



NOTICE OF MEETING

Notice is hereby given that the following meeting will be held in the Council Chambers of the Local Government Centre, 6 Dutton Road, Mount Barker on Wednesday 15 April 2020.

9.30am

Council Assessment Panel

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

A. Humphries

ASSESSMENT MANAGER

8 April 2020

MOUNT BARKER DISTRICT COUNCIL

COUNCIL ASSESSMENT PANEL

Wednesday 15 April 2020, 9.30 am

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1. APOLOGIES

2. CONFLICT OF INTEREST DECLARATION

3. CONFIRMATION OF MINUTES

- 3.1. That the minutes of the meeting held on 18 March 2020 as circulated to members be confirmed as a true and accurate record of proceedings.

4. BUSINESS DEFERRED

Nil.

5. REPORTS BY OFFICERS

5.1. NON-COMPLYING APPLICATIONS

Nil.

5.2. CATEGORY 3 APPLICATIONS

Nil.

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5.3 CATEGORY 2 APPLICATION

5.3.1 SUMMARY DETAILS

Application No.	580/998/19
Applicant	Outhred English & Associates Pty Ltd
Subject Land	LOT: 211 DP: 119874 CT: 6217/113 18 Hawthorn Street DAWESLEY.
Ward	North
Proposal	Alterations and Redevelopment of a Local Heritage Place (The Brae, fr copper smelters - ID: 18344) for a Function Centre and associated Car Parking
Development Plan	Mount Barker District Council consolidated 8 August 2017
Zone	Primary Production
Policy Area	Broad Acre Agriculture Policy Area 23
Form of Assessment	Merit
Public Notification	Category 2
Representations	4
Persons to be heard	1
Agency Consultation	DPTI
Responsible Officer	Randall Richards
Main Issues	Land Use Interface between Land Uses Traffic Local Heritage Place Hazards
Recommendation	Resolve to grant Development Plan Consent subject to conditions and advisory notes

1. **BACKGROUND AND PROCEDURAL**

Prior to the approval of a non-complying land division (580/D011/12) in 2018, 16 and 18 Hawthorn Street, Dawesley were one allotment. As a result of the land division, vehicular access to 18 Hawthorn Street is via a right of way over 16 Hawthorn Street. A condition of the land division approval was to remove access to 18 Hawthorn Street from the Princes Highway. The land located at 16 and 18 Hawthorn Street, Dawesley are under the same ownership and are within the Historic Conservation Policy Area, Dawesley Area 2.

16 Hawthorn Street contains a dwelling which is part of "The Brae" local heritage listing (existing use as a B&B) and two outbuildings, one being a contributory item within the Historic (Conservation) Policy Area. The subject site at 18 Hawthorn Street contains the primary dwelling which is a conventional single storey brick house (not a heritage item), Local heritage listed barns & stone tank associated with the former copper smelters and a horse arena adjacent to the large barn.

The Local Heritage listing includes: *The Brae, fr copper smelters – house, barns & stone tank; House and attached outbuilding, large barn (barn 1), long barn (barn 2) and separate outbuilding, and stone tank. Walls constructed of blocks and local stone including some use of ‘cinder-blocks’ and Watt’s bricks, cgi gable roof, barn 1 with skillion section to side, timber-framed openings with timber doors, and brick chimney to office. Stone tank is circular and constructed of local stone (ID: 18344).*

The Procedural Matters of the Primary Production zone notes that a Function Centre within the Mount Lofty Ranges Watershed Overlay is non-complying where it not in association with a primary production use, exceeds 75 seats for customer dining and does not comply with Clause A. However, as the proposal is not located within the Mount Lofty Ranges Watershed Overlay, it is a merit form of development. As the proposal is for the alterations and/or redevelopment of a Local Heritage Place identified in Table MtB/8, it is designated to a Category 2 form of development.

2. PROPOSAL

The proposal includes the restoration and change in use of the ‘large barn’ (Barn) to a function centre and the construction of new amenities building, kitchen and associated car parking located at 18 Hawthorn Street, Dawesley. The barn is 8.57 metres x 36.2 metres (310.2 metres square). The development is proposed is to be developed in three stages:

Stage 1 (0-2 years)

- Upgrading of the barn to comply with the Building Code of Australia, for the change in Building Classification (to Class 9B – Assembly Building);
- The use of portable toilets, and use external caterers only;
- 83 space car park, including 3 accessible car parks;
- A small area of paving along the northern side of the barn and an area of lawn on the eastern side, where the patrons will arrive and
 - 150 patrons maximum, with the hours of operation limited to;
 - Sunday to Thursday – 9am to 10pm;
 - Friday and Saturday – 9am to 11.30pm

Stage 2 (2 years after commencement and use)

- Toilet Block and wastewater scheme, external caterers only;
- 200 patrons (no change to the hours of operation).

Stage 3 (3 years after commencement and use)

- Kitchen Building
- External caterers to continue to be used, with food preparation occurring substantially on-site (patron numbers and hours of operation to remain the same).

Music for the proposed venue is to be transmitted only through the in-house permanent audio system to control the music levels as per the Environmental Noise Assessment (report) by Sonus commissioned by the applicant. The report notes that as the stages progress (the music that is to be played internally only), there is an incremental increase in the music levels. The music levels will start at 70 dB(A) in Stage 1 and increase to 74 dB(A) in Stage 2, and 80 dB(A) in Stage 3. The report requires additional works to be completed to the barn to satisfy the sound attenuation measures required to meet the Development Plan provisions. These additional works have been assessed by Council’s Heritage Advisor (further details below in the *Interface between Land Uses* section of the report).

The restoration to the barn includes re-pointing of the stone work, a concrete floor, replacement of windows and doors, re-cladding of the eastern wall and roofing in corrugated iron, and an additional layer of corrugated iron to the underside of the existing purlins with insulation within the cavity area of the two sheets.

The proposed kitchen is to be located adjacent the barn to the south east (8.0 metres x 19.06 metres – 152.48 metres square) and will contain:

- Commercial Kitchen Area
- Dry Food Pantry
- Cool Room
- Male toilet (1 x urinal, 1 x pan and 1 x hand basin);
- Female toilet (2 x pans and 1 hand basin)

The proposed Toilet Block is to be located adjacent the existing skillion section of the barn to the west (4.92 metres x 8.16 metres – 40.15 metres square) and will contain:

- A Disabled Access Toilet
- Male Toilet (1 x urinal, 2 x pans and 1 x hand basin)
- Female Toilet (3 x pans and 1 x hand basin)

The proposed kitchen and amenities buildings will have a skillion roof with selected stone to the shorter walling sections and 'Maxline' sheeting for the longer wall cladding and 'Revolution' sheeting for the roof cladding. The roofing and walls will be a colorbond 'Monument'.

There are 83 car parking spaces proposed, 3 are accessible parking spaces adjacent to the barn with the other 80 spaces approximately 60 metres north of the barn. The car parking areas are linked to allow one access point to the barn. The proposed access to both car parks from the Princes Highway has provision for a HR (Heavy Rigid) vehicle to pass, at no more than 30 metre intervals which is to be a sealed surface area. The car parking areas and main access (inside the property) are to be unsealed with a grassed swale to filter storm water run-off.

Refer to **Attachment One (1)** for details of the proposal page 27.

3. LOCATION / LOCALITY

Subject Land

The subject land is identified as Lot 211 in DP: 119874, CT 6217/113 located at 18 Hawthorn Street, Dawesley and is 14.5 hectares. The land abuts the eastern side of the Township of Dawesley which is zoned Residential. The majority of the township is contained within a Historic Conservation Policy Area', Dawesley Area 2 which also extends into the Primary Production Zone to include the curtilage of the Local Heritage Places located on the subject land. The subject land is zoned Primary Production and is in the Broad Acre Agriculture Policy Area 23.

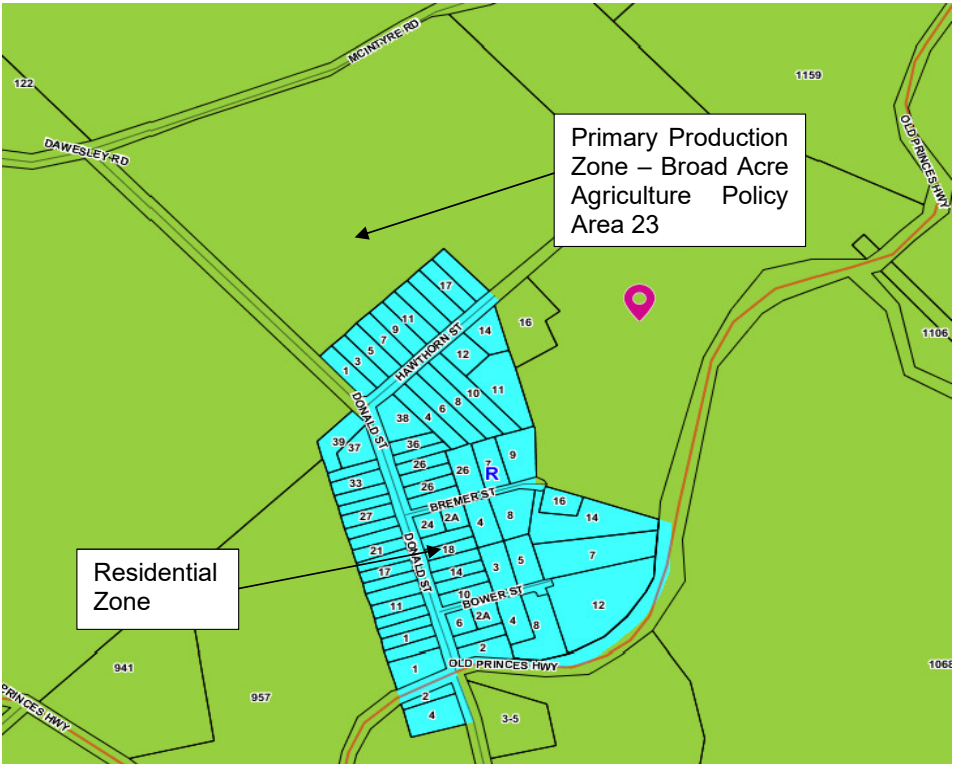
The primary residence is a conventional, single-storey brick dwelling located between the Hawthorn Street and Bremer Street frontages. The heritage listed barns are currently used for general storage associated with the primary production use of the land. At the time of lodgement, the primary access to the land was via a right of way over 16 Hawthorn Street. The proposed vehicular access for the function centre is via Princes Highway.

A high order watercourse, identified as being Dawesley Creek, traverses the subject land with all buildings located on the western side (between the watercourse and the eastern boundary of the township). The car parking area is located on the north eastern side of the watercourse. This is an ephemeral watercourse.

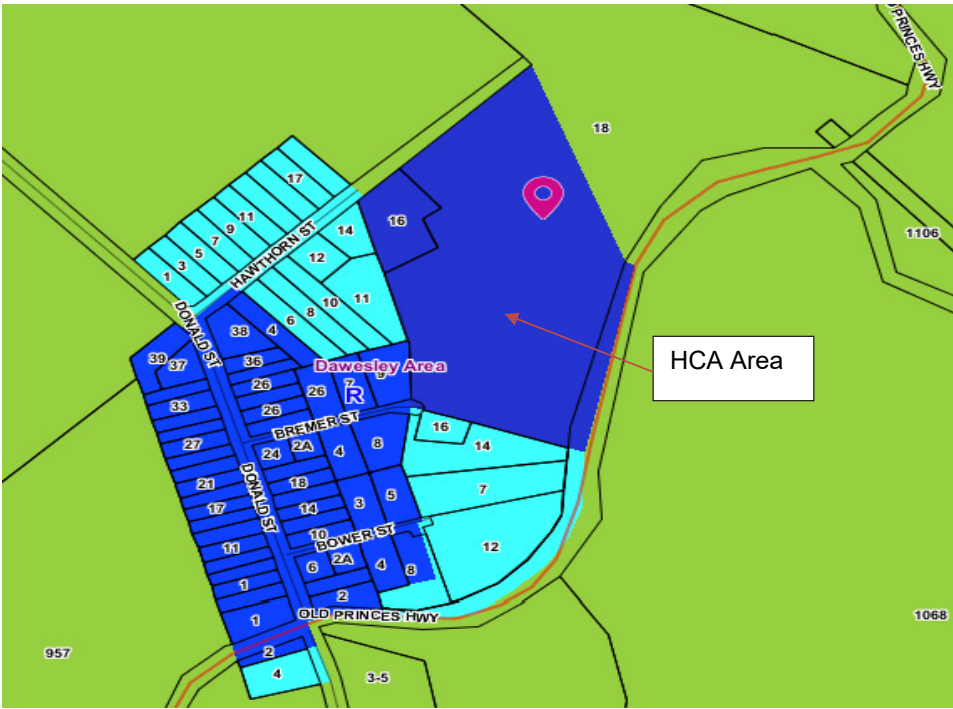
Location/Locality



Zone Map and Policy Areas Map



Historic Conservation Area - Dawesley Area 2 (HCA Area)



Site Photos

View from south of the proposed access from Princes Highway



View of the Barn from the northwest and approximate location of accessible car parking



View of the Barn from the northeast.



Locality

The subject land abuts the eastern side of the Dawesley township which is zoned Residential. The township comprises a mix of heritage buildings, including several that have been adapted into residences from their original commercial use. Interspersed between these heritage items are more conventional dwellings, including a more recent residential subdivision along Hawthorn Street.

Surrounding the township is undulating rural land comprising of primarily grazing allotments and rural residential allotments. The subject land interfaces a mix of farming allotments and rural residential allotments.

The Princes Highway is the primary thoroughfare in the locality with sealed and unsealed minor roads servicing the surrounding properties.

4. SUMMARY OF KEY ISSUES

- Land Use
- Interface between Land Uses
- Traffic
- Local Heritage Place
- Hazards

5. GOVERNMENT AGENCY SUBMISSIONS

5.1. Department of Planning, Transport and Infrastructure (DPTI) – Commissioner of Highways

The proposed development is adjacent to a secondary arterial road as prescribed in Schedule 8 of the Development Regulations, 2008.

In accordance with Section 37 of the Development Act, 1993 and Schedule 8 of the Development Regulations, 1993 the application was referred to DPTI for comment due to changing the nature of movement through an existing access. Council is required to have regard to the response in making its decision on the proposal.

The existing access point on the Princes Highway is located adjacent to the 80-100km/h transition area. Therefore, as the proposed location of the access is to be relocated approximately 15 metres to the south of the existing location to improve sight lines, DPTI supports the proposed development with conditions (details below). Council's Senior Traffic Engineer supports DPTI's conditions which have been added.

Refer to **Attachment Two (2)** for a copy of the DPTI's response page **87**.

6. COUNCIL DEPARTMENT COMMENTS

6.1. Council's Assets and Infrastructure Section, including Senior Traffic Engineer

Council's Assets and Infrastructure Department have been working in consultation with the Senior Traffic Engineer. The main points of discussion are the access and car parking areas as there are no other changes to Council's infrastructure. Council's Assets and Infrastructure Section, and Senior Traffic Engineer have reviewed the proposal and have no objection to the proposal (discussed in more detail below).

6.2. Council's Environmental Health Department

A Waste Water Works Application for the proposal has been approved by Council's Environmental Health Department. The temporary use of portable toilets have been conditioned to be in accordance with the *South Australian Guidelines for the Management of Public Health and Safety at Public Events*.

6.3. Council's Heritage Advisor

The Heritage Advisor notes the following:

"Heritage Places Objective 1 is satisfied because the Long Barn will be conserved. The adaptive re-use of the Long Barn is considered a compatible new use, involving minimal change to the original fabric and ensuring its Heritage Value will be retained, satisfying Objective 2. The immediate and broader setting of the Place is also generally retained through the careful placement of smaller, physically separated structures, the separation of the carparks and the retention of the treed setting, satisfying Objective 3 of Heritage Places."

Of importance is PDC 7, which seeks development that is compatible without replication. In that respect the new structures (toilet and kitchen) fulfil what is contemplated, provided a low scale and bulk, separation, good design proportions and composition and a complementary choice of materials. PDC 8 of Heritage Places and PDC 15 of the HCA are for signage, which will be the subject of a later application. PDC11 is generally satisfied because the groupings of trees that provide the setting, will be retained.

The Historic Conservation Area provisions are focused on the township. The Subject Land is on the edge of the township and topographically separated; nonetheless Objective 1 is satisfied through this proposal not affecting the historic streetscape character or Desired Character.

The structures provide a high quality design outcome in terms of new buildings and car parking placement that satisfies PDC 9. The proposal also respects existing topography satisfying PDC 16.

The proposal is acceptable for the following reasons:

- *conservation of the Local Heritage Place(LHP);*
- *adaptive reuse of the LHP;*
- *conservation of the setting of the LHP;*
- *views to and from the place retained;*
- *the scale, bulk, proportions, separation and composition of elements is acceptable.*

The new structures are acceptable for the following reasons:

- *They are sufficiently separate from the LHP elements;*
- *The visual connection between the elements shown;*
- *They are designed to a high architectural standard that adopts a rural form and materials that are compatible with the existing structures;*
- *The proposed use of maxline distinguishes the structures as modern.*

7. PUBLIC NOTIFICATION

The application was advertised on 29th February 2020 in accordance with Part 4 of the Development Act 1993 (Category 2 Notification) and adjacent land owners/occupiers were notified.

7.1. Representations

Four (4) representations were received, two (2) opposed, two (2) in support of the proposal.

Representations opposed to the proposal

John A & Jane C Doherty (wish to be heard). Representor's property located at 76 McIntyre Road, Dawesley. The representor is opposed to the proposal due to:

- The scale is not in keeping with the Principles of Development Control for the Primary Production Zone and is inappropriate;
- There is limited primary production activities and does not meet the value-adding activities provisions of the Development Plan;
- A large function centre has the potential to negatively impact the local community with increased noise and light pollution to the detriment of the community's quality of life and;
- We would welcome a small scale form of development to preserve the heritage structures on the land.

William James Dawes (does not wish to be heard). Representor's property located at 17 Hawthorn Street, Dawesley. The representor is opposed to the proposal due to:

- The residents at the Brae have already had a function on-site with loud music late at night, with increased traffic at high speeds on Hawthorn Street which it is not designed for and it made it dangerous for my children to play. I moved from the city to escape this.

Representations conditionally in support of the proposal

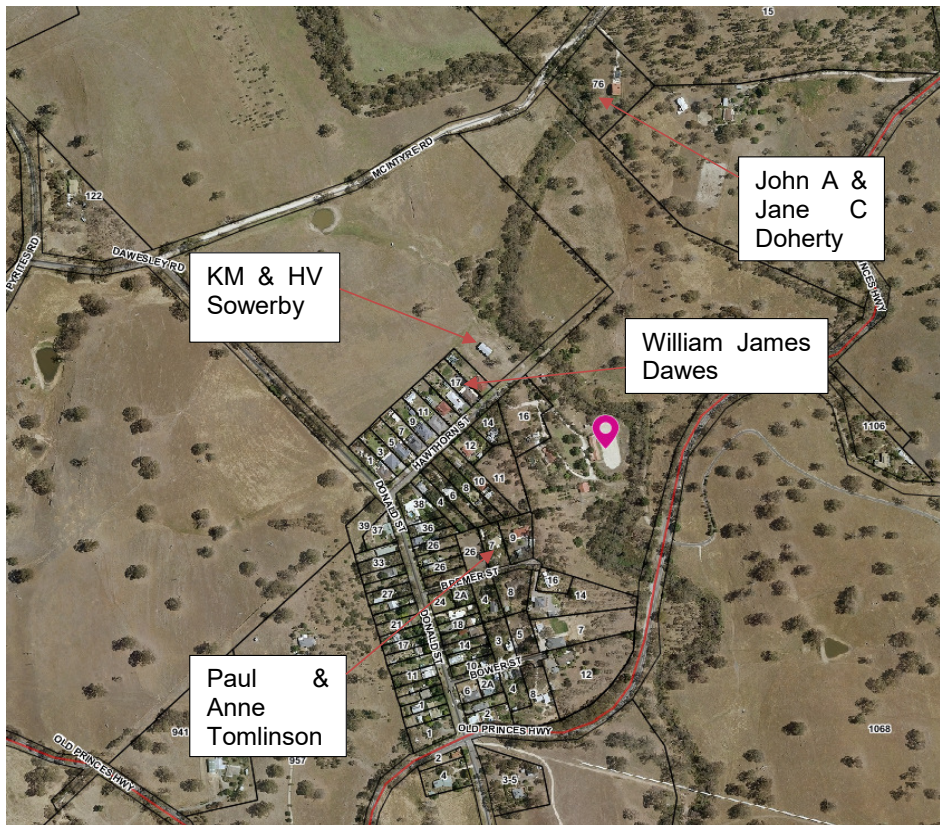
Paul and Anne Tomlinson (does not wish to be heard). Representor's property located at 7 Bremer Street, Dawesley. The representor's supports the proposal but with the following comments:

- Request that conditions be imposed that limit the music (live bands, disco and karaoke) to be inside the proposed venue, and all traffic to and from the venue be restricted to the Princes Highway.

K M and H V Sowerby (does not wish to be heard). Representor's property located at 303 Harrogate Road, Brukunga. The representor's supports the proposal but with the following comments:

- It will give employment to locals
- we request that regulated smoking zones be implemented as it is in a rural area with adjacent haysheds

Map of Representor's Residences



Refer to **Attachment Three (3)** for a copy of the representation(s) received page **91**.

7.2. Response to Representations

Paul & Anne Tomlinson

- All access associated with the function centre will from the Princes Highway;
- The applicant would welcome a condition restricting music, in association with functions, to the function centre.

KM & HV Sowerby

- There will be no fireworks in association with any function
- The owner will take on board a regulated smoking zone as it is in a high bushfire area.

William Dawes

- There is one event that the representor is referring to and it was a private function for friends and it was not a commercial event and is no different to any one-off party that could occur with any residential property;
- Over the 15 months of living in the locality there has only been one party;
- The proposed function centre has been designed to address traffic and noise issues with all access from the Princes Highway with the building designed to provide noise attenuation.

John A & Jane C Doherty

- The proposal does not impinge on the continued use of the subject land for primary production and land used for functions is away from the primary productive area of the land;
- The extent of primary production has increased with the current owner, and produce from the property will be used for meals as part of Stage 3;
- The proposed function centre is not within Watershed Areas 2 & 3, and therefore is a merit form of development. It is reasonable to conclude that a function centre is a use envisaged in appropriate circumstances. The appropriate circumstances have been detailed in my Planning Report, including the adaptive re-use and restoration of a local heritage place;
- The representation references to the Development Plan apply to the Watershed area, and is substantially consistent with PDC's 45 & 51;
- Noise generation has been dealt with above;
- The function centre is located nearly 500 metres from the representor's dwelling, and the subject building is enclosed on three sides and faces away from the township and the representor's dwelling;
- The cost of the adaptive re-use and restoration of the heritage building needs to be off-set by a reasonable commercial return to justify the capital investment.

Refer to **Attachment Four (4)** for a copy of the applicants response to the representation(s) page **101**.

8. ASSESSMENT

8.1. Classification of Development

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

8.2. Relevant Development Plan Provisions

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

Zone and Policy Section

Primary Production Zone: Objectives 1, 2, 4, 5 - Principles of Development Control (PDCs) 1, 2, 3, 4, 5, 6, 7.

Broad Acre Agriculture Policy Area 23: Objectives 3, 4, 5 - PDCs 1, 4.

General Section

Design and Appearance Objectives: 1, 2 PDCs – 1, 3, 7, 9, 11, 16.

Hazards Objectives: 2, 4, 5, 8, 9, 11 – PDCs 1, 4, 7, 8, 9, 10, 12.

Heritage Places Objectives: 1, 2, 3 – PDCs 1, 2, 3, 4, 5, 6, 7, 8, 11.

Historic Conservation Area Objectives: 1, 2, 3, 4, 5 PDCs 1, 2, 3, 4, 6, 8, 15, 16.

