIO: CAP19.06.08)</b></p>
<b>SA Water</b>	<ul style="list-style-type: none"><li>• The financial requirements of SA Water shall be met for the provision of water supply</li></ul> <p style="text-align: right;"><b>(REFER FOLIO: CAP19.06.09)</b></p>
<b>DPTI</b>	<ul style="list-style-type: none"><li>• No in principle objections subject to the following conditions being attached to any approval:<ul style="list-style-type: none"><li>• <i>All access shall be gained via the shared right of way C access and/or Bratten Way only.</i></li><li>• <i>All vehicles must enter and exit the Tod Highway in a forward direction.</i></li></ul></li></ul> <p style="text-align: right;"><b>(REFER FOLIO: CAP19.06.10)</b></p>

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO**

**CONT'D:**

**Internal Comments**

The application was also referred to Councils Works Department. No response has been received.

**Development Plan Assessment**

Primary Production Zone

The Primary Production Zone seeks allotments of a size and configuration that promotes the efficient use of land for primary production.

The proposed division excises the existing dwelling and associated outbuildings from the farming land. The division does not remove land currently used for agricultural purposes from production.

The proposed division satisfies PDC 12 (b) (ii) part (B) as proposed allotment 81 has an area of 4 hectares and is for the farm owner's retirement.

Specifically, Principle of Development Control 12 advises:

12 Land should only be divided if one or more of the following apply:

- (a) it is a boundary realignment where it will promote economically productive, efficient and sustainable primary production
- (b) it will create an allotment for one of the following:
  - (i) to excise one of two habitable dwellings (each built or under construction before 13 June 1985) from an existing allotment with an area of 1 hectare
  - (ii) to accommodate a dwelling that is ancillary to farming or horticulture, on a farm with an area of in excess of 100 hectares. The allotment created should be between 1 and 4 hectares, and be occupied by one of the following:
    - (A) a relative employed on the property
    - (B) the owner of the farm for the owner's retirement
  - (iii) of 1 hectare to accommodate buildings and facilities involved with the processing, display, or sale of locally grown produce
- (c) to create an allotment of 10 hectares or more for the purposes of horticulture
- (d) to create an allotment of 500 hectares, where it will promote economically productive, efficient and sustainable primary production.

On balance, the proposed plan of division is considered acceptable in that it does not result in the removal of farming land from production, the existing use of the land will remain unchanged and the creation of Lot 81 contains an existing dwelling and is consistent with PDC 12(b)(ii)(B).

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO**

**CONT'D:**

Land Division

The proposal is considered to be generally consistent with the general land division provisions as follows:

- the size, shape and location of the proposed allotments are suitable for their intended and ongoing use for primary production purposes;
- each allotment resulting from the division has a frontage to a public road;
- the existing rural character of the locality will be maintained as the division results in no physical changes to the land.

Hazards

The subject land is not susceptible to natural hazard risks.

The site is located within a general bushfire risk area. The division does not alter the existing access to the existing dwelling as the existing driveway will be maintained.

To ensure the driveway complies with the *Minister's Code: Undertaking development in Bushfire Protection Areas* a suitable condition shall be attached to any approval.

Natural Resources

Given that the proposed division does not alter the use or physical attributes of the land, the existing rural landscape will be maintained.

Orderly and Sustainable Development

The proposed division is considered to be orderly and sustainable as it will not jeopardise the continuance of farming within the locality and provides the farm owner an allotment for retirement as provided for by the Primary Production Zone provisions.

Transportation and Access

The existing site has access via both Tod Highway and Bratten Way. Proposed allotment 81 will be accessible via the existing Tod Highway accessway, with the surrounding farm to retain use of that access point via a right of way in addition to the existing access via Bratten Way.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART I - LAND DIVISION**

**CONT'D:**

**1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO**

**CONT'D:**

Whilst the Department of Planning, Transport and Infrastructure's (DPTI) has advised that it would prefer that all access was gained via Bratten Way, it accepts that the Tod Highway access point exists. DPTI has advised that sight distances are appropriate for the prevailing speed zone.

DPTI has advised that it does not object to Allotments 80 and 81 using the existing access point, however no additional access onto the Tod Highway will be supported.

DPTI has further advised that it is satisfied that the 10 metre width of the shared access point should accommodate any simultaneous two-way vehicular movements.

Overall the division satisfies the relevant transportation and access provisions of the Development Plan.

**Conclusion**

Overall, on balance against all the relevant provisions of the Development Plan, the proposed land division is considered acceptable given that it will not result in removal of farming land from production and accordingly warrants approval.

**RECOMMENDATION PLANNING CONSULTANT**

***"That the Council Assessment Panel:***

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.**
- 2) RESOLVE to grant Land Division Consent and Development Approval to the proposal by S Jericho for land division at 4453 (Lot 70) Tod Highway, Cummins in Development Application 932/D003/19, subject to the following conditions of consent:**

**DEVELOPMENT PLAN CONSENT CONDITIONS:**

- 1 The application hereby approved shall be carried out in accordance with the Plan of Division dated 21/03/19 prepared by PA Dansie & Associates Pty Ltd reference 18371, as uploaded to EDALA on 29 March 2019.**

***Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.***

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART I - LAND DIVISION

CONT'D:

1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO

CONT'D:

**LAND DIVISION CONSENT CONDITIONS:**

- 1 ***The driveway to the dwelling shall:***
  - a) *be constructed with a formed, all-weather surface;*
  - b) *be constructed away from hazardous vegetation such as overhanging limbs and continuous cover of thick vegetation;*
  - c) *be located such that the need to clear native vegetation or a significant tree is avoided;*
  - d) *have a minimum formed width of 3 metres (or 4 metres in steeper terrain);*
  - e) *have a gradient of not more than 16 degrees (i.e. a maximum slope of 1:3.5) at any point along the road or driveway;*
  - f) *allow fire-fighting vehicles to travel in a continuous forward movement by constructing curved roads and driveways with curves that have a minimum external radius of 12.5 metres;*
  - g) *allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by incorporating either:*
    - i. *a loop road around the building;*
    - ii. *a turning area with a minimum radius of 12.5 metres;*
    - iii. *a 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and a minimum internal radii of 9.5 metres.*

***Reason: To ensure compliance with the Minster's Code: Undertaking development in Bushfire Protection Areas.***

**STATE COMMISSION ASSESSMENT PANEL CONDITIONS:**

- 1 ***A final plan complying with the requirements for plans as set out in the Manual of Survey Practice Volume 1 (Plan Presentation and Guidelines) issued by the Registrar General to be lodged with the Development Assessment Commission for Land Division Certificate purposes.***

**SA WATER CORPORATION CONDITIONS:**

- 1 ***The financial requirements of SA Water shall be met for the provision of water supply.***

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART I - LAND DIVISION

CONT'D:

1.2 DEVELOPMENT APPLICATION 932/D003/19 JERICHO

CONT'D:

**COMMISSIONER OF HIGHWAY CONDITIONS:**

- 1 *All access shall be gained via the shared right of way C access and/or Bratten Way only.*
- 2 *All vehicles must enter and exit the Tod Highway in a forward direction.*

**SA Water Corporation Planning Advisory Notes:**

- 1 *On receipt of the developer details and site specifications an investigation will be carried out to determine if the connections to your development will be standard or non standard fees.*
- 2 *On approval of the application, it is the developers/owners responsibility to ensure all internal pipework (water and wastewater) that crosses the allotment boundaries has been severed or redirected at the developers/owners cost to ensure that the pipework relating to each allotment is contained within its boundaries."*

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**2.1 DEVELOPMENT APPLICATION 932/93/17**

<b>APPLICANT:</b>	<b>K Speed</b>
<b>SUBJECT LAND:</b>	<b>6-10 Tumby Bay Road, Cummins</b>
<b>PROPOSAL:</b>	<b>Store and warehouse</b>
<b>ZONE:</b>	<b>Industry Zone</b>
<b>BUSHFIRE PROTECTION ZONE:</b>	<b>Excluded</b>
<b>FORM OF DEVELOPMENT:</b>	<b>Merit/ Consent</b>
<b>PUBLIC NOTIFICATION:</b>	<b>Category 2</b>
<b>REPRESENTATIONS:</b>	<b>1</b>
<b>PERSONS TO BE HEARD:</b>	<b>T Branson (TBC)</b>
<b>AGENCY CONSULTATION:</b>	<b>EPA, DPTI</b>
<b>RECOMMENDATION:</b>	<b>Development Plan Consent</b>

**Background**

As part of this proposal the applicant has sought approval for the re-alignment of an existing CWMS drain that runs through the site. The relocation has been approved by SA Health.

