



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 June 2022.

9.30am

Council Assessment Panel

A handwritten signature in black ink, appearing to read "A. Humphries", is written over a light blue horizontal line.

A. Humphries

ASSESSMENT MANAGER

8 June 2022

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MOUNT BARKER DISTRICT COUNCIL

COUNCIL ASSESSMENT PANEL

Wednesday 15 June 2022, 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 May 2022 as circulated to members be confirmed as a true and accurate record of proceedings.

4. BUSINESS DEFERRED

Nil.

5. REPORTS BY OFFICERS

5.1. DEVELOPMENT ACT APPLICATIONS

5.1.1. NON-COMPLYING APPLICATIONS

Nil.

5.1.2. CATEGORY 3 APPLICATIONS

Nil.

5.1.3. CATEGORY 2 APPLICATIONS

Nil.

5.1.4. CATEGORY 1 APPLICATIONS

Nil.

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5.2. PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT APPLICATIONS

5.2.1 21027494 – ASHLEE CARVER

Development Number	21027494
Applicant	Ashlee Carver
Subject Land	1 Smyth Road, Dawesley
Ward	North Ward
Nature of Development	Partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking
Lodgement Date	7 September 2021
Planning and Design Code Version Number	23 September 2021 – 2021.14
Zone	Rural
Relevant Authority	Council Assessment Panel
Categorisation	Performance Assessed
Notification	Yes
Representations	Yes
Persons to be heard	Yes
Referrals - Statutory	Department for Infrastructure and Transport
Referrals - Non-Statutory	No
Responsible Officer	Andrew Houlihan - Team Leader Planning
Recommendation	To Refuse Planning Consent

APPENDIX 1: Relevant Planning and Design Code Policies

ATTACHMENT 1: Application Documents
ATTACHMENT 2: Site Photos
ATTACHMENT 3: Representations
ATTACHMENT 4: Response to Representations
ATTACHMENT 5: Statutory Referral Response

1. **PROPOSAL**

The proposal is best described as follows;

“Partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking”.

In short, the proposal is a permanent use of transportable building manufacturing business within and around an existing agricultural building on the land.

The proposal comprises the following attributes;

- The manufacturing of transportable buildings on site within an area of approximately 2000sqm.
- Conversion of the existing agricultural building (shed) for the purpose of manufacturing transportable buildings with an associated office and ablutions.
- A maximum number of 12 transportable buildings both completed and under construction at any time. Depending on the size of transportable building, out of those 12, there will be between two and four that are always under construction in the shed and the remainder will be stored and constructed to the north of the shed.
- Operation hours between 8.00am and 5.00pm Monday to Saturday.
- A maximum of twelve (12) staff on site.
- Laydown area for the storage of materials such as welded frames, gyprock, windows and doors on associated storage racks.
- 40 metre by 20 metre informal rubble car parking area to cater for employees.
- Approximately 10 staff vehicle movements a day.
- A maximum size vehicle length to access and egress the site of 23 metres for the collection of transportable buildings.
- Stormwater management through existing site arrangements.
- Waste product to be stored on site in appropriate bins for removal by a private waste contractor.
- No removal of native vegetation is required.

Refer to **Attachment One (1)** for details of the application documents.

2. BACKGROUND

Council received a request to investigate activities occurring on the site in relation to the construction of transportable buildings. Council investigated and identified that there was no development authorisation for a change of land use to support the activities occurring. Council sought that the owners cease the activities from occurring on the land, or as an alternative, the opportunity lodge a Development Application for assessment.

The owners lodged an application under the previous planning framework (*Development Act 1993*) in March 2021. Under the previous planning framework, Council formed the opinion the development constituted a Non-complying kind of development. Soon after the lodgement of the application, the new planning framework was introduced and subsequently a new application was lodged for assessment.

3. SUBJECT LAND

The subject land is commonly identified as 1 Smyth Road, Dawesley, and formally identified as allotment 31 in Certificate of Title, Volume 6023 and Folio 113. The allotment is irregular in shape and comprises a total area of approximately 31.5 hectares.

The land provides frontage to Old Princes Highway to the north measuring approximately 250 metres and Smyth Road for approximately 330 metres. The remainder of the land shares a boundary with six (6) adjoining land parcels.

The land currently contains an existing single storey dwelling and associated outbuildings and rainwater storage in proximity to the proposed change of land use. On the eastern portion of the land lies an existing building that was previously a dwelling has now been converted to tourist accommodation. The remainder of the land is utilised for small-scale primary production purposes in the form of grazing.

Vehicle access is obtained to the land from the corner of Smyth Road and Old Princes Highway via an existing crossover of approximately 3.6 metres in width. Old Princes Highway is a state maintained road in control of the Department for Infrastructure and Transport.

The land contains sections of a watercourse at the southern and eastern boundaries of the land. Existing mature vegetation located sporadically across the site of varying forms and species. Much of the vegetation is located around the watercourse and on the northern and western boundaries of the site.

The topography of the land is undulating with the existing dwelling and agricultural building located on the highest point of the land.

Refer to **Attachment Two (2)** for site photos.



4. THE LOCALITY

The subject land is wholly located within the Rural Zone.

The locality contains large rural living allotments with existing dwellings and associated outbuildings and agricultural buildings. In addition, associated small-scale primary production and home based industries are evident within the wider locality.

To the north of the subject land lies the township of Dawesley generally containing detached dwellings with associated outbuildings on large allotments within the Neighbourhood Zone.

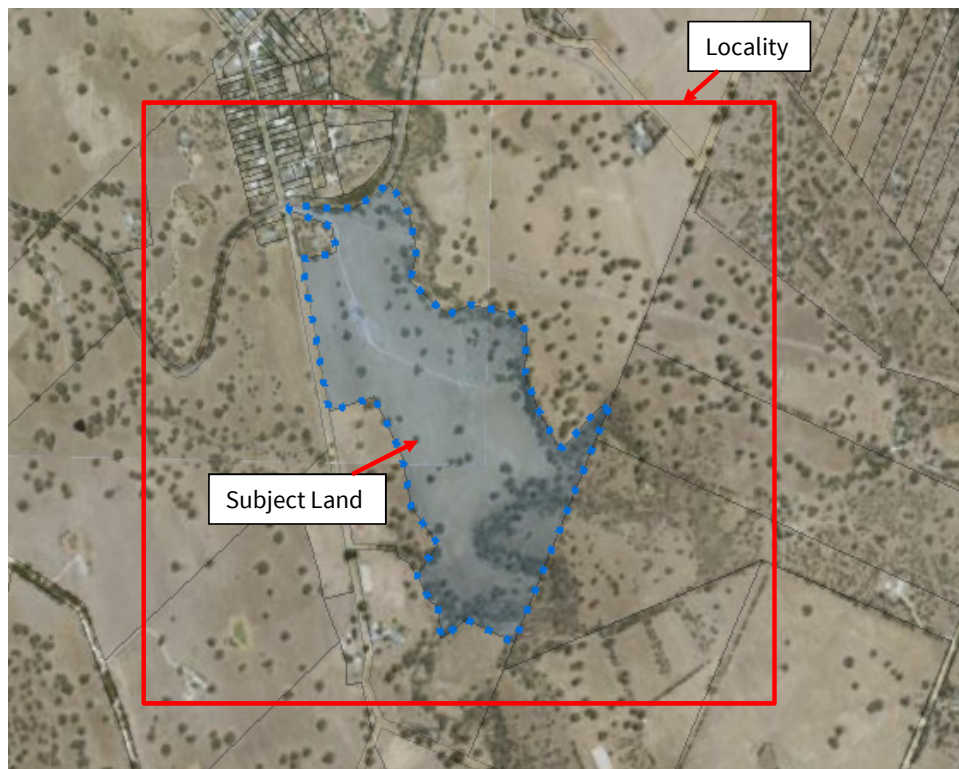
The character of the locality comprises an open and undulating rural landscape with natural elements of high aesthetic value such as strands of vegetation (both native and planted). Existing vegetation is dispersed in a sporadic manner throughout the locality and generally aids in screening existing built form from public roads.

