



COUNCIL ASSESSMENT

PANEL

A G E N D A

THURSDAY 29 AUGUST 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 29 AUGUST 2019**

Date: 19 August 2019

TO ALL MEMBERS:

The next meeting of the Council Assessment Panel will be held at 9.00 am on Thursday 29 August 2019, in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln.

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**LEITH BLACKER
ASSESSMENT MANAGER**

A G E N D A

1 WELCOME

2 APOLOGIES

T CHRISTENSEN AND R W PEARSON (CHIEF EXECUTIVE OFFICER).

3 CONFIRMATION OF MINUTES

RECOMMENDATION AM

“That the minutes of the Council Assessment Panel meeting held on Thursday 4 July 2019, as per copies supplied to members, be confirmed.”

4 BUSINESS ARISING

**DISTRICT COUNCIL OF LOWER EYRE PENINSULA
COUNCIL ASSESSMENT PANEL AGENDA - 29 AUGUST 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 26 September 2019, in the Regional Development Australia Boardroom, 89 Liverpool Street, Port Lincoln.”

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART I - LAND DIVISION

Nil.

PART II - FOR PANEL APPROVAL

2.1 DEVELOPMENT APPLICATION 932/86/19

APPLICANT:	DC Lower Eyre Peninsula
SUBJECT LAND:	Road reserve adjacent 6-10 Tumby Bay Road, Cummins
PROPOSAL:	Advertising Sign
ZONE:	Industry Zone
BUSHFIRE PROTECTION ZONE:	Excluded
FORM OF DEVELOPMENT:	Merit
PUBLIC NOTIFICATION:	Category 3
REPRESENTATIONS:	Nil
PERSONS TO BE HEARD:	Nil
AGENCY CONSULTATION:	DPTI
RECOMMENDATION:	Grant Development Plan Consent

Background

The Panel considered non-complying Development Application 932/40/2017 at its 11 May 2018 meeting, for the same sign to be sited on the opposite side of Hayman Drive, in the medium strip. The site was located within a Residential Zone. At that meeting the CAP resolved to defer its decision on the application as follows:

DEFER the decision on the proposal by the District Council of Lower Eyre Peninsula for a freestanding advertising sign within the median strip within the Tumby Bay Road reserve, corner of Hayman Drive, Cummins in Development Application 932/40/17, pending discussions with the applicant in regard to relocating the proposed sign within the industrial estate and the placement of a directional sign on Tumby Bay Road.

The Director of Works and Infrastructure reported to Council at its 15 June 2018 meeting in regard to the preferred location of the sign. Council resolved:

That Council approves the location of a proposed advertising sign for businesses located within the Cummins Light Industrial Area on the north-west corner of the Hayman Road/Tumby Bay Road intersection and notes the necessary removal of a tree to facilitate the appropriate location of the sign.

This application to locate the sign on the north-west corner of the Hayman Road/Tumby Bay Road intersection was lodged on 7 June 2019.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

Proposal

The applicant seeks approval to erect a 1.8m x 3.5m freestanding advertising sign within the road reserve adjacent to the property at 6-10 Tumbly Bay Road in Cummins. The sign contains eleven horizontal panels to provide for the name of each existing and future business located within the industrial estate. The overall advertisement area is approximately 4.8m².

The purpose of the sign is to identify the location of and advertise businesses within the Cummins Industrial Estate. The sign will not be illuminated and will not move.

An existing tree will need to be removed to achieve the required set back distances for intersectional sight lines.

(REFER FOLIO: CAP19.08.01)

Development Plan and Form of Development

The application was lodged on 7 June 2019 and accordingly is assessed against the provisions of the Development Plan consolidated 12 July 2018.

The subject land is located within the **Industry Zone** as delineated on **Map/40** of the Development Plan. Land to the east of the road reserve is located within a Residential Zone and land to the south of Tumbly Road is located within a Town Centre Zone.

(REFER FOLIO: CAP19.08.02)

The Industry Zone primarily accommodates a wide range of industrial, warehouse, storage and transport land uses. The Development Plan seeks industrial and commercial development in Cummins to facilitate investment and employment.