**Proposal**

The applicant seeks approval to construct a shed for the storage of agricultural chemical supplies comprising liquid and solid fertilisers, crop protection products, animal and plant food and pest management products. Outdoor storage is also proposed for other agricultural products such as fencing materials.

The proposed shed is 21m x 50m with a wall height of 6.5m and total floor area of 1050m<sup>2</sup>. The shed is to be externally clad with colorbond. Two 45,000 litre rainwater tanks are proposed to collect roof runoff.

The shed is setback 28.5m from the Hayman Drive frontage, 39.7m from the Tumby Road frontage and 10.5m from the eastern side boundary.

Seven off-street car parks are proposed. A sign is proposed to be fixed to the proposed building. The site is to be accessed via an existing access on the western frontage to Tumby Bay Road. The site is also accessible via an existing crossover on Hayman Drive.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

The shed is an extension of an existing business, Landmark, Cummins Ag Services which operates from 13 Light Road, Cummins. Employees will be based at the main office and will travel to the proposed store to assist clients with the loading of products. Hours of operation are proposed to be from 7.30am to 6.00pm Monday to Friday and 8.00am to 12.00 noon on Saturdays.

*(REFER FOLIO: CAP19.06.11)*

**Development Plan and Form of Development**

The subject land is located within the **Industry Zone** as delineated on **Maps LEP/40** of the Development Plan. Land to the east of Hayman Drive is located within a Residential Zone and land on the southern side of Tumbly Road is located within a Town Centre Zone.

*(REFER FOLIO: CAP19.06.12)*

The application was lodged on 3 July 2017, however fees were not paid until 12 December 2018. Accordingly, the application has been assessed against the provisions of the Development Plan consolidated 12 July 2018.

The Industry Zone is a zone primarily accommodating a wide range of industrial, warehouse, storage and transport land uses.

The application is considered 'on merit' as a store and a warehouse are neither complying nor non-complying within the Industry Zone.

The following provisions of the Development Plan are considered particularly relevant in the assessment of this application. It is not an exhaustive list of all Development Plan provisions, however it is considered to contain the most relevant provisions to the proposal:

<b>ZONE</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Industry Zone	1, 2	1, 2, 5, 6, 7, 8, 9
<b>GENERAL</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Advertisements	1, 2, 3	1, 2, 4, 5, 6, 7, 10, 13
Hazards	1, 2, 3, 4, 10	1, 2, 4, 23, 24
Industrial Development	1, 3, 4, 5, 6	2, 3, 4, 5, 6, 7, 8
Infrastructure	1, 3	1, 3, 4, 5, 6
Orderly & Sustainable Development	1, 2, 3, 4, 6	1, 3, 4, 6, 8
Transportation & Access	2	1, 12, 14, 22, 23, 25, 26, 28, 31, 32, 33, 36, 37, 38, 39

continued:



**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

**Public Notification**

The application is Category 2 development for the purposes of public notification, as the property is adjacent to land which is located within a different zone to the subject site. Land to the east of Hayman Drive is located within a Residential Zone and land on the southern side of Tumbly Road is located within a Town Centre Zone.

Accordingly, letters were sent to adjoining land owners.

One submission was received from the land owner of the adjacent property to the west of the subject site, Cummins Hardware.

The representor has advised (summarised):

- Support building on the site
- Concern for water run-off from site onto adjacent land and potential contamination from stored products
- Advise that concerns could be overcome by redirecting water to the street or installing a drain along the fence line to re-direct water.

***(REFER FOLIO: CAP19.06.13)***

**Site and Locality**

The subject land is formally known as Allotment 87 in Deposited Plan 12567 in the area named Cummins, Hundred of Cummins in Certificate of Title Volume 5145 Folio 551.

***(REFER FOLIO: CAP19.06.14)***

The allotment is rectangular in shape, with a 55.55m frontage to Tumbly Bay Road and a 96m frontage to Hayman Drive. The site has an overall area of 6106m<sup>2</sup>. The site is located at the entrance to the Cummins industrial area.

The land is void of vegetation, generally flat with a gently fall from the southern corner to the northern portion of the allotment. The land is currently utilised in conjunction with the adjoining land to the north (also owned by the applicant) to store agricultural products such as fencing materials.

The site currently has two access points along the Tumbly Bay Road frontage and one access way via Hayman Drive.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

The locality primarily contains a mix of land uses with a hardware store located on the western side of the subject site, industrial uses and activities to the north and residential properties to the east, fronting Tumby Bay Road. Hayman Drive is the access to the Cummins industrial area.

**(REFER FOLIO: CAP19.06.15)**

**Agency Comments**

Under Schedule 8 of the Development Regulations, 2008, the application was referred to the Commissioner of Highways and the Environment Protection Authority.

<b>DPTI</b>	<p>No in principle objections subject to the following conditions being attached to any approval:</p> <ol style="list-style-type: none"><li>1. <i>All access to Tumby Bay Road shall be located and constructed in general accordance with Site Plan produced by Penna Planning &amp; Design, dated March 2018, Issue DEV 3.</i></li><li>2. <i>The access to Tumby Bay Road shall be a minimum of 8 metres in width to accommodate simultaneous two-way movements.</i></li><li>3. <i>All vehicles shall enter and exit the site in a forward direction.</i></li><li>4. <i>All manoeuvring areas for commercial vehicles shall be designed and constructed in accordance with AS 2890.2:2018.</i></li><li>5. <i>All passenger parking areas shall be designed in accordance with AS/NZS 2890.1 :2004 and 2890.6:2009.</i></li><li>6. <i>The existing on-street parking on Tumby Bay Road shall be modified accordingly to permit widening of the western crossover. All cost shall be borne by the applicant.</i></li><li>7. <i>The obsolete Tumby Bay Road crossover should be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the business.</i></li><li>8. <i>Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the adjoining arterial road. Any alterations to road drainage infrastructure required to accommodate the development shall be at the expense of the applicant.</i></li></ol> <p style="text-align: right;"><b>(REFER FOLIO: CAP19.06.16)</b></p>
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continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

<b>EPA</b>	<p>The EPA considers the potential environmental risks associated with the proposed development to be low provided that the construction, operation and management of the new chemical storage shed is undertaken in accordance with the plans and details provided in the application, and the conditions included below.</p> <ol style="list-style-type: none"><li><i>1. Prior to use of the storage shed, bunding must be installed and all liquid chemicals, chemical products and liquid waste materials must be stored within the bunded area so as to contain any spillages that may occur. Note: Refer to the EPA Guideline Bunding and spill management (2017), available at <a href="https://www.epa.sa.gov.au/files/47717_guide_bunding.pdf">https://www.epa.sa.gov.au/files/47717_guide_bunding.pdf</a>.</i></li><li><i>2. The loading and unloading area must be managed to ensure that chemicals are not permanently stored within the bund.</i></li></ol> <p style="text-align: right;"><b>(REFER FOLIO: CAP19.06.17)</b></p>
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**Development Plan Assessment**

Industry Zone

The proposal is appropriately located within the Industry Zone within which stores and warehouses are envisaged uses. The application is in accordance with Concept Plan Map LEP/11 – Cummins Industrial.