The primary production practices and development opportunities within the locality are defined by watercourses, flood plain areas, location of roads, location of native vegetation, the undulating topography of the landscape and allotment configurations.

Overall, it is considered that the existing character of the locality provides a high level of rural amenity for its residents and visitors to the area and provides for a range of primary production and high amenity rural living opportunities.

The subject land and locality can be viewed via this [link](#) to South Australian Property and Planning Atlas.

4.1. Locality Plan



4.2. Zoning

The subject land is wholly located within the Rural Zone and is covered by the following overlays:

- Environment and Food Production Area
- Hazards (Bushfire - High Risk)
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Murray-Darling Basin
- Native Vegetation
- Prescribed Water Resources Area
- River Murray Tributaries Protection Area
- Traffic Generating Development
- Urban Transport Routes
- Water Resources

5. PROCEDURAL MATTERS

5.1. Categorisation

The proposed development is not categorised as an Accepted or Impact Assessed Development and is therefore required to be assessed a code assessed development (Performance Assessed) pursuant to Sections 105 and 107 of the *Planning, Development and Infrastructure Act 2016*.

5.2. Public Notification

All Performance Assessed development requires public notification unless, pursuant to Section 107(6) of the Act, classes of development can be excluded from notification by virtue of Table 5 – Procedural Matters (PM) of the relevant Zone within the Planning and Design Code.

The proposed development is identified as a Class of development that is not excluded from the requirement of public notification.

Public Notification of the Application was undertaken in accordance with 107(3) of the *Planning, Development and Infrastructure Act 2016* and Section 47 *Planning, Development and Infrastructure General Regulations 2017*.

5.2.1. Representations

During the public notification period three (3) representations were received.

Two (2) representors opposed the development and one (1) supports the development with concerns. One representor has indicated they would like to talk to their representation.

The representations are briefly summarised as follows;

	Representor	Street Address	Summary of Issues	Request to be heard
1	Andrew May (Opposes the development)	1068 Old Princes Highway, Dawesley.	<ul style="list-style-type: none">• Not compatible with the natural scenery.• Land use is not desired in the Zone.• The visual impact of operations on the landscape.• Loss of amenity due to noise impact.• Impact of the land use on approved tourist accommodation use.	No
2	Kylie Stark (Opposes the development)	2 Donald, Street Dawesley.	<ul style="list-style-type: none">• Concerns regarding the proposed level of traffic movements through the existing driveway and impact on surrounds.• Visual impact of the development.	Yes

3	Nikkie Swanborough (Supports the development with concerns)	8 Bower Street, Dawesley.	<ul style="list-style-type: none"> Concerns regarding the traffic implication of the business. 	No
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Refer to **Attachment three (3)** for a copy of the representations received.

5.2.2. Response to Representations

The Applicant has provided response to the representations received.

Refer to **Attachment four (4)** for a copy of the applicant's response to the representations.

6. REFERRALS – STATUTORY

A referral to the Commissioner of Highways was required pursuant to Section 122 of the *Planning, Development and Infrastructure Act 2016* and Schedule 9 clause 3 item 7 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

The purpose of the referral is to provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant as described in the Planning and Design Code (Old Princes Highway). Moreover, the referral is required as the development seeks to change the nature of vehicle movements or increase the number of frequency of movements through an existing access onto a state maintained road.

Refer to **Attachment five (5)** for a copy of the referral response.

7. REFERRALS – NON-STATUTORY

7.1. Council's Development and Environmental Services Team

Council's Environmental Services Team have advised that should consent be granted, a Wastewater approval would be required for any new wet areas.

8. KEY ISSUES

- Whether the proposal is an appropriate form of development in the Rural Zone.
- Whether the proposal is consistent with general policies of the Planning and Design Code that relate to Design.
- Whether the proposal achieves the general policies of the Planning and Design Code that relate to Interface between Land Uses.
- Whether the proposal achieves the general policies of the Planning and Design Code that relate to Transport, Access and Parking.

9. ASSESSMENT

9.1. Desired Outcomes and Land Use

The subject land is located within the Rural Zone. The Desired Outcomes for the Zone are identified as follows:

- DO 1 A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.*
- DO 2 A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.*

Primarily the Rural Zone seeks that land uses that align with the primary production activities and the encouragement of economic activity. In addition to the above Desired Outcomes, the Zone has a number of Performance Outcomes regarding land use and intensity. This includes a range of commercial activities such as brewery, cidery, function centres, tourist accommodation, warehouses, wineries, horticulture and transport distribution provided the productive value of rural land for a range of primary production activities and associated value adding is protected and maintained.

Industry uses are an envisaged form of development provided they are in a form that is small scale and directly related, ancillary and value adding to a primary production use on the same allotment or adjoining allotment. In addition, industry is envisaged to be sited, designed and of a scale that maintains rural character and function and respects landscape amenity.

The portion of the land proposed to be changed to support the development is considered to have a negligible impact on the long-term continuation of primary production within the Zone, albeit the loss of the agricultural building that supports the primary production use of the land. However, the land use is not consistent with rural industry activities that are directly related and ancillary to primary production. Tying the industrial use to primary production is one of the fundamental consideration of supporting small-scale industry within the zone.

Relevant Performance Outcomes support rural related industry provided that they are sited designed and of a scale that maintains rural function and character in a manner that respects landscape amenity. This includes a number of Designated Performance Features (DPF) as one way of achieving the Performance Outcomes, these include;

- A 100 metre setback from all road and allotment boundaries;
- Not sited within 200 metres of a sensitive receiver in other ownership;
- Incorporate the loading and unloading of vehicles within the confines of the allotment.
- Incorporating loading and unloading of vehicles within the confines of the allotment;

Other than activities been confined within the allotment, the proposal falls short in regards to siting from road boundaries (85 metres to Smyth Road) and 120 metres to a sensitive receiver.

The proposal is not an envisaged form of development within the Zone as it is not related to ancillary primary production pursuits. The location of the development on the ridgeline and visibility from surrounding roads and land is further not considered to maintain rural character and function or respects landscape amenity values of the locality.

The proposal does not satisfy relevant Planning and Design Code Desired Outcomes and Performance Outcomes of the Rural Zone.

9.2 Design

The relevant provisions of the Planning and Design Code seek land uses that complement the natural and rural character, with development being carefully sited and designed to;

- Minimise visual impact of development;
- Screen development from public view;
- Take in to account the contemplated development within the relevant zone; and
- Ensure car parking, storage areas are appropriately located and designed and landscaped.

The visual impact associated with the storage of construction of transportable buildings and the associated material storage, car parking and loading and unloading of vehicles associated with the land use is considered substantial. The site of the proposed use is located in a highly visible position on the steepest part of the property and can be viewed from adjoining land and roadways. The location is such that the visibility of the land use is considered to detrimentally affect the scenic beauty of the landscape.

Whilst the current agricultural building has been constructed in this location the car parking area, storage and construction areas result in a substantial increase in visual impact on the surrounding locality.