Advertisement and/or advertising hoarding is listed as non-complying development within the Industry Zone where it is located in the Infrastructure Policy Area 5. Given that the subject site is not located in Policy Area 5 it is not non-complying and therefore is a consent-merit application.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

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:

ZONE	Objectives	Principles of Development Control
Industry Zone	1, 2	1, 2, 8, 9
GENERAL	Objectives	Principles of Development Control
Advertisements	1, 2, 3	1, 2, 4, 5, 6, 10, 11, 13, 15, 16, 20
Design and Appearance	1, 2	1, 14
Interface between land uses	1, 2, 3	1, 2, 5, 6
Orderly and Sustainable Development	1, 2, 3, 4, 6	1, 8
Transportation and Access	2, 3, 4, 5	1, 9, 12, 13

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 20th June 2019 and letters were sent to adjoining land owners.

No submissions were received.

Site and Locality

The subject site is a median within the road reserve of Tumby Bay Road which is an arterial road. The median strip protrudes into Tumby Bay Road from the southern boundary of 6-10 Tumby Bay Road at the intersection with Hayman Drive. The median contains a tree.

The sign is to be setback 5.4m from the kerb of Tumby Bay Road and 8.5m from the kerb on Hayman Drive.

The character of the locality is one of mixed land uses including commercial, industrial and residential with mixed building types and styles.

The CAP at its last meeting, approved the construction of a warehouse and store at the adjacent property, 6-10 Tumby Bay Road.

(REFER FOLIO: CAP19.08.03)

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

Agency Comments

The application was referred to the Department of Planning, Transport and Infrastructure (DPTI).

The DPTI has advised that it does not generally support the provision of advertising signs of this nature within road reserve and would prefer the presence of the industrial estate being identified via the use of standard signage designed in accordance with DPTI's publication 'Road Sign Guidelines: Guide to visitor and service road signs in South Australia'.

However, in the event that Council is of the opinion that the sign warrants approval, it is recommended that the following conditions be applied:

- The sign shall be located as per the location plan received by Council dated 7 June 2019.
- The applicant shall be responsible for the sign (e.g. maintenance, liability, etc.) and shall ensure that the sign does not interfere with the sight lines at the Tumbay Bay Road/Service Road/Hayman Drive intersection.
- The sign shall not contain any element that flashes, scrolls moves, changes or imitates a traffic control device. Furthermore, the sign shall be finished in a material of low reflectivity to minimise the risk of sun/headlamp glare to passing drivers.

The DPTI has also requested that Council consider reducing the number of panels to six, to minimise the amount of information presented to drivers. The Director of Works and Infrastructure has considered this request and advised that (summarised):

- it is very unlikely that there will be 6 panels erected initially, however it is preferable not to reduce the number of panels proposed, to ensure future needs are catered for;
- the angle of the sign (90°) to highway users ensures that the number of panels will not provide less or more distraction to drivers.

(REFER FOLIO: CAP19.08.04)

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

Development Plan Assessment

Industry Zone

Within the Industry Zone, Principle of Development Control 8 provides guidance for Advertising signs:

- 8 Advertisements and advertising hoardings should not include any of the following:
- (a) flashing or animated signs
 - (b) bunting, streamers, flags, or wind vanes
 - (c) roof-mounted advertisements projected above the roofline
 - (d) parapet-mounted advertisements projecting above the top of the parapet
 - (e) not cover more than 10 per cent of the total surface area of a wall which is oriented to a public road or reserve.

In regard to the above PDC the proposed sign satisfies parts (a) and (b) as the sign is not proposed to be flashing or animated and does not include bunting, streamers, flags or wind vanes.

The proposed sign is freestanding, so parts (c), (d) and (e) are not applicable. However, it is noted that the intention of part (e) is to limit the size of signage facing a public road or reserve. The intention of the proposed sign is to alert road users of the location of the nearby industrial estate.

The proposal will necessitate the removal of a street tree. Whilst the removal of street trees is generally not supported, the removal of the tree is necessary to locate the sign and will improve sight lines near the subject intersection.