The Zone objectives also support industrial and commercial development within Cummins to facilitate investment and employment.

The siting of the proposed building satisfies the setback parameters within the zone.

The proposed loading area is located on the eastern side of the building facing Hayman Drive, setback 22.5m from the property boundary. The Development Plan seeks development to be sited as far as possible from adjoining non-industrially zoned allotments to minimise effects on the amenity of the locality.

Based on the nature of the proposed activities, potential impacts to the amenity of the locality may arise due to noise (from vehicles and forklifts), air quality and/or water quality.

The EPA publication *Evaluation distances for effective air quality and noise management* recommends an evaluation distance of 100m for chemical storage and warehousing facilities where no mixing or blending is proposed. The distance to the closest sensitive receiver (ie house on the adjoining property) from the proposed shed is approximately 50 metres.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

The EPA has considered the potential impacts of the proposed activities and advise:

- based on the nature of the proposal and the operating hours, the EPA is satisfied that noise is unlikely to have adverse impacts on nearby sensitive receivers.
- the risk of dust and other particulate impacts from products is considered to be low.
- dust from vehicle movements would be minimised by operations taking place predominantly over winter and spring where rain would offer some dust suppression. The applicant has stated that crossovers would be constructed of concrete and the general carpark area would be bitumen sealed. Outside of the sealed areas the vehicle manoeuvring areas would have a road base to reduce the potential for dust generation. This is acceptable to the EPA.
- The entire shed is proposed to be bunded, and the proposal also includes an uncovered bund for the loading and unloading of chemicals. The risk of chemical spills would be largely avoided by loading and unloading chemicals within the bunded area, and being controlled by the use of spill kits in the event of a spill.
- Two spill kits are proposed to be in place at the site and spills would be managed by clean-up with spill kits and transferring of liquid to empty returned containers if required. The applicant has advised that as a contingency to allow time for a EPA licensed waste contractor to arrive at the site, the applicant would use empty 1000L shuttles and a pump if required. This pump would also be used to clean up any large spills in the shed area.
- The proposed controls described above are considered to be adequate.

The advertisement is consistent with PDC 8 within the zone as the proposed sign, is not flashing or animated and does not project above the roofline.

Overall, the proposal is consistent with the provisions of the Industry Zone as it is appropriately located and sited, facilitates investment and employment and potential impacts are deemed acceptable.

Advertisements

The proposed signage on the proposed building is considered acceptable in this location.

Hazards

The subject site is not located on land subject to hazards as shown on the *Overlay Maps - Development Constraints*.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

The subject site is located within an area which is excluded from bushfire protection planning provisions.

The Development Plan seeks the minimisation of harm to life, property and the environment through appropriate location of development and appropriate storage, containment and handling of hazardous materials. Specifically, the Development Plan advises:

- 23 Hazardous materials should be stored and contained in a manner that minimises the risk to public health and safety and the potential for water, land or air contamination.
- 24 Development that involves the storage and handling of hazardous materials should ensure that these are contained in designated areas that are secure, readily accessible to emergency vehicles, impervious, protected from rain and stormwater intrusion and other measures necessary to prevent:
  - (a) discharge of polluted water from the site
  - (b) contamination of land
  - (c) airborne migration of pollutants
  - (d) potential interface impacts with sensitive land uses.

As part of the assessment process, the application was referred to the EPA, as the proposal is for the storage or warehousing of chemicals or chemical products that are, or are to be, stored or kept in bulk or in containers having a capacity exceeding 200 litres. The applicant has provided detailed advice in regard to the storage of chemicals and measures to ensure any spills may be efficiently and effectively contained. All chemical products are proposed to be stored within the shed and the applicant has advised that there will be no unpackaged chemical on site.

Overall the EPA is satisfied that the risk of chemical spills may be largely avoided by loading and unloading chemicals within a bunded area, and being controlled by the use of spill kits in the event of a spill.

Industrial Development

The proposed building is appropriately located within an Industry Zone. The siting and height of the building satisfies PDC 2 for structures on sites abutting non-industrial zones.

All vehicles are able to enter and exit the site in a forward direction.

The building façade is a large expanse of a blank wall, however the proposed shed is consistent with other industrial and commercial buildings within this industrial area of Cummins.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

PDC 6 advises:

- 6 Industrial development should minimise significant adverse impact on adjoining uses due to hours of operation, traffic, noise, fumes, smell, dust, paint or other chemical over-spray, vibration, glare or light spill, electronic interference, ash or other harmful or nuisance creating impacts.

The assessment undertaken by the EPA has found that based on the nature of the proposal and the operating hours that noise generated by the activities is unlikely to have adverse impacts on nearby residential properties. The risk of dust impacts is also considered to be low, due to the seasonal nature of the proposed activities (in winter and spring where rain would offer some dust suppression), concreting of crossovers, bitumen sealing of the general carpark and the proposed road base to vehicle manoeuvring areas. Bunding of the entire shed and of loading and unloading areas will minimise the risk of chemical spills and spill kits are proposed to be in place.

The Development Plan advises that landscaping should be incorporated as an integral element of industrial development along non-industrial zone boundaries. Accordingly, any approval should include a condition which requires appropriate landscaping along the eastern property boundary.

Infrastructure

The site has access to necessary infrastructure.

Significant work has been undertaken by the applicant to realign the CWMS infrastructure. The design and engineering has been approved by SA Health in consultation with Council.

Overflow from the proposed rainwater tanks is proposed to be diverted to Hayman Drive.

Orderly & Sustainable Development

The proposed building is appropriate located within an industrial zone and will not prejudice the development of the zone for its intended purpose.

Given the proposed bunding of the shed and the measures in place for dust suppression, the development should not jeopardise the continuance of adjoining authorised land uses.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED**

**CONT'D:**

Transportation and Access

The site currently has two access points along the Tumby Bay Road frontage. The application proposes to retain and widen the existing access on the western side of the frontage and close the other. The DPTI has advised it has no objections in principle to the proposed access arrangement, however recommend that the access be widened to a minimum of 8 metres in width in order to accommodate two-way movements. This is included in DPTI's recommended conditions.

DPTI also note that the indicative turn path shown on the site plan requires vehicles to access land on the neighbouring property. This has been shown as the applicant also owns this neighbouring property and has shown how vehicles may move between the two sites, however this proposal does not rely on the use of the adjacent property.

The main access to the property will be via Tumby Bay Road. Seven (7) off-street parking spaces are proposed to the east of the access way. *Table LEP/1 - Off Street Vehicle Parking Requirements* advises that 1 car parking space should be provided per 150 square metres total floor area. The storage and covered display area generates the need for eight (8) parking spaces. There is adequate area in the designated parking area to accommodate this additional space.

The proposal has provided for the on-site loading, unloading and turning of all traffic likely to be generated.