Given the location of the and the form of development the proposal will largely impact on the rural character and amenity values of the subject land and locality and therefore not achieve the relevant General Development Policy that relates to Design.

9.3 Interface between Land Uses

Relevant General Development Policies of the Planning and Design Code that relate to Interface between Land Uses seek desired outcomes whereby development is located and designed to mitigate adverse effects on or from neighbouring land uses. A number of Performance Outcomes that guide land use compatibility reinforces this. This includes ensuring development does not unreasonably affect the amenity of sensitive receivers through its hours of operation, light spill, noise and vibration.

In determining the impact on adjacent sensitive receivers regard should be given to the nature of the development, measures to mitigate off-site impacts, and to the extent to which the development is desired in the zone. As discussed above the development is not contemplated or desired within the zone and is likely to have some undesired consequences as a result of non-envisaged use such as noise and vehicle movements.

Accordingly, with the operation hours, and types of activities occurring on site, setbacks from adjoining land may create adverse impact on adjoining sensitive receivers. Particularly with construction activities occurring in the open air or in an open sided building that would result in frequent noise emanating to adjoining sensitive receivers. It is considered the proposal's performance and location would cause adverse effects between the subject site and adjacent sensitive receivers and therefore not achieve the General Development Policy that relates Interface between Land Uses.

9.4 Transport, Access and Parking

The relevant Transport, Access and Parking Performance Outcomes in the General Development Policies policy section of the Planning and Design Code seeks appropriate vehicle access, sightlines, movement systems and vehicle parking.

The Department for Infrastructure and Transport (DIT) have assessed the proposal and concluded that current access arrangements are not suitable to support the large vehicle movements anticipated and will affect road safety. DIT have determined that it is necessary for the proposed access arrangements to be altered to ensure that large vehicle movements do not unduly impact on the operation of Old Princes Highway/Smyth Road, intersection. DIT have recommended that any access be located a minimum of 20 metres from the intersection and that a final plan showing revised access layout is required.

DIT however have not commented on whether the new location is achievable (noting the poor site lines and trees within the road reserve area). The Applicant has also not provided any design that DIT may consider as appropriate.

DIT have recommended a condition that a final access plan be submitted for approval by Council and the Department for Infrastructure and Transport prior to Development approval being granted. Should the revised access plan be acceptable the proposal can be considered to achieve relevant Transport and Access provisions given that the subject land is connected to an all-weather public road, contains manoeuvring arrangements on site to support vehicles access and egress the site in a forward motion.

It is considered that the level of parking provided on site is sufficient to cater for the number of staff anticipated and supports the manoeuvring of larger vehicles.

The proposal has not demonstrated achievement of the relevant Transport, Access and Parking provisions within the General Development Policies Section of Planning and Design Code.

10. CONCLUSION

The proposal seeks a partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking.

Overall, the proposal is not considered to be seriously at variance with the requirements of the Planning and Design Code. However, when balanced against the relevant provisions of the Planning and Design Code the development does not display sufficient merit to warrant consent. As such, it is considered that the application should be refused.

The following reasons are provided in support of this recommendation:

1. The proposal is not directly related and ancillary to primary production use on the land.
2. The development does not maintain the rural character and function and respect landscape amenity.
3. The development does not achieve the relevant Desired Outcomes and Performance Outcomes of the Zone.
4. The proposal does not achieve the General Development Policies of the Planning and Design Code that relate to Design or Interface between Land Uses.

Accordingly, it is recommended that the Council Assessment Panel resolve to refuse planning consent, subject to the recommendation below.

11. RECOMMENDATION

It is recommended that the Council Assessment Panel resolves to:

DETERMINE that the proposed development is not seriously at variance with the provisions of the Planning and Design Code.

Refuse Planning Consent to the application by Ashlee Carver for the partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking at 1 Smyth Road, Dawesley, as detailed in Development Application ID 21027494 as the proposed development does not achieve the following Desired Outcomes or Performance Outcomes;

Rural Zone – Desired Outcomes

DO1

A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.

DO2

A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

Rural Zone – Performance Outcomes

PO1.1

The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.

PO 4.1

Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.

PO 4.3

Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.

General Development Policy – Design

PO 6.1

The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.

PO 7.2

Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.

PO 7.6

Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.

General Development Policy – Interface between Land Uses

PO 2.1

Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:

- a) the nature of the development
- b) measures to mitigate off-site impacts
- c) the extent to which the development is desired in the zone
- d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land

PO 4.1

Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).

PO 4.2

Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:

- a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
- b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers
- c) housing plant and equipment within an enclosed structure or acoustic enclosure
- d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.

Appendix 1 - Relevant Planning and Design Code Policy

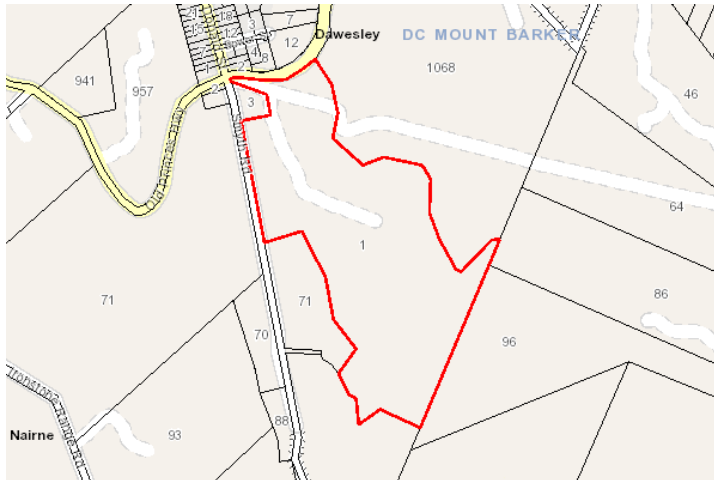
Policy24 - Enquiry

1 SMYTH RD DAWESLEY SA 5252

Address:

Click to view a detailed interactive [SAILIS](#) in SAILIS

To view a detailed interactive property map in SAPPA click on the map below



Property Zoning Details

Overlay

Environment and Food Production Area
Hazards (Bushfire - High Risk)
Hazards (Flooding - Evidence Required)
Limited Land Division
Murray Darling Basin
Native Vegetation
Prescribed Water Resources Area
River Murray Tributaries Protection Area
Traffic Generating Development
Urban Transport Routes
Water Resources

Zone

Rural

Selected Development(s)

Industry

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards.

If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Property Policy Information for above selection

[Industry - Code Assessed - Performance Assessed](#)

Part 2 - Zones and Sub Zones

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Rural Zone

Assessment Provisions (AP)

Desired Outcome	
DO 1	A zone supporting the economic prosperity of South Australia primarily through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources.
DO 2	A zone supporting diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
<p>PO 1.1</p> <p>The productive value of rural land for a range of primary production activities and associated value adding, processing, warehousing and distribution is supported, protected and maintained.</p>	<p>DTS/DPF 1.1</p> <p>Development comprises one or more of the following:</p> <ul style="list-style-type: none"> (a) Advertisement (b) Agricultural building (c) Brewery (d) Carport (e) Cidery (f) Dairy (g) Dam (h) Distillery (i) Dwelling (j) Dwelling addition (k) Farming (l) Horse keeping (m) Horticulture (n) Industry (o) Intensive animal husbandry (p) Low intensity animal husbandry (q) Outbuilding (r) Renewable energy facility (s) Shop (t) Small-scale ground mounted solar power facility (u) Stock slaughter works (v) Tourist accommodation (w) Transport distribution (x) Verandah (y) Warehouse (z) Winery (aa) Workers' accommodation
Siting and Design	
PO 2.1	DTS/DPF 2.1