Advertisements

The General policy provisions support advertisements where they:

- Do not disfigure landscapes
- Do not create a hazard; and
- Are designed to enhance the appearance of the locality.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

In regard to the above:

- The proposed sign is not expected to disfigure the landscape of the locality given the mix of land uses and built form. The proposed sign is one structure providing advertising for all businesses within the industrial estate.
- The applicant has advised that a sight distance assessment was undertaken when deciding on the location of the sign. Given the location of the proposed sign, its design and the speed environment the sign is not expected to create a safety hazard to traffic.
- The proposed sign is not expected to enhance the appearance of the locality, however it will provide clear direction to the Cummins Industrial Estate.

PDC 6 advises that advertisements should not be erected on a road, median strip or traffic island. Accordingly, the proposal does not satisfy this provision.

PDC 20 advises that signs should not be placed along arterial roads that have a speed limit of 80 km/h or more. The speed limit within the subject location is 50km/h, thereby satisfying this provision.

Design and Appearance

The relevant provisions seek roads and buildings laid out and linked so that they area easy to understand and navigate, with signage having a coordinated appearance.

The proposal is considered to generally satisfy the relevant provisions in that the proposed sign will assist in identifying and providing direction to the Cummins Industrial Estate which is not currently easily identifiable.

Interface between land uses

The proposed sign is not expected to result in negative impacts on existing residential uses within the locality due to its distance from the dwellings and the nature of mixed uses.

Orderly and Sustainable Development

The proposal is considered to be orderly development in that it will improve identification of the location of the industrial estate and will not jeopardise the continuance of adjoining residential and commercial land uses.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

Transportation and Access

As discussed previously, the subject site is located on an arterial road and therefore the DPTI have considered the application and provided comment. Whilst the DPTI would prefer Council identify the industrial estate via the use of standard street signage in accordance with their guidelines, the DPTI recommends a number of conditions to be attached to any approval.

PDC 9 advises that development at intersections should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users. As discussed previously, safe sightlines will not be impeded and are proposed to be improved due to the removal of the street tree.

Conclusion

Overall, when considering the proposal against the relevant provisions of the Development Plan, in my opinion the proposal is orderly development as it will provide identification and direction to the Industrial Estate, will not significantly impact the amenity of the adjacent area and is consistent with the mix of land uses and built form within the locality.

RECOMMENDATION PLANNING CONSULTANT

"That the Development 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 the District Council of Lower Eyre Peninsula for a freestanding advertising sign within the median within the Tumby Bay Road reserve, adjacent to 6-10 Tumby Bay Road, Cummins in Development Application 932/86/19 subject to the following conditions of consent;***
 - 1 *The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 7 June 2019, as contained in Development Application 932/8619 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.

continued:

ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA

CONT'D:

- 2 *The advertising panels shall be installed progressively on the sign structure as required.*

Reason: To ensure the number of panels is minimised and no blank panels are installed.

- 3 *The advertisement sign shall be prepared and erected in a professional and workmanlike manner, securely fastened and maintained in good repair at all times, to the reasonable satisfaction of the Council or its delegate;*

Reason: To ensure the structure is maintained in a good condition.

- 4 *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 site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Conditions required by the Commissioner of Highways

- 1 *The sign shall be located as per the location plan received by Council dated 7 June 2019.*
- 2 *The applicant shall be responsible for the sign (e.g. maintenance, liability, etc.) and shall ensure that the sign does not interfere with the sight lines at the Tumby Bay Road/Service Road/Hayman Drive intersection.*
- 3 *The sign shall not contain any element that flashes, scrolls moves, changes or imitates a traffic control device. Furthermore, the sign shall be finished in a material of low reflectivity to minimise the risk of sun/headlamp glare to passing drivers.*

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.1 DEVELOPMENT APPLICATION 932/86/19 DISTRICT COUNCIL OF
LOWER EYRE PENINSULA**

CONT'D:

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."*

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/90/19

APPLICANT:	Cummins Ag Services Pty Ltd
SUBJECT LAND:	12 Hayman Drive, Cummins
PROPOSAL:	Shed and land to be utilised as a service trade premises, general industry and storage.
ZONE:	Industry Zone
BUSHFIRE PROTECTION ZONE:	Excluded
FORM OF DEVELOPMENT:	Merit/ Consent
PUBLIC NOTIFICATION:	Category 2
REPRESENTATIONS:	Nil
PERSONS TO BE HEARD:	Nil
AGENCY CONSULTATION:	Nil
RECOMMENDATION:	Development Plan Consent

Proposal

The applicant seeks approval to construct a shed for the storage of agricultural machinery and equipment including an agronomist soil sampling vehicle and self-propelled agricultural contract spray units.