Interface between Land Uses Objectives: 1, 2, 3 – PDCs 1, 2, 6, 7, 8, 9, 10, 11, 22.

Natural Resources Objectives: 1, 2, 3, 5, 6, 8, 10, 11, 13 - PDCs 1, 2, 3, 4, 5, 6, 8, 10, 11, 12, 13, 15, 17, 19, 20, 21, 22, 25, 45, 46, 47, 48, 51, 52, 53, 57, 58, 59, 60.

Orderly and Sustainable Development Objectives: 1, 3, 4, 8 PDCs – 1, 2, 3, 4, 8, 12.

Siting and Visibility Objectives: 1 PDCs – 1, 2, 3, 4, 5, 6, 8, 9, 10.

Tourism Development Objectives: 1, 2, 3, 4, 5, 6, 8 – PDCs 1, 2, 3, 4, 5, 9, 10, 11, 12, 14, 15, 16, 17.

Transportation and Access Objectives: 2, 5. – PDCs 1, 2, 8, 16, 17, 18, 30, 32, 33, 34, 36, 38, 39, 41, 42, 43, 44, 45, 46, 47, 48.

Table MtB/2.

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

Land Use

The proposal is not specifically listed in PDC 1 of the Primary Production Zone as an envisaged form of development. A function centre is listed in the non-complying table of the zone if it is located within the Mount Lofty Ranges Watershed Overlay and does not meet specific criteria. As the proposal is located outside of the Mount Lofty Ranges Watershed it is a merit form of development and considered a type of land use that might be suitable if it meets the general requirements of the Development Plan.

In addition, the zone envisages the adaptive re-use of local heritage places to preserve the places. The Brae, former copper smelters is a larger building and surrounds that requires a significant investment to restore and maintain the place. Therefore, a commercial use will offer a return on the type of investment required. The applicant has noted that the commercial venture will allow further investment into the preservation and restoration of other Local Heritage Places on the land, including a dwelling for use as tourist accommodation (via a separate Development Application) and a smaller barn for storage of equipment for the proposed function centre use.

The Planning Report notes that there will be limited value adding with regard to food production used for catering in association with the function centre use. The envisaged uses within the zone, unless directly related to an industry or a farming type use, generally require value-adding uses to be small scale. However, even though the proposed use is to be located within a larger building, it is arguable whether it is a small scale use. The objectives of the zone are for the continuation of long term primary production and the protection from encroachments of incompatible land uses therefore, as the proposal will take a small portion of the land for car parking and the use is compatible with primary production, it is considered it meets the object of the zone.

It is considered that the proposed alterations and redevelopment of a Local Heritage Place for a function centre and associated car parking meets the intent of the envisaged use, by an adaptive re-use use and preservation of the place, and meets the objectives of the zone protecting the scenic qualities of the rural landscape by limiting vegetation removal.

Interface between Land Uses

The proposal is an adaptive re-use use of a Local Heritage Place as a commercial business which, seeks to improve the existing neglected state of the land and heritage buildings. Through experience in the hospitality industry, the applicant is marketing the venue for weddings as they have a lesser external impact in relation to noise and hours of operation, albeit the proposal does not limit functions to be for weddings only. The increased vehicle movements associated with the proposed function centre will use the Princes Highway for access to avoid traffic impacts to the residences that live on the adjacent local streets.

The applicant has commissioned an Environmental Noise Assessment Report (report) by Sonus to ensure the proposal does not detrimentally affect the amenity of the locality, as noise was one of the main considerations of the representor's. The report considered noise associated with patrons mingling outside of the building, vehicle movements and music within the venue. The report recorded the background noise over a seven-day period adjacent to the closest sensitive receiver (residence), 130 metres to the north west of the proposed function centre, along Hawthorn Street. The next closest residences are along Hawthorn Street, 160 metres to the north west. The closest residence to the east is 390 metres. The report assumed a maximum capacity of 250 patrons and music being played within the barn until 11.45pm. The applicant has noted that the proposal will be limited to 200 patrons and will be included as a condition of approval. In addition, the applicant has noted that a condition on the approval documents to limit the hours of operation to, Sunday to Thursday – 9.00am to 10.00pm, Friday and Saturday - 9.00am to 11.30pm.

PDC 8 of the *Interface between Land Uses* in the Development Plan refers to the *Environment Protection Act Noise Policy 2007* (the Policy). The report stated that if there were 50 vehicle movements, and 110 patrons were mingling around the outside area of the proposed function centre, before 7.00am and after 10.00pm, no specific acoustic treatments would be required to achieve the goal noise levels of the Policy.

The noise level is predicted on music being played within the proposed function centre based on the building construction and an internal music noise level. It is proposed that the function centre will initially operate with background music and that upgrades to the building will be made over time to allow higher levels of music. The owner of the land has noted that they will be supplying the sound system to ensure music levels are kept within the approved criteria/levels. The music levels within the proposed function centre range from, in Stage A of 70 dB(A), Stage B of 74 dB(A) and Stage C of 80 dB(A).

Stage A of the proposal will not require any change to the existing structure.

Stage B will require:

- New windows and 10.38mm thick glass;
- Replace the existing sheet metal infill on the western side of the barn and a 35mm solid core door installed with acoustic seals to achieve an airtight seal when closed (no doors or windows can be opened while music is being played, unless an airlock is provided);
- Ensure all gaps in the existing sheet metal roof are filled in and sealed tight.

Stage C of the proposal will require:

- All Stage B measures;
- Fix an additional layer of 0.42mm sheet metal (corrugated) to the underside of the purlins and install 75mm thick insulation with a density of 22kg/m³ within the cavity above for the full extent of the barn roof;
- No measures are required for the eastern façade of the building.

The report concluded by stating that if the specific acoustic treatment measures are carried out as detailed above, the proposed function facility has been designed to achieve the relevant provisions of the Development Plan related to environmental noise.

The scale of the proposal has been reduced from 250 patrons to 200 patrons to alleviate any interface issues with larger numbers. The objective of the principles relating to the Interface between Land Uses within the Development Plan, is to protect the communities' health and amenity from adverse impacts of development through design and location. The lighting of the proposal will be conditioned to ensure there is no light spill towards the adjacent residential development and/or road users. The location of the access for the proposed function centre has been designed to keep vehicle movements away from the local streets to maintain safety, and to relieve noise and light spill associated with additional traffic. The 'Brae' is a substantial building that is built of masonry/stone on three sides, north, south and west. As the Township is located to the west of the proposal, the solid structure helps to dampen noise from the building, as the building is orientated towards the east away from the Township. There are no acoustic treatments required for the eastern wall to meet the Development Plan provisions. The report and acoustic treatments will be a condition of approval to safeguard the amenity of the locality.

Therefore, given the location of the access, hours of operation and the acoustic treatment design for the building, it is considered that the proposed alterations and redevelopment of a Local Heritage Place for a function centre and associated car parking meets the provisions of the Development Plan with respect to interface between land uses.

Traffic

Access to the site is currently via a right of way from Hawthorn Street which passes through the Township of Dawesley. With the additional traffic associated with the proposal, it was considered by Council's Traffic Engineer that the additional traffic associated with the proposal was not a safe option as the residential streets were not designed for such traffic. Therefore, access was required off the Princes Highway.

The applicant commissioned a Traffic Consultant (Murray F Young) to assess a safe access point from Princes Highway. The Traffic Consultant noted that the existing access from the Princes Highway should be relocated approximately 15 metres to the south in order to maximise driver sight lines to/from the site. As the Princes Highway is an arterial road under the care and control of the DPTI, a referral was required under Schedule 8 of the Development Regulations 2008. The DPTI comments noted that as the proposed access location would provide 180 metres of clear sightlines to the north which is in accordance with Austroads Extended Design Domain requirements, and also conforms with the Safe Intersection Sight Distance for an 80km/hr posted speed limit to the south. This is supported by DPTI.

Council's Senior Traffic Engineer has reviewed the access from the Princes Highway and has no objection to the assessment by DPTI and the applicants Traffic Consultant, and also concurs with the advisory conditions by DPTI. The proposed access from the Princes Highway will require a small native tree to be removed. The Native Vegetation Council noted that approval from them was not necessary as it meets the exemption criteria for access, and only a notification is necessary. Council's Traffic Engineer also assessed the car parking plan and the Accessible parking, and noted that an unsealed surface would allow those with a disability to use the whole area designated for such use as required to get into and out of vehicles. The plan was also amended to ensure the storm water runoff from the car parking areas would pass through a grassed swale before entering the watercourse.

The car parking layout provides a suitable all-weather access to the proposed function centre for 83 car parking spaces, including 3 Accessible parking area adjacent to the building which is a flat area to enable good access. Table MtB/2 – *Off Street Vehicle Parking Requirements* do not specify requirements for a function centre however, there is a reference to a dance hall that requires 1 per 5 square metres of gross leasable floor area which would equate to 100 car parking spaces, including the floor area of the kitchen and toilet buildings. There are 83 car parking spaces proposed which is considered acceptable for the location as people would be more likely to car pool and/or charter a bus to the proposed venue.

The DPTI conditions cover off-street car parking to be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009, and internal manoeuvring areas in accordance with AS 2890.2:2018.

The existing access from Hawthorn Street will be conditioned to be used for residential traffic only for the existing residence.

Local Heritage Place and HCA Area

The proposed alterations and redevelopment of a Local Heritage Place for a Function Centre and associated Car Parking will require minimal alterations to the building to ensure it meets the requirements of the Building Code of Australia and the Environmental Noise Assessment Report. The function of the Historic Conservation Area of Dawesley is to preserve the historic sites and structures that represent the local production and value adding industries of the town's early settlement. The barn was an integral part of the early smelter works, it considered that as the proposal preserves the setting of the locality and the buildings therefore meets the requirements of the Development Plan.

The proposed adaptive re-use of a Local Heritage Place which includes the conservation of the place and its setting, it is considered that it accords with the Objectives of *Heritage Places* within the General Section of the Development Plan. Council's Heritage Advisor is supportive of the adaptive re-use of the heritage place and the locality therefore, it is considered that it meets the provisions of the Development Plan.

Hazards

The applicant has noted that the site was used as a copper smelter between the years of 1858 and 1878. The exact location of the contaminating works has not been identified therefore, to meet the objectives of Hazards within the General Section of the Development Plan, a Reserve Matter has been added to ensure the source of the contamination can be identified to protect human health through the operation of the proposed development.

9. CONCLUSION

The proposal for Alterations and Redevelopment of a Local Heritage Place for a Function Centre and associated Car Parking encompasses elements that are envisaged and the objectives within the Primary Production Zone.

In its favour, the proposal:

- Supports the objectives of the zone by protecting the existing primary production use of grazing from the encroachment of an incompatible land use by the minimal use of land required for the proposal;
- It is an adaptive re-use of a substantial Local Heritage Place that was an historic centre piece of the Township of Dawesley;
- It contributes to the desired character of the Historic Conservation Area of Dawesley;
- The proposed buildings are designed to a high architectural standard that adopts a rural form and materials that are compatible with the existing structures;
- With the acoustic treatments to the building and location of the car parking areas, the interface between sensitive land uses is minimal;

Against the proposal:

- The scale of the proposal is arguably not small scale.
- A limited link to the envisaged form of development in the zone.

Although the proposal is a substantial commercial venture, on balance, it is considered that with the adaptive re-use of the Local Heritage Listed Place and the minimal interface issues, the proposal has sufficient merit to warrant Development Plan Consent.

10. RECOMMENDATION

It is recommended that the Council Assessment Panel:

RESOLVE that the proposed development is not seriously at variance with the policies in the Mount Barker (DC) Development Plan consolidated 8 August 2017.

RESOLVE to GRANT Development Plan Consent to the application by John English & Associates Pty Ltd for a Change in use of land to alterations and redevelopment of a Local Heritage Place for a function centre and associated car parking at LOT: 211 CT: 6217/113, 18 Hawthorn Street, Dawesley (Development Application 580/998/19) subject to the following conditions and advisory notes.

Development Plan Consent conditions:

1. The development herein approved to be carried out in strict accordance with the stamped plans and details accompanying this application, including (but not limited to):
 - Report by Outhred English Urban and Regional Planners, Re: Development Application for Function Centre-Lot 211, Old Princes Highway, McIntyre Road & Hawthorn Street, Dawesley, Reference: 1845/109, dated 30 October 2019.
 - Piteo Architects drawings for project no 1730, issued 4 October 2019, including:
 - Proposed New Kitchen Out-Building Floor Plan, drawing no PA-01;
 - Proposed New Toilets Out-Building Floor Plan, drawing no PA-02;
 - New Kitchen Out Building, drawing no PA-03;
 - New Toilet Out Building, drawing no PA-04
 - Proposed Renovations + Additions to Existing Buildings, dated April 2019, Location Plan, Site Plan, The Long Barn – Ground Floor Plan and Elevations.
 - Home.Studio by Joti + Kimber, The Brae 16 Hawthorn St, Dawesley, dated 16.03.2020 and 13.03.2020 including:
 - The Brae_Access + Egress Study;
 - The Long Barn (Barn 2) – Proposed Access, Egress + Acoustic Alterations;
 - The Long Barn (Barn 2) – Existing Access, Egress + Acoustic Alterations.
 - 'The Brae'16 Hawthorn Street, Dawesley Traffic Management Plan by MFY – Dated 23/2/2020 (2 Sheets).
 - Dawesley Function Centre – Environmental Noise Assessment, dated March 2020 – S6382C3 by Sonus (Chris Turnbull).
2. Functions are to:
 - a) Be limited to the following hours:
 - Sunday to Thursday inclusive - 9:00am to 10:00pm, and
 - Friday and Saturday: 9:00am to 11.30pm
 - b) Have patronage limited to the following numbers:
 - Not exceeding 150 persons for Stage 1
 - Not exceeding 200 persons for Stages 2 and 3.
3. Lighting shall be designed so as to not create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user, to the reasonable satisfaction of Council.

4. Noise impact on adjoining land users is to be mitigated so as to achieve the requirements of the *Environment Protection (Noise) Policy 2007* through undertaking works as recommended in the Environmental Noise Assessment of Sonus, Reference S6382C3 dated March 2020, including:
 - a) Acoustic treatments (outlined in Section 4.2 of the Sonus Report) shall be completed prior to the use, with an acoustic engineer providing evidence that the maximum noise levels identified in the Report are achieved. These treatments are to include:
 - Western elevations works prior to operation of Stage 2 to include:
 - New windows, sealing of all gaps in the stone wall and 10.38mm thick laminated glass installed in a system with acoustic seals which achieves an airtight seal when closed;
 - Replacing the existing sheet metal infill on the western side of the barn and a 35mm solid core door installed with acoustic seals to achieve an airtight seal when closed, with this door to remain closed and only be used as an emergency egress when a function is occurring (or music is being played), unless an air-lock is installed.
 - All gaps in the existing sheet metal roof to be filled in and sealed tight.
 - Works prior to the operation of Stage 3 (in addition to those identified in Stage 2) to include:
 - Fixing an additional layer of 0.42mm sheet metal (corrugated) to the underside of the purlins and installing a minimum 75mm thick insulation with a density of 22kg/m³ within the cavity above for the full extent of the barn roof.
 - b) Music levels shall not exceed the following noise readings (at the source):
 - 70 dB(A) in Stage 1,
 - 74 dB(A) in Stage 2, and
 - 80 dB(A) in Stage 3.
5. The internal ceiling lining is to be of standard corrugated profile.
6. Traffic management, parking and construction of vehicle manoeuvring and car parking areas is to be in accordance with the submitted plans and achieve the following:
 - a) The parking of vehicles for patrons, staff and other entities shall, at all times, be restricted to the confines of the subject land.
 - b) Off-street car parking areas shall be designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.
 - c) The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with AS 2890.2:2018.
 - d) The driveways and car parking areas shall be hard-surfaced, drained and marked to accepted engineering standards and shall be maintained in good condition at all times.
 - e) All vehicular access to/egress from the land, other than for the residents of the dwelling, is to occur from Princes Highway. All signage and marketing is to clearly direct all vehicles (patrons, deliveries, staff etc.) to the Princes Highway access, with a no entry sign erected at the Hawthorn Street access.

- f) The access to Princes Highway shall be:
 - Constructed in general accordance with MFY The Brae Development – Proposed Access Sight Lines, Project 19-0128, Drawing MFY_190128_02_SH01, Revision B dated 12 December 2019.
 - Designed to accommodate the simultaneous two-way movements of a bus and B99 passenger car and be sealed from the edge of the road to the property boundary in order to minimise deterioration to the road edge and prevent dust and stones from entering the carriageway.
 - g) For any works that might encroach into the Tree Protection Zone of native vegetation (e.g. remnant gum trees), design that demonstrates tree-sensitive construction is to be submitted to approval by Council's Urban Forest Officer prior to construction commencing.
 - h) All access, driveway and carparking requirements outlined above are to be completed prior to the commencement of operation of any stage of the development.
7. Effective measures are to be implemented during the construction of the development in accordance with this consent to:
- a) prevent silt run-off from the land to the environment;
 - b) control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land;
 - c) ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site;
 - d) ensure that all litter and building waste is contained on the subject site in a suitable bin or enclosure; and
 - e) ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of adjacent land and within the locality.
8. Land remediation (if identified as being required as a result of the environmental assessment) is to be undertaken and completed prior to the commencement of the operation of any stage of the development.
9. Stormwater management is to occur in accordance with the approved documentation to mitigate adverse impacts to the environment.
10. The use of portable toilets shall:
- a) Be of number that is, as a minimum, in accordance with the *South Australian Guidelines for the Management of Public Health and Safety at Public Events*.
 - b) Only be for a maximum period of 2 years, or the commencement of Stage2 (whichever comes first) at which time the permanent amenities and approved wastewater disposal system is to be constructed and operational.

Reserved Matter

11. The subject land has been identified in the DC Mount Barker Heritage Survey (2004) Part 3 ~ Local Heritage Recommendations: Biggs Flat to Hahndorf as being the site of a previous heavy industrial use in the form of commercial copper smelting. No documentation has been submitted that identifies the risks associated with potential site contamination in regard to protection of human health, either through the construction works nor proposed use of the land, noting that several elements associated with copper smelting are identified as listed wastes in the Environment Protection Act 1993. The following is therefore required to be demonstrated to Council prior to development approval being issued (for any stage):
 - a) A Preliminary Site Investigation report, undertaken by a qualified environmental assessor, to:
 - identify likely sources of contamination;
 - associated risks to human health through the operation of the proposed development; and
 - recommendations for further investigation and/or remediation that would result in the protection of human health.

Notes:

1. The structural capacity of the existing trusses to bear the weight of the internal ceiling lining is required to be calculated as part of the documentation for Building Rules Consent.
2. If through the Building Rules assessment, it is determined that there is a requirement for a change in form or materials to satisfy the BCA, Council is required to be notified to determine if an amendment to the Development Plan Consent may require authorisation.
3. To satisfy requirements of the Public Health Act, no food processing should be conducted on site unless a Catering Business can demonstrate compliance with the Australian/New Zealand Food Standards Code i.e. provide appropriate hand washing facilities; methods for containing liquid wastes; temperature control of potentially hazardous food etc.
4. No signage is included as part of this authorisation. A separate development application will be required to be lodged for assessment for this.

Attachment One (1)

Mount Barker District Council

Received

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Development application form

Development Act 1993



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

Office use only
DEVELOPMENT NUMBER:

580 / /

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

PLEASE TICK AS REQUIRED

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

APPLICANT'S CONTACT DETAILS:

Outhred English & Ass Pty, on behalf of Milos Joseph Castelli & Maddalena Sepe

Name: _____ Email: john@outhredenglish.com.au

Postal Address: PO Box 20, North Adelaide SA 5006 Phone: 8342 4848

OWNER'S CONTACT DETAILS:

Name: Milos Joseph Castelli & Maddalena Sepe Email: milosjosephcastelli@gmail.com

Postal Address: 16 Hawthorn Street, Dawesley SA 5252 Phone: 0402 143 516

BUILDER'S CONTACT DETAILS:

Name: Not yet known Email: _____

Postal Address: _____ Phone: _____

CONTACT PERSON:

Name: _____ Email: _____

DESCRIPTION OF DEVELOPMENT:

Proposed Development (e.g. Dwelling, Shop, Garage): Function Centre in 3 Stages

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

LOCATION OF PROPOSED DEVELOPMENT:

Assessment No: _____ Parcel No: _____

House No: 16 Lot / Section No: 211 Street: Hawthorn Street

Town: Dawesley SA 5252 Volume: 6217 Folio: 113

BUILDING RULES CLASSIFICATION SOUGHT: 6 & 9b Present classification: 10

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

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

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises: 250

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

DEVELOPMENT COST (do not include shop fitout costs): \$ 400,000

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

SIGNATURE: [Signature] DATE: 30 October 2019

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

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DEVELOPMENT REGULATIONS 2008
Form of Declaration (Schedule 5 clause 2A)

**Government
of South Australia**

To: Mt Barker District Council

From: Outhred English & Associates Urban & Regional Planners on behalf of Milos Joseph Castelli & Magdalena Sepe
*OUTHRED ENGLISH & ASS P/L Urban + Regional Planners
on behalf of MILOS JOSEPH CASTELLI + MAGDALENA SEPE*

Date of Application: *29/10/2019*

Location of Proposed Development:

House No: 16 Lot No: 211 Street: Hawthorn Street
Town/Suburb: Dawesley SA 5252
Section No (full/part): _____ Hundred: Kanmantoo
Volume: 621 Folio: 113

Nature of Proposed Development:

Function Centre in 3 Stages

I John L Outhred being the applicant/ a person acting
on behalf of the applicant (delete the inapplicable statement) for the development
described above declare that the proposed development will involve the construction
of a building which would, if constructed in accordance with the plans submitted, not
be contrary to the regulations prescribed for the purposes of section 86 of the
Electricity Act 1996. I make this declaration under clause 2A(1) of Schedule 5 of the
Development Regulations 2008.

Signed: *J. L. Outhred*

Date: *29/10/2019*



Product Register Search Plus
(CT 6217/113)
Date/Time 28/05/2019 08:05AM
Customer Reference JOHN OUTHRED
Order ID 20190528000338

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REAL PROPERTY ACT, 1886



South Australia

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



Certificate of Title - Volume 6217 Folio 113

Parent Title(s) CT 5817/657
Creating Dealing(s) RTC 13030513
Title Issued 10/12/2018 **Edition** 2 **Edition Issued** 12/02/2019

Estate Type

FEE SIMPLE

Registered Proprietor

MADDALENA SEPE
MILOS JOSEPH CASTELLI
OF 16 HAWTHORN STREET DAWESLEY SA 5252
AS JOINT TENANTS

Description of Land

ALLOTMENT 211 DEPOSITED PLAN 119874
IN THE AREA NAMED DAWESLEY
HUNDRED OF KANMANTOO

Easements

TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A ON D119874 (RTC 13030513)

Schedule of Dealings

Dealing Number	Description
13057931	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

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



OUTHRED ENGLISH

Urban & Regional Planners

Mount Barker District Council

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31/10/19

Our Reference: 1845/109

30 October 2019

Chief Executive Officer
Mount Barker Council
PO Box 54
MOUNT BARKER SA 5251

Attention: Randell Richard
Senior Development Officer - Planning

Dear Randell

Re: Development Application for Function Centre – Lot 211, Old Princess Highway, McIntyre Road & Hawthorn Street, Dawesley

I write on behalf my clients – Milos Joseph Castelli & Maddalena Sepe, in respect to their proposal to convert an existing barn to a function centre and associated amenities and kitchen buildings and car parking, located on Lot 211 (in DP22962), Old Princess Highway, Dawesley.

The subject land is located entirely within the *Primary Production Zone* delineated on *Zone Map MtB/31* and *Broad Acre Agricultural Policy Area 23* as depicted on *Policy Area Map MtB/31* of the Mount Barker Council Development Plan.