Policy24 - Enquiry

Development is provided with suitable vehicle access.	Development is serviced by an all-weather trafficable public road.
<p>PO 2.2</p> <p>Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.</p>	<p>DTS/DPF 2.2</p> <p>Buildings:</p> <ul style="list-style-type: none"> (a) are located on sites with a slope not greater than 10% (1-in-10) (b) do not result in excavation and/or filling of land greater than 1.5m from natural ground level.
Rural Industry	
<p>PO 4.1</p> <p>Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.</p>	<p>DTS/DPF 4.1</p> <p>Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof):</p> <ul style="list-style-type: none"> (a) are directly related and ancillary to a primary production use on the same or adjoining allotment (b) are located on an allotment not less than 20ha in area (c) have a total floor area not exceeding 500m².
<p>PO 4.2</p> <p>Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities:</p> <ul style="list-style-type: none"> (a) are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of the locality (b) realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like (c) primarily involve primary production commodities sourced from the same allotment and /or surrounding rural areas. 	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
<p>PO 4.3</p> <p>Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural character and function and respects landscape amenity.</p>	<p>DTS/DPF 4.3</p> <p>Buildings and associated activities:</p> <ul style="list-style-type: none"> (a) are set back at least 100m from all road and allotment boundaries (b) are not sited within 200m of a sensitive receiver in other ownership (c) have a building height not greater than 10m above natural ground level (d) incorporate the loading and unloading of vehicles within the confines of the allotment.
Adaptive Reuse of Existing Buildings	
<p>PO 8.1</p> <p>Adaptive reuse of existing buildings for small-scale shops, offices, tourist accommodation or ancillary rural activities.</p>	<p>DTS/DPF 8.1</p> <p>Development within an existing building is for any of the following:</p> <ul style="list-style-type: none"> (a) a shop (b) office

Policy24 - Enquiry

	(c) tourist accommodation.
Built Form and Character	
<p>PO 10.1</p> <p>Large buildings are designed and sited to reduce impacts on scenic and rural vistas by:</p> <ul style="list-style-type: none"> (a) having substantial setbacks from boundaries and adjacent public roads (b) using low-reflective materials and finishes that blend with the surrounding landscape (c) being located below ridgelines. 	<p>DTS/DPF 10.1</p> <p>None are applicable.</p>
Concept Plans	
<p>PO 14.1</p> <p>Development is compatible with the outcomes sought by any relevant Concept Plan contained within Part 12 - Concept Plans of the Planning and Design Code to support the orderly development of land through staging of development and provision of infrastructure.</p>	<p>DTS/DPF 14.1</p> <p>The site of the development is wholly located outside any relevant Concept Plan boundary. The following Concept Plans are relevant:</p> <p>In relation to DTS/DPF 14.1, in instances where:</p> <ul style="list-style-type: none"> (a) one or more Concept Plan is returned, refer to Part 12 - Concept Plans in the Planning and Design Code to determine if a Concept Plan is relevant to the site of the proposed development. Note: multiple concept plans may be relevant. (b) in instances where 'no value' is returned, there is no relevant concept plan and DTS/DPF 14.1 is met.

Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

A class of development listed in Column A is excluded from notification provided that it does not fall within a corresponding exclusion prescribed in Column B. In instances where development falls within multiple classes within Column A, each clause is to be read independently such that if a development is excluded from notification by any clause, it is, for the purposes of notification excluded irrespective of any other clause.

Class of Development (Column A)	Exceptions (Column B)
1. A kind of development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) advertisement (b) agricultural building (c) air handling unit, air conditioning system or 	None specified.

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<p>exhaust fan</p> <p>(d) ancillary accommodation</p> <p>(e) building work on railway land</p> <p>(f) carport</p> <p>(g) dwelling</p> <p>(h) dwelling addition</p> <p>(i) farming</p> <p>(j) fence</p> <p>(k) horse keeping</p> <p>(l) internal building works</p> <p>(m) land division</p> <p>(n) outbuilding</p> <p>(o) private bushfire shelter</p> <p>(p) protective tree netting structure</p> <p>(q) replacement building</p> <p>(r) retaining wall</p> <p>(s) shade sail</p> <p>(t) solar photovoltaic panels (roof mounted)</p> <p>(u) swimming pool or spa pool</p> <p>(v) temporary accommodation in an area affected by bushfire</p> <p>(w) tree damaging activity</p> <p>(x) verandah</p> <p>(y) water tank.</p>	
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <p>(a) industry</p> <p>(b) store</p> <p>(c) warehouse.</p>	<p>Except development that exceeds the total floor area limit expressed in Rural Zone DTS/DPF 4.1(c) or does not satisfy Rural Zone DTS/DPF 4.3.</p>
<p>4. Demolition.</p>	<p>Except any of the following:</p> <ol style="list-style-type: none"> 1. the demolition of a State or Local Heritage Place 2. the demolition of a building (except an ancillary building) in a Historic Area Overlay.
<p>5. Function centre.</p>	<p>Except function centre that does not satisfy any of the following:</p> <ol style="list-style-type: none"> 1. Rural Zone DTS/DPF 6.5(b) 2. Rural Zone DTS/DPF 6.6.
<p>6. Horticulture.</p>	<p>Except horticulture that does not satisfy any of the following:</p> <ol style="list-style-type: none"> 1. Rural Zone DTS/DPF 3.1(d) 2. Rural Zone DTS/DPF 3.1(e) 3. Rural Zone DTS/DPF 3.1(f).
<p>7. Shop.</p>	<p>Except shop that exceeds the gross leasable floor area limit expressed in Rural Zone DTS/DPF 6.1(c) or does not satisfy Rural Zone DTS/DPF 6.2.</p>

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8. Tourist accommodation.	Except tourist accommodation that does not satisfy any of the following: 1. Rural Zone DTS/DPF 6.3(b) 2. Rural Zone DTS/DPF 6.4.
Placement of Notices - Exemptions for Performance Assessed Development	
Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 107(3)(a)(ii) of the <i>Planning, Development and Infrastructure Act 2016</i> does not apply in the Rural Zone.	
Placement of Notices - Exemptions for Restricted Development	
Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 110(2)(a)(iv) of the <i>Planning, Development and Infrastructure Act 2016</i> does not apply in the Rural Zone.	

Part 3 - Overlays

Hazards (Bushfire - High Risk) Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks: (a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change (b) high levels and exposure to ember attack (c) impact from burning debris (d) radiant heat (e) likelihood and direct exposure to flames from a fire front.
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk.
DO 3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Development that significantly increases the potential for fire	DTS/DPF 1.1 None are applicable.