Overall, the proposed development provides safe and efficient movement for vehicles, provides adequate off-street parking and is appropriately located so that it supports and makes best use of existing transport facilities and networks.

**Conclusion**

The proposal to construct a shed for the storage of agricultural products and chemical supplies and to utilise the site for outdoor storage, generally satisfies the relevant provisions of the Development Plan and therefore it is considered that the proposal warrants the granting of Development Plan Consent.

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED

CONT'D:

**RECOMMENDATION PLANNING CONSULTANT**

*"That the Council Assessment Panel:*

1) ***RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.***

2) ***RESOLVE to grant Development Plan Consent to the proposal by K Speed for the storage/warehousing of agricultural products and chemical supplies at 6-10 Tumby Bay Road, Cummins, in Development Application 932/93/17, subject to the following conditions of consent; and***

1 ***The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 14 March 2019, as contained in Development Application 932/78/18 except where varied by any conditions of consent;***

***Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.***

2 ***All vehicles shall enter and exit the land in a forward direction.***

***Reason: To not inhibit safe and convenient traffic circulation within the locality.***

3 ***Driveways, car parking spaces, manoeuvring areas and landscaped areas shall not be used for the storage or display of any goods, materials or waste at any time.***

***Reason: To ensure parking areas and manoeuvring areas are available for use at all times.***

4 ***All of the car parking spaces, driveway and vehicle manoeuvring areas shall be constructed of concrete, paving bricks or bitumen and drained in accordance with recognised engineering practices prior to occupation of the premises.***

***Reason: To minimise dust and mud nuisance.***

continued:



ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED

CONT'D:

- 5 ***All car parking spaces shall be line marked or delineated in a distinctive fashion, with the marking maintained in a clear and visible condition at all times. Parking spaces shall be delineated to comply with AS/NZS2890.1 Off-street car parking and/or AS/NZS2890.6 Off-street parking for people with disabilities.***

***Reason: To ensure compliance with relevant Australian Standards.***

- 6 ***Landscaping shall be established along the eastern property boundary within 3 months of the occupation of the site. All plants shall be nurtured and maintained in good health and condition at all times with any diseased or dying plants being replaced, to the reasonable satisfaction of the Council or its delegate.***

***Reason: To improve visual amenity along non-industrial zone boundaries.***

- 7 ***The hours of operation of the premises shall be restricted to 7.30am to 6.00pm Monday to Friday and 8.00am to 12.00 noon on Saturdays.***

***Reason: To minimise impacts to the adjoining residential area.***

- 8 ***All goods and materials placed in the area designated for the outside display of goods and materials shall be kept in a tidy manner and condition at all times.***

***Reason: To maintain the visual amenity of the locality.***

- 9 ***All external lighting of the site, including car parking areas and buildings, shall be designed and constructed to conform with Australian Standards and must be located, directed and shielded and of such limited intensity that no unreasonable nuisance or loss of amenity is caused to any person beyond the site.***

***Reason: To minimise nuisance and/or loss of amenity to any person beyond the site.***

- 10 ***All storm water from buildings and paved areas shall be disposed of in accordance with recognised engineering practices and with materials that will not result in the entry of water onto any adjoining property or building, and does not affect the stability of any building.***

***Reason: To ensure stormwater is appropriately managed on site.***

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED

CONT'D:

- 11 *All construction waste and other rubbish shall be stored in such a manner that prohibits any waste being blown from the building site in the event of strong winds. When building works are complete, all waste shall be removed from the site to an approved waste disposal area.*

*Reason: To ensure that the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.*

**ENVIRONMENT PROTECTION AUTHORITY CONDITIONS:**

- 1 *Prior to use of the storage shed, bunding must be installed and all liquid chemicals, chemical products and liquid waste materials must be stored within the bunded area so as to contain any spillages that may occur. Note: Refer to the EPA Guideline Bunding and spill management (2017), available at [https://www.epa.sa.gov.au/files/47717\\_guide\\_bunding.pdf](https://www.epa.sa.gov.au/files/47717_guide_bunding.pdf).*
- 2 *The loading and unloading area must be managed to ensure that chemicals are not permanently stored within the bund.*

**COMMISSIONER OF HIGHWAY CONDITIONS:**

- 1 *All access to Tumby Bay Road shall be located and constructed in general accordance with Site Plan produced by Penna Planning & Design, dated March 2018, Issue DEV 3.*
- 2 *The access to Tumby Bay Road shall be a minimum of 8 metres in width to accommodate simultaneous two-way movements.*
- 3 *All vehicles shall enter and exit the site in a forward direction.*
- 4 *All manoeuvring areas for commercial vehicles shall be designed and constructed in accordance with AS 2890.2:2018.*
- 5 *All passenger parking areas shall be designed in accordance with AS/NZS 2890.1 :2004 and 2890.6:2009.*
- 6 *The existing on-street parking on Tumby Bay Road shall be modified accordingly to permit widening of the western crossover. All cost shall be borne by the applicant.*
- 7 *The obsolete Tumby Bay Road crossover should be closed and reinstated to Council's kerb and gutter standards at the applicant's expense prior to operation of the business.*

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/93/17 SPEED

CONT'D:

- 8 *Stormwater run-off shall be collected on-site and discharged without jeopardising the safety and integrity of the adjoining arterial road. Any alterations to road drainage infrastructure required to accommodate the development shall be at the expense of the applicant.*

*Planning Advisory Notes:*

- 1 *Please note that no work can commence on the land as a result of this consent. This approval is for Development Plan Consent only. Development Approval is required prior to the commencement of any works.*
- 2 *Pursuant to Section 34 (2) (d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either:*
- *the District Council of Lower Eyre Peninsula; or,*
  - *a Private Certifier.*
- When all relevant consents have been issued, Development Approval will be granted by Council.*
- 3 *Development Plan Consent will lapse within twelve (12) months of the date of this notice unless Development Approval has been obtained.*

*Environment Protection Authority Advisory Notes:*

- 1 *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.*
- 2 *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>."*

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.2 DEVELOPMENT APPLICATION 932/144/18**

<b>APPLICANT:</b>	<b>S &amp; M Mickan</b>
<b>SUBJECT LAND:</b>	<b>4105 Settlers Road, Cummins</b>
<b>PROPOSAL:</b>	<b>Change of use of existing buildings to tourist accommodation, café, meat processing and associated workshops</b>
<b>ZONE:</b>	<b>Primary Production</b>
<b>BUSHFIRE PROTECTION ZONE:</b>	<b>General</b>
<b>FORM OF DEVELOPMENT:</b>	<b>Merit</b>
<b>PUBLIC NOTIFICATION:</b>	<b>Category 3</b>
<b>REPRESENTATIONS</b>	<b>-</b>
<b>PERSONS TO BE HEARD:</b>	<b>-</b>
<b>AGENCY CONSULTATION:</b>	<b>-</b>
<b>RECOMMENDATION:</b>	<b>Development Plan Consent</b>

**Proposal**

The application proposes to construct a 9.6m x 18m x 3.6m high colorbond clad shed in proximity to the existing main dwelling at the farming property, 4105 Settlers Road, Cummins. Within a portion of the shed, the applicants propose to undertake meat processing and run associated educational workshops in addition to operating a small café. The shed will also provide a point of sale for the meat products which will be livestock grown on the subject land and locally sourced. Animals will not be slaughtered on site.

The applicants propose to offer approximately 3 workshops per month which will cater for approximately 10 persons for a 2-3 hour duration during weekdays. A longer session may be offered on a Saturday if there is sufficient interest.