The subject land or portion of the subject land is also within the following areas:

- *Historic Conservation Area – Overlay Map MtB/31 – Heritage*
- *High Bushfire Risk Area – BPA Map MtB/8 – Bushfire Protection Area*
- *River Murray Protected Area – Overlay Map MtB/17(A) – Water Management Area*
- *Area of High Environmental Significance – Overlay Map MtB/31 – Development Constraints*

Please find enclosed the following:

- Development application form
- Power Declaration form
- Copy of Certificate of Title Volume 6217 Folio 113 and DP 119874
- Wastewater disposal scheme prepared by Water Technology
- Access report prepared by Jayne Lovell of MFY Traffic Engineers and associated plan
- Plans consisting of a site plan, layout plans of existing barn and proposed buildings and building elevations @ A3

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Could you please advise the fees required and I will organise for my client to forward payment.

1. The Subject Land

The subject land consists of a single allotment, being Lot 211 Hawthorn Street, Dawesley. The site has an area of approximately 15.7 hectares with frontage of 567.42 metres to Old Princess Highway and 147.86 metres to McIntyre Road. The land also has access to Hawthorn Street over a right-of-way registered on Lot 212. Lot 212 is also in the ownership of Milos Joseph Castelli & Maddalena Sepe.

The land contains a dwelling with ancillary outbuildings including a carport, small shed, verandahs and pergola, and barns (local heritage place).

2. The Proposal

The proposal is to restore and convert the existing local heritage place barn to a function centre and construct a new amenities building (Stage 2) and kitchen (Stage 3).

The details of the proposed function centre are as follows:

Function Centre (barn – local heritage place)

Restored local heritage building – 8.57m x 36.2m	310.2m ²
--------------------------------------------------	---------------------

<u>Amenity Building</u> – 4.92m x 8.16m	40.15m ²
-----------------------------------------	---------------------

<u>Kitchen Building</u> – 8m x 19.06m	152.48m ²
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Site coverage - 3.7%

Numbers of support staff on-site – about 1 serving personal per 25 guests and 1 chef per 50 guests.

Stage 1:

Upgrading of barn building as a function facility to comply with Building Rules requirements.

Use portable toilets. External caterers only.

Some paving along northern side of barn and an area of lawn (not all sand area).

150 persons maximum - usually one wedding or event per weekend, occasionally 2 events.

Car parking provided for 66 vehicles - area near access point from Old Princess Highway.

Stage 2:

New toilet block and wastewater scheme. External caterers only.

Increase of number of persons to maximum of 250.

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Additional 28 car parking spaces - area across ford from initial 66 spaces.

Increase number of events – usually two weddings or events per weekend, occasionally 3 events.

Further conversion of sand area to lawn.

Stage 3:

New kitchen building incorporating kitchen, cool room, storage area and internal toilet. External caterers will continue to be used, but with food preparation occurring substantially on-site.

Upgrade track on other side of creek from ford to third parking area - width 3.5m with passing lanes.

Third car parking area developed for approximately 80 vehicles and upgrade pedestrian crossing of creek near lamb/fowl enclosure.

Use Stage 1 developed car parking area mainly for buses.

3. Staging

I would request that pursuant to *Regulation 48(2)(a)* of the *Development Regulations 2008* that the period prescribed by sub-regulation *48(1)* be extended as follows:

- Stage 1 – as per *Regulation 48(1)*
- Stage 2 – 2 years for substantial commencement and 4 years for completion
- Stage 3 – 3 years for substantial commencement and 5 years for completion.

4. Nature of the Development

The subject land is located within the *Primary Production Zone* as delineated on *Zone Map MtB/31* and within the *Broad Acre Agricultural Policy Area 23* shown on *Policy Area Map MtB/31* of the Mount Barker Development Plan.

In addition, other relevant plan references apply:

- Portion of the land is located within the *Historic Conservation Area* as delineated on *Overlay Map MtB/31 – Heritage*
- *Bushfire Protection Area – BPA Map MtB/8* – high bushfire risk
- *Overlay Map MtB/31 – Development Constraints* – portion of the land has a high environmental significance
- *Concept Plan Map MtB/17(A) – Water Management Areas* – located within the River Murray Protection Area – Tributaries Area
- *Overlay Map MtB/31 – Transport* – showing Old Princess Highway as a secondary arterial road
- *Table MtB/7 – Contributory Item* – Shed, Lot 21 Princess Highway
- *Table MtB/8 – Local Heritage Item* – Lot 21 Princess Highway - The Brae, fr copper smelters - house, barns & stone tank; House & attached outbuilding, large barn

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(barn1), long barn (barn2) and separate outbuilding, and stone tank. Walls constructed of blocks of local stone including some use of 'cinder- blocks' and Watt's bricks, gable roof, barn1 with skillion section to side, timber-framed openings with timber doors & timber-framed windows, and brick chimney to office. Stone tank is circular and constructed of local stone

The relevant development listing in the non-complying list in the *Primary Production Zone* is as follows:

'Function centre where located within the Mount Lofty Ranges Watershed Overlay:

The subject land is not located within the Mount Lofty Ranges Watershed. Therefore, the function centre is a merit form of development.

The function centre use is additional to the existing primary production activities on the land and dwelling.

5. Relevant Development Plan Provisions

The land is located entirely within the *Primary Production Zone* and *Broad Acre Agricultural Policy Area 23* of the Mount Barker Council Development Plan. The relevant Development Plan is the Consolidated version dated 8 August 2017.

I would provide a brief assessment of the proposal against the relevant provisions of the Mount Barker Development Plan as follows:

5.1 Primary Production Zone

Objective 1: *The establishment and long term continuation of primary production.*

Objective 2: *Economically productive, efficient and sustainable primary production.*

Objective 3: *Allotments of a size and configuration that promote the efficient use of land for primary production and the conservation of native vegetation and natural habitats.*

Objective 4: *Protection of primary production from encroachment by incompatible land uses and of the scenic qualities of rural landscapes.*

The land will continue to be used for primary production. In fact, the produce from primary production activities on the land is intended eventually to be used in the catering for functions on the site. However, this will only happen in Stage 3 when the kitchen facility is completed.

Albeit that a small portion of the land now used for grazing will be used for car parking (Stage 3), the majority of the land that is associated with the function centre will occur in those portions of the land near the creek that are not used nor are suitable for primary production.

In summary, the proposal does not offend *Objectives 1 – 4*, in that:

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- Existing primary production activity on the land will continue
- The use of produce from the farm in the function centre catering contributes to economically productive, efficient and sustainable primary production
- The size of the land enables the continuation of efficient use of the land for primary production and a function centre without compromising the conservation of the area of landscape significance
- The function centre will result in only minimal encroachment of the area used for primary production

Objective 5: Development that contributes to the desired character of the zone.

Desired Character

This zone comprises much of the council area and has historical uses comprising grazing, fodder production, horticulture, dairying, horse keeping, intensive animal keeping and commercial forestry.

The climate, soil and landform characteristics of the Central Mount Lofty Ranges highlight the value of both expanding and enhancing the value of food production and food security within the zone. It is in this context that land use and activities that ensure the long term economic and environmental sustainability of farming and horticulture take precedence over other non-productive land uses.

The zone contains..... Much of the eastern part of the district lies within the Murray River catchment area in which additional controls apply in order to safeguard water quality flowing to the River Murray.

The central area of this zone, particularly around the townships of Mount Barker, Littlehampton and Nairne, comprises some of the most productive land, capable of supporting a wide range of agricultural activities. This area is to be preserved for high value primary production activities. Uses which are incompatible with primary production or which would cause degradation to the land will not occur.

Limited opportunities will exist for small-scale winery development and small-scale, low impact agricultural, tourism and home-based industries based on rural, arts, crafts, tourist, cultural or heritage activities, where they expand the economic base of the Mount Lofty Ranges region. Such uses, including farm gate/rural produce sales, will be of a scale that complements the rural landscape setting, has minimal environmental impact, and appropriate to the existing infrastructure and services available. Large scale industries and related activities are not appropriate and are more suited to designated industrial or commercial focussed zones located within existing townships.

There is a considerable amount of native vegetation on private and public land which contributes significantly to scenic quality. The zone exhibits rural landscapes of high scenic quality and visual amenity, characterised by undulating pasture lands dotted with stands of large mature eucalypts. Buildings and structures on allotments which are wholly or partly covered in native vegetation will be designed and sited in a manner which requires the least area of vegetation to be cleared and the least fragmentation of homogenous areas of native vegetation. Development will revegetate denuded landscape with indigenous vegetation.

Pattern of Development

Large allotments are to be maintained and the amalgamation of allotments will increase to reinforce the viability of primary production. No further fragmentation of rural properties will be undertaken and boundary realignments will reinforce the viability of primary production. Land division will protect natural resources and promote viable primary production. A dwelling associated with farming and

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primary production is envisaged in limited circumstances. Within the Mount Lofty Ranges Watershed a second dwelling is not appropriate. Outside the Mount Lofty Ranges Watershed a second dwelling on an allotment is generally inappropriate but such development may be considered in very limited circumstances where a second dwelling satisfies a range of criteria. It is envisaged that an allotment containing a second dwelling approved under these provisions will not be divided in the future to create a separate certificate of title for each dwelling even where the land division does not result in additional allotments.

Development ancillary to primary production, including dwellings and outbuildings will be in appropriate locations to minimise visual and operational impacts on primary production activities.

Development within existing minor settlements will be limited to prevent issues with the provision of services and the potential impacts on adjoining primary production. Dwellings and other structures will be set well back from all boundaries, apart from within existing minor settlements where the existing pattern of development should be followed.

Public Realm

The public road network throughout the primary production areas will serve multiple functions, as a freight network, tourist drives, droving of stock, people movement routes, transportation of farm machinery and as biodiversity corridors.

The scenic qualities of the public routes and views across the zone and approaches to townships will emphasise primary production and be unobstructed by inappropriate development, including excessive advertising signage.

The nature and appearance of road reserves will vary across the primary production area depending on the role the road plays. Freight routes are to maintain wide, open reserves with limited driveway access points. Road reserves are to be kept clear of obstructions for the movement of farm machinery. Special tourist drives, particularly to conservation parks, will include vegetation corridors of biodiversity significance. Areas of conservation and biodiversity significance are to be protected from inappropriate development.

Built Form

Structures will be associated with existing clusters of buildings and will be of complementary scale and massing to those buildings, while also being of appropriate dimensions to serve their intended function. Development, including large sheds, will also be located and designed to blend with the existing landscape with appropriate earthworks and building design to suit the natural landform. Other structures will be of a form that blends with, and does not detract from the scenic qualities and primary production function.

Building Materials / Character

Development will maintain the rural landscape with buildings appropriately sited, designed and screened by vegetation. Buildings are to be constructed using materials and low-light reflective natural colours that blend with the rural landscape.

PDC 3: *Development should not be undertaken unless it is consistent with the desired character for the zone.*

The proposed development is substantially in accord with the relevant provisions of the Desired Character of the zone. In particular, I note the following:

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- The existing primary production activities on the subject land will continue
- Food production will be promoted with the intended relationship between farm produce and catering for functions
- The function centre is complimentary and compatible with primary production on the land
- The addition of the proposed use will not cause the degradation of the land
- The proposal is a reasonably low impact use associated with agriculture, tourism and home-based activity, based upon rural, tourist and heritage activities that will expand the economic base of the Mount Lofty Ranges region
- The development compliments the rural landscape setting with minimal environmental impact
- Appropriate levels of infrastructure are available to service the proposed use
- Native vegetation is substantially conserved
- All buildings are set well back from boundaries
- The scenic quality of the area as viewed from the Old Princess Highway public route will be preserved with development associated with the function centre largely screened from view
- Driveway access is limited to the number of existing access points, albeit that the access to Old Princess Highway is relocated
- Building development is clustered
- The scale of the new buildings is complementary to the existing heritage buildings
- New buildings are consistent with the natural landform requiring minimal cut or fill
- New buildings are sited and designed with materials that are low-light reflective and use natural colours that blend with the landscape

PDC 1: *The following forms of development are envisaged in the zone: ▪ cellar door sales ▪ dairy farming ▪ farming ▪ horticulture ▪ light industry and service industry in association with the processing, packaging and distribution of primary production (other than where located within the Mount Lofty Ranges Watershed) ▪ shop in the form of small scale on-farm produce sales outlet in association with primary production ▪ small-scale tourist accommodation in association with wineries, farms and local heritage places ▪ small scale restaurant associated with primary production, cellar door, winery or agricultural industry ▪ small scale winery*

The proposed function centre is not specifically listed in *PDC 1*. However, it is a use that is specifically mentioned in the non-complying list of exemptions pursuant to the Mount Lofty Ranges Watershed. The exception relates to Watershed Areas 2 & 3 with criteria. The subject land is not within the Mount Lofty Ranges Watershed. Therefore, within the zone, external to the Mount Lofty Ranges Watershed, a function centre is a merit form of development without exception criteria. Therefore, it is reasonable to conclude that a function centre is a use envisaged in appropriate circumstances.

It is noted that *PDC 1* specifically envisages a small-scale restaurant associated with primary production, cellar door, winery or agricultural industry. The function centre is not dissimilar to a restaurant in nature and is associated with primary production and the restoration of heritage buildings.

PDC 4: *Development should not occur in areas designated as high environmental significance on Overlay Maps MtB/1 – MtB/38 –Development Constraints.*

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PDC 5: *Development should not occur within 500 metres of a National Park, Conservation Park or Wilderness Protection Area or significant stands of native vegetation if it will increase the potential for, or result in the spread of pest plants.*

PDC 6: *Development should be designed and sited to minimise the removal of vegetation with clearance only permitted where: (a) non-indigenous and/or declared noxious species are removed (b) the land, following vegetation clearance, is capable of supporting the proposed land use without undue risk of soil erosion, and land/water salinisation (c) re-vegetation with indigenous species to increase the native vegetation cover within the zone is undertaken on substantial areas of the same allotment to compensate for the loss of vegetation, including roadside vegetation removed for access.*

The subject land contains an area designated as high environmental significance shown on *Overlay Map MtB/31*. However, the proposed function centre and ancillary activity is clear of this area consistent with *PDC 4*.

The land is not located within 500 metres of a National Park, Conservation Park or Wilderness Protection Area.

In respect to *PDC 6*, buildings are located in areas already clear of any significant vegetation. However, some vegetation will need to be cleared for car parking areas. The vegetation to be cleared is mainly non-indigenous, sparsely covered areas incorporating weeds.

PDC 7: *Buildings should primarily be limited to farm buildings, agricultural industry building or a detached dwelling associated with primary production on the allotment, and residential outbuildings that are: (a) grouped together on the allotment and set back from allotment boundaries to minimise the visual impact of buildings on the landscape as viewed from public roads (b) screened from public roads and adjacent land by existing vegetation or landscaped buffers (c) located where they will not interfere with the primary production role of the land.*

The proposed and existing buildings are consistent with *PDC 7*, in the following respects:

- A detached-dwelling associated with primary production exists on the land
- Buildings are generally grouped together and in particular, proposed buildings (amenities and kitchen) are grouped together with the heritage building that is being restored as the function centre
- The heritage building and associated amenity and kitchen buildings are setback a considerable distance from both property and road boundaries
- Buildings are suitably screened from public roads and adjacent land by existing vegetation
- Buildings are isolated from the portion of the land used for primary production

5.2 Broad Acre Agricultural Policy Area 23

Objective 1: *An area accommodating a wide range of broad-acre farming, intensive animal keeping and other primary production activities on large land holdings in an open rural landscape*

Objective 3: *Maintenance and enhancement of the open rural landscape character.*

Objective 4: *Promotion of activities that prevent land degradation.*

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A primary production use already exists on the land. The proposed function centre will occupy the area around the existing local heritage place that is not used for primary production. The proposed use will integrate with, rather than replace the primary production activities, on the land. Only a small area of one paddock, which will be used for car parking in the third stage of the development, will be impacted by the proposal.

My clients live on the land and will manage both the primary production activities and function centre including the promotion of food production on the site being used for catering for functions. The primary production will be maintained on the land in association with the function centre in a manner that will contribute to the rural landscape character of the area.

Objective 5: Development that contributes to the desired character of the policy area.

Desired Character

This policy area occupies the drier eastern part of the district and in places is characterised by a heavily incised topography with mature scattered eucalypts interspersed in a landscape largely denuded by 19th century land clearance, primarily as a result of the historical mining and smelting of copper.

A combination of relatively low rainfall, poorer soils and higher levels of dissolved salts in underground water means that much of the policy area is a fragile rural environment where sound management practices are essential to prevent overstocking and degradation. The land generally supports low rainfall cropping and grazing, with the resource industry being the major economic driver.

Function

Existing broad-acre cropping and grazing practices will be retained, and additional rural enterprises established which will not lead to further degradation of the denuded landscape. Opportunities may exist for irrigated horticulture utilising treated wastewater from the pipeline from Mount Barker to Kanmantoo, either through hydroponic enterprises or on the few Class 1 soils scattered through the St Ives and Petwood localities.

The area lends itself to the establishment of rural enterprises such as intensive animal-keeping, feed-lots and land-based aquaculture not reliant of the existing soil and rainfall regime. The proximity of the industrial (including the processing of primary production) and distribution hub at Monarto will support the development of envisaged rural uses in the policy area,

The area has a significant resource venture, Hillgrove Mine at Kanmantoo, which is to be protected from incompatible uses, including the erection of dwellings.

Pattern of development

There are numerous contiguous parcels in common ownership. Boundary realignments which create smaller allotments clustered on less visually prominent land in conjunction with the consolidation of the balance into much larger allotments are encouraged.

The consolidation of the balance land into much larger holdings is considered to facilitate more effective land management and more viable commercial primary production, and will be actively promoted. The creation of smaller allotments in this process will allow the demand for small lifestyle allotments to be met, in conjunction with the creation of larger allotments that better reflect the agricultural value of the land.

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Public Realm

Extensive views are afforded from the major arterial road network across the upper reaches of the Bremer Valley through to the Disher Hill Range, as well as to the plains and Lake Alexandrina. The secondary and tertiary road network includes gravel, tree-lined roads that traverse the area reinforcing the different environment and land use history of the area. Given the denudation of the area the roadside vegetation has increased value and will be protected and enhanced.

Built Form / Character

Landscape quality will be retained and enhanced by additional indigenous plantings where appropriate, and the siting and design of buildings to minimise visual and environmental impacts.

Buildings will be designed in sympathy with the form, colours and textures of the landscape, utilise natural materials and colours where possible and be sited below the skyline, in lower, unobtrusive locations. Domestic and ancillary buildings will be clustered and the use non-reflective materials which blend in with the surrounding environment will be encouraged. The use of reflective prefabricated steel cladding, such as Zinalume, will be discouraged.

PDC 4: *Development should not be undertaken unless it is consistent with the desired character for the policy area.*

The Desired Character makes specific reference to the historical mining and smelting of copper in association with a landscape largely denuded by 19th century land clearing. The historical activities associated with the heritage structures on the subject land relate directly with the historical mining of copper. However, 19th century land clearance is now not clearly visible due to significant vegetation regrowth along the creek and beyond. The more open portions on the land generally correspond with pasture used for primary production.

In respect to function, the existing land use is consistent with broad-acre grazing practices. This will be retained as promoted by the Desired Character. The remaining content under 'function' has little relevance to the existing or proposed uses of the land.

In respect to pattern of development, the proposal does not involve land division. The extent of primary production use will change little with the proposed function centre use occupying primarily land not in agricultural use.

In regard to the public realm, the Old Princess Highway is a scenic public route. The views from this scenic route will be maintained, with the retention of mature vegetation on the subject land screening development. The location of the new access from Old Princess Highway is a short distance from the existing access and in a position that does not require the removal of roadside vegetation.

In respect to built-form and character, the buildings are designed, in form and in use, of materials to be in sympathy with both the local heritage place buildings and the surrounding environment.

PDC 1: *The following forms of development are envisaged in the policy area: ▪ farming ▪ feed-lots ▪ horticulture ▪ intensive animal keeping ▪ light and service industry associated with primary production ▪ land based aquaculture ▪ small-scale tourist accommodation in association with farms and local heritage places*

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The policy contained in the *Broad Acre Agricultural Policy Area* relates primarily to maintaining primary production use. The primary production activities on the land are maintained consistent with the envisaged form of development referenced in *PDC 1* – in particular – farming. The proposed function centre has been discussed in relation to *Primary Production Zone* envisaged forms of development. While the policy area list is a little different than the zone, it is of note that the function centre is in association of both the farm activity and the local heritage place.

5.3 Heritage Places - General Section

Objective 1: *The conservation of State and Local Heritage Places.*

PDC 1: *A heritage place spatially located on Overlay Maps - Heritage and more specifically identified in Table MtB/9 - State Heritage Places or in Table MtB/8 - Local Heritage Places should not be demolished, destroyed or removed, in total or in part, unless either of the following apply: (a) that portion of the place to be demolished, destroyed or removed is excluded from the extent of the places identified in the Table(s) (b) the structural condition of the place represents an unacceptable risk to public or private safety.*

The subject property is listed on *Table MtB/8 – Local Heritage Places*, as follows:

Property Address	Description and/or Extent of Listed Place	Lot No or Part Sec	Plan No	Cert/Title	Section 23(4) criteria	Heritage NR
Princess Hwy Dawesley	The Brae, fr copper smelters - house, barns & stone tank; House & attached outbuilding, large barn (barn1), long barn (barn2) and separate outbuilding, and stone tank. Walls constructed of blocks of local stone including some use of 'cinder- blocks' and Watt's bricks, cgi gable roof, barn1 with skillion section to side, timber-framed openings with timber doors & timber-framed windows, and brick chimney to office. Stone tank is circular and constructed of local stone	Lot 21	D55267	CT 5817/657	a b c d e f	18344

The proposed development involves the restoration of Barn 1 as the function facility. The proposal conserves the main building (Barn 1) of the Local Heritage Place consistent with *Objective 1*. The extent of removal of materials is limited to the remaining timber material from the floor of Barn 1. The limited remaining floor materials are not sufficient to enable safe use of the floor. The floor will be replaced by a concrete floor and the remnant timber from the floor will be used in the construction of doors and enclosure materials for building openings.

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The proposal is entirely consistent with *Objective 1 & PDC 1*, save for the removal of timber floors pursuant to (b) that addresses an unacceptable risk to safety.

Objective 2: *The continued use, or adaptive re-use of State and Local Heritage Places that supports the conservation of their cultural significance.*

PDC 4: *Development of a State or Local Heritage Place should be compatible with the heritage value of the place.*

The proposed use as a function centre is clearly an adaptive re-use of a Local Heritage Place that will enable the restoration of the barn. The proposal is considered a suitable adaptive re-use and compatible use for the relatively large floor space barn in accord with *Objective 2* and *PDC 4*.

Objective 3: *Conservation of the setting of State and Local Heritage Places.*

PDC 7: *Development that materially affects the context within which the heritage place is situated should be compatible with the heritage place. It is not necessary to replicate historic detailing, however design elements that should be compatible include, but are not limited to: (a) scale and bulk (b) width of frontage (c) boundary setback patterns (d) proportion and composition of design elements such as rooflines, openings, fenestration, fencing and landscaping (e) colour and texture of external materials.*

PDC 2: *Development of a Local Heritage Place should be undertaken, in accordance with the Design Guidelines contained in [Table MtB/5 - Heritage Design Guidelines](#).*

The conservation of the setting of the Local Heritage Place is achieved in respect to the proposed additional buildings. In addition, the buildings address the relevant guidelines in *Table MtB/5*. I would make the following observations, in regard to the design of the new buildings:

- The amenity and kitchen buildings are considerably smaller than the barn, thus the prominence of the heritage buildings is maintained
- The new buildings respect the nuances of the local historic character without replicating
- The scale and bulk of the new buildings are compatible
- The orientation of the new buildings in relation to the heritage buildings is in accord with the heritage design guidelines
- The old and new buildings are clustered together, well setback from both street and property boundaries
- Compatible design elements are incorporated in the new buildings, including rooflines, openings, colour and use of materials
- Car parking areas are separated from the cluster of buildings ensuring that they do not obscure views of the buildings or diminish the setting of the local heritage place

PDC 3: *Development of a State or Local Heritage Place should retain those elements contributing to its heritage value, which may include (but not be limited to): (a) principal elevations (b) important vistas and views to and from the place (c) setting and setbacks (d) building materials (e) outbuildings and walls (f) trees and other landscaping elements (g) access conditions (driveway form/width/material) (h) architectural treatments (i) the use of the place.*

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PDC 5: *Original unpainted plaster, brickwork, stonework, or other masonry of existing State or Local Heritage Places should be preserved, unpainted.*

Barn 1, that is the major element of the Local Heritage Place, maintains its external walls and roof fabric, including all elevations, stone and brick walls, iron roofs and architectural treatments. The setting of the barn in respect to existing access conditions and landscaping elements around the barns is largely retained. However, the open horse training area immediately east of Barn 1 will be transformed into a lawn area.