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outbreak as a result of the spontaneous combustion of materials, spark generation or through the magnification and reflection of light is not located in areas of unacceptable bushfire risk.	
Siting	
<p>PO 2.1</p> <p>Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
Built Form	
<p>PO 3.1</p> <p>Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.</p>	<p>DTS/DPF 3.2</p> <p>Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.</p>
Vehicle Access – Roads, Driveways and Fire Tracks	
<p>PO 6.1</p> <p>Roads are designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 6.1</p> <p>Roads:</p> <ul style="list-style-type: none"> (a) are constructed with a formed, all-weather surface (b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road (c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road (d) have a minimum formed road width of 6m (e) provide overhead clearance of not less than 4.0m between the road surface and overhanging branches or other obstructions including buildings and/or structures (Figure 1) (f) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around road curves by constructing the curves with a minimum external radius of 12.5m (Figure 2) (g) incorporating cul-de-sac endings or dead end roads are provided within an alternative evacuation route and do not exceed 200m in length and the end of the road has either: <ul style="list-style-type: none"> (i) a turning area with a minimum formed surface radius of 12.5m (Figure 3) or (ii) a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (Figure 4)

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	(h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 6.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) use, operation and evacuation of fire-fighting and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 6.2</p> <p>Access is in accordance with (a) or (b):</p> <ul style="list-style-type: none"> (a) a clear and unobstructed vehicle or pedestrian pathway of not greater than 60 metres in length is available between the most distant part of the habitable building and the nearest part of a formed public access road (b) driveways: <ul style="list-style-type: none"> (i) do not exceed 600m in length (ii) are constructed with a formed, all-weather surface (iii) are connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8) (iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway (v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway (vi) have a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (vii) incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5) (viii) provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (ix) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m (Figure 2) (x) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either: <ul style="list-style-type: none"> A. a loop road around the building or B. a turning area with a minimum radius of 12.5m (Figure 3) or C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4) (xi) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
PO 6.3	DTS/DPF 6.3

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Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.	None are applicable.
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Procedural Matters (PM) - Referrals

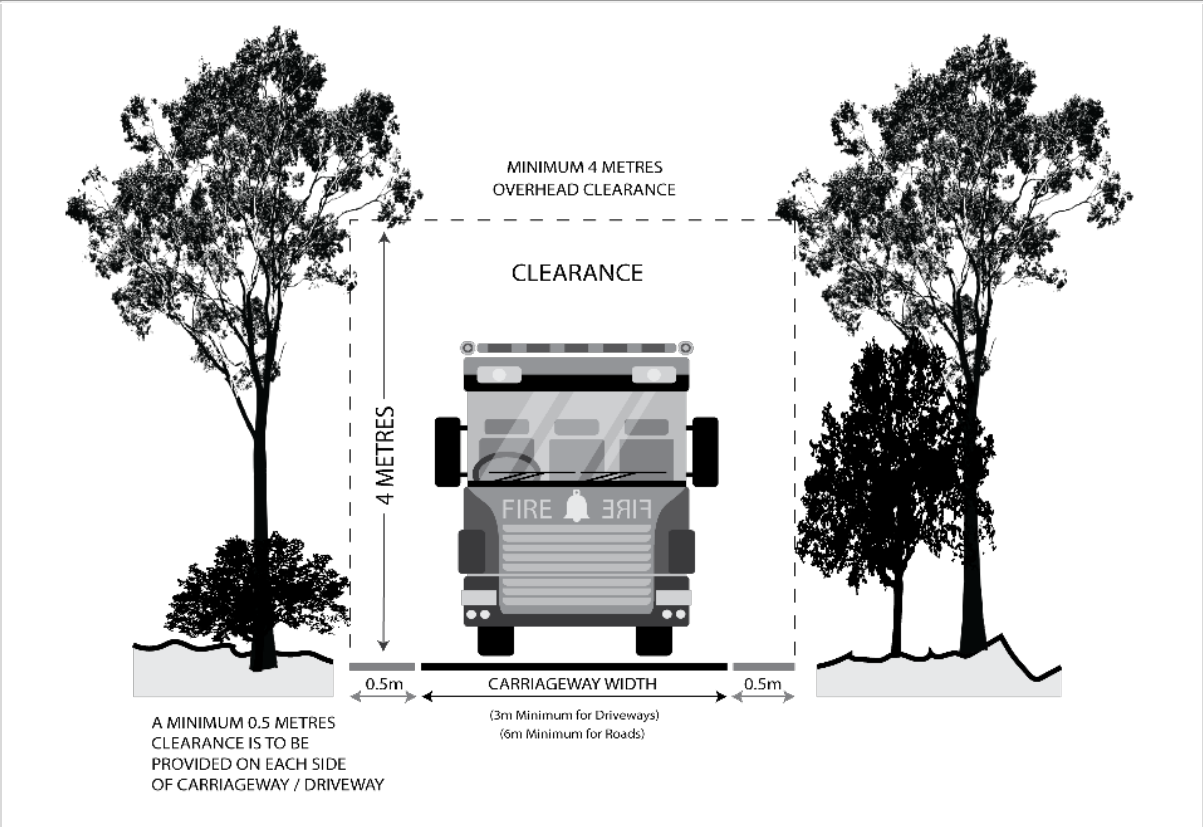
The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except if a relevant certificate accompanies the application for planning consent in respect of the development, any of the following classes of development (including alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> (a) land division creating one or more additional allotments (b) dwelling (c) ancillary accommodation (d) residential flat building (e) tourist accommodation (f) boarding home (g) dormitory style accommodation (h) workers' accommodation (i) student accommodation (j) pre-school (k) educational establishment (l) retirement village (m) supported accommodation (n) residential park (o) hospital (p) camp ground. 	South Australian Country Fire Service.	To provide expert assessment and direction to the relevant authority on the potential impacts of bushfire on the development.	Development of a class to which Schedule 9 clause 3 item 2 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Figures and Diagrams