The proposed café is to be open during the workshops and between the hours of 9am to 5pm in response to demand or by appointment. The café will cater for a maximum of 10 seats indoor and an additional 10 outdoor seats.

Ten associated car parking spaces are provided in proximity to the shed.

The application also proposes to change the use of two existing buildings (a farm house and shearers quarters) into tourist / farm stay accommodation.

**(REFER FOLIO: CAP19.06.18)**

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN**

**CONT'D:**

**Development Plan and Form of Development**

The subject land is located within the **Primary Production Zone** within the Lower Eyre Peninsula Council Development Plan (consolidated on 12 July 2018), as delineated on Map LEP/1.

**(REFER FOLIO: CAP19.06.19)**

The Primary Production Zone is a zone seeking economically productive, efficient and environmentally sustainable primary production.

The application is considered 'on merit' as the proposed uses are neither complying nor non-complying within the Primary Production Zone.

The following provisions of the Development Plan are considered particularly relevant in the assessment of this application. It is not an exhaustive list of all Development Plan provisions; however it is considered to contain the most relevant provisions to the proposal:

<b>ZONE</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Primary Production Zone	1, 2, 3, 4, 6	1, 2, 4, 6, 7, 10, 11
<b>GENERAL</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Hazards	1, 2, 4, 5, 6	1, 2, 7, 8, 9, 10, 11, 12
Infrastructure	3	1, 7
Interface between land uses	1, 2, 3	1, 2, 14
Orderly and Sustainable Development	1, 2, 3, 4	1, 2
Tourism Development	1, 2, 3, 4, 5, 6, 7, 8	1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17
Transportation and Access	2	22, 23, 28, 31, 32, 33

**Public Notification**

The application is Category 3 development for the purposes of public notification. Accordingly, a public notice was published in the Port Lincoln Times on Thursday, 28 March 2019 and letters were sent to adjoining land owners.

No submissions were received.

**Site and Locality**

The site is located approximately 11km north west of the township of Cummins and has frontages to both Bratten Way to the north and Settlers Road to the east.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN**

**CONT'D:**

The site is formally known as Piece 41 in Deposited Plan 57698 in the area named Cummins, in the Hundred of Cummins, Volume 5878 and Folio 44. The site is part of an allotment comprising of two Pieces, Piece 41 and Piece 42 which is located on the eastern side of Settlers Road.

***(REFER FOLIO: CAP19.06.20)***

The allotment (Piece) is irregular in shape, with a 4098m frontage Bratten Way on its northern boundary and a 1650.38m frontage to Settlers Road on its eastern boundary. The Piece has an area of 871.8 hectares and is primarily cleared farming land, utilised for grazing and cropping.

Tributaries of Lake Malata, a gypsum deposit runs through the centre of property.

A cluster of dwellings and farm buildings are located on the site in the southern portion of the property.

The site has access via both Bratten Way which is a sealed road and Settlers Road which is an unsealed, formed all weather road. The access to the proposed shed and tourist accommodation is via the Settlers Road entrance.

The character of the locality is large land holdings of primarily cleared farming land, with vegetation along boundaries and road reserves.

***(REFER FOLIO: CAP19.06.21)***

**Development Plan Assessment**

**Primary Production Zone & Tourist Development**

The Primary Production Zone seeks the long term continuation of primary production and the protection of primary production from encroachment by incompatible land uses.

The meat processing portion of the application is an undefined use, however has some similarities to a service industry in which goods manufactured on the site are offered for sale to the public from the site. This part of the proposal is considered to generally satisfy PDC 4 within the zone, which advises:

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN**

**CONT'D:**

- 4 Industry and warehousing should only be developed if it supports primary production, processing, storage and distribution of local primary produce or products produced on the same site, and should be developed where:
- (a) it has a direct relationship with primary production
  - (b) it is unlikely to limit or inhibit the use of adjoining land for primary production
  - (c) the particular use requires a site in proximity to a particular natural resource or other product or materials sourced from the locality
  - (d) it will not result in the alienation of land or water resources identified as significant for primary production or ecological reasons
  - (e) the use would be inappropriate within a township
  - (f) the capacity of the infrastructure, including roads, is capable of supporting the use without detriment to existing users.

In response to the above:

- the meat processing component has a direct relationship with primary production as meat to be processed is primarily grown on the subject site;
- the shed is located in a cluster of existing buildings and is setback approximately 450m from the nearest property boundary. It is unlikely to inhibit the use of the adjoining land for primary production;
- the meat to be sourced is primarily grown on the subject site, with the pigs sourced locally;
- the township of Cummins has a butcher, however the proposed use is of a small scale (approximately 15 beef, 20 pigs and 20 lambs expected to be processed per year) with the primary focus being the educational workshops which have a direct linkage with the farming property;
- the capacity of the infrastructure is capable of supporting the use and an additional waste water treatment system is proposed.

The zone provisions provide for tourist accommodation. However the general Tourism Development provisions provide further guidance for tourism development in rural areas. Overall, tourism development is supported in rural areas where it has minimal impacts and has a functional and locational link with surrounding agricultural production or processing.

The proposal is considered consistent with the provisions as it does not impact or intrude on the primary production activities of the property, and has a linkage with the agricultural use of the property in the educational workshops in regard to meat processing of farm stock.

The proposed tourist accommodation is provided for within existing buildings within the property.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN**

**CONT'D:**

The proposed café is consistent with PDC 7 within the zone, as it is ancillary to the processing use and tourist accommodation proposed on the subject site.

Hazards

The subject land is not located within an area susceptible to natural hazard risk.

The site is located within a General Bushfire risk area. The two buildings for tourism accommodation will be required to satisfy the *Minister's Code: Undertaking development in Bushfire Protection Areas*. The existing driveway will also be required to be maintained to ensure access to the buildings meets the Code.

Orderly and Sustainable Development

The proposal is considered to be orderly and sustainable as it will not jeopardise the continuance of farming within the locality and provides the opportunity to value add to the existing agricultural property.

Transportation and Access

Access to the proposed shed and tourist accommodation facilities is existing and considered acceptable.

The ten proposed car parking spaces are considered adequate for the proposed activities.

The proposal is able to be safely and conveniently accommodated by the adjoining road system.

**Conclusion**

Overall, on balance against all the relevant provisions of the Development Plan, the proposal is considered to be consistent with the intent of the Primary Production Zone and accordingly warrants approval.

continued:



ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN

CONT'D:

**RECOMMENDATION PLANNING CONSULTANT**

*"That the Council Assessment Panel:*

1) ***RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.***

2) ***RESOLVE to grant Development Plan Consent to the proposal by M & S Mickan for a shed to accommodate a café, meat processing and associated workshops and the change of use of two existing buildings for tourist accommodation, at 4105 Settlers Road, Cummins, in Development Application 932/144/18, subject to the following conditions of consent; and***

1 ***The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 26 November 2018 and 22 March 2019, as contained in Development Application 932/144/18 except where varied by any conditions of consent;***

***Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.***

2 ***All meat processed within the shed shall be grown or raised on the subject land or within the Council area.***

***Reason: To ensure compliance with relevant zone provisions which provide for the processing, storage and distribution of local primary produce.***

3 ***All bins and receptacles containing waste from the boning process shall be kept in a cool room at all times prior to being collected by a licensed waste contractor/ or transported to a licensed waste facility.***

***Reason: to ensure wastes are appropriately stored and removed from the site.***

4 ***The two buildings for tourist accommodation shall be utilised for short-term accommodation only and shall not be adapted or used for permanent occupancy.***