The proposal is substantially consistent with PDC's 3 & 5.

PDC 6: *New buildings should not be placed or erected between the front street boundary and the façade of existing State or local heritage places.*

The main barn is located midway between Old Princess Highway and Hawthorn Avenue. The two new buildings in Stages 2 & 3 are placed such that they are not between the façade of the barns and the public street boundaries. In any event, the heritage buildings are significantly screened from view from the public streets by vegetation and distance.

PDC 8: *The introduction of advertisements and signage to a State or local heritage place should: (a) be placed on discrete elements of its architecture such as parapets and wall panels, below the canopy, or within fascias and infill end panels and windows (b) not conceal or obstruct historical detailing of the heritage place (c) not project beyond the silhouette or skyline of the heritage place (d) not form a dominant element of the place.*

The distance and vegetation screening of the heritage and associated buildings means advertisements on buildings would serve no purpose. Advertisements will be located away from the buildings, more in the form of directional signage near the Old Princess Highway access.

5.4 Historic Conservation Area – General Section

Objective 1: *The conservation of areas of historical significance.*

Objective 2: *Development that promotes, conserves and enhances the cultural significance and historic character of identified places and areas.*

Objective 3: *Development that complements the historic significance of the area.*

Objective 4: *The retention and conservation of places such as land, buildings, structures and landscape elements that contribute positively to the historic character of the area.*

PDC 3: *Places such as land, buildings, structures and landscape elements that contribute to the historic character of the area identified on the Overlay Maps - Heritage and more specifically identified in the respective Table MtB/7 - Contributory Items, should be retained and conserved.*

PDC 4: *State and Local Heritage Places identified in Table MtB/9 - State Heritage Places and in Table MtB/8 - Local Heritage Places, and Contributory Items identified in Table MtB/7 - Contributory Items should: (a) be used for purposes which will support their maintenance and restoration (b) be developed and used in a manner which does not interfere with their structural integrity (c) only be*

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altered or converted in such a way as to protect or enhance the design or condition which gives the place or items its heritage significance and which ensures the architectural integrity and prominence of the original street presentation of the place or item is maintained or reinstated (d) by utilising contemporary architectural design and detailing which complements the external materials and finishes, colours, scale, built form, building height, roof shape and pitch.

PDC 7: Buildings and structures should not be demolished in whole or in part, unless they are: (a) structurally unsafe and/or unsound and cannot reasonably be rehabilitated (b) inconsistent with the desired character for the Historic Conservation Area (c) associated with a proposed development that supports the desired character for the Historic Conservation Area.

PDC 8: Development should take design cues from the existing historic built forms. In doing this, it is not necessary to replicate historic detailing; however design elements for consideration should be compatible with building and streetscape character and should include but not be limited to: (a) scale and bulk (b) width of frontage (c) boundary setback patterns (d) proportion and composition of design elements such as roof lines, pitches, openings, fencing and landscaping (e) colour and texture of external materials (f) visual interest.

The subject land is located within the *Historic Conservation Area* as depicted on *Overlay Map MtB/31 – Heritage*.

The Local Heritage Place will be restored as a result of the proposed adaptive re-use of the building as a function centre. The building will continue to retain its significance as a heritage place and contribution to the historic character and cultural significance of the area.

Once restored the barn will be consistent with *Objectives 1 – 3, Desired Character* and the relevant *PDC's 3, 4, 7 & 8*. The proposed use of the building will enhance its contribution to the *Historic Conservation Area*.

Objective 5: Development that contributes to desired character of the Historic Conservation Areas.

Desired Character - Dawesley Area 2

Function

Following the construction of smelter works in 1855 to process copper ore mined from Kanmantoo, Dawesley was established in 1857 with cottages on large allotments for workers. The Dawesley Historic Conservation Area will preserve the historic sites and structures that represent the local production and value adding industries of the town's early settlement.

Patterns of Development

The area predominantly comprises buildings and structures that were associated with local rural production and processing which now offer residential uses that are complementary to existing historical development in their design, style and siting. Subdivision, unless it preserves the visual setting of buildings and does not compromise the linear subdivisional layout is discouraged.

Public Realm

The area will preserve the open landscaped/rural setting character through the use of indigenous plantings with minimal or low scale fencing in the form of timber posts with wire mesh infill, low

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hedges or stone walling.

Built Form, Building Design and Character

The township provides a collection of buildings and structures representative of late 19th century colonial architecture which displays building techniques and materials typical of the time, including local stone, smelter slag and early manufactured bricks. The area will reinforce the small scale, single storeyed, detached built form of early European settlements; while second storey built form may be incorporated within the roof space or located to the rear of a single storey building with a depth of at least 5 metres. Development should maintain the set back, scale and simplicity of built form prevailing within the immediate vicinity. Carports and garaging should be recessed back from the main frontage to maintain streetscape character.

Materials will complement heritage buildings through the use of timber window frames and joinery, verandas constructed of simple non-continuous raked or concave corrugated galvanised iron roofing and timber, and the use of half round or small profile ogee guttering.

PDC 1: *Development should not be undertaken unless it is consistent with the desired character for the Historic Conservation Areas.*

The proposed development is in accord with the *Desired Character* of the *Historic Conservation Area* in the following respects:

- The historic sites and structures are preserved
- No land division is proposed, thus maintaining the pattern of development
- The views from the public realm is substantially preserved, maintaining the landscaped rural setting and character
- The setback scale is preserved
- The simplicity of built form is preserved
- External building materials complement the heritage buildings

PDC 2: *Development within the Historic Conservation Areas should be carried out, where applicable, in accordance with the design guidelines contained in [Table MtB/5 - Heritage Design Guidelines](#).*

PDC 6: *New buildings should not be placed or erected between the front street boundary and the façade of contributory items.*

PDC 15: *Advertisements and/or advertising hoardings associated with places and areas of heritage significance should: (a) be of a size, colour, shape and materials that enhances the character of the locality (b) not dominate or detract from the prominence of any place and/or area of historic significance.*

The matters contained in *PDC's* 2, 6 & 15, have previously been addressed under Section 4.3 – Heritage Places in this report.

PDC 16: *Development should respect the existing topography and the relationship of sites to street levels and to adjoining land and not involve substantial cut and/or fill or sites.*

The heritage buildings that are to be restored and the associated new buildings are all clustered with significant setback distances from Old Princess Highway and Hawthorn Street.

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Further the buildings are on a reasonably flat portion on the land that will not involve any significant cut and/or fill.

5.5 Design and Appearance – General Section

Objectives 1 & 2
PDC's 1 - 3, 5, 7, 9 – 13, 15, 16 & 18

The proposed additional function centre use will have little impact upon the appearance of the land in view of the extent of vegetation screening as viewed from public roads. In addition, the use will be largely screened from adjacent residential properties by vegetation, topography and distance.

5.6 Hazards – General Section

Objectives 1, 2 & 4 - 6
PDC's 1 – 4 & 6 - 13
BPA Map MtB/8 – Bushfire Protection Area

The only potential hazards applicable to the land, are flooding and bushfires. The creek could potentially flood. However, the existing and proposed buildings are above any likely flood events. There is no other form of natural hazard, apart from potentially bushfires.

The subject land is located within a 'High Bushfire Risk' area as delineated on *BPA Map MtB/8*. The development addresses bushfire protection in accordance with *Objectives 5 & 6* and *Principles 8, 9, 10, 11, 12 & 13* in the following respects:

- Buildings are located on a portion of the land that is generally clear of native vegetation;
- The terrain around buildings and access is reasonably flat and will accommodate emergency vehicles if required in the event of a bushfire;
- Access is good in respect to the proximity of a public roads and escape options are available by either Old Princess Highway or Hawthorn Street in the event of an emergency; and
- An adequate building protection zone is available for the function centre facilities and periphery.

In summary, the development is consistent with *Objectives 1, 2 & 4 - 6* and *Principles 1 - 4 & 8 - 13*.

5.7 Infrastructure – General Section

Objective 1, 2, 4 & 5
PDC's 1, 6 & 10

The subject land is serviced by sealed public roads, mains water (from Hawthorn St) and power. The land is traversed by both overhead and underground sub-transmission power lines.

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The existing dwelling on the land is serviced by an on-site wastewater solution. The proposal incorporates a separate wastewater solution designed by Water Technology to service the function centre. The wastewater solution is proposed to be installed in Stage 2 in connection with the new amenity building. The new wastewater scheme will treat waste from both the amenity building (Stage 2) and the kitchen (Stage3).

5.8 Interface between Land Uses – General Section

Objectives 1 - 3
PDC's 1 – 4, 6 -8, 10, 11, 14, 16, 17 & 21 - 23

In regard to the existing and proposed activities on the subject land, consisting of residential (owner's residence), tourist accommodation (Lot 211), function centre and primary production, there is integration but also a degree of separation, that ensures compatibility.

In respect to adjacent properties, significant distances apply between the function centre and adjacent primary production properties. The nearest dwelling on an adjacent rural property is about 360 metres from the function centre.

The subject land abuts the Dawesley township to the west. Five allotments in the township abut the western boundary. However, there is a distance of at least 100 metres (up to 165 metres) between the function centre and the residential allotments in Dawesley township. In addition, the majority of the residential allotments in Dawesley are considerably higher than the location of the function centre. The four dwellings to the south and south-west are 20 to 28 metres higher than the site of the proposed function centre. While the dwelling at 14 Hawthorn Street is only marginally higher (about 6m) than the site of the function centre, it is more than 110 metres distant and screened substantially by vegetation and existing structures.

A further element of protection to any potential noise impacts, is the orientation of the barn and activities associated with the function centre facing away from the township.

5.9 Landscaping, Fences and Walls – General Section

Objectives 1 & 2
PDC's 1, 3, 4 & 6

The proposal relies on existing vegetation and does not include any additional landscaping, apart from the lawn to replace the sand surface presently used for horse training.

In the context of a rural environment, the use of the existing native vegetation substantially addresses the content of *Objectives 1 & 2* and *PDC's 1 – 4*.

There are no fences or walls incorporated in the proposed development.

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5.10 Natural Resources – General Section

Objectives 1, 2, 5 – 10 & 13
PDC's 1, 2, 4, 8, 10 & 45
Overlay Map MtB/31 – Development Constraints
Concept Plan Map MtB/17(A) – Water Management Areas

The proposed development will have limited impact on the physical condition of the land, in that:

- Existing vegetation on the land will be substantially retained
- The area of high environmental significance shown on *Overlay Map MtB/31 – Development Constraints*, is not impacted in any way
- The existing barn and two new buildings will incorporate water collection from roofs to be reused on the site
- Water resources are protected, including minimal impact upon the creek
- There is minimal disturbance or modification of the natural landform, with particular reference to driveways overlaying the existing tracks

5.11 Orderly and Sustainable Development – General Section

Objectives 1, 3, 4 & 8
PDC's 1 – 4, 11 & 12

The proposed development is an orderly and sustainable form of development, in that the land is serviced by good quality public roads, the land has access to existing infrastructure and the use will place no burden on public utilities or services.

In regard to the specific provisions, the proposed use is substantially consistent in the following respects:

- The land use is unlikely to have any adverse impact upon the existing safe, convenient and pleasant environment – *Objective 1*
- The land use will not jeopardise the continuance of adjoining authorised land uses – *Objective 2 & PDC 1*
- The land use is consistent with the achievement of the provisions of the Development Plan – *Objective 4*

5.12 Siting and Visibility – General Section

Objective 1
PDC's 1 – 9

Siting and visibility has been discussed to some degree previously in this report. However, to restate, the location of the heritage barn and associated new buildings are located distant from public roads and screened significantly by vegetation. With reference to specific provisions, I would make the following observations:

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- The development is sited and designed to minimise the visual impact on the natural, rural and heritage character of the area, and areas of high visual and scenic value
- Buildings are generally grouped together and screened by existing vegetation as viewed from public roads
- Buildings are sited within the valley and set well back from public roads
- The profile of the existing and proposed buildings is low with the mass of buildings minimised
- The external materials of the new buildings will compliment the appearance of the local heritage building
- The number of buildings is limited
- Driveways are mainly located over existing tracks to minimise the interference with the natural vegetation and the terrain
- Significant existing vegetation will screen the developed areas of the site

5.13 Sloping Land – General Section

Objective 1
PDC's 1 – 3

While the subject land contains areas of steep terrain, the portions of the land subject to the development, is confined to the flatter parts of the land. Clearly the location of the existing heritage barn and the two new associated buildings are on the southern side of the creek on almost flat terrain.

The driveways are largely over existing tracks where the land is not entirely flat, but certainly is not steep. The choice of locations for car parking areas has also been to avoid steep portions of land. The three areas of car parking associated with the three stages of development, reduces the need to accommodate parking areas on steep land.

5.14 Tourism Development – General Section

Objectives 1 – 6 & 8
PDC's 1 – 5, 7 & 9 – 17

Albeit that the function centre in itself is not a tourist development, it will contribute to the development of tourism in the region, in that guests to functions will often be sourcing tourist accommodation in the locality. There is further potential generation of tourist activity in the region, with the attendance of interstate and overseas guests to functions (weddings).

To the extent that the function centre contributes to tourism, the development addresses the relevant *Objectives* and *Principles of Development Control*, in the following respects:

- It is environmentally sustainable
- It sustains the local character and visual amenity of the area
- It is integrated with the use of the land for primary production
- It has a functional link to the natural environment and historical setting
- The scale of the development is sympathetic to the location

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- No public infrastructure will require upgrading
- A suitable separation between the function centre and the existing dwelling is provided
- The function centre will be developed in association with agricultural development and heritage places
- The function centre involves an adaptive upgrade of existing buildings of heritage value
- Advertisements are subtle and consistent with *PDC 13*
- Car parking areas are broken up into three separate areas to ensure their appearance is visually less obtrusive

5.15 Transportation and Access – General Section

Objective 2

PDC's 1, 2, 8, 16, 19, 29, 30, 36, 39, 42 & 48

Overlay Map MtB/31 – Transport

The proposal is consistent with relevant provisions of the Development Plan in respect to transportation and access, in the following respects:

- Safe access is provided to Old Princess Highway
- Direct access to an all-weather public road is provided
- The access to Old Princess Highway is isolated from residential streets within Dawesley township
- Adequate space is available on-site to accommodate loading, unloading, and turning of vehicles
- Driveways are primarily located over existing tracks, thus minimising excavation and removal of vegetation

In respect to the access to Old Princess Highway, a report has been prepared by Jayne Lovell of MFY P/L detailing the provision of acceptable sightlines.

In regard to car parking provision, *Table MtB/2* does not list function centre. However, the closest type of development in respect to vehicle generation is a restaurant, that calls for 1 space per 3 seats. The proposal incorporates 66 car parking spaces with Stage 1 (max 150 persons). This represents a ratio of 1 space per 2.3 persons. Stage 2 when the maximum number of persons increases to 250, involves the development of an additional 28 spaces, giving a ratio of 2.7 persons per space.

Stage 3 provides a further 80 car parking spaces. The provision of these spaces will provide for the conversion of the initial 66 space area, near the access, to be used primarily for bus parking.

5.16 Waste – General Section

Objectives 1 & 2

PDC 1, 7, & 16 – 20

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The existing dwelling on the land is serviced by an on-site wastewater solution. The proposal incorporates a separate wastewater solution design by Water Technology to service the function centre. The wastewater solution is proposed to be installed in Stage 2 in connection with the new amenity building. The new wastewater scheme will treat waste from both the amenity building (Stage 2) and the kitchen (Stage3).

6. Conclusion

The proposal is substantially in accord with the relevant provisions of the Development Plan and warrants approval. In particular:

- The development addresses the relevant *Objectives* and *Principles* of the *Primary Production Zone*;
- Existing primary production activity on the land will continue and the use of produce from the farm will be used in the function centre catering, contributing to economically productive, efficient and sustainable primary production;
- The size of the land enables the continuation of efficient use of the land for primary production and a function centre without compromising the conservation of the area of landscape significance;
- The extent of primary production use will change little with the proposed function centre use occupying primarily land not in agricultural use;
- The development is substantially in accord with the relevant provisions of the *Broad Acre Agricultural Policy Area 23*;
- The proposed development involves the restoration and conservation of the main building (Barn 1) of the Local Heritage Place;
- The development is strongly consistent with the restoration of a local heritage place in accord with both the *Heritage Places* and *Historic Conservation Area Objectives* and *PDC's*;
- The proposed new buildings are designed in sympathy with both the local heritage buildings and the surrounding environment;
- The conservation of the setting of the local heritage place is achieved consistent with the relevant guidelines contained in *Table MtB/5*;

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- The development is orderly and sustainable in that it does not jeopardise adjoining authorised land uses or prejudice the relevant provisions of the Development Plan;
- The function centre will have little impact upon the scenically attractive rural nature of the locality;
- In respect to the interface between land uses, good buffer distances are achieved;
- The area of high environmental significance contained on *Overlay Map MtB/31*, is not impacted by the development;
- Albeit that the land is crossed by a creek that floods, the development is above the area that is flood prone;
- The development will not interfere with the effective and proper use of other land in the vicinity;
- The proposed relocated access point onto Old Princess Highway is appropriate and safe;
- The extent of car parking is sufficient and appropriate for each of the three stages of the development;
- The development will require no additional public infrastructure in the provision of services;
- The function centre will contribute to the economic base of the region in respect to tourism;
- The proposed development can be suitably protected from potential bushfire events;
- The proposal incorporates suitable on-site wastewater and rainfall collection solutions; and
- The proposal is consistent with both environmental and historic outcomes.

Thus, the proposal is **not seriously at variance** with the Mount Barker Development Plan, in my opinion, and warrants Development Plan approval.

Yours sincerely



John Outhred BA (Planning); Grad Dip Pub Sec Man; MPIA
Principal Planner

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LOCATION PLAN



address
16 HAWTHORN STREET, DAWESLEY SA 5252

date
APRIL 2019

project
PROPOSED RENOVATIONS + ADDITIONS TO EXISTING BUILDINGS

client
M & M CASTELLI

171 Gilles street, Adelaide, SA 5000
piteoarchitects.com.au
+61 8 8225 6056

PITEOARCHITECTS



SITE PLAN

  The Long Barn  The Stables

address
16 HAWTHORN STREET, DAWESLEY SA 5252

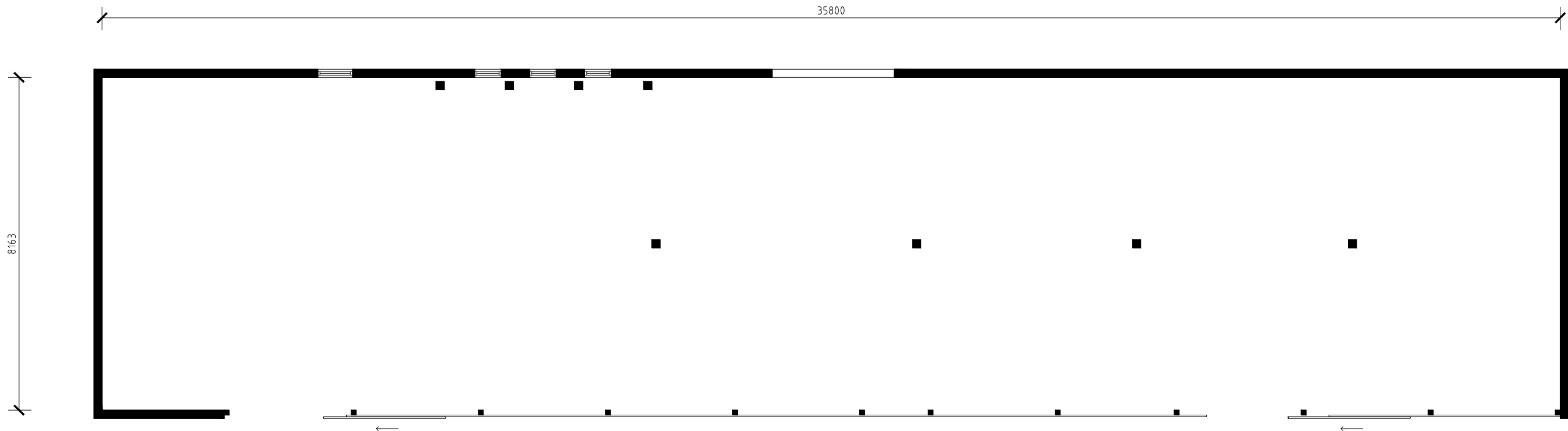
date
APRIL 2019


project
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client
M & M CASTELLI

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 GROUND FLOOR PLAN
1:100 @ A3

THE LONG BARN

address
16 HAWTHORN STREET, DAWESLEY SA 5252

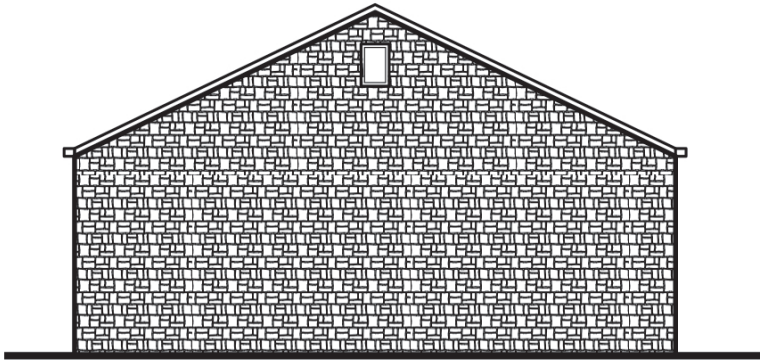
date
APRIL 2019

project
PROPOSED RENOVATIONS + ADDITIONS TO EXISTING BUILDINGS

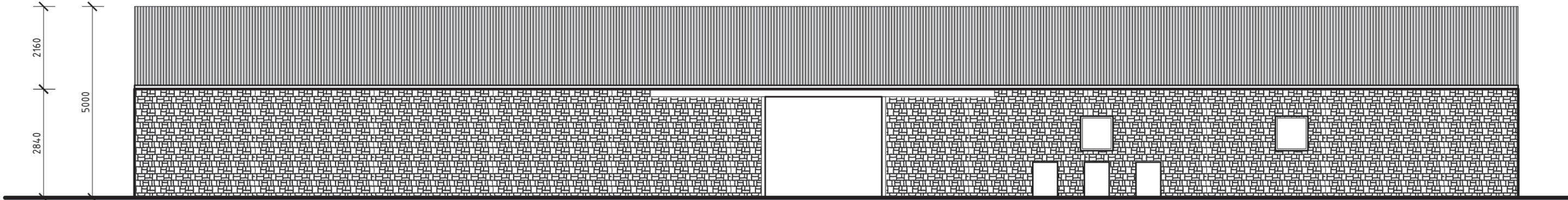
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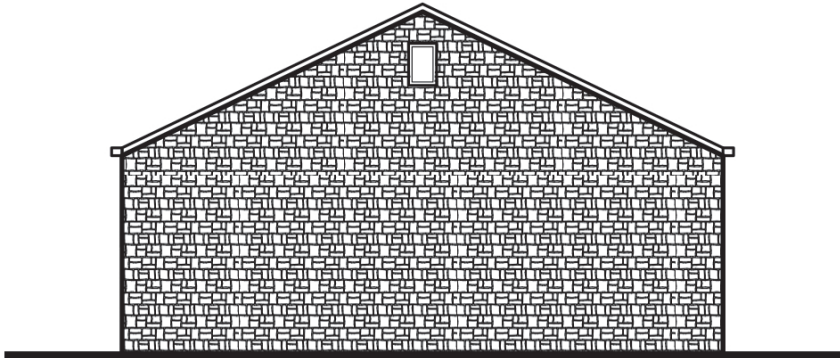
PITEOARCHITECTS