Fire Appliance Clearances
Figure 1 - Overhead and Side Clearances

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Roads and Driveway Design

Figure 2 - Road and Driveway Curves

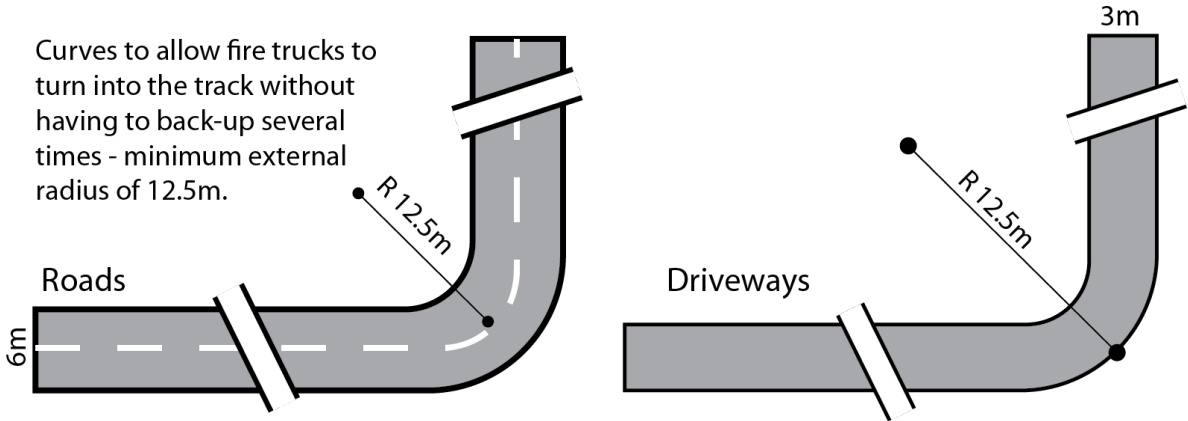


Figure 3 - Full Circle Turning Area

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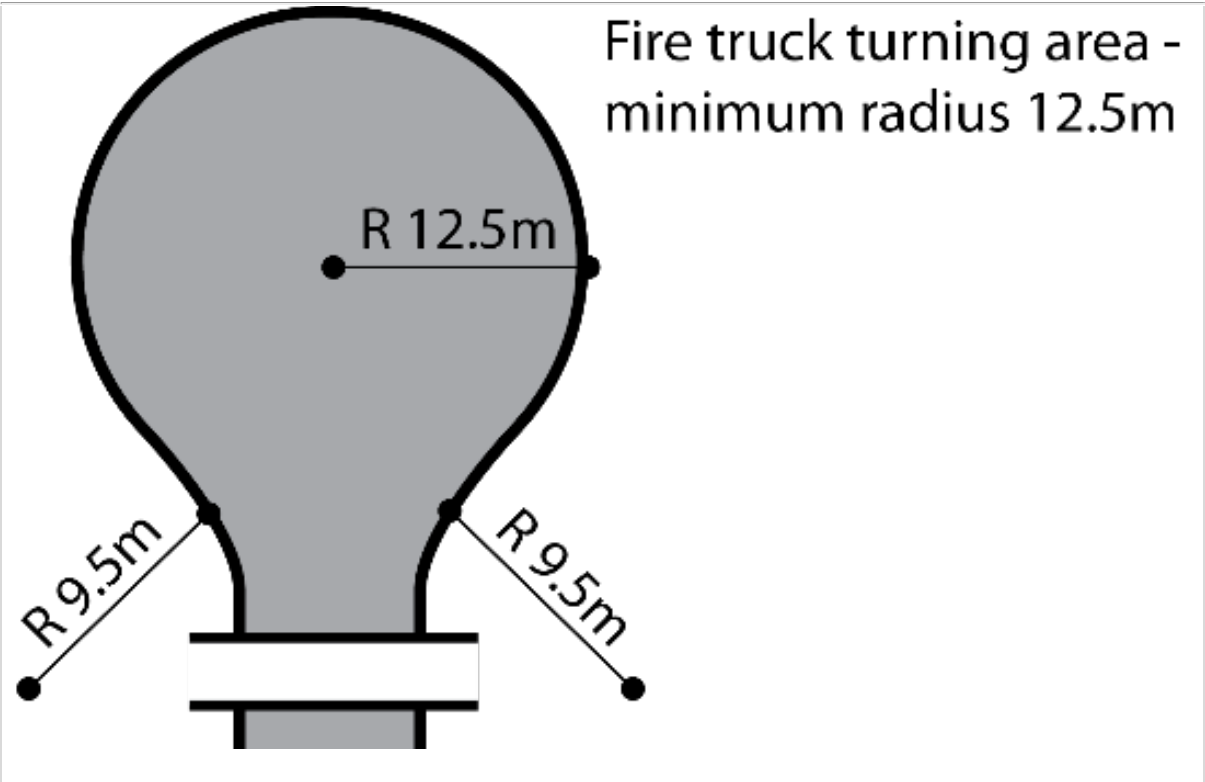
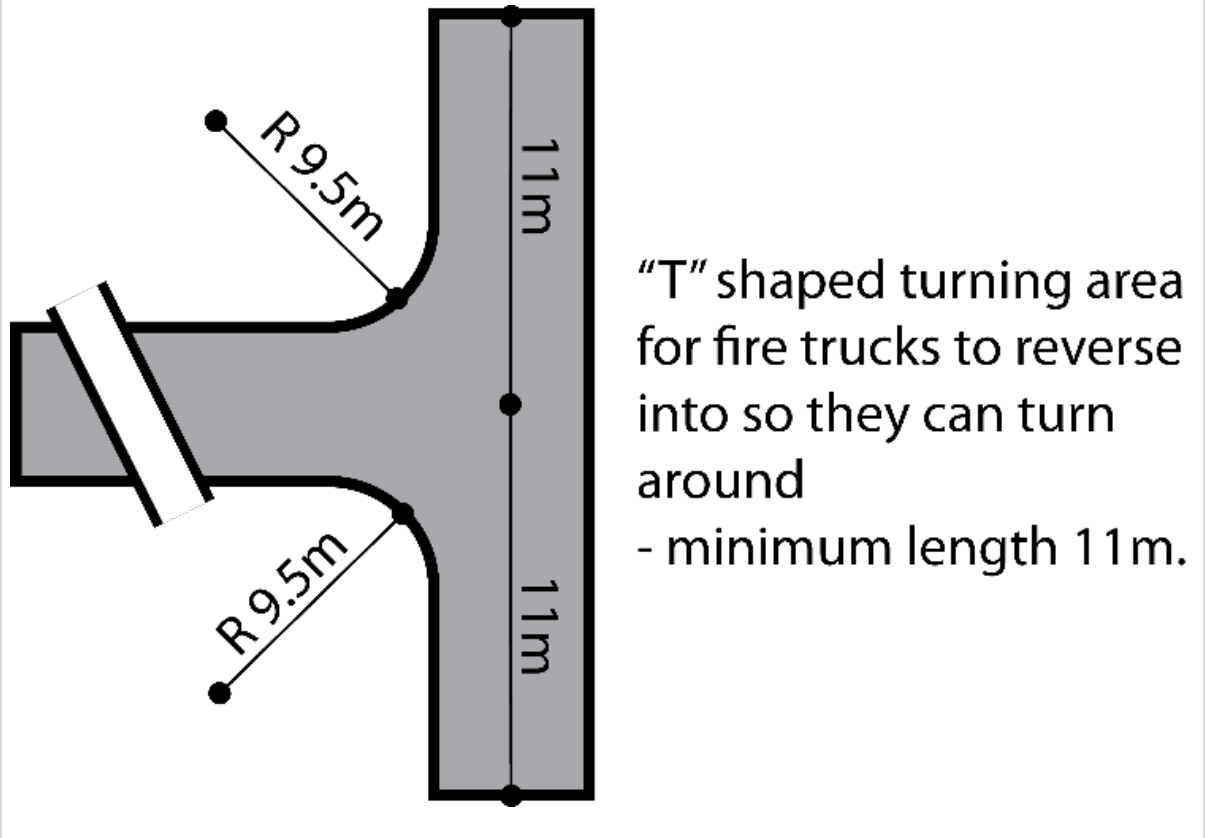