The shed will also be used for the installation of new or upgrading of electronic GPS units to spray units.

The remainder of the site is to be used as large storage area and expanded spray unit (unfolded unit) calibration (water only) with new GPS and vehicle manoeuvring.

When originally lodged, the application was intended to be for a storage shed, however the proposed activities are better defined in accordance with the Development Regulations, 2008 to include general industry and service trade premises.

The proposed shed is 24m x 18m with a wall height of 6m and total floor area of 432m². A 24m x 6m wide verandah over a concrete apron is proposed to be attached to the south eastern elevation of the shed. The shed is to be externally clad with colorbond. New and relocated rainwater tanks are proposed to collect roof runoff.

The proposed shed is to be located 3m from the existing storage shed located on the site. The shed is setback 32.4m from the Hayman Drive frontage and 3m from the side boundary.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
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PART II - FOR PANEL APPROVAL

CONT'D:

**2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD**

CONT'D:

The site is to be accessed via an existing access via Hayman Drive.

No formal car parking spaces are designated on site and no signage is proposed to be fixed to the proposed building.

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 subject site 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: CAP19.08.05)

Development Plan and Form of Development

The subject land is located within the **Industry Zone** as delineated on **Map LEP/40** of the Development Plan. Land to the south-east of Hayman Drive is located within a Residential Zone and land to the north and west of the subject site is located within a Primary Production Zone.

(REFER FOLIO: CAP19.08.06)

The application was lodged on the 13 June 2019. 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, general industry and service trade premises are neither complying nor non-complying within the Industry Zone.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD**

CONT'D:

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:

ZONE	Objectives	Principles of Development Control
Industry Zone	1, 2	1, 2, 5, 6, 7, 8, 9
GENERAL	Objectives	Principles of Development Control
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

Public Notification

The application is Category 2 development for the purposes of public notification, as the proposal for a 'store' is not included in the Category 1 list within the zone and the property is adjacent to land which is located within a different zone to the subject site.

Accordingly, letters were sent to adjoining land owners. No submissions were received.

It is noted that further information was received and the nature of the development changed to include service trade premises and general industry. These activities are listed as Category 1 forms of development within the Industry Zone.

Site and Locality

The subject land is formally known as Allotment 86 in Deposited Plan 12567 in the area named Cummins, Hundred of Cummins in Certificate of Title Volume 5475 Folio 713.

(REFER FOLIO: CAP19.08.07)

The allotment is irregular in shape, with a 20m frontage to Hayman Drive and an overall area of approximately 6157m². An easement for drainage purposes runs along the boundary fronting Hayman Drive.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD**

CONT'D:

The land contains some vegetation within the northern portion of the allotment. The land is expected to be utilised in conjunction with the adjoining land to the south (also owned by the applicant) which recently received Development Approval for a store and warehouse.

The locality primarily contains a mix of land uses with land to the east and north east utilised as depots (SA Water and Council) and residential properties to the east and south east fronting Hayman Drive. Hayman Drive is the access to the Cummins industrial area.

(REFER FOLIO: CAP19.08.08)

Agency Comments

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

Development Plan Assessment

Industry Zone

The proposal is appropriately located within the Industry Zone within which industry 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, which provide for a minimum setback from Hayman Drive of 4m and minimum 3m setback from side and rear boundaries.

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. The proposed shed is sited appropriately, as it is setback approximately 32m from Hayman Drive.

Based on the nature of the proposed activities and the operating hours, potential impacts to the amenity of the locality are likely to be minimal, however may arise due to noise from the movement of agricultural machinery and equipment. The nearest dwelling is located approximately 90m from the proposed shed.

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD**

CONT'D:

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 within the subject locality are deemed acceptable.

Hazards

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

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

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.

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.

Based on the nature of the proposal and the operating hours, adverse impacts on nearby residential properties are expected to be minimal.

Infrastructure

The site has access to necessary infrastructure.

Orderly & Sustainable Development

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

continued:

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART II - FOR PANEL APPROVAL

CONT'D:

**2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD**

CONT'D:

Transportation and Access

The existing access via Hayman Drive is to be maintained.