***Reason: To ensure the development is utilised for its intended use.***

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN

CONT'D:

- 5 *The driveway to the tourist accommodation facilities shall:*
- a) *be constructed with a formed, all-weather surface;*
  - b) *be constructed away from hazardous vegetation such as overhanging limbs and continuous cover of thick vegetation;*
  - c) *be located such that the need to clear native vegetation or a significant tree is avoided;*
  - d) *have a minimum formed width of 3 metres (or 4 metres in steeper terrain);*
  - e) *have a gradient of not more than 16 degrees (i.e. a maximum slope of 1:3.5) at any point along the road or driveway;*
  - f) *allow fire-fighting vehicles to travel in a continuous forward movement by constructing curved roads and driveways with curves that have a minimum external radius of 12.5 metres;*
  - g) *allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by incorporating either:*
  - h) *a loop road around the building;*
  - i) *a turning area with a minimum radius of 12.5 metres;*
  - j) *a 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and a minimum internal radii of 9.5 metres.*

*Reason: To ensure the driveway satisfies the Minister's Code: Undertaking development in Bushfire Protection Areas*

- 6 *All storm water from buildings and paved areas shall be disposed of in accordance with recognised engineering practices and with materials that will not result in the entry of water onto any adjoining property or building, and does not affect the stability of any building.*

*Reason: To ensure stormwater is appropriately managed on site.*

- 7 *The premises must be connected to an approved and suitable wastewater disposal system which has been installed to the requirements of the South Australian Public Health Wastewater Regulations under the South Australian Public Health Act. Work cannot commence on site until Council has approved the proposed waste control system. A separate application is required for the installation of a wastewater disposal system.*

*Reason: To ensure effluent is appropriately managed on site.*

- 8 *Satisfactory all weather car parking is to be established at the site, and drained to the satisfaction of the Development Manager, with traffic movements to the approved plans.*

*Reason: To ensure parking facilities are of a suitable condition.*

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/144/18 MICKAN

CONT'D:

- 9 *All car parking spaces shall be line marked or delineated in a distinctive fashion, with the marking maintained in a clear and visible condition at all times. Parking spaces shall be delineated to comply with AS/NZS2890.1 Off-street car parking and/or AS/NZS2890.6 Off-street parking for people with disabilities.*

*Reason: To ensure parking spaces meet the relevant Australian Standard.*

- 10 *All construction waste and other rubbish shall be stored in such a manner that prohibits any waste being blown from the building site in the event of strong winds. When building works are complete, all waste shall be removed from the site to an approved waste disposal area.*

*Reason: To ensure that the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.*

**Planning Advisory Notes:**

- 1 *All necessary approvals/ licenses shall be obtained from the Department of Primary Industries and Regions SA (PIRSA) – Food Safety program – Meat Unit.*
- 2 *All operators of a food business (café) are required to notify the Department of Health. Notification can be made on line at [www.fbn.sa.gov.au](http://www.fbn.sa.gov.au). Food Safety Information Kits are available at the SA Health website at: <https://www.sahealth.sa.gov.au>*
- 3 *Please note that no work can commence on the land as a result of this consent. This approval is for Development Plan Consent only. Development Approval is required prior to the commencement of any works.*
- 4 *Pursuant to Section 34 (2) (d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either:*
- the District Council of Lower Eyre Peninsula; or,*
  - a Private Certifier.*
- When all relevant consents have been issued, Development Approval will be granted by Council.*
- 5 *Development Plan Consent will lapse within twelve (12) months of the date of this notice unless Development Approval has been obtained.”*

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19**

<b>APPLICANT:</b>	<b>All Steel Transportable Homes</b>
<b>SUBJECT LAND:</b>	<b>368 Haigh Drive, North Shields</b>
<b>PROPOSAL:</b>	<b>Cellar door and single storey dwelling</b>
<b>ZONE:</b>	<b>Primary Production Zone</b>
<b>BUSHFIRE PROTECTION ZONE:</b>	<b>General</b>
<b>FORM OF DEVELOPMENT:</b>	<b>Merit/ Consent</b>
<b>PUBLIC NOTIFICATION:</b>	<b>Category 3</b>
<b>REPRESENTATIONS:</b>	<b>One</b>
<b>PERSONS TO BE HEARD:</b>	<b>Nil</b>
<b>AGENCY CONSULTATION:</b>	<b>-</b>
<b>RECOMMENDATION:</b>	<b>Development Plan Consent</b>

**Proposal**

The applicant seeks approval to construct a single storey four bedroom dwelling with an attached cellar door at a property currently utilised for viticultural purposes at 368 Haigh Drive, North Shields.

The cellar door will provide for tasting and sale of Gardner's Vineyard wines and will be open from 10am to 6pm daily. The applicants also wish to provide for up to one function per month, for a maximum of 100 patrons.

The proposed building is setback approximately 72.5m from the Haigh Drive property boundary and is located in proximity of an existing shed within the northern portion of the property. The building is to be externally clad with 300mm selflock ecogroove cladding and a colorbond roof. The majority of the site is planted with vines.

The proposed building is transportable in nature and design, with the cellar door component attached to the front of the dwelling measuring approximately 6.5m by 13.7m with a floor area of approximately 89m<sup>2</sup>. The cellar door provides a sales area, cellar storage and bathroom facilities.

The cellar door and dwelling are to be accessed via an existing access and driveway. Provision for the parking of 4 buses has been made, along with 11 car parking spaces adjacent to the existing driveway.

**(REFER FOLIO: CAP19.06.22)**

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES**

**CONT'D:**

**Development Plan and Form of Development**

The subject land is located within the **Primary Production Zone** as delineated on **Maps LEP/37** of the Development Plan.

**(REFER FOLIO: CAP19.06.23)**

The application was lodged on 13 March 2019 and accordingly has been assessed against the provisions of the Development Plan consolidated 19 July 2018.

The Primary Production Zone is a zone seeking economically productive, efficient and environmentally sustainable primary production.

The application is considered 'on merit' as a cellar door and dwelling are neither complying nor non-complying within the Primary Production Zone.

The following provisions of the Development Plan are considered particularly relevant in the assessment of this application. It is not an exhaustive list of all Development Plan provisions, however it is considered to contain the most relevant provisions to the proposal:

<b>ZONE</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Primary Production Zone	1, 2, 3, 4, 6	1, 2, 4, 5, 10, 11
<b>GENERAL</b>	<b>Objectives</b>	<b>Principles of Development Control</b>
Building near Airfields	1	1, 2, 3, 4, 5, 6, 7, 8
Design and Appearance	1	1, 6
Hazards	1, 2, 4, 5, 6	1, 2, 7, 8, 9, 10, 11, 12
Infrastructure	3	1, 7
Interface between land uses	1, 2, 3	1, 2, 9, 14
Natural Resources	1, 2, 5, 6, 8, 10, 13	1, 4, 5, 7, 26, 27
Orderly and Sustainable Development	1, 2, 3, 4	1, 2, 3
Residential Development	1, 2	
Siting and Visibility	1	1, 2, 3, 4, 5, 6
Tourism Development	1, 2, 3, 4, 5, 6, 8	1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17
Transportation and Access	2	22, 23, 28, 31, 32, 33

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES**

**CONT'D:**

**Public Notification**

The application is Category 3 development for the purposes of public notification. Accordingly, a public notice was published in the Port Lincoln Times on Thursday, 18 April 2019 and letters were sent to adjoining land owners.

One submission in support of the proposal was received.

**(REFER FOLIO: CAP19.06.24)**

**Site and Locality**

The subject site is located to the north east of Tiatukia and approximately, 3km south west of the southern portion of the North Shields township.