Figure 4 - 'T' or 'Y' Shaped Turning Head



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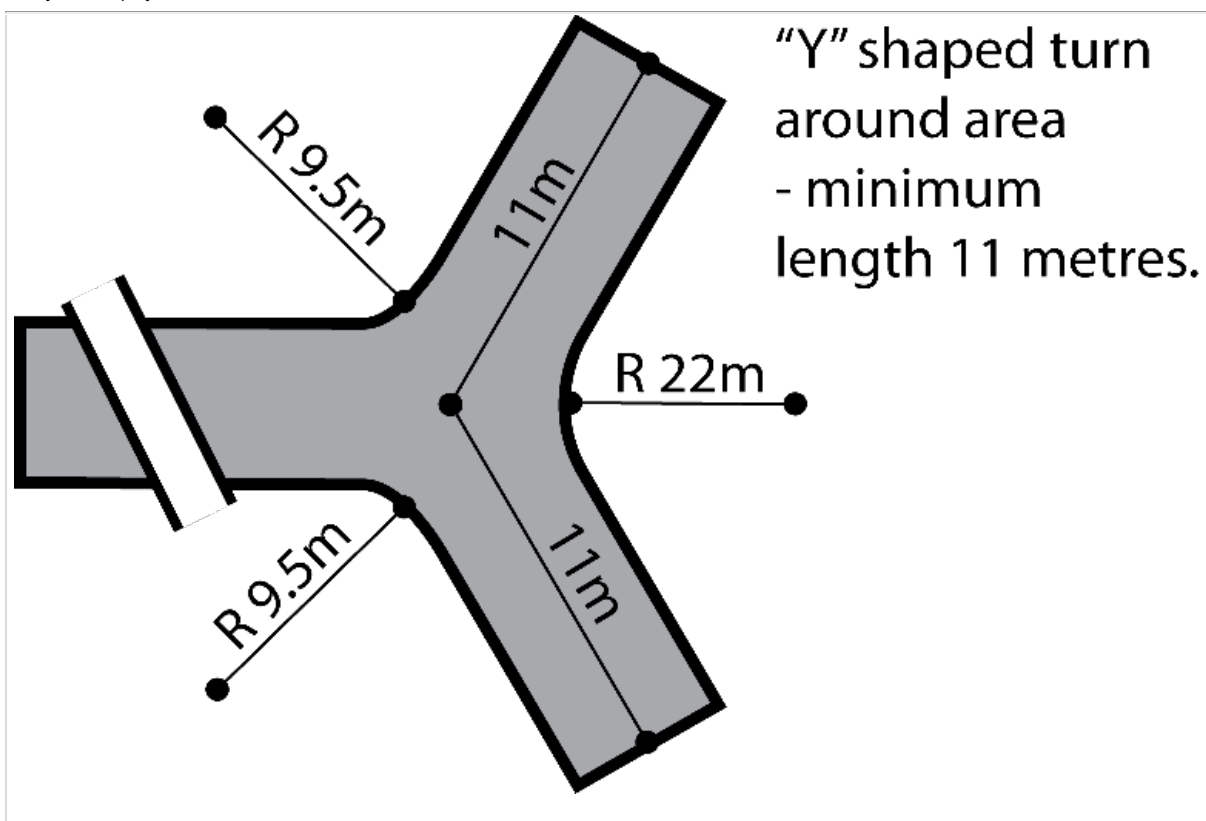
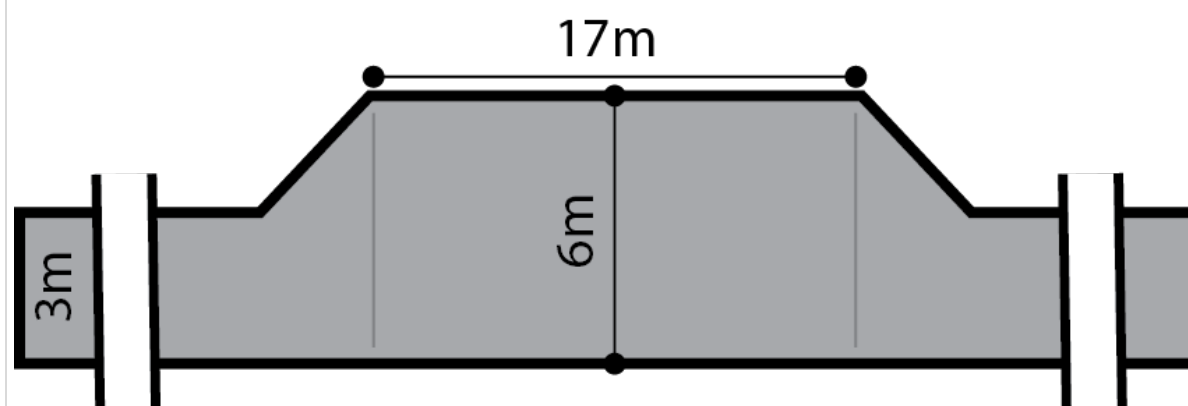


Figure 5 - Driveway Passing Bays

Passing bay for fire trucks - minimum width
6 metres, minimum length 17 metres.



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome

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DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
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Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb
Environmental Protection	
PO 2.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.	DTS/DPF 2.1 Development does not involve the storage of hazardous materials.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Murray-Darling Basin Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Sustainable water use in the Murray-Darling Basin area.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 All development, but in particular development involving:	DTS/DPF 1.1 None are applicable.

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<ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) horse keeping (g) commercial forestry <p>has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in the Murray-Darling Basin.</p>	
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Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development that require, or may require water to be taken from the River Murray within the meaning of the <i>River Murray Act 2003</i> under a water licence required under the <i>Landscape South Australia Act 2019</i>:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) horse keeping (g) commercial forestry. 	Minister responsible for the administration of the <i>River Murray Act 2003</i> .	To provide expert technical assessment and direction to the relevant authority on matters regarding the taking of water, to ensure development is undertaken sustainably in the Murray-Darling Basin.	Development of a class to which Schedule 9 clause 3 item 10 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
PO 1.1 Development avoids, or where it cannot be practically avoided,	DTS/DPF 1.1 An application is accompanied by:

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<p>minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</p>	<p>(a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur:</p> <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area <p>or</p> <p>(b) a report prepared in accordance with Regulation 18(2) (a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.</p>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</p> <ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>
<p>PO 1.3</p> <p>Intensive animal husbandry and agricultural activities are sited, set back and designed to minimise impacts on native vegetation, including impacts on native vegetation in an adjacent State Significant Native Vegetation Area, from:</p> <ul style="list-style-type: none"> (a) the spread of pest plants and phytophthora (b) the spread of non-indigenous plants species (c) excessive nutrient loading of the soil or loading arising from surface water runoff (d) soil compaction (e) chemical spray drift. 	<p>DTS/DPF 1.3</p> <p>Development within 500 metres of a boundary of a State Significant Native Vegetation Area does not involve any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) intensive animal husbandry (c) dairy (d) commercial forestry (e) aquaculture.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that is the subject of a report	Native Vegetation Council	To provide expert assessment	Development

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prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.		and direction to the relevant authority on the potential impacts of development on native vegetation.	of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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Prescribed Water Resources Area Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Sustainable water use in prescribed surface water resources areas maintains the health and natural flow paths of water courses.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
<p>PO 1.1</p> <p>All development, but in particular development involving any of the following:</p> <ul style="list-style-type: none"> (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry <p>has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in prescribed surface water areas.</p>	<p>DTS/DPF 1.1</p> <p>Development satisfies either of the following:</p> <ul style="list-style-type: none"> (a) the applicant has a current water licence in which sufficient spare capacity exists to accommodate the water needs of the proposed use or (b) the proposal does not involve the taking of water for which a licence would be required under the <i>Landscape South Australia Act 2019</i>.
<p>PO 1.2</p> <p>Development comprising the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert surface water flowing over land is undertaken in a manner that maintains the quality and quantity of flows required to meet the needs of the environment as well as downstream users.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and

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Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
Development that comprises the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert, or collects or diverts surface water flowing over land.	Relevant authority under the <i>Landscape South Australia Act 2019</i> that would, if it were not for the operation of section 106(1)(e) of that Act, have the authority under that Act to grant or refuse a permit to undertake the subject development.	To provide expert assessment and direction to the relevant authority on potential impacts from development on the health, sustainability and/or natural flow paths of water resources in accordance with the provisions of the relevant water allocation plan or regional landscape plan or equivalent.	Development of a class to which Schedule 9 clause 3 item 12 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
Any of the following classes of development: (a) horticulture (b) activities requiring irrigation (c) aquaculture (d) industry (e) intensive animal husbandry (f) commercial forestry	The Chief Executive of the Department of the Minister responsible for the administration of the <i>Landscape South Australia Act 2019</i> .	To provide expert technical assessment and direction to the relevant authority on the taking of water to ensure development is undertaken sustainably and maintains the health and natural flow paths of water resources.	Development of a class to which Schedule 9 clause 3 item 13 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
Commercial forestry that requires a forest water licence under Part 8 Division 6 of the <i>Landscape South Australia Act 2019</i> .			

River Murray Tributaries Protection Area Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Sustainable water use and conservation of riverine environments within the River Murray Tributaries area.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Development comprising the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert surface water flowing over land is undertaken in	DTS/DPF 1.1 None are applicable.