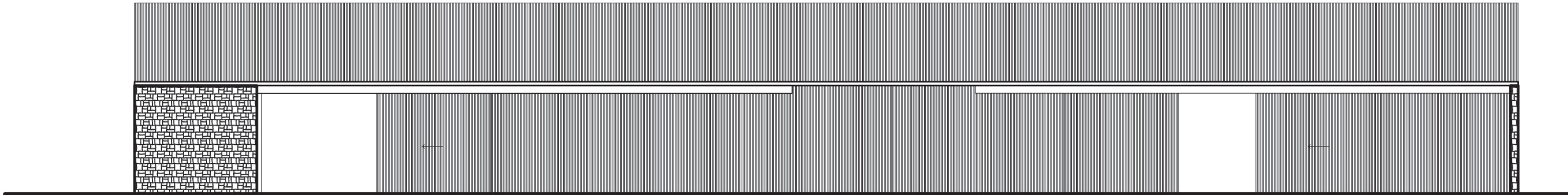
NORTH ELEVATION 1:200 @ A3



WEST ELEVATION 1:200 @ A3



SOUT ELEVATION 1:200 @ A3



EAST ELEVATION 1:200 @ A3

THE LONG BARN

address
16 HAWTHORN STREET, DAWESLEY SA 5252

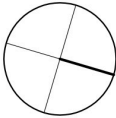
date
APRIL 2019

project
PROPOSED RENOVATIONS + ADDITIONS TO EXISTING BUILDINGS

client
M & M CASTELLI

171 Gilles street, Adelaide, SA 5000
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PROPOSED NEW KITCHEN OUT-BUILDING FLOOR PLAN
1:50

project no. 1730	drawing no. PA-01	amendments

PROPOSED NEW OUT BUILDINGS
ADDRESS: 16 HAWTHORN STREET DAWESLEY SA 5252
FOR: MILOS & MADDIE JOSEPH CASTELL

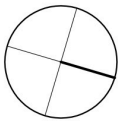
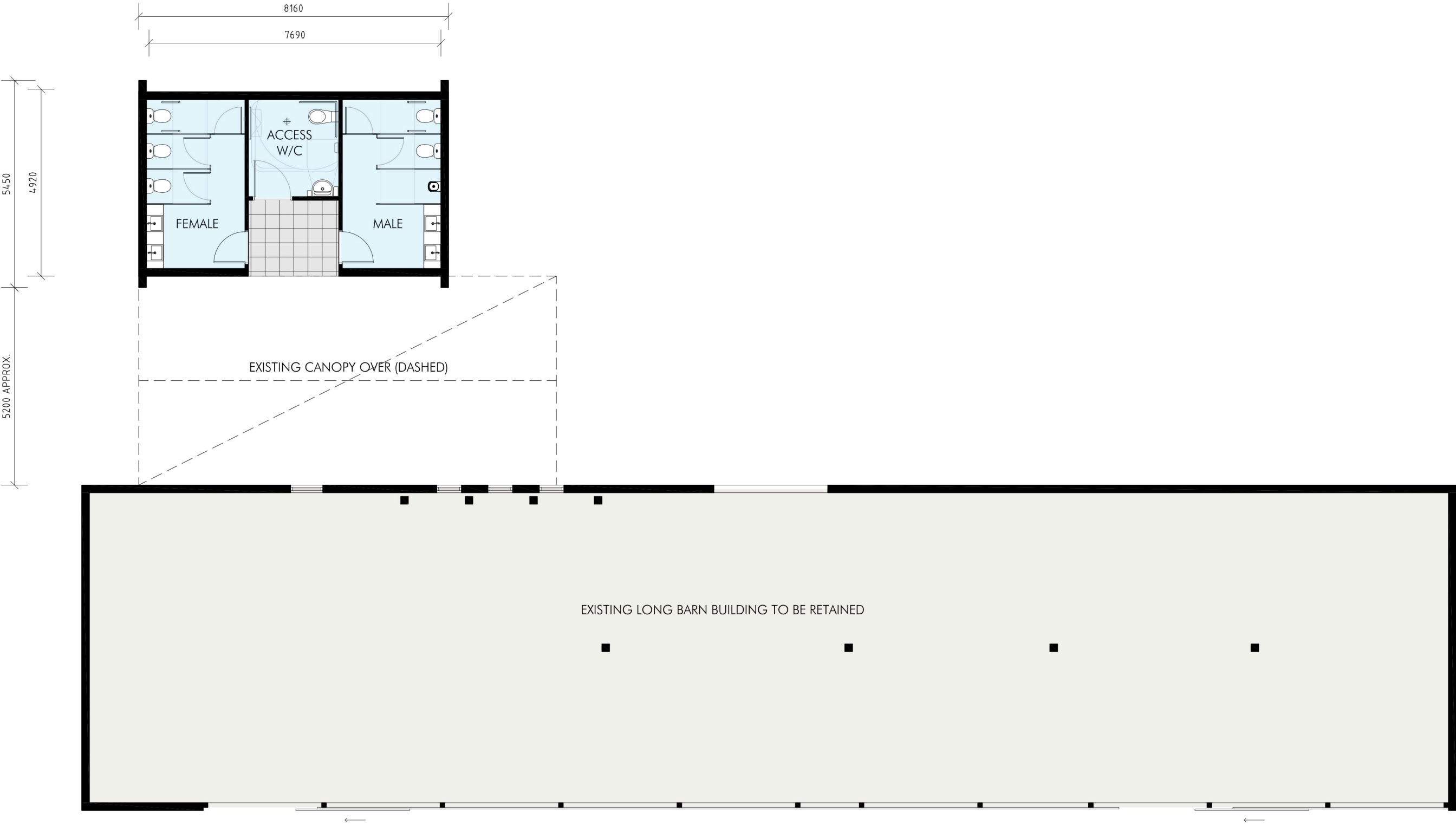
drawn	PP
checked	SM
scale	AS NOTED
issue date	04/10/2019
revision	

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PROPOSED NEW TOILETS OUT-BUILDING FLOOR PLAN
1:50

project no. 1730	drawing no. PA-02	amendments

PROPOSED NEW OUT BUILDINGS
ADDRESS: 14 HAWTHORN STREET DAWESLEY SA 5252
FOR: MILOS & MADDIE JOSEPH CASTELLI

drawn	PP
checked	SM
scale	AS NOTED
issue date	04/10/2019
revision	

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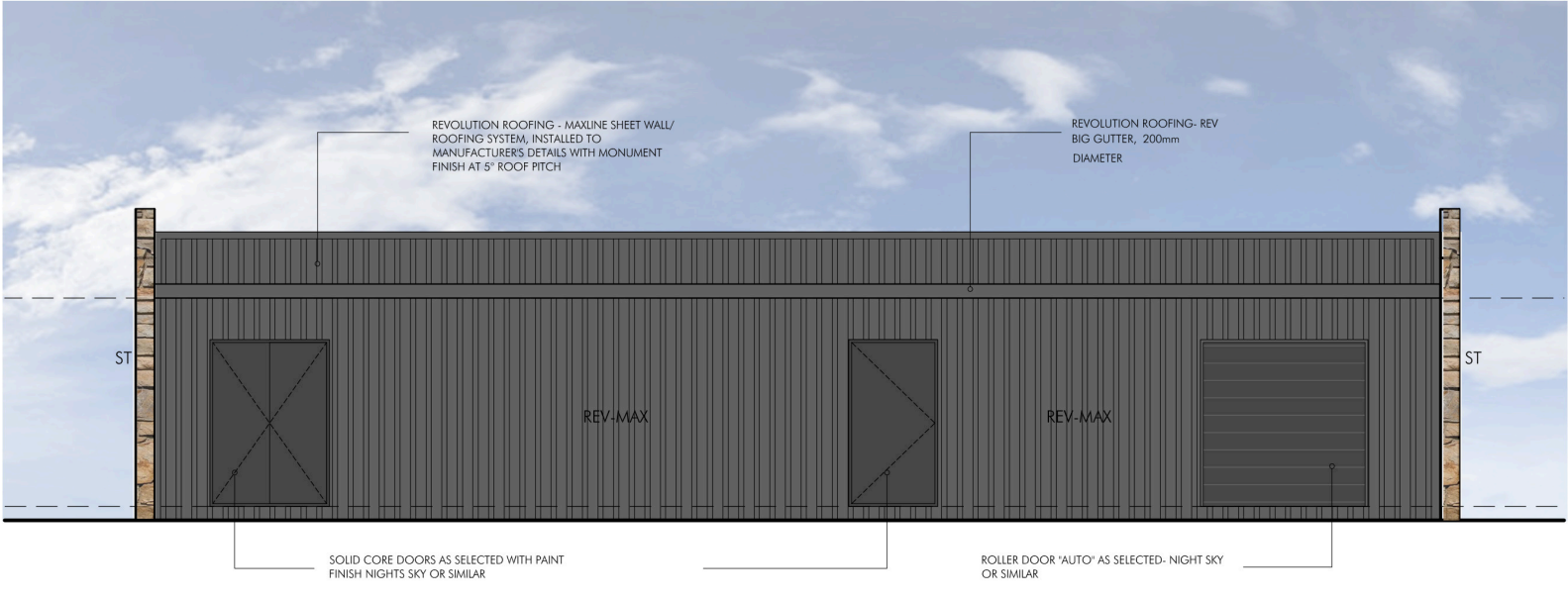


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PROPOSED EAST ELEVATION
1:50



PROPOSED SOUTH ELEVATION
1:50



PROPOSED WEST ELEVATION
1:50



PROPOSED NORTH ELEVATION
1:50

WALL FINISHES LEGEND & NOTES	
ST	STONE CLADDING AS SELECTED
REV-MAX	REVOLUTION ROOFING - MAXLINE SHEET WALL/ROOFING SYSTEM, INSTALLED TO MANUFACTURER'S DETAILS WITH MONUMENT FINISH
MX	JAMES HARDIE - MATRIX WALL CLADDING SYSTEM, INSTALLED TO MANUFACTURER'S DETAILS WITH SELECTED PAINT FINISH

NEW KITCHEN OUT BUILDING

project no. 1730	drawing no. PA-03	amendments

PROPOSED NEW OUT BUILDINGS
ADDRESS: 16 HAWTHORN STREET DAWESLEY SA 5252
FOR: MILOS & MADDIE JOSEPH CASTELLI

drawn checked scale issue date revision	PP SM AS NOTED 04/10/2019
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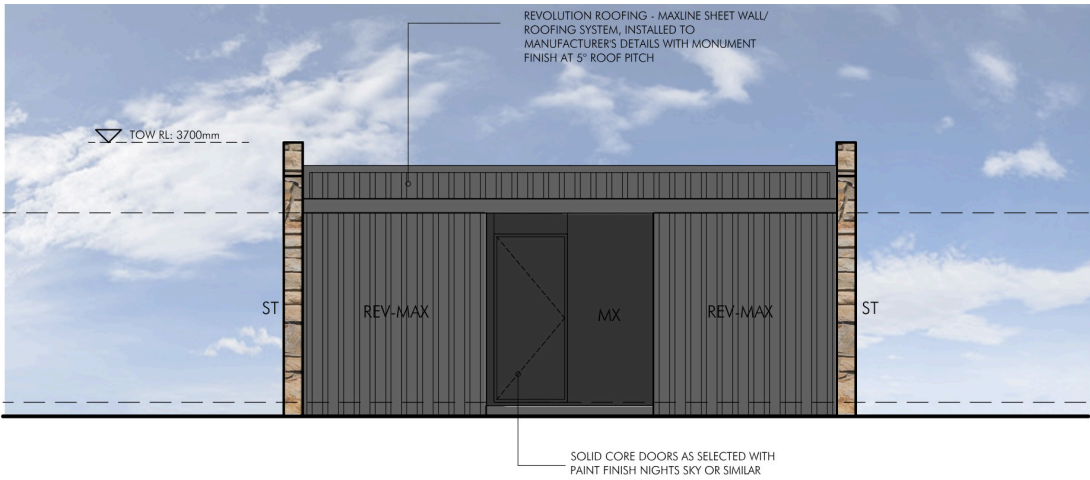
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PROPOSED NORTH ELEVATION
1:50



PROPOSED SOUTH ELEVATION
1:50



PROPOSED SOUTH ELEVATION
1:50



PROPOSED WEST ELEVATION
1:50

WALL FINISHES LEGEND & NOTES	
ST	STONE CLADDING AS SELECTED
REV-MAX	REVOLUTION ROOFING - MAXLINE SHEET WALL/ ROOFING SYSTEM, INSTALLED TO MANUFACTURER'S DETAILS WITH MONUMENT FINISH
MX	JAMES HARDIE- MATRIX WALL CLADDING SYSTEM, INSTALLED TO MANUFACTURER'S DETAILS WITH SELECTED PAINT FINISH

NEW TOILET OUT BUILDING

project no. 1730	drawing no. PA-04	amendments

PROPOSED NEW OUT BUILDINGS
ADDRESS: 16 HAWTHORN STREET DAWESLEY SA 5252
FOR: MILOS & MADDIE JOSEPH CASTELL

drawn	PP
checked	SM
scale	AS NOTED
issue date	04/10/2019
revision	

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A	171 Gilles Street, Adelaide, SA 5000

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D1.14 Measurement of distances

The nearest part of an *exit* means in the case of-

- (a) a *fire-isolated stairway, fire-isolated passageway, or fire-isolated ramp*, the nearest part of the doorway providing access to them;
- (b) a *non-fire-isolated stairway*, the nearest part of the nearest riser;
- (c) a *non-fire-isolated ramp*, the nearest part of the junction of the floor of the ramp and the floor of the storey;

- (d) a doorway opening to a road or open space, the nearest part of that doorway;
- (e) a horizontal exit, the nearest part of the doorway.

D1.2 Number of exits required

- (a) All buildings - Every building must have at least one exit from each storey.
- (b) Class 2 to 8 buildings - In addition to any horizontal exit, not less than 2 exits must be provided from the following:
 - (i) Each storey if the building has an effective height of more than 25 m.
 - (ii) A Class 2 or 3 building subject to C1.5.
- (c) Basements - In addition to any horizontal exit, not less than 2 exits must be provided from any storey if egress from that storey involves a vertical rise within the building of more than 1.5 m, unless-
 - (i) the area of the storey is not more than 50 m²; and
 - (ii) the distance of travel from any point on the floor to a single exit is not more than 20 m.
- (d) Class 9 buildings - In addition to any horizontal exit, not less than 2 exits must be provided from the following:

- (i) Each storey if the building has a rise in storeys of more than 6 or an effective height of more than 25 m.
- (ii) Any storey which includes a patient care area in a Class 9a building.
- (iii) Each storey in a Class 9b building used as an early childhood centre.
- (iv) Each storey in a primary or secondary school with a rise of 2 or more storeys.
- (v) Any storey or mezzanine that accommodates more than 50 persons, calculated under D1.13.

NSW D1.2(d)(v)

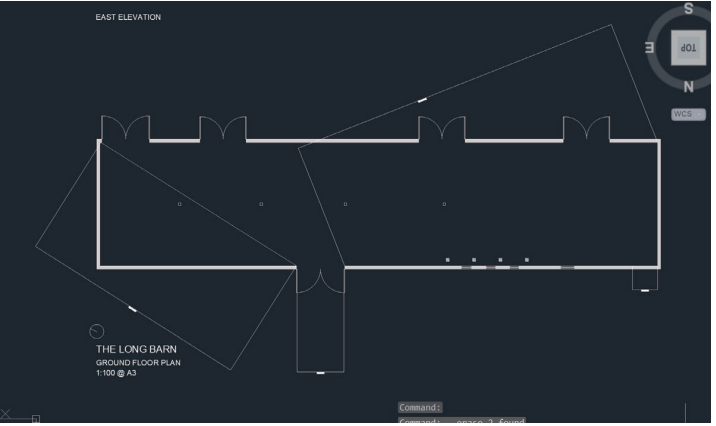
- (f) Assembly buildings - In a Class 9b building other than a school or early childhood centre, the distance to one of the exits may be 60 m if:
 - (i) the path of travel from the room concerned to that exit is through another area which is a corridor, hallway, lobby, ramp or other circulation space; and
 - (ii) the room is smoke-separated from the circulation space by construction having an FRL of not less than 60/60/60 with every doorway in that construction protected by a tight fitting self-closing solid-core door not less than 35 mm thick; and
 - (iii) the maximum distance of travel does not exceed 40 m within the room and 20 m from the doorway to the room through the circulation space to the exit.

D2.15 Thresholds

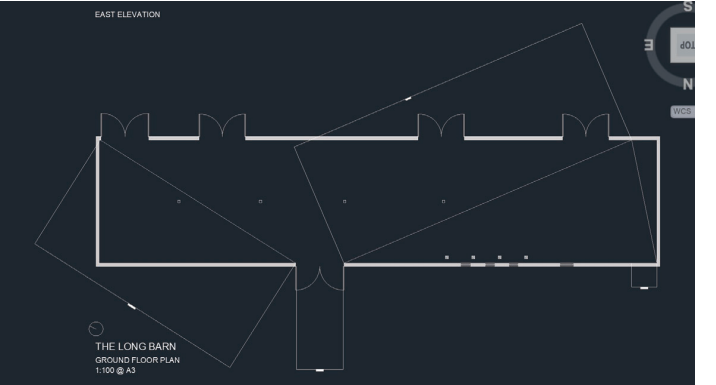
The threshold of a doorway must not incorporate a step or ramp at any point closer to the doorway than the width of the door leaf unless-

- (a) in patient care areas in a Class 9a building, the door sill is not more than 25 mm above the finished floor level to which the doorway opens; or
- (b) in other cases-
 - (i) the doorway opens to a road, open space, external stair landing or external balcony; and
 - (ii) the door sill is not more than 190 mm above the finished surface of the ground, balcony, or the like, to which the doorway opens.

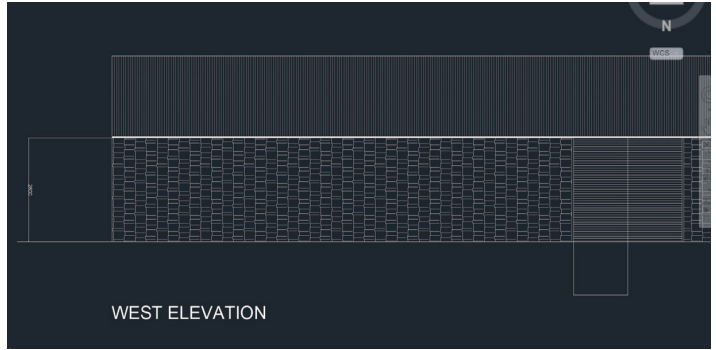
NSW D2.15(c)



Maximum travel distance = 21,660 mm
Floor space = 285 m²



If there was an uninhabitable object extending 1800 into the barn at the South-Eastern corner then Maximum travel distance = 20,000 mm



PHYSICAL DIMENSION OF EACH DOOR
= 2800 x 1512 (x 50mm thickness)

Ideal capacity = 250 people

2m + 500mm
= 2500mm

If we use Western doors, remaining width after door thickness and required hardware = 3000mm

D2.20 Swinging doors

A swinging door in a required exit or forming part of a required exit-

- (a) must not encroach-
 - (i) at any part of its swing by more than 500 mm on the required width of a required stairway, passageway or ramp, including the landings; and
 - (ii) when fully open, by more than 100 mm on the required width of the required exit, and
- (b) must swing in the direction of egress unless-
 - (i) it serves a building or part with a floor area not more than 200 m²; it is the only required exit from the building or part and it is fitted with a device for holding it in the open position; or
 - (ii) it serves a sanitary compartment or airlock (in which case it may swing in either direction); and
- (c) must not otherwise impede the path or direction of egress.

D2.19 Doorways and doors

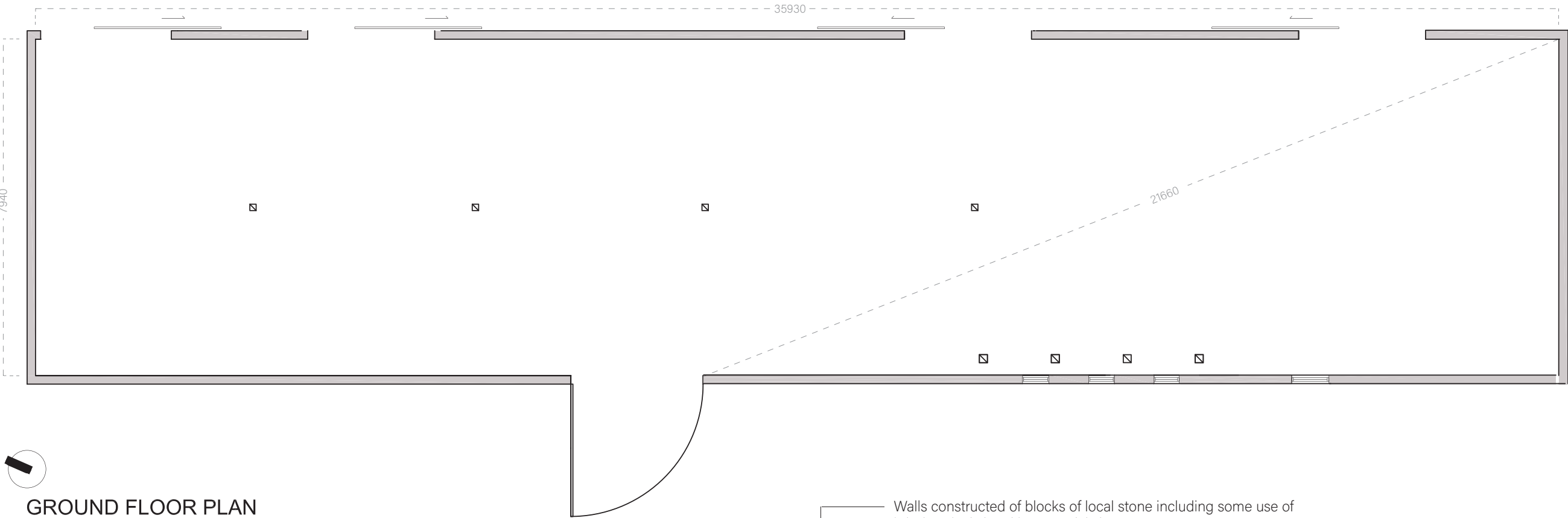
A doorway serving as a required exit, forming part of a required exit, or in patient care areas of a Class 9a building-

- (a) must not be fitted with a revolving door; and
- (b) must not be fitted with a roller shutter or tilt-up door unless-
 - (i) it serves a Class 6, 7 or 8 building or part with a floor area not more than 200 m²; and
 - (ii) the doorway is the only required exit from the building or part; and
 - (iii) it is held in the open position while the building or part is lawfully occupied; and
- (c) must not be fitted with a sliding door unless-
 - (i) it leads directly to a road or open space; and
 - (ii) the door is able to be opened manually under a force of not more than 110 N; and
- (d) if fitted with a door which is power-operated-
 - (i) it must be able to be opened manually under a force of not more than 110 N if there is a malfunction or failure of the power source; and
 - (ii) if it leads directly to a road or open space it must open automatically if there is a power failure to the door or on the activation of a fire or smoke alarm anywhere in the fire compartment served by the door.