The subject land is formally known as Section 212 in the area named Boston, Hundred of Lincoln in Certificate of Title Volume 5445 Folio 968.

**(REFER FOLIO: CAP19.06.25)**

The allotment is triangular in shape, with a 894m frontage along its southern boundary to Haigh Drive and a 92m frontage to Chapman Road on its western boundary.

The land is utilised for viticulture, with vines planted over the majority of the property. An existing driveway via Haigh Drive provides access to the property and farm building/ shed.

The locality primarily contains agricultural land of mixed shape and size, with detached dwellings and associated outbuildings and farm buildings.

**(REFER FOLIO: CAP19.06.26)**

**Agency Comments**

No referrals are required under Schedule 8 of the Development Regulations, 2008.

**Internal Comments**

The subject site is located within an area that triggers a referral to the Airport Manager.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES**

**CONT'D:**

The Airport Manager has advised there is no objection to the proposed development on the basis that it will not exceed the height of the existing shed near the proposed development

**(REFER FOLIO: CAP19.06.27)**

**Development Plan Assessment**

Primary Production Zone

The Primary Production Zone seeks the long term continuation of primary production and the protection of primary production from encroachment by incompatible land uses.

The cellar door component of the proposal has a direct relationship with the vineyard on the subject land and is located within an area that is cleared and not utilised for viticultural or other primary production purposes.

A dwelling is considered appropriate within the Primary Production Zone where it is associated with primary production on the allotment and where buildings are grouped together and setback from boundaries to minimise their visual impact on the landscape when viewed from public roads. The proposed building is located within a cleared area adjacent to an existing shed. The siting of the building complies with PDC 11 which seeks a setback of a minimum of 50m from all roads.

The proposal is considered consistent with the provisions as it does not impact or intrude on the primary production activities of the property, and has a linkage with the viticultural use of the land.

Building near Airfields

The subject site penetrates the Obstacle Limitation Surface (OLS) of the Port Lincoln Airport and accordingly was referred to the Airport Manager for comment.

The proposal is not expected to adversely affect the long-term operation, safety and/or the commercial aviation requirements of the airfield.

Design and Appearance

The proposed single storey building is compatible with the locality.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES**

**CONT'D:**

Hazards

The subject land is not located within an area susceptible to natural hazard risk. The site is located within a General Bushfire risk area. The building will be required to satisfy the *Minister's Code: Undertaking development in Bushfire Protection Areas*. The existing driveway will also be required to be maintained to ensure access to the buildings meets the Code.

Infrastructure

The proposed building has access to necessary infrastructure.

Any approval will require that a suitable waste water system be installed and that the development is equipped with an adequate and reliable on-site water storage system.

Interface between land uses

The Development Plan seeks that development is located and designed to minimise adverse impact and conflict between land uses.

The proposal has the potential to affect the amenity of the locality by noise, hours of operation and traffic impacts.

The two closet dwellings to the cellar door site are located approximately 280m to the north west, fronting Chapman Road and approximately 880m to the south east fronting Haigh Drive.

In terms of impacts to neighbouring properties, the operation of the cellar door is expected to be minimal due to likely vehicle numbers, provision of on-site parking and hours of operation from 10am to 6pm. The greatest impact to surrounding properties will be from the proposed functions on site. The applicant proposes a maximum of one function per month, for a maximum of 100 patrons. Such functions may result in noise to the surrounding area. It is recommended that any outdoor entertainment associated with functions shall be limited to between 10.00am and 5.00pm on any day, with functions being restricted to 10.30pm between Sunday and Thursday and 12.00am midnight Friday and Saturday.

Natural Resources

Impacts to natural resources are expected to minimal due to the siting of the proposed building.

continued:



**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART II - FOR PANEL APPROVAL**

**CONT'D:**

**2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES**

**CONT'D:**

The scenic qualities of the rural landscape will be maintained as the building is to be located in a cleared area in close proximity to an existing building and is well setback from the Haigh Drive frontage.

Any approval will require that a minimum capacity of rainwater storage be available on site.

Orderly and Sustainable Development

The proposal is considered to be orderly and sustainable as it will not jeopardise the continuance of farming within the locality and provides the opportunity to value add to the existing viticultural property.

Tourism Development

Tourism development outside of townships, in rural areas is supported where it is sited and designed to minimise impacts and have a function or locational link with surrounding agricultural production or processing. PDC 11 (a) advises that tourism developments in rural areas should primarily be developed in associated with agricultural, horticultural, viticultural or winery development. The proposal satisfies this provision.

Transportation and Access

Access to the proposed dwelling and cellar door is existing and considered acceptable.

The eleven (11) proposed car parking spaces and four (4) bus parks are considered adequate for the proposed activities.

The proposal is able to be safely and conveniently accommodated by the adjoining road system.

**Conclusion**

Overall, on balance against all the relevant provisions of the Development Plan, the proposal is considered to be consistent with the intent of the Primary Production Zone and accordingly warrants approval.

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES

CONT'D:

**RECOMMENDATION PLANNING CONSULTANT**

*"That the Council Assessment Panel:*

1) ***RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.***

2) ***RESOLVE to grant Development Plan Consent to the proposal by All Steel Transportable Homes for a single storey dwelling and attached cellar door at 368 Haigh Drive, North Shields, in Development Application 932/34/19, subject to the following conditions of consent; and***

1 ***The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 16 April 2019 and 21 March 2019, as contained in Development Application 932/34/19 except where varied by any conditions of consent;***

***Reason: To ensure the development is undertaken in accordance with the approved plans, drawings, specifications and other documents submitted.***

2 ***The hours of operation of the premises shall be restricted to:***

***Cellar Door tastings and sales : 10am to 6pm any day of the week;***

***Special functions: 10am to 10.30pm between Sunday and Thursday and 10am to 12.00am midnight Friday and Saturday.***

***Reason: To maintain the rural amenity of the locality.***

3 ***A maximum of one function per month shall be held on the subject land.***

***Reason: To maintain the rural amenity of the locality.***

4 ***Any outdoor entertainment associated with functions shall be limited to between 10.00am and 5.00pm on any day.***

***Reason: To maintain the rural amenity of the locality.***

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES

CONT'D:

- 5 *The exterior cladding shall be of a colour, which is environmentally sensitive with minimal glare properties and enhances the character and amenity of the locality. Exterior painting shall be completed within six (6) months of construction being completed, to the reasonable satisfaction of the Council or its delegate.*

*Reason: To ensure the external colour of the building is compatible with the rural character of the locality.*

- 6 *The base perimeter (the space between the floor of the building and the ground) of dwellings on stumps or piers is to be enclosed with suitable solid material, which blends with the appearance and style of the building. Work is to be completed within three (3) months from the date of occupation of the dwelling.*

*Reason: To reduce the potential for trapping burning debris between the ground and building floor level.*

- 7 *Satisfactory all weather car parking is to be established at the site, and drained to the satisfaction of the Development Manager, with traffic movements to the approved plans*

*Reason: To ensure parking facilities are of a suitable condition.*

- 8 *All car parking spaces shall be line marked or delineated in a distinctive fashion, with the marking maintained in a clear and visible condition at all times. Parking spaces shall be delineated to comply with AS/NZS2890.1 Off-street car parking and/or AS/NZS2890.6 Off-street parking for people with disabilities.*