Table LEP/1 - Off Street Vehicle Parking Requirements advises that 1 car parking space should be provided per 150 square metres total floor area for stores and general industry. Service Trade Premises should provide 1 car parking space per 50 square metres total floor area.

No parking spaces have been designated. Given the dominant use is storage, a minimum of 3 onsite parking spaces should be provided. There is adequate area within the site for any required accommodate car parking.

The subject site has adequate area onsite for the loading, unloading and turning of all traffic likely to be generated.

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

Conclusion

The proposal for a shed and land to be utilised as a service trade premises, general industry and storage purposes, 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
29 AUGUST 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD 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 Cummins Ag Services Pty Ltd for a shed and land to be utilised as a service trade premises, general industry and storage purposes at 12 Hayman Drive, Cummins, in Development Application 932/90/19, subject to the following conditions of consent;***

1 ***The development hereby approved shall be carried out in accordance with the plans submitted, and stamped by the Council received on 13 June 2019 and 9 July 2019, as contained in Development Application 932/90/19 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 ***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, maneuvering 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 maneuvering 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
29 AUGUST 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD CONT'D:

- 5 *A minimum of three (3) onsite car parking spaces shall be provided and 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 *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.

- 7 *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.

- 8 *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.

- 9 *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
29 AUGUST 2019

PART II - FOR PANEL APPROVAL

CONT'D:

2.2 DEVELOPMENT APPLICATION 932/90/19 CUMMINS AG SERVICES
PTY LTD CONT'D:

- 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 *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.*
- 4 *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."*

PART III - CORRESPONDENCE

Nil.

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

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

DIA Number	Owner/Applicant (Company Name)	Builder	Cost (\$)	Wall Material	Roof Material	Allotment or Section No	Street Number	Street Name	Town	Hundred	Zone	Proposal	Class	Floor Area m2	Date Development Approval Granted	Development Approval Granted by
932/0761/18	Christophers L. Engineering	Cupit Constructions	12000	Colorbond	Colorbond	Lot 3	8-8	Jeanes Street	Cummins	Cummins	Industrial	Shed (for existing industrial activities)	B	136.74	13/06/2019	Delegation
932/1241/18	Christophers L.	Quigley Constructions	130000	Cladding	Colorbond	Lot 15	10	Oxley Court Freemans Road	Coffin Bay	Lake Wangaratta	Primary	Additions to existing Dwelling and new Shed	1a & 10a	93.50	18/06/2019	Delegation
932/1517/18	Deslandes B & Bird C	All Steel Constructions	23000	Colorbond	Colorbond	Pce 3			Coolita	Warrow	Production	Farm Building	7b & 8	351.00	18/06/2019	Delegation
932/0341/19	Hertz (Garcia R & C)	Transportable Homes	598845	Cladding	Colorbond	Sec 212	388	High Drive	North Shields	Lincoln	Primary Production	Transportable dwelling and cellar door	1a, 10a, 10b & 6	525.53	6/06/2019	Delegation
932/0511/19	Mckean S & M S Doublet	Owner	72900	Colorbond	Colorbond	PCE 41	4105	Sellers Road	Cummins	Cummins	Primary Production	Demolition of existing shed and new shed (farm building)	7b	364.50	18/06/2019	Delegation
932/0571/19	Frankie Wake Building (J & S Doublet)	Frankie Wake Building	109000	Colorbond	Colorbond	Sec 86	110	Challa Lane	Coolita	Warrow	Production	Extension of existing and new Farm building	7b	1008.00	19/06/2019	Delegation
932/0631/19	Sheds for Eye (D G Schink)	Owner	10630	Colorbond	Colorbond	Lot 119	129-133	Cockleoo Road	Boston	Lincoln	Rural Living	Extension to existing shed	10a	36.00	5/06/2019	Delegation
932/0641/19	T Backdams Loudoun B	Owner	1500	Colorbond	Colorbond	Lot 50	2-16	Kestrel Court	Boston	Lincoln	Rural Living	Stable (horse shelter)	10a	19.00	20/06/2019	Delegation
932/0871/19	Wood J	Stoby's Building	330000	Brck	Colorbond	Lot 18	44-46	Tumby Bay Road	Cummins	Cummins	Residential	Demolition of existing buildings & new single storey detached dwelling, shed & rainwater tank	1a & 10a	334.70	26/06/2019	Delegation
932/0881/19	Frances C	Owner	8000	Colorbond	Colorbond	Lot 122		Range Road	Coolita	Warrow	Primary Production	Shed	10a	60.00	5/6/2019	Delegation
932/0711/19	Barnes T (Viterra)	Owner	180000	N/A	N/A	Lot 2		Railway Terrace	Cummins	Cummins	Bulk Handling	Installation of side cell outloaders into existing concrete silos	10b	N/A	5/6/2019	Delegation
932/0801/19	Kobelt S	Owner	3000	Zincalume	Zincalume	Sec 52		Kellicie Bay Road	Kellicie Bay	Lake Wangaratta	Production	Farm Building (Machinery shed)	10a	82.30	14/06/2019	Delegation
932/0831/19	Poble A (M & R Habner)	Poble Constructions	7155	N/A	Colorbond	Lot 27	54	Tumby Bay Road	Cummins	Cummins	Residential	Freesanding caprot	10a	22.93	27/06/2019	Delegation
932/0851/19	Cox A	Port Lincoln Fibreglass	500	Colorbond	Colorbond	Lot 15	28-41	Cockleoo Road	Boston	Lincoln	Rural Living	Secondary shed	10a	21.00	19/06/2019	Delegation
932/0891/19	(Kidney)	Fibreglass	32010	Fibreglass	N/A	Lot 1	1950	Fildens Highway	Coomunga	Uley	Protection	Swimming pool	10b	46.20	25/06/2019	Delegation