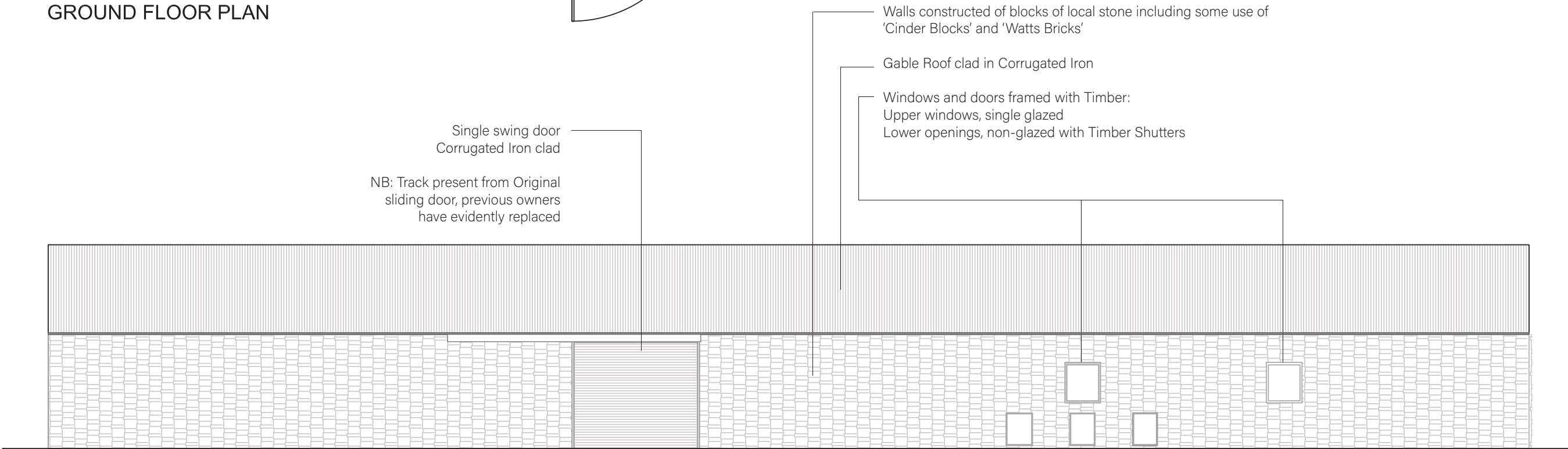
D1.6 Dimensions of exits

In a required exit or path of travel to an exit-

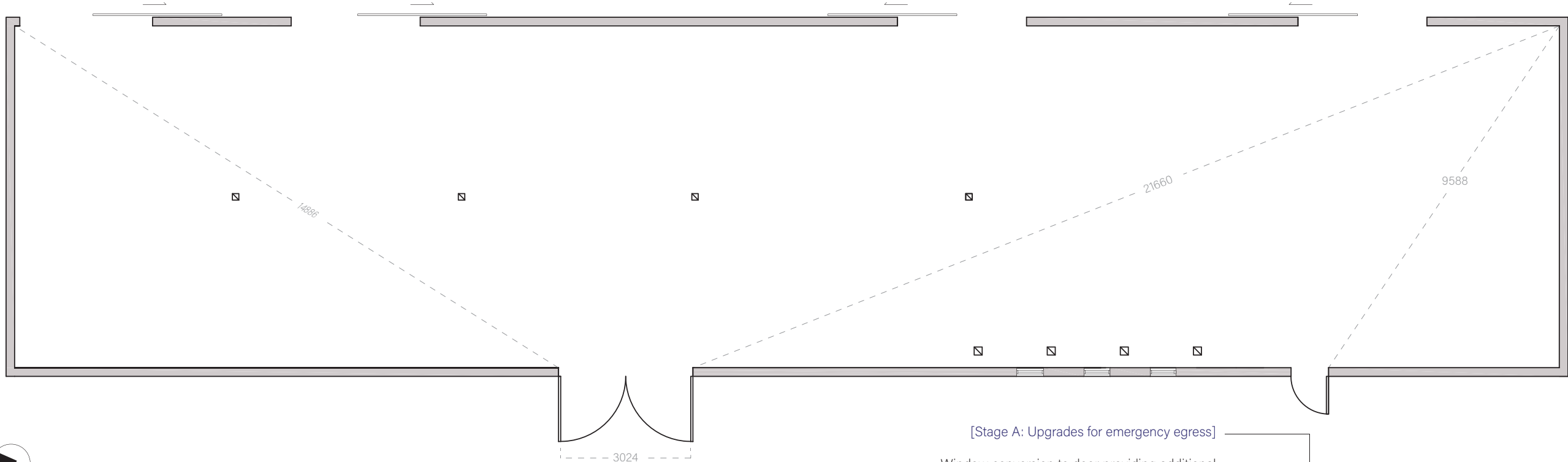
- (a) the unobstructed height throughout must be not less than 2 m; and
- (b) if the storey or mezzanine accommodates not more than 100 persons, the unobstructed width except for doorways must be not less than-
 - (i) 1 m; or
 - (ii) 1.8 m in a passageway, corridor or ramp normally used for the transportation of patients in beds within a treatment area of ward area; and
- (c) if the storey or mezzanine accommodates more than 100 persons but not more than 200 persons, the aggregate width, except for doorways, must be not less than-
 - (i) 1 m plus 250 mm for each 25 persons (or part) in excess of 100; or
 - (ii) 1.8 m in a passageway, corridor or ramp normally used for the transportation of patients in beds within a treatment area or ward area; and
- (d) if the storey or mezzanine accommodates more than 200 persons, the aggregate width, except for doorways, must be increased to-
 - (i) 2 m plus 500 mm for every 60 persons (or part) in excess of 200 persons if egress involves a change in floor level by a stairway or ramp with a gradient steeper than 1 in 12; or
 - (ii) in any other case, 2 m plus 500 mm for every 75 persons (or part) in excess of 200; and
- (e) in an open spectator stand which accommodates more than 2000 persons the aggregate width except for doorways must be increased to 1.7 m plus a width (in metres) equal to the number in excess of 2000 divided by 600; and
- (f) a doorway must be not less than-
 - (i) in patient care areas through which patients would normally be transported in beds, if the door opens into a corridor of width-
 - (A) greater than 1.8 m and less than 2.2 m - 1200 mm; or
 - (B) not less than 2.2 m - 1070 mm; or
 - (ii) in patient care areas in a horizontal exit - 1250 mm; or
 - (iii) in areas used by students in a school - 870 mm wide; or
 - (iv) the width of exit required by (b), (c), (d) or (e) minus 250 mm; or
 - (v) in any other case except where it opens to a sanitary compartment or bathroom - 750 mm wide; and
- (g) the width of a required exit must not diminish in the direction of travel to a road or open space, except where the width is increased in accordance with (b)(ii) or (f)(i).



GROUND FLOOR PLAN



WEST ELEVATION



GROUND FLOOR PLAN

[Stage A: Upgrades for emergency egress]

Newly appointed primary emergency egress point. Single swing door will be converted to double swing doors to permit ease of opening in emergency and fitted with appropriate escape hardware

Replace existing sheet metal infill with a Timber clad, 35mm thick solid core door installed in a system with acoustic seals which achieve an airtight seal when closed

Doors to remain closed at all times while music is playing

[Stage A: Upgrades for emergency egress]

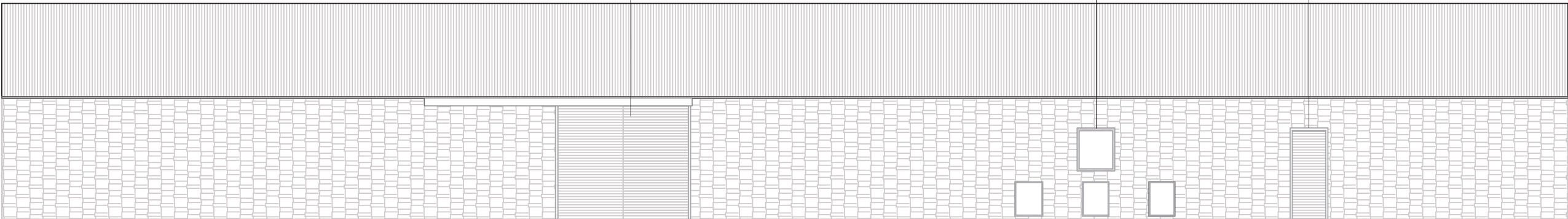
Window conversion to door providing additional emergency egress and access to w/c facilities

Dimensions within existing window width and lintel height to reduce impact on this facade. Timber clad, 35mm thick solid core door installed in a system with acoustic seals which achieve an airtight seal when closed and fitted with appropriate escape hardware

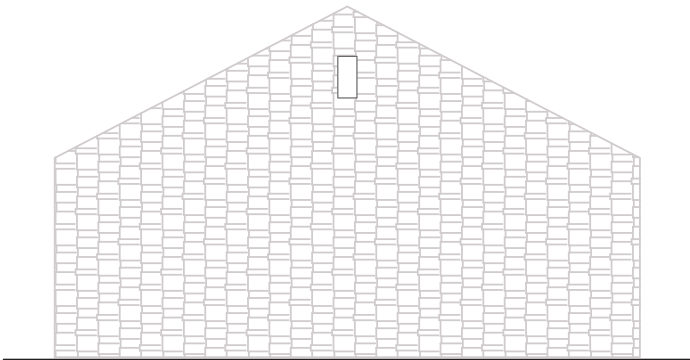
[Stage B: Upgrades for acoustic capabilities]

Airtight fixed glazing with a minimum 10.38mm thick laminated glass (or acoustic equivalent such as a double glazed system including a 100mm airgap) installed in a system with acoustic seals

Timber frames in keeping with existing window surrounds, shutters reinstated to lower openings internally to double glazing



WEST ELEVATION

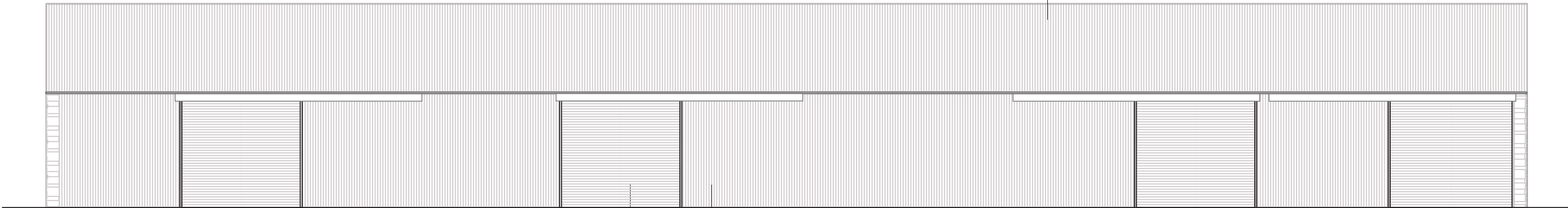


NORTH ELEVATION

[Stage C: To permit 80dB(A) music inside the barn]

Fix an additional layer of 0.42 BMT sheet metal (Color-bond or similar) to the underside of the purlins and install 75mm thick insulation with a density of 22kg/m3 within the cavity above for the full extent of the barn roof

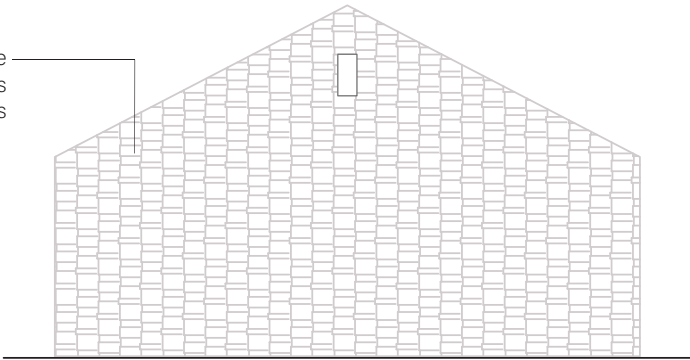
Ensure all gaps in the existing ceiling are filled in and sealed airtight



EAST ELEVATION

Eastern Wall and sliding doors clad in Corrugated Iron

Walls constructed of blocks of local stone including some use of 'Cinder Blocks' and 'Watts Bricks



SOUTH ELEVATION

NB: No changes required or proposed to North, South or Eastern elevations

From: Milos Joseph Castelli <milosjosephcastelli@gmail.com>
Subject: Fwd: Lot 211 Old Princes Highway, Dawesley
Date: 28 August 2019 at 9:37:37 am ACST
To: John Outhred <john@outhredenglish.com.au>

See below traffic report

Kind regards,
Milos Joseph Castelli

----- Forwarded message -----

From: **Jayne Lovell** <jayne@mfy.com.au>
Date: Tue, 18 Jun. 2019, 2:46 pm
Subject: Lot 211 Old Princes Highway, Dawesley
To: reece.loughron@sa.gov.au <reece.loughron@sa.gov.au>
Cc: Hryciuk, Marc (DPTI) <Marc.Hryciuk@sa.gov.au>, Milos Joseph Castelli <milosjosephcastelli@gmail.com>

Hi Reece

Further to our meeting, please find attached a plan showing:

- The proposed access location to the Brae development, which has been shifted from its existing location by approximately 25 m to ensure a constructible access at a point where sightlines are maximised;
- The available sight distances to the north and south (180 m and 195 m respectively); and
- The location of a speed limit sign (80/100 km/h).

Based on the sight lines and corrected for downgrade, the access would meet SISD (normal design domain) for 75 km/h southbound and 82 km/h northbound. It would meet SISD (extended design domain) for 90 km/h southbound and 97 km/h northbound.

These sightlines would therefore meet extended design domain requirements for the posted speed limit plus 10 km/h in accordance with Austroads. It may be that, given the road environment (namely proximity of the Dawesley township with a lower posted speed limit, and curves on the approaches in both directions) that the 85th percentile speed would be lower than these measures, hence improving the sight line assessment.

The proposed access is intended to service a function centre with a capacity of up to 250 people, and occasional commercial deliveries as would normally be generated by this land use. It would require parking in the order of 83 spaces (one per three patrons). The primary movement to/from the site would be left-in, right-out in the direction of Adelaide.

While the site has a potential alternative access through the rear, this is not the preferred option given the residential nature of the road network.

It would be appreciated if you could confirm with DPTI would give consideration to supporting the proposed location and function of the access, to assist in developing plans for a development application.

Happy to discuss if you have any queries.

Regards

Jayne Lovell | Senior Associate | MFY Pty Ltd

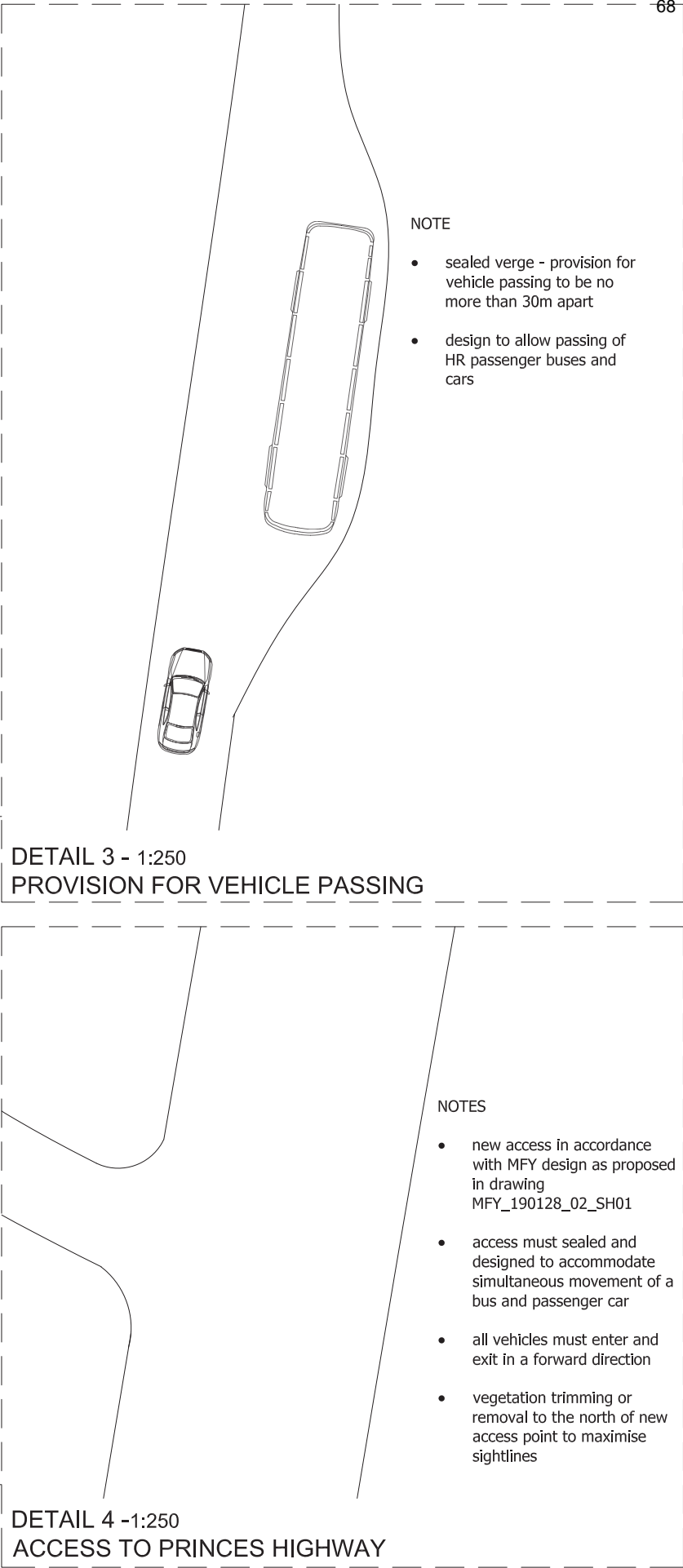
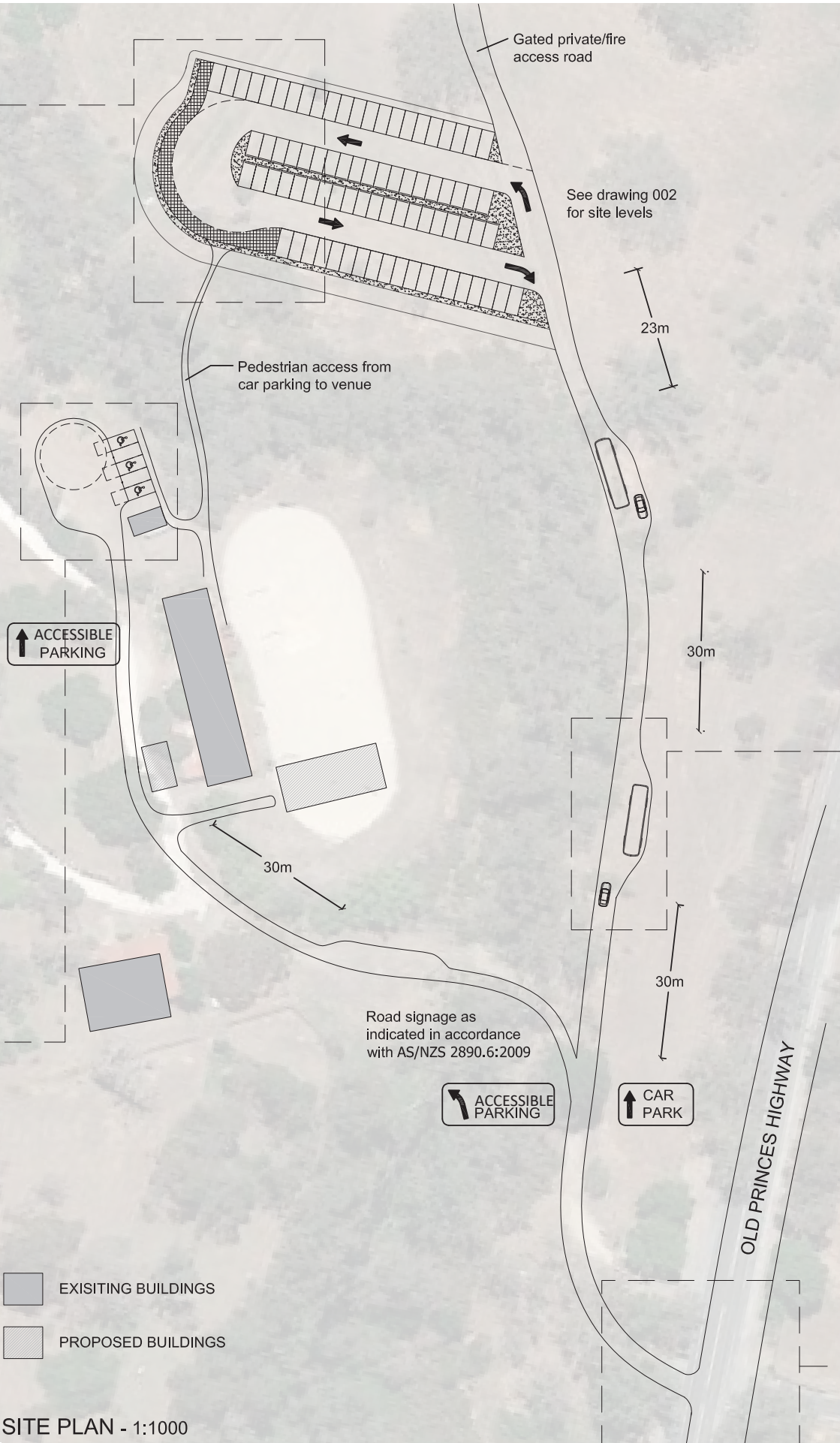
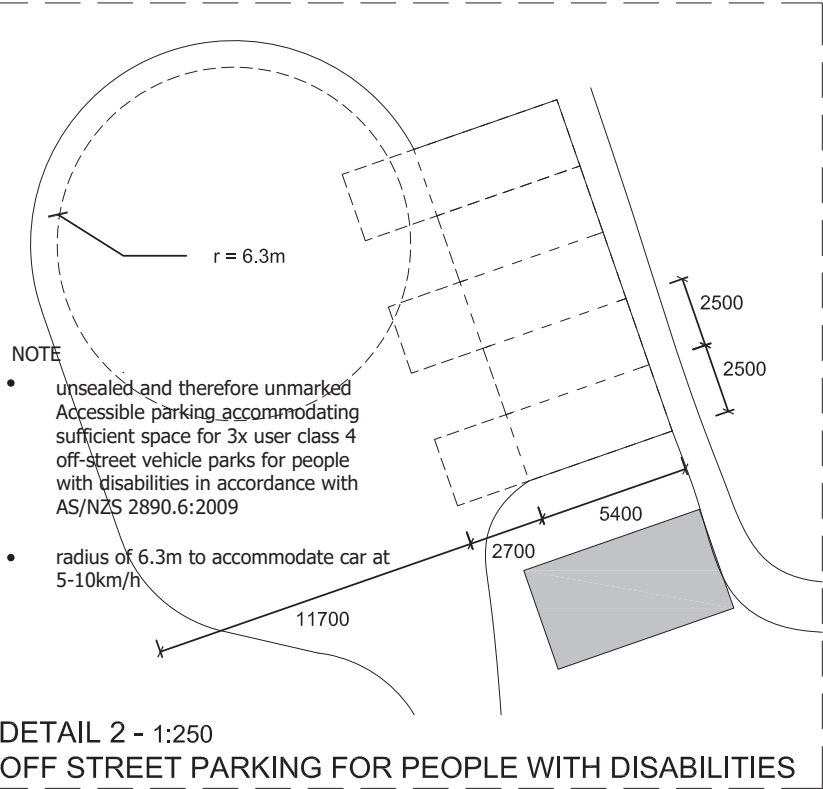
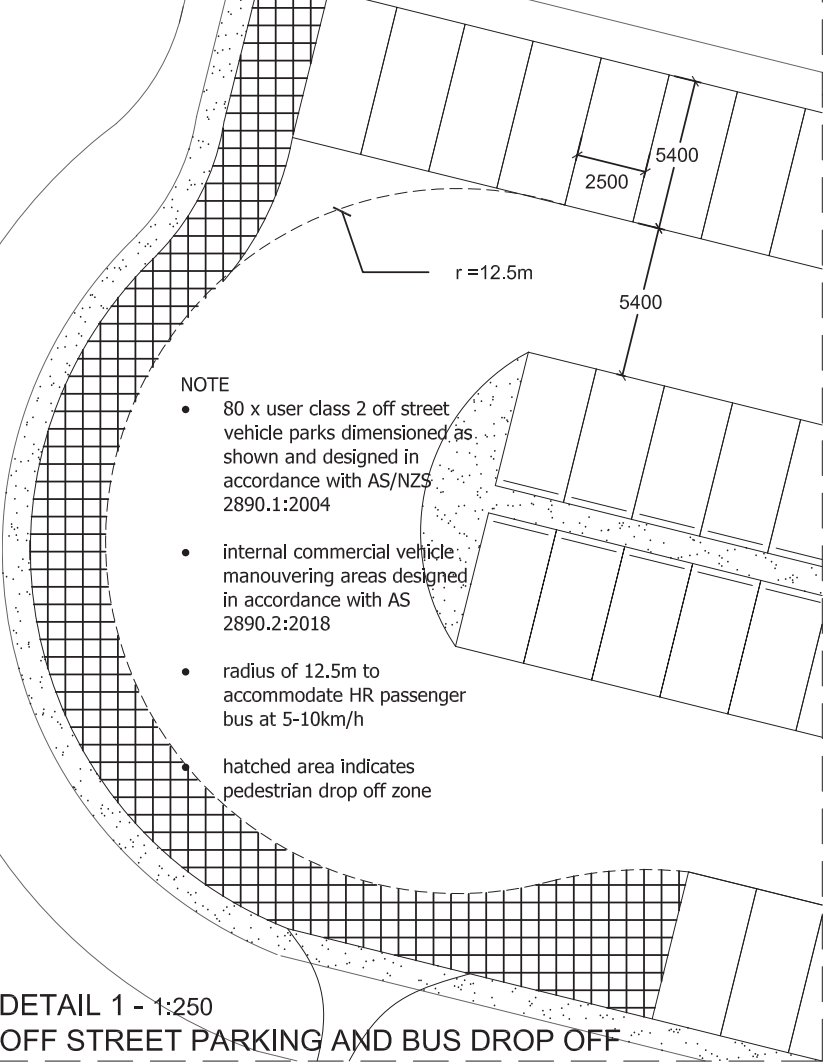
Unit 6/224 Glen Osmond Road, Fullarton SA 5063