*Reason: To ensure compliance with relevant Australian Standards.*

- 9 *The driveway to the tourist accommodation facilities shall:*
- a) be constructed with a formed, all-weather surface;*
  - b) be constructed away from hazardous vegetation such as overhanging limbs and continuous cover of thick vegetation;*
  - c) be located such that the need to clear native vegetation or a significant tree is avoided;*
  - d) have a minimum formed width of 3 metres (or 4 metres in steeper terrain);*
  - e) have a gradient of not more than 16 degrees (i.e. a maximum slope of 1:3.5) at any point along the road or driveway;*
  - f) allow fire-fighting vehicles to travel in a continuous forward movement by constructing curved roads and driveways with curves that have a minimum external radius of 12.5 metres;*

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES

CONT'D:

- g) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by incorporating either:*
- h) a loop road around the building;*
- i) a turning area with a minimum radius of 12.5 metres;*
- j) a 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and a minimum internal radii of 9.5 metres.*

*Reason: To ensure the driveway satisfies the Minister's Code: Undertaking development in Bushfire Protection Areas*

- 10 *The applicant shall provide adequate and reliable on-site water supply, which shall have a storage capacity equivalent to at least 22,500 litres per bedroom, be connected to the roof water drainage, fitted with first flush devices and plumbed to the private dwelling. An additional dedicated and adequate water supply shall be clearly marked and made available for fire fighting purposes.*

*All above ground tanks and below ground tanks that project above ground in part which contain water dedicated for, and made available for, fire fighting purposes must be constructed of non-combustible material as tested in accordance with AS1530.1, Combustibility test for materials.*

**Advisory Note**

*Recent research has identified that polyethylene tanks can be at risk of structural failure from radiant heat and they also showed some involvement in the combustion process from burning leaf litter. Tanks located below ground are not exposed to radiation or to sparks and embers but any portions projecting above ground should be constructed of non-combustible material.*

*Reason: To ensure adequate water supply. .*

- 11 *All storm water from buildings and paved areas shall be disposed of in accordance with recognised engineering practices and with materials that will not result in the entry of water onto any adjoining property or building, and does not affect the stability of any building.*

*Reason: To ensure stormwater is appropriately managed on site.*

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.3 DEVELOPMENT APPLICATION 932/34/19 ALL STEEL  
TRANSPORTABLE HOMES

CONT'D:

- 12 *The premises must be connected to an approved and suitable wastewater disposal system which has been installed to the requirements of the South Australian Public Health Wastewater Regulations under the South Australian Public Health Act. Work cannot commence on site until Council has approved the proposed waste control system. A separate application is required for the installation of a wastewater disposal system.*

*Reason: To ensure effluent is appropriately managed on site.*

- 13 *All construction waste and other rubbish shall be stored in such a manner that prohibits any waste being blown from the building site in the event of strong winds. When building works are complete, all waste shall be removed from the site to an approved waste disposal area.*

*Reason: To ensure that the activities on the site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.*

**Planning Advisory Notes:**

- 1 *Please note that no work can commence on the land as a result of this consent. This approval is for Development Plan Consent only. Development Approval is required prior to the commencement of any works.*
- 2 *Pursuant to Section 34 (2) (d) of the Development Act 1993, an assessment of the development in respect of the Building Rules is to be undertaken by either:*
- the District Council of Lower Eyre Peninsula; or,*
  - a Private Certifier.*
- When all relevant consents have been issued, Development Approval will be granted by Council.*
- 3 *Development Plan Consent will lapse within twelve (12) months of the date of this notice unless Development Approval has been obtained."*

PART III - CORRESPONDENCE

Nil.

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL  
6 JUNE 2019**

**PART IV - DEVELOPMENT APPROVALS UNDER DELEGATED  
AUTHORITY**

April 2019 Approvals

DIA Number	Owner/Applicant	Builder	Cost (\$)	Wall Material	Roof Material	Alignment or Section No	Street Number	Street Name	Town	Hundred	Zone	Proposal	Class	Floor Area m2	Date Development Approved	Development Approval Arrived by
932/103/19	Fless S (M & C For)	Aldens Building - S Ful	190000	Clauding	Coribond	Lot 148	31 O'Malley Street	Cummins	Cummins	Residential	Residential	Additions to existing Dwelling and Carport	1a & 10a	130.00	10/04/2019	Delegation
932/005/19	Evison M	Owner	240000	Coribond	Coribond	Lot 23	244-250 Roberts Road	Tinukia	Lincoln	Lincoln	Rural Living	Single storey detached dwelling	1a & 10a	240.90	10/04/2019	Delegation
932/033/19	Achwood Constructions Pty Ltd	Achwood Construction	143320	Coribond	Coribond	Lot 758	1465 Smiths Road	Yvelanna	Shannon	Primary Product	Primary Product	Additions to existing dwelling	1a & 10a	93.80	4/04/2019	Delegation
932/033/19	Bascamba J Z (R W White)	Owner	20000	N/A	Coribond	Lot 3	451 Kellie Bay Road	Kellie Bay	Lake Wangary	Acquaculture	Acquaculture	Verandah to existing building (including a pergola)	1a & 10a	352.00	4/04/2019	Delegation
932/037/19	Docking L & J	Process Tanks	10000	Steel	Shed	Lot 153	61-59 Conward Street	North Shields	Louth	Louth	Settlement	Deck and verandah to existing dwelling	10a	67.35	4/04/2019	Delegation
932/038/19	Wilkins L	Owner	26000	Coribond	Coribond	Lot 861	Gawler Road	Wynyard	Lincoln	Lincoln	Rural Living	Rainwater tank	10a	39.54	4/04/2019	Delegation
932/042/19	Gardner R & C	Owner	15000	Zincalume	Coribond	Lot 158	63-69 Cooksboro Road	Boston	Lincoln	Lincoln	Rural Living	Verandah to existing shed	10a	165.00	12/04/2019	Delegation
932/042/19	Owner	Owner	3,000	Coribond	Coribond	Sec 212	368 Haight Drive	North Shields	Louth	Lincoln	Rural Living	Verandah to existing shed	10a	200.00	12/04/2019	Delegation
932/044/19	JAI Outdoor Construction (C)	JAI Outdoor Constructi	35000	Coribond	Coribond	Lot 105	968 Farm Beach Road	Farm Beach	Warraw	Warraw	Coastal Settlement	Demolition of existing dwelling	N/A	92.00	13/04/2019	Delegation
932/044/19	Owner	Owner	5000	Cladding	Coribond	Sec 113	919 Tod Highway	Warilla	Warilla	Warilla	Water Protected	Shed & pergola attached to existing dwelling	10a	136.00	23/04/2019	Delegation
932/044/19	Owner	Owner	3000	Coribond	Coribond	Lot 137	16-22 Swallow Drive	Boston	Lincoln	Lincoln	Rural Living	Alterations to existing pet/pole/carport	10a	21.00	12/04/2019	Delegation
932/045/19	Owner	Owner	5000	Cladding	Coribond	Lot 103	Eucalyptus Drive	Coalla	Warraw	Warraw	Primary Product	Shed	10a	120.00	16/04/2019	Delegation
932/045/19	Owner	Owner	5000	N/A	Coribond	Lot 45 Sec 132	18-29 Lawrie Road	Collin Bay	Lake Wangary	Industry	Loading bay canopy	10a	69.16	30/04/2019	Delegation	
932/050/19	Owner	Owner	30000	Cladding	Coribond	Lot 45 Sec 132	251 Espinade	Collin Bay	Lake Wangary	Residential	Residential	Addition to existing dwelling	1a	47.70	30/04/2019	Delegation

413/7654 Development Approval Listing - April 2019