Development Approval Listing - June 2019

**ASSESSMENT MANAGER'S REPORT TO COUNCIL ASSESSMENT PANEL
29 AUGUST 2019**

PART IV - DEVELOPMENT APPROVALS UNDER DELEGATED AUTHORITY **CONT'D:**

D/A Number	Owner/Applicant	Builder	Cost (\$)	Wall Material	Roof Material	Allotment or Section No	Street Number	Street Name	Town	Hundred	Zone	Proposal	Class	Floor Area m ²	Date Development Approval Granted	Development Approval Granted by
932/1042/2018	Pringle J & L	Owner	200000	Cladding	Colorbond	Lot 1 Sec 229	132-134	Dolphin Drive	Mount Dutton	Lake Wangary	Coastal Concept	Two story detached Dwelling and Garage	1a & 10a	500.00	Amended 17/7/19	Delegation
932/1442/2018	Mickan S & M	Owner	35000	N/A	N/A	Pce 41	4105	Settlers Road	Cummins	Cummins	Primary Production	Change of use of existing buildings for labour accommodation, cafe, meat processing & associated workshops	1b, 6, 7b, 10a	N/A	8/07/2019	Delegation
932/021/19	Fredrick M	Owner	325000	Colorbond	Colorbond	Lot 32	41	Easton Road	North Shields	Louth	Settlement	Single storey detached dwelling and shed	1a & 10a	80.00	Page 1 (Shed) 30/7/19	Delegation
932/045/19	Menzel C & M	Owner	150000	Cladding	Colorbond	Lot 143	12	Plover Court	Point Boston	Louth	Mixed Use (Pet)	Single storey detached dwelling and shed	1a & 10a	213.70	8/07/2019	Delegation
932/087/19	Robinson Transportable Homes	Owner	262052	Cladding	Colorbond	Lot 67	45	Holly Rise	Coffin Bay	Lake Wangary	Residential	Transportable dwelling	1a & 10a	192.96	8/07/2019	Delegation
932/094/19	Jade Designs (M & R Smith)	Owner	8000	N/A	Colorbond	Lot 4	14	Natasha Drive	Poonindie	Louth	Settlement	Verandah to existing dwelling	10a	78.00	30/07/2019	Delegation
932/094/19	Jade Designs (M & R Smith)	Levi Smith General Bldg	398000	Brick	Colorbond	Lot 8	28	Cornish Court	Boston	Lincoln	Rural Living	Single storey detached dwelling and shed	1a & 10a	414.60	8/07/2019	Delegation

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