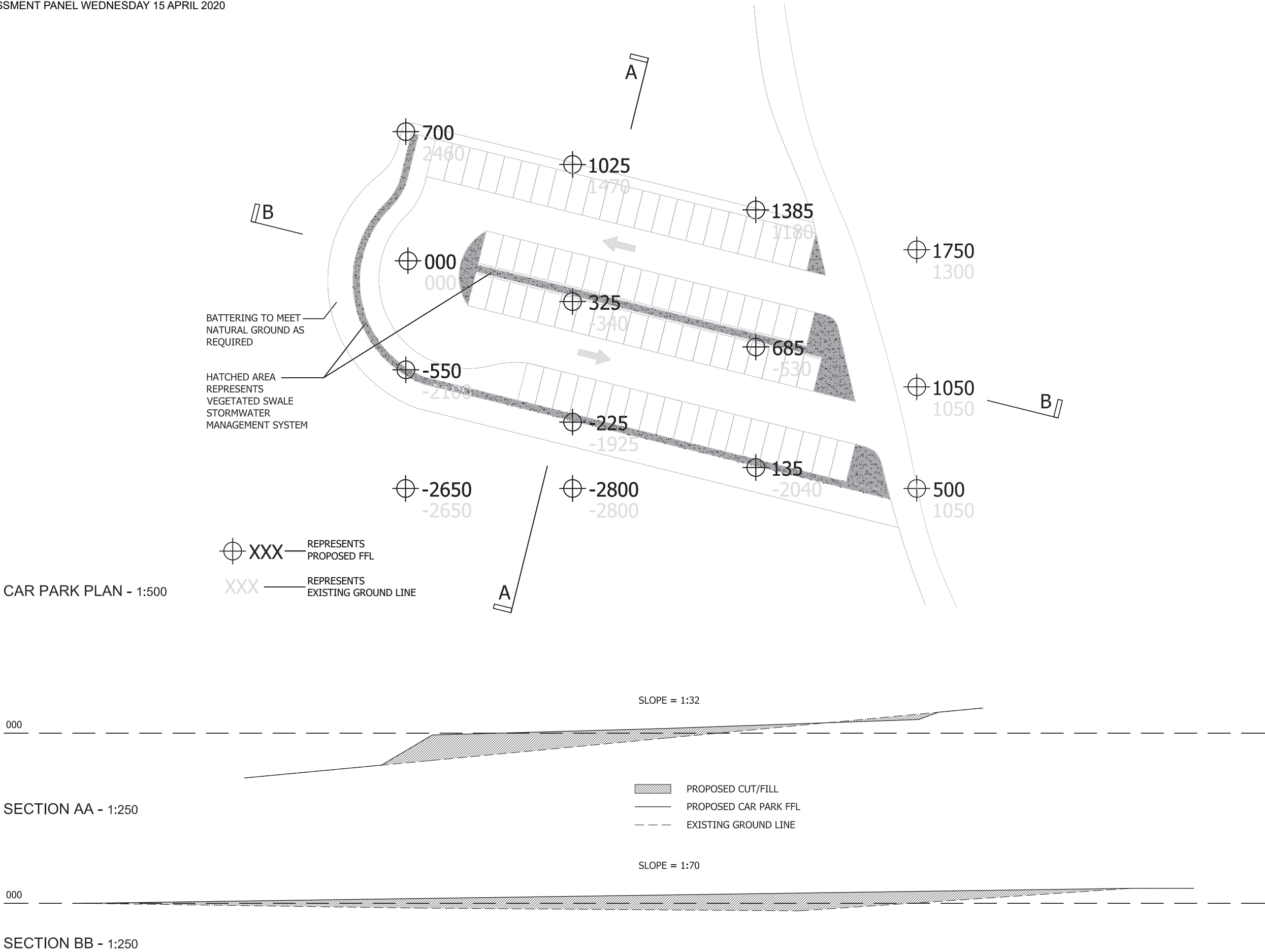
t: 08 8338 8888 | m: 0458 585 997 | e: jayne@mfy.com.au

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Dawesley Function Centre

Environmental Noise Assessment

March 2020

S6382C3

sonus.

Chris Turnbull
Director
Phone: +61 (0) 417 845 720
Email: ct@sonus.com.au
www.sonus.com.au

Dawesley Function Centre
Environmental Noise Assessment
S6382C3
March 2020

sonus.

Document Title : Dawesley Function Centre
Environmental Noise Assessment
Document Reference : S6382C3
Date : March 2020
Author : Chris Turnbull, MAAS
Reviewer : Jason Turner, MAAS

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Dawesley Function Centre
Environmental Noise Assessment
S6382C3
March 2020

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Dawesley Function Centre
Environmental Noise Assessment
S6382C3
March 2020

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1 INTRODUCTION

An environmental noise assessment has been made of the proposed function centre at Lot 211, Old Princes Highway and 16 Hawthorne St, Dawesley.

The development comprises the conversion of an existing barn into a licensed function centre incorporating music with associated amenities, car parking, and a new kitchen building.

The closest existing noise sensitive locations are the residences located to the west on Hawthorne St and Bremer St, as shown in Appendix A. There is also a residence located to the east on the opposite side of Old Princes Highway at a significant separation distance (approximately 370m).

The assessment considers noise levels at all nearby residences from activity at the proposed development, including noise from:

- patrons within the outdoor function areas and barn;
- vehicle movements and car parking activity; and
- music within the barn.

The assessment has been based on:

- *Piteo Architects* drawings for project no. "1730", issued 4 October 2019, including:
 - "PROPOSED STAGING SITE PLAN", drawing no. "PA-00";
 - "PROPOSED NEW TOILETS OUT-BUILDING FLOOR PLAN", drawing no. "PA-02;
 - "NEW KITCHEN OUT BUILDING", drawing no. "PA-03"; and
 - "NEW TOILET OUT BUILDING", drawing no. "PA-04.
- *Piteo Architects* drawings set for "PROPOSED RENOVATIONS + ADDITIONS TO EXISTING BUILDINGS" dated April 2019;
- Site inspection and noise measurements taken at the site from 15-21 February 2020; and
- The understanding that the maximum capacity of the site will be up to 250 patrons and music will be played within the barn until 11:45pm.

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2 CRITERIA

2.1 Development Plan

The proposed development and nearby residence to the east of the subject site are located within the *Broad Acre Agricultural Policy Area 23* within the *Primary Production Zone* in *Mount Barker Council Development Plan*¹ (the **Development Plan**). Nearby residences to the west of the subject site are located within a *Residential Zone* of the Development Plan. The Development Plan has been reviewed and the following provisions considered relevant to the noise assessment:

General Section – Interface between Land Uses

- Objective 1 Development located and designed to minimise adverse impact and conflict between land uses.*
- Objective 2 Protect community health and amenity from adverse impacts of development*
- Objective 3 Protect desired land uses from the encroachment of incompatible development*
- PDC 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:*
(b) noise
- PDC 2 Development should be designed and sited to minimise negative impact on existing and potential future land uses desired in the locality.*
- PDC 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses*

Noise Generating Activities

- PDC 8 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant Environment Protection (Noise) Policy criteria when assessed at the nearest existing noise sensitive premises.*
- PDC 9 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.*

¹ Consolidated 6 February 2018.

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PDC 10 Outdoor areas (such as beer gardens or dining areas) associated with licensed premises should be designed or sited to minimise adverse noise impacts on adjacent existing or future noise sensitive development.

PDC 11 Development proposing music should include noise attenuation measures that achieve the following desired noise levels:

Noise level assessment location	Desired noise level
<i>Adjacent existing noise sensitive development property boundary</i>	<i>Less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum and Less than 5 dB(A) above the level of background noise ($L_{A90,15min}$) for the overall (sum of all octave bands) A weighted level</i>
<i>Adjacent land property boundary</i>	<i>Less than 65dB(Lin) at 63Hz and 70dB(Lin) in all other octave bands of the sound spectrum or Less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum and 5 dB(A) overall (sum of all octave bands) A-weighted level</i>

2.2 Patrons and Vehicle Movements

Interface between Land Uses PDC 8 from the Development Plan references the *Environment Protection (Noise) Policy 2007* (the **Policy**), which provides goal noise levels to be achieved at residences from patrons and vehicle movements at a site.

The Policy is based on the World Health Organisation Guidelines to prevent annoyance, sleep disturbance and unreasonable interference on the amenity of an area. Therefore, compliance with the Policy is considered to be sufficient to satisfy all provisions of the Development Plan relating to general function centre activity.

The Policy provides goal noise levels based on the principally promoted land use of the Development Plan locality in which the noise source (the development) and the noise receivers (the residences) are located. The goal noise levels are further restricted in the circumstance of a “Greenfields” development, being a new activity where that activity did not exist previously. Based on the above, the following goal noise levels are

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provided by the Policy to be achieved at residences within the:

- *Primary Production Zone:*
 - An average (L_{eq}) noise level of 52 dB(A) during the day (between 7:00am and 10:00pm); and
 - An average (L_{eq}) noise level of 45 dB(A) during the night (before 7:00am or after 10:00pm).
- *Residential Zone:*
 - An average (L_{eq}) noise level of 50 dB(A) during the day (between 7:00am and 10:00pm); and
 - An average (L_{eq}) noise level of 43 dB(A) during the night (before 7:00am or after 10:00pm).
 - A maximum (L_{max}) noise level of 60 dB(A) during the night (before 7:00am or after 10:00pm).

When measuring or predicting noise levels for comparison with the Policy, adjustments may be made to the average goal noise levels for each “annoying” characteristic of tone, impulse, low frequency, and modulation of the noise source. The characteristic must be dominant in the existing acoustic environment and therefore the application of a penalty varies depending on the assessment location, time of day, the noise source being assessed, and the predicted noise level. The application of penalties is discussed further in the Assessment section of this report.

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2.3 Music

Interface between Land Uses PDC 11 is consistent with the Environment Protection Authority Guidelines *Music noise from indoor venues and the South Australian Planning System* (the **EPA Guidelines**). The EPA Guidelines provide noise criteria to be met at noise sensitive locations based on the existing acoustic environment and are designed for venues where music may be played every day until late at night.

To objectively assess music in accordance with the Development Plan and the EPA Guidelines, the existing background noise environment has been measured in the vicinity of the development. Continuous unattended noise measurements were conducted from 15-21 February 2019. The monitoring location, shown in Appendix A, was selected to represent the background noise level at the nearest noise sensitive residence.

Table 1 provides the lowest measured background noise levels ($L_{90,15min}$) measured during the times that music is proposed to be played. The background noise levels in the area are below the threshold of human perception at the lower frequencies and, in such a circumstance, because the criteria are based on an audible outcome, have been adjusted to the threshold of perception using *the International Standard ISO226:2003*². Table 1 also provides the resultant allowable music levels ($L_{10,15min}$) at the closest dwelling which would result from the application of these criteria.

Table 1: Background noise levels and allowable music noise levels at residences [dB(A)].

	Total	Noise Level in Octave Band Centre Frequencies						
		63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz
Lowest measured background noise levels ($L_{90,15min}$)	20	5	8	8	12	10	10	12
Adjusted background noise levels ($L_{90,15min}$)	20	11	8	8	12	10	10	12
Highest allowable music noise levels at residences ($L_{10,15min}$)	25	19	16	16	20	18	18	20

² The adjustment also requires a conversion from one third octave bands (as specified in ISO226:2003) to octave bands to enable comparison with the Development Plan and EPA Guidelines.

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3 PATRON AND VEHICLE MOVEMENT NOISE ASSESSMENT

3.1 Noise Sources

The noise levels from the general function centre activity have been predicted based on a range of previous noise measurements and observations at similar facilities. These include:

- patrons in outdoor areas;
- car park activity such as people talking as they vacate or approach their vehicles, the opening and closing of vehicle doors, vehicles starting, vehicles idling, and vehicles moving into and accelerating away from their park position; and
- general vehicle movements on site.

Sound power levels for the above activities are provided in Appendix C.

3.2 Operational Assumptions

The predictions of noise from use of the facility have also been based on the following operational assumptions for the level of activity in any 15-minute³ period:

During the day (between 7:00am and 10:00pm):

- 50 vehicle movements into or out of the car parks, and associated general car parking activity; and
- 250 patrons within the outdoor function area.

During the night (before 7:00am and after 10:00pm):

- 50 vehicle movements into or out of the car parks, and associated general car parking activity; and
- 110 patrons within the outdoor function area.

3.3 Recommendations

Vehicle Movements and Car Parking

The proposed car parking areas will benefit from substantial setback distances to nearby residences and some shielding provided by local topology. Therefore, no specific acoustic treatment measures are required to achieve the goal noise levels of the Policy from onsite vehicle activity.

³ Default assessment period of the Policy.

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Patrons

In order to achieve the goal noise levels of the Policy, restrict the maximum number of patrons within the proposed outdoor area to the north and east of the barn to no more than 250 during the day, and no more than 110 during the night.

3.4 Predicted Noise Levels

With the inclusion of the acoustic treatments described above and the assumed level of activity at the site, the predicted average (L_{eq}) noise levels from the site are as shown in the following Table:

Table 2: Patrons, vehicle movements, and car parking predicted noise levels [$L_{eq,15min}$].

Zone	Prediction		Criteria	
	Day	Night	Day	Night
Primary Production Zone	36 dB(A)	27 dB(A)	52 dB(A)	45 dB(A)
Residential Zone	41 dB(A)	38 dB(A)	50 dB(A)	43 dB(A)

The noise levels from sources such as patrons and vehicle movements may contain a significant component of modulating noise which could be considered dominant at the nearby residences. In this circumstance, a 5 dB(A) penalty may be applied to the predicted noise levels above. Where a penalty is applied, the resulting noise levels will be no more than 46 dB(A) during the day and 43 dB(A) during the night; therefore achieving the goal average noise levels of the Policy at all nearby residences at any time

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4 MUSIC NOISE ASSESSMENT

4.1 Noise Model

The noise from music being played within the barn has been predicted based on the building construction and an internal music noise level within the barn.

A 3-dimensional noise model of the site has been developed to predict the music level at the nearby residences, which accounts for the effects of distance, weather, terrain and shielding provided by nearby structures such as buildings and barriers.

4.2 Recommendations

Without any changes to the construction of the building, low (background) levels of music will be required to achieve the relevant criteria. It is proposed that the function centre will initially operate with background music and that upgrades will be made over time to allow higher levels of music. Therefore, the acoustic treatment recommendations have been made in three stages and the maximum allowable music level for each stage has been provided. The following treatments are recommended for each stage and the corresponding maximum allowable music level is detailed in Table 3.

Stage A

- No change to existing construction

Stage B

- Construct new windows which seal all gaps in the stone wall on the western side of the barn. The windows should be constructed from a minimum of 10.38mm thick laminated glass (or acoustic equivalent) installed in a system with acoustic seals which achieve an airtight seal when closed.
- Replace the existing sheet metal infill in the centre of the western barn facade with a 35mm thick solid core door installed in a system with acoustic seals which achieve an airtight seal when closed.
- Ensure the aforementioned door is not opened while music is played within the Barn. If it is required to open the door for access, an airlock must be installed such that an airtight barrier can be provided with one of the doors open.
- Ensure all gaps in the existing sheet metal roof are filled in and sealed airtight.

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Stage C

- All Stage B measures.
- Fix an additional layer of 0.42 BMT sheet metal (Colorbond or similar) to the underside of the purlins and install 75mm thick insulation with a density of 22kg/m³ within the cavity above for the full extent of the barn roof.
- No measures are required for the eastern facade.

Table 3: Maximum allowable music noise levels [$L_{10,15min}$ dB(A)] inside barn.

	Total	Sound Level in Octave Band Centre Frequencies						
		63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz
Stage A	70	30	52	62	67	64	56	51
Stage B	74	34	56	66	71	67	60	54
Stage C	80	40	62	72	77	74	66	61

4.3 Predicted Noise Levels

The highest predicted noise level at any non-associated noise sensitive residence, with the music noise levels and treatments detailed above, are shown in Table 4:

Table 4: Predicted music noise level [$L_{10,15mins}$ dB(A)].

	Total	Noise Level in Octave Band Centre Frequencies						
		63Hz	125Hz	250Hz	500Hz	1kHz	2kHz	4kHz
Criteria	25	19	16	16	20	18	18	20
Stage A with 70 dB(A) in barn	21	0	10	16	17	11	4	0
Stage B with 74 dB(A) in barn	21	0	13	16	17	11	0	0
Stage C with 80 dB(A) in barn	20	0	16	15	13	9	1	0

Based on the above, the relevant music noise criteria will be achieved at all residences with the noise levels and corresponding treatments as detailed.

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5 CONCLUSION

An environmental noise assessment has been made of the proposed function centre at Lot 211, Old Princes Highway, Dawesley.

The assessment considers noise levels from patrons within the outdoor function areas, vehicle movements and car parking activity, and music within the barn.

The predicted noise levels from patrons and vehicles will achieve the relevant requirements of the *Environment Protection (Noise) Policy 2007*, provided that the number of patrons within the designated outdoor area is limited to no more than 250 during the day and 110 after 10:00pm.

The predicted noise from the development will achieve the adopted music noise criteria, subject to the specific acoustic treatment measures detailed in this report for the three stages.

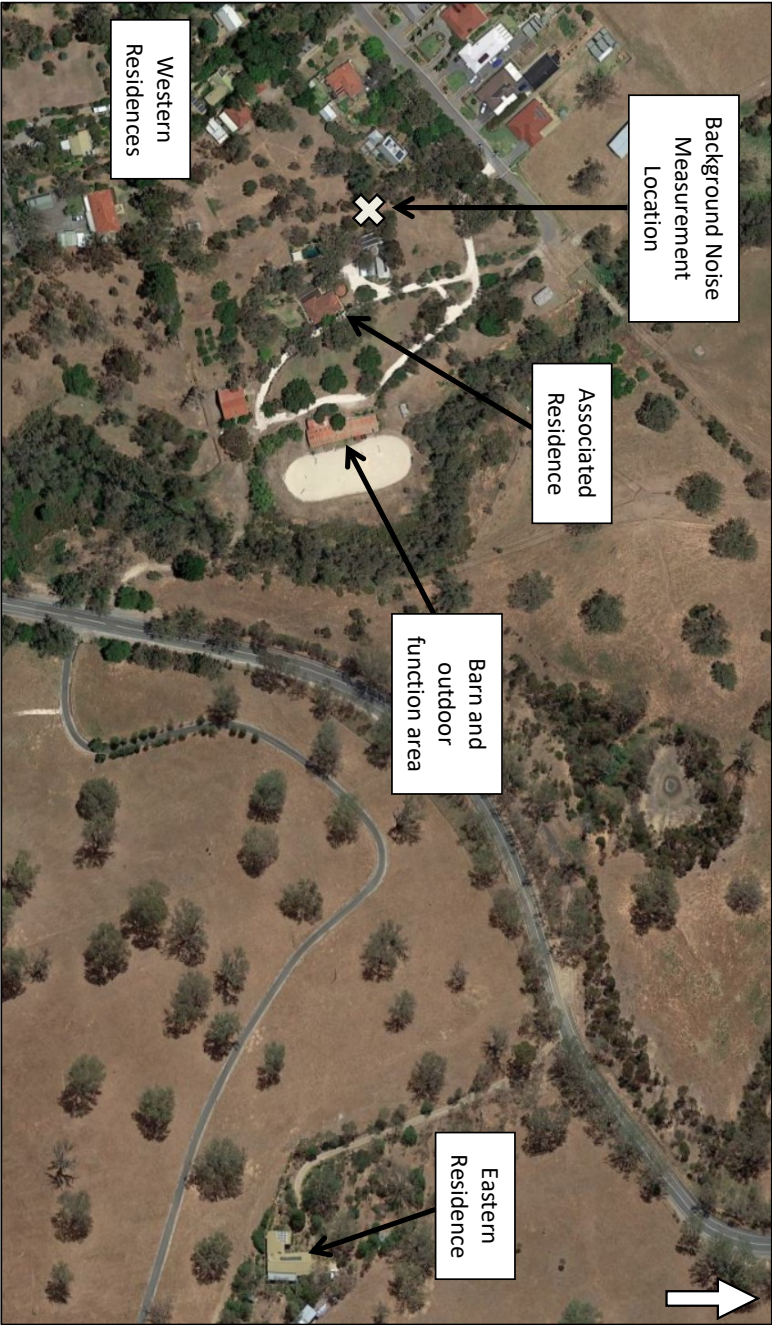
Therefore, it is considered that the facility has been designed to *minimise adverse impacts, avoid unreasonable interference on amenity, and will not detrimentally affect the locality by way of noise*, thereby achieving the relevant provisions of the Development Plan related to environmental noise.

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APPENDIX A

Figure 1: Development site locality and nearby residences.

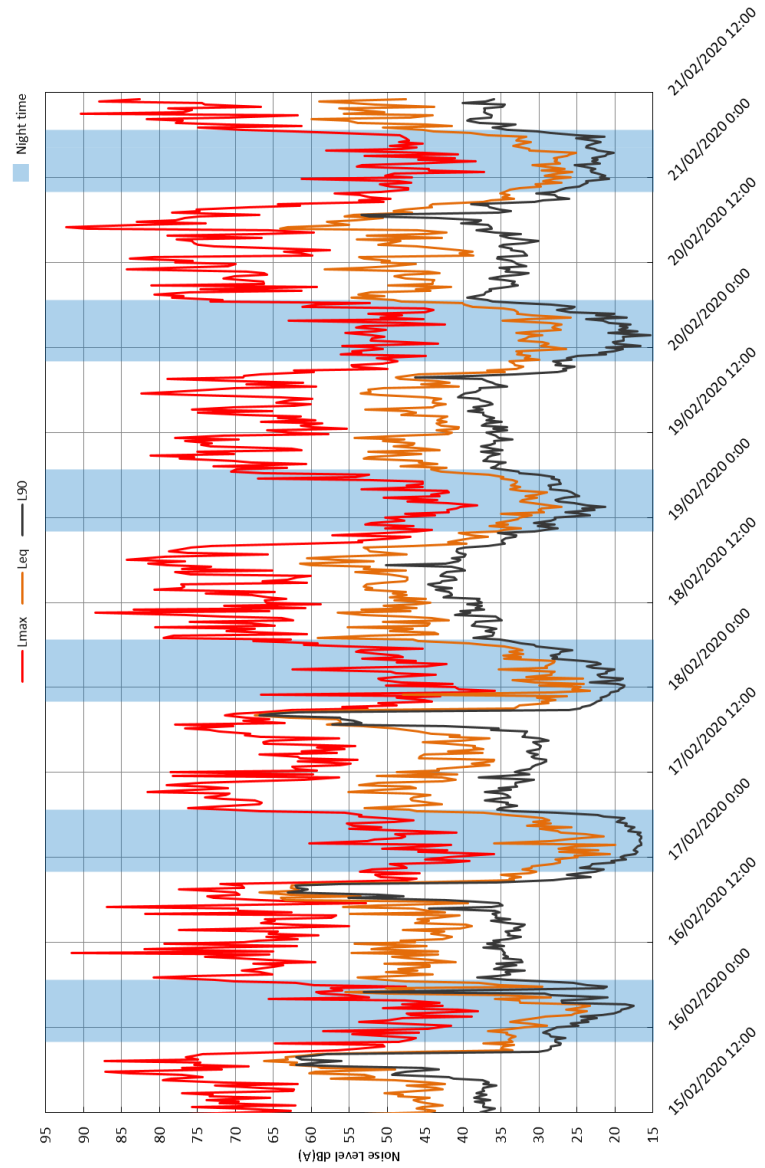


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APPENDIX B

Figure 2: Existing noise levels 15-21 February 2020.



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APPENDIX C

Table 5: Noise Data

Activity		Noise Level
Car Parking	General activity	83 dB(A) SWL
	Car movement	82 dB(A) SWL
Patron	Within outdoor area	76 dB(A) SWL

Attachment Two (2)

In reply please quote: 2019/00332, Process ID: 607312
Enquiries to: Reece Loughron
Telephone: 08 7109 7876
E-mail: dpti.luc@sa.gov.au



Government of South Australia

Department of Planning,
Transport and Infrastructure

**TRANSPORT PLANNING AND
PROGRAM DEVELOPMENT**

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

14 January 2020

Mr Randall Richards
District Council of Mount Barker
PO Box 54
MOUNT BARKER SA 5251

Dear Mr Richards

SCHEDULE 8 - REFERRAL RESPONSE

Development No.	580/998/19
Applicant	Outhred English & Associates Pty Ltd
Location	18 Hawthorn Street (abutting Old Princes Highway), Dawesley (CT 6217/113)
Proposal	Function centre and car parking

I refer to the above development application forwarded to the Commissioner of Highways (CoH) in accordance with Section 37 of the *Development Act 1993*. The proposed development involves development adjacent a main road as described above.

The following response is provided in accordance with Section 37(4)(b) of the *Development Act 1993* and Schedule 8 of the *Development Regulations 2008*.

CONSIDERATION

The subject site abuts Old Princes Highway and Hawthorn Street. Old Princes Highway is an arterial road under the care, control and management of the CoH and Hawthorn Street is a local road under the care, control and maintenance of City of Mount Barker. At this location, Old Princes Highway carries approximately 1,600 vehicles per day (9% commercial vehicles) and has a posted speed limit of 80-100 km/h.

Access and Road Safety

DPTI has been in consultation with the applicant regarding the provision of access to Old Princes Highway for the potential development of a function centre. It is noted that existing conditions to Land Division 580/D011/12 places restrictions on the existing Old Princes Highway access in that it is to be used for accessing the farm land on the eastern side of Dawesley Creek and not to be used as the primary access to the farm residence or farm buildings (refer condition 2). The posted speed limit along this part of Old Princes Highway has been partly reduced to 80km/h since DPTI provided advice to the above land division. The existing access point is located adjacent to the 80-100km/h transition area.

As part of the preliminary discussions, Council identified a preference for the function centre traffic to gain access direct to/from Old Princes Highway in order to minimise potential amenity impacts associated with increased traffic on adjacent local roads (eg. Hawthorn Street).

2

The Outhred English Planning review (correspondence dated 30 October 2019) states that the proposal will be developed over three stages with Stage 1 accommodating 150 persons, Stage 2 increased to 250 persons with Stage 3 involving improved on site facilities (eg kitchen, cool room, storage, etc) with modification to parking areas for the use of buses.

The MFY assessment (refer email dated 12 December 2019) and associated Access Sight Lines Plan (refer Project 19-0128, Drawing MFY_190128_02_SH01, Revision B dated 12 December 2019) reviewed the existing access to Old Princes Highway. The assessment concluded that the access should be relocated approximately 15 metres to the south in order to maximise driver sightlines to/from the site. The MFY assessment indicated that the proposed access location would provide 180 metres clear sightlines to the north which is in accordance with Austroads Extended Design Domain (EDD) requirements and also conforms with the Safe Intersection Sight Distance (SISD) for an 80km/hr posted speed limit to the south and hence it is supported by DPTI. MFY also recommends that minor vegetation trimming/removal should be undertaken to the north of the access to ensure the sightlines are maximised.

MFY undertook further analysis regarding the likely delay for right turning traffic to enter the site and it was found due to the low volumes expected to make this turn and overall low traffic volumes using Old Princes Highway during likely peak operating times, turning treatments were not required.

With regards to parking, DPTI is satisfied that the staged development will include sufficient car parking to cater for the expected demands and Council should ensure off-street car parking areas are designed in accordance with AS/NZS 2890.1:2004 and AS/NZS 2890.6:2009.

Delivery Vehicles and Buses

With regards to delivery vehicles and buses, the MFY correspondence does not identify a preferred access design that will ensure two-way simultaneous two-way movements can be achieved. DPTI recommends that the final access is designed to accommodate the swept path of a bus and a B99 passenger vehicle. The access should be flared to the road and sealed from the property boundary up to the existing carriageway.

The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with AS 2890.2:2018.

ADVICE

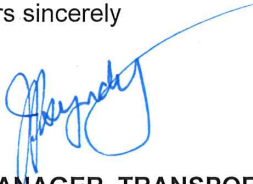
The Department of Planning, Transport and Infrastructure supports the proposed development and advises the planning authority to attach the following conditions to any approval:

1. The access to Old Princes Highway shall be constructed in general accordance with MFY The Brae Development – Proposed Access Sight Lines, Project 19-0128, Drawing MFY_190128_02_SH01, Revision B dated 12 December 2019. No additional access shall be permitted.
2. The access shall be designed to accommodate the simultaneous two-way movements of a bus and B99 passenger car and be sealed from the edge of the road to the property boundary in order to minimise deterioration to the road edge and prevent dust and stones from entering the carriageway.
3. All vehicles shall enter and exit the site in a forward direction.

3

4. All off-street car parking areas shall be designed in accordance with *AS/NZS 2890.1:2004* and *AS/NZS 2890.6:2009*.
5. The internal commercial vehicle manoeuvring areas shall be designed and constructed in accordance with *AS 2890.2:2018*.
6. Roadside vegetation trimming in accordance with MFY assessment shall be undertaken prior to the function centre becoming operational. The applicant shall ensure the vegetation is reviewed annually to ensure sight lines are maximised. All costs shall be borne by Council/Applicant.
7. Any stormwater run-off shall be collected on-site and disposed of safely without jeopardising the safety of the adjacent roads. Any alterations to the existing road drainage infrastructure as a result of this development shall be at the expense of the applicant.

Yours sincerely



A/MANAGER, TRANSPORT ASSESSMENT
for **COMMISSIONER OF HIGHWAYS**

A copy of the decision notification form should be forwarded to dpti.developmentapplications@sa.gov.au

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Attachment Three (3)

DISTRICT COUNCIL OF MOUNT BARKER

STATEMENT OF REPRESENTATION FOR CATEGORY 2

Pursuant to Section 38(4) of the Development Act, 1993

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

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

DEVELOPMENT NO. 580/998/19
Alterations and/or Redevelopment of a Local Heritage Place
(The Brae, fr copper smelters - ID: 18344) for a Function Centre
and associated Car Parking

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

* NAME: John Anthony & Jane Christine Donnelly
* HOME ADDRESS: 76 McWynne Road, Dawesley, SA 5252
* POSTAL ADDRESS: P.O. Box 141, Nairne, SA 5252
PHONE NO: 0414 976 713 E-MAIL: je.hmad@cherty13@yahoo.com.au

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

☒ The owner or the occupier of the property located at: 76 McWynne Road, Dawesley
☐ Other (please state):

YOUR COMMENTS:

* I/We:

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

(Please note that your comments should demonstrate reasonable particularity)

WE OBJECT TO THIS DEVELOPMENT PROPOSAL FOR THE BRAE AS THE SCALE IS NOT IN KEEPING
WITH THE PRINCIPLES OF DEVELOPMENT CONTROL (PDC) FOR PRIMARY PRODUCTION ZONES AS COMING
WITHIN THE MOUNT BARKER DISTRICT COUNCIL'S DEVELOPMENT PLAN AND WE BELIEVE THE PROPOSAL IS

IS APPROPRIATE.

IN ADDITION TO PDC ITEM 1 THE PROVISIONS OF 45, 48 (ESPECIALLY 48(b)) 50 AND 51 WE CONSIDER
TO BE UNSUPPORTED BY THIS APPLICANT, AS DIRECT NEIGHBOURS WE OBSERVE THAT THERE APPEARS TO BE
VERY LIMITED CAPABILITY FOR RELEVANT PRIMARY PRODUCTION ACTIVITIES MENTIONED IN THE PDC ON THIS PROPERTY.
THE BRACE ABOTS THE TOWNSHIP OF DAWESLEY, WHICH IS NOTABLE FOR ITS QUIET AND PEACEFUL AMBIENCE.
A LARGE FUNCTION CENTRE WITH THE PRESENCE OF SEVERAL HUNDRED REVERENDS HAS THE POTENTIAL TO ^{NEGATIVELY IMPACT}
THE LOCAL COMMUNITY BY SIGNIFICANTLY INCREASING THE AMOUNT OF NOISE AND LIGHT POLLUTION
ESPECIALLY ON WEEKENDS, TO THE DETRIMENT OF THE COMMUNITY'S QUALITY OF LIFE.

WE WELCOME THE INTENTION CONTAINED IN THE APPLICATION TO HELP PRESERVE THE
HERITAGE STRUCTURES ON THE PROPERTY AND WOULD HAVE NO OBJECTION TO A SMALL
SCALE FORM OF DEVELOPMENT AS ENVISAGED BY THE COUNCIL'S DEVELOPMENT
PLAN IN THE ZONE.

(A COPY OF THIS REPRESENTATION IS ATTACHED FOR LEASE OF USE)

* I/We:

☐

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

☒

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

☒

Appearing personally,

OR

☐

Be represented by the following person:

Contact details:

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

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

In the case of a Category 2 development - the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

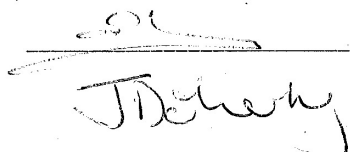
Your written representation must be received by Council no later than 11.59pm on Wednesday 12 February 2020, to ensure that it is a valid representation and taken into account.

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

Representor's Declaration:

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

SIGNED



DATE

02/02/2020
02/02/2020

Statement of Representation for Category 2

Development No 580/998/19

We object to this development proposal for the Brae as the scale is not in keeping with The Principles of Development Control (PDC) for Primary Production Zones as contained within the Mount Barker District Council's Development Plan and we believe that the proposal is therefore inappropriate.

In addition to PDC item 1 the provisions of items 45, 48 (especially 48(b)), 50 and 51 we consider to be unsupported by this application. As direct neighbours we observe that there appears to be very limited capability for relevant primary production activities mentioned in the PDC on this property.

The Brae abuts the township of Dawesley which is notable for its quiet and peaceful ambience. A large function centre with the presence of several hundred revellers has potential to negatively impact the local community by significantly increasing the amount of noise and light pollution, especially on weekends, to the detriment of the community's quality of life.

We welcome the intention contained in the application to help preserve the heritage structures on the property and would have no objection to a small scale form of development as is envisaged by the Council's development plan in the zone.

John A & Jane C Doherty
76 McIntyre Road
Dawesley
SA 5252

02/02/2020

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DISTRICT COUNCIL OF MOUNT BARKER

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

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

RECEIVED
11 FEB 2020

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

DEVELOPMENT NO. 580/998/19
Alterations and/or Redevelopment of a Local Heritage Place
(The Brae, fr copper smelters - ID: 18344) for a Function Centre
and associated Car Parking

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

* NAME: WILLIAM JAMES DAWES

* HOME ADDRESS: 17 HAWTHORN ST DAWESLEY

* POSTAL ADDRESS: PO BOX 1283 NAIRNE

PHONE NO: 0423 912 419 E-MAIL: Wmarshall5@bigpond.com

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

☒ The owner or the occupier of the property located at: 17 HAWTHORN ST.

☐ Other (please state):

YOUR COMMENTS:

* I/We:

☐ Support the proposal and provide the following comments.

☒ Oppose the proposal and provide the following comments.

(Please note that your comments should demonstrate reasonable particularity)

The people at the 'Brae' have already had one function onsite. Loud music was played late at night and

Mount Barker DC
11 FEB 2020
Doc No:
Assess No:
Parcel No:
Prop No:
SCANNED

there was a significant increase
in traffic on Hawthorn St which
it is not designed for.

A majority of the traffic drove
at speeds not suitable for Hawthorn
Street making it dangerous for my
children to play. I moved from the
city to escape this.

I DO NOT support this
development.

* I/We:



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



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



Appearing personally,

OR



Be represented by the following person:

Contact details:

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

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

In the case of a Category 2 development - the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

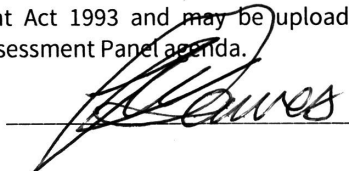
Your written representation must be received by Council no later than 11.59pm on Wednesday 12 February 2020, to ensure that it is a valid representation and taken into account.

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

Representor's Declaration:

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

SIGNED



DATE

8/2/20

DISTRICT COUNCIL OF MOUNT BARKER

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

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

DC Mt Barker
File No: 998/19
- 7 FEB 2020
Doc No:
Asses No:
Parcel No: 34833
Prop. No:
SCANNED

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

DEVELOPMENT NO. 580/998/19
Alterations and/or Redevelopment of a Local Heritage Place
(The Brae, fr copper smelters - ID: 18344) for a Function Centre
and associated Car Parking

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

* NAME: Paul & Anne Tomlinson
* HOME ADDRESS: 7 Bremer St., Dawesley 5252
* POSTAL ADDRESS: PO Box 201, Nairne 5252
PHONE NO: 083960 1111 E-MAIL: paul.1952@gmail.com

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

- ☒ The owner or the occupier of the property located at: 7 Bremer St., Dawesley
☐ Other (please state):

YOUR COMMENTS:

* I/We:

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

(Please note that your comments should demonstrate reasonable particularity)

Respectfully request that conditions be imposed to
limit music (live bands, disco + karaoke etc) to
inside the proposed venue. Also that all traffic

to and from the venue to be restricted to the
Princess Highway entrance. This is to alleviate
an influx of traffic through the Dewdney
township, especially Hawthorn Street.

*I/We:

☒

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

☐

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

☐

Appearing personally,

OR

☐

Be represented by the following person:

Contact details:

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

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

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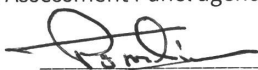
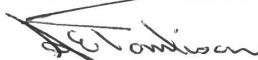
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SIGNED

DATE

7/1/2020

DISTRICT COUNCIL OF MOUNT BARKER

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

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

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

DEVELOPMENT NO. 580/998/19
Alterations and/or Redevelopment of a Local Heritage Place
(The Brae, fr copper smelters - ID: 18344) for a Function Centre
and associated Car Parking

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

KENNETH MAXWELL SOWERBY + HEATHER VIOLET SOWERBY
* NAME: K.M. + H.V. SOWERBY 5252

* HOME ADDRESS: 303 HARROGATE RD, BRUKUNGA

* POSTAL ADDRESS: PO BOX 39, NAIRNE, SA 5252

PHONE NO: 08 82386278 E-MAIL: heathersowerby@bigpond.com

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

☒ The owner or the occupier of the property located at: LOT 290, MINTURE RD, DAWESLEY, SA

☐ Other (please state):

YOUR COMMENTS:

* If We:

☒ Support the proposal and provide the following comments.

☐ Oppose the proposal and provide the following comments.

(Please note that your comments should demonstrate reasonable particularity)

We support the proposal as it will provide
employment to the locals. Our only concern is
the allowance of smoking at the site, due to

the fact we remain a "rural zone" back door
and have a hayshed located nearby. At
least, we would request that a regulated
smoking zone be implemented & adhered
to.

*We:



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



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



Appearing personally,

OR



Be represented by the following person:

Contact details:

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

Development Act 1993 - Part 4, 38 (1)(a)

In the case of a Category 2 development - the relevant authority may, in its absolute discretion, allow a person who made a representation to appear personally or by representative before it to be heard in support of the representation.

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Representor's Declaration:

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SIGNED

Km + HV Sawby
per HV Sawby

DATE 6-2-2020

Attachment Four (4)



OUTHRED ENGLISH
Urban & Regional Planners

Our Ref: 1845/020

26 February 2020

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

Attention: Randall Richards
Senior Planner – City Development

Dear Randall

**RE: DA 580/998/2019 – Alterations and/or Redevelopment of a Local Heritage Place
(The Brae, fr copper smelters – ID: 18344) for Function Centre and associated Car
Parking – 18 Hawthorn Street, Dawesley – Response to Representations.**

I write on behalf of my clients, Milos Joseph Castelli & Maddalena Sepe in response to the representations received pursuant to DA 580/998/2019.

I have been requested by my client to respond in writing, pursuant to *Regulation 36(1)* of the *Development Regulations 2008*.

Council have received four representations. In particular, representations have been received from:

John & Jane Doherty
William Dawes
Paul & Anne Tomlinson.
KM & HV Sowerby

76 McIntyre Road, Dawesley
17 Hawthorn Street, Nairne
7 Bremer Street, Dawesley
303 Harrogate Road, Brukunga

I note that two representations are opposed to the proposal and two representations are in support of the proposal.

A response to the issues raised in the representations, is as follows:

Paul & Anne Tomlinson

This representation supports the proposal, but requests that conditions be imposed to limit music (live bands, disco & karaoke etc) to inside the proposed venue and all traffic to be restricted to the Old Princess Highway entrance.

I would confirm that the Hawthorn Street access will only be used for the dwelling and small tourist accommodation cottage. All access associated with the function centre will be to and from Old Princess Highway. Further, I would confirm that my clients are aware that the level of noise emanating from any function is a critical issue and they intend to confine music to the function centre building. My clients would welcome a condition restricting music, in association with functions, to the function centre building.

A noise assessment report is presently being prepared by Sonus acoustic engineers.

KM & HV Sowerby

This representation is in support of the proposal, but subject to strict fire restrictions. My clients are very much aware that the locality is within a high fire risk area. In addition, to addressing the provisions of the Development Plan relating to bushfire risk, my clients will take on board the suggestion of a regulated smoking zone.

I note that there is also a reference to fireworks. I would advise that my clients have no intention of allowing fireworks in association with any function.

William Dawes

One function on site - loud music and increase in traffic on Hawthorn Street

The one event that the representor is referring to, was a private event for friends. It was not a commercial event and is no different than any one-off party that could occur in association with any residential property.

It is of note that in the 15 months that my clients have been living on the site, that there has only been one private party. The representor refers to a significant increase in traffic in Hawthorn Street and loud music played late at night. Clearly, the proposed function centre has been designed to address traffic and noise issues. The proposal incorporates all access for the function centre from Old Princess Highway and function activities within a restored heritage building designed to provide noise attenuation.

John & Jane Doherty

Scale is not in keeping with Primary Production Zone

The proposal does not impinge upon the continued use of the subject land for primary production. The great majority of the land associated with the function centre will occur on those portions of the land near the creek that are not used or suitable for primary production.

The representation mentions that as direct neighbours they observe that there appears to be very limited capacity for relevant primary production activities on the subject land as mentioned in *PDC 1*. I would point out that the primary production activities of the previous owners of the land was limited to two paddocks used for the baling of meadow hay that fed their horses (3 to 4 horses). The extent of primary production activity has increased since late 2018 when occupied by my clients. There are currently 5 sheep and 2 cows. The number of sheep will be increased as fencing is improved. The baling of meadow hay is continuing and the intent is to introduce further primary produce that will be used in meals offered to the function centre customers (Stage 3 – refer planning report).

A function centre is not specifically listed in *PDC 1*. However, it is a use that is specifically mentioned in the non-complying list applicable to the Mount Lofty Ranges Watershed (with exceptions relating to Watershed Areas 2 & 3 with criteria). The subject land is not within the Mount Lofty Ranges Watershed. Therefore, within the zone, external to the Mount Lofty Ranges Watershed, a function centre is a merit form of development (without exception criteria). Thus, it is reasonable to conclude that a function centre is a use envisaged in appropriate circumstances. In the case of the subject proposal, appropriate circumstances have been detailed in the supporting planning report, including the adaptive re-use and restoration of a local heritage building.

PDC's 45, 48, 50 & 51 of the Primary Production Zone do not support the application

The representation references *PDC's 45, 48 (especially 48(b)), 50 and 51 of the Primary Production Zone* as further reasons why the proposal is not supported by the Development Plan. However, these principles refer to cellar door sales outlets, shops and restaurants, not a function centre. In addition, *PDC's 48 & 50* apply to the *Mount Lofty Ranges Watershed*. The subject land is external to the *Mount Lofty Ranges Watershed*. Therefore, these principles are not relevant to the proposed function centre in a location external to the *Mount Lofty Ranges Watershed*.

Clearly, the Development Plan places greater constraints upon development within the more sensitive portion of the zone within the *Mount Lofty Ranges Watershed*.

Albeit that it is acknowledged that a restaurant is similar to a function centre in terms of persons seated for meals, the seating limitation contained in *PDC 48(b)* relates only to the *Mount Lofty Ranges Watershed*. In any event, the proposal is substantially consistent with *PDC's 45 & 51*, in that it is on the same allotment as primary production, occupies a local heritage listed building, does not result in ribbon development and maintains a clear delineation between urban and rural development.

Proximity to Dawesley Township – Potential noise and light pollution

The matter of potential noise generation is addressed in the responses to Paul & Anne Tomlinson and William Dawes.

In respect to light pollution, the local heritage building, that will contain the function centre, is located nearly 500 metres from the representors dwelling. In addition, the function centre is

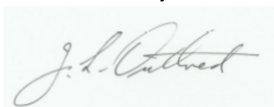
enclosed on three sides with minimal window and door openings. The main frontage with sliding doors faces east, away from the township and the representor's dwelling.

Welcome the intention to help preserve heritage structures for small-scale development

The proposal is clearly an adaptive reuse of a heritage building. The main heritage building is reasonably large and thus able to accommodate up to 150 persons (Stage 1) and 250 persons (Stage 2 & 3) seated for a function. However, it must also be recognised that the cost of restoring a large heritage structure needs to be off-set by a reasonable commercial return to justify the capital development cost.

I would advise that my client or a representative of my client will be available to speak in response to the verbal representations.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'J. Outhred', is displayed within a light blue rectangular box.

John Outhred BA Planning
Principal Planner
Planning and Property

5.4. CATEGORY 1 APPLICATIONS

Nil.

6. INFORMATION REPORTS

Nil.

7. CONFIDENTIAL REPORTS

Nil.

8. POLICY MATTERS ARISING FROM THIS AGENDA

9. OTHER BUSINESS

10. CLOSE