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a manner that maintains the quality and quantity of flows required to meet the needs of the environment and downstream users.	
<p>PO 1.2</p> <p>All development, but in particular development involving any of the following:</p> <ul style="list-style-type: none"> (a) activities requiring irrigation (b) aquaculture (c) commercial forestry (d) horticulture (e) industry (f) intensive animal husbandry <p>has a lawful, sustainable and reliable water supply that does not place undue strain on water resources in prescribed surface water areas.</p>	<p>DTS/DPF 1.2</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development, except where the development is, in the opinion of the relevant authority, minor in nature and would not warrant a referral when considering the purpose of the referral:</p> <ul style="list-style-type: none"> (a) development that comprises the erection, construction, modification, enlargement or removal of a dam, wall or other structure that will collect or divert, or collects or diverts water flowing in a watercourse or surface water flowing over land (b) horticulture (c) activities requiring irrigation, other than irrigation used for domestic purposes (d) aquaculture (e) intensive animal husbandry (f) horse keeping (g) commercial forestry (h) land division classified as <i>restricted</i> by the Planning and Design Code (i) land division that results in: <ul style="list-style-type: none"> (i) 4 or more additional allotments or (ii) 4 or more additional grants of occupancy (by the conferral or exercise of a right to occupy part only of an allotment) or (iii) a mix of 4 or more additional 	<p>Minister responsible for the administration of the <i>River Murray Act 2003</i>.</p>	<p>To provide expert assessment and direction to the relevant authority on potential impacts from development on the health of the River Murray system, its natural flow regime (including floodwaters), water quality and cultural heritage.</p>	<p>Development of a class to which Schedule 9 clause 3 item 16 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

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allotments and separate grants of occupancy			
(i) land division that involves the creation of a new allotment or grant of occupancy where any part of the boundary of the new allotment or occupancy will have a frontage to a part of the River Murray system			
(k) alteration of the boundaries of an existing allotment so as to result in:			
(i) the allotment having a frontage to a part of the River Murray system or			
(ii) the allotment having an increase in its frontage to a part of the River Murray system.			

Traffic Generating Development Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes and Major Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from urban transport routes and major urban transport routes.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Traffic Generating Development	
PO 1.1 Development designed to minimise its potential impact on the safety, efficiency and functional performance of the State Maintained Road network.	DTS/DPF 1.1 Access is obtained directly from a State Maintained Road where it involves any of the following types of development: (a) land division creating 50 or more additional allotments (b) commercial development with a gross floor area of 10,000m ² or more (c) retail development with a gross floor area of 2,000m ² or more (d) a warehouse or transport depot with a gross leasable floor area of 8,000m ² or more (e) industry with a gross floor area of 20,000m ² or more (f) educational facilities with a capacity of 250 students or more.
PO 1.2 Access points sited and designed to accommodate the type and volume of traffic likely to be generated by development.	DTS/DPF 1.2 Access is obtained directly from a State Maintained Road where it involves any of the following types of development:

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	<ul style="list-style-type: none"> (a) land division creating 50 or more additional allotments (b) commercial development with a gross floor area of 10,000m² or more (c) retail development with a gross floor area of 2,000m² or more (d) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (e) industry with a gross floor area of 20,000m² or more (f) educational facilities with a capacity of 250 students or more.
<p>PO 1.3</p> <p>Sufficient accessible on-site queuing provided to meet the needs of the development so that queues do not impact on the State Maintained Road network.</p>	<p>DTS/DPF 1.3</p> <p>Access is obtained directly from a State Maintained Road where it involves any of the following types of development:</p> <ul style="list-style-type: none"> (a) land division creating 50 or more additional allotments (b) commercial development with a gross floor area of 10,000m² or more (c) retail development with a gross floor area of 2,000m² or more (d) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (e) industry with a gross floor area of 20,000m² or more (f) educational facilities with a capacity of 250 students or more.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, any of the following classes of development that are proposed within 250m of a State Maintained Road:</p> <ul style="list-style-type: none"> (a) land division creating 50 or more additional allotments (b) commercial development with a gross floor area of 10,000m² or more (c) retail development with a gross floor area of 2,000m² or more (d) a warehouse or transport depot with a gross leasable floor area of 8,000m² or more (e) industry with a gross floor area of 20,000m² or more (f) educational facilities with a capacity of 250 students or more. 	Commissioner of Highways.	To provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	Development of a class to which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

Urban Transport Routes Overlay

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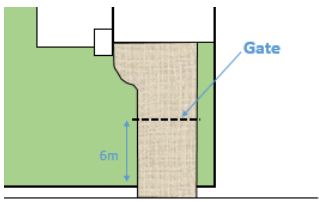
Assessment Provisions (AP)

Desired Outcome	
DO 1	Safe and efficient operation of Urban Transport Routes for all road users.
DO 2	Provision of safe and efficient access to and from Urban Transport Routes.

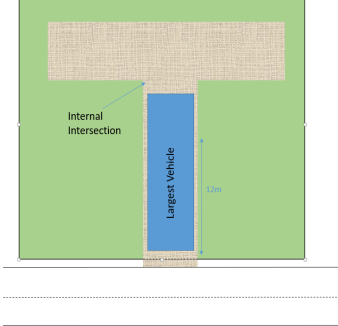
Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Access - Safe Entry and Exit (Traffic Flow)	
<p>PO 1.1</p> <p>Access is designed to allow safe entry and exit to and from a site to meet the needs of development and minimise traffic flow interference associated with access movements along adjacent State maintained roads.</p>	<p>DTS/DPF 1.1</p> <p>An access point satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) where servicing a single (1) dwelling / residential allotment: <ul style="list-style-type: none"> (i) it will not result in more than one access point (ii) vehicles can enter and exit the site in a forward direction (iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees (iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road (v) it will have a width of between 3m and 4m (measured at the site boundary) (b) where the development will result in 2 and up to 6 dwellings: <ul style="list-style-type: none"> (i) it will not result in more than one access point servicing the development site (ii) vehicles can enter and exit the site in a forward direction (iii) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees (iv) passenger vehicles (with a length up to 5.2m) can enter and exit the site wholly within the kerbside lane of the road (v) it will have a width of between 5.8m to 6m (measured at the site boundary) and an access depth of 6m (measured from the site boundary into the site) (c) where the development will result in 7 or more dwellings, or is a non-residential land use: <ul style="list-style-type: none"> (i) it will not result in more than one access point servicing the development site (ii) vehicles can enter and exit the site using left turn only movements (iii) vehicles can enter and exit the site in a forward direction (iv) vehicles can cross the property boundary at an angle between 70 degrees and 90 degrees (v) it will have a width of between 6m and 7m (measured at the site boundary), where the development is expected to accommodate vehicles with a length of 6.4m or less (vi) it will have a width of between 6m and 9m (measured at the site boundary), where the development is expected to accommodate vehicles with a length from 6.4m to 8.8m (vii) it will have a width of between 9m and 12m (measured at the site boundary), where the development is expected to accommodate

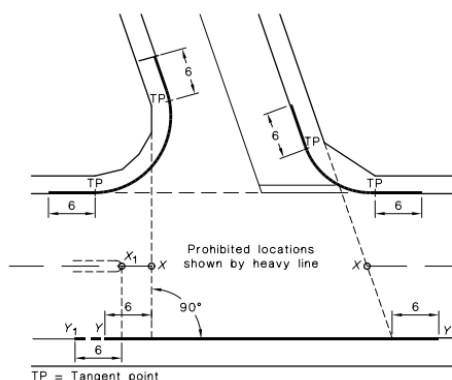
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	<p>vehicles with a length from 8.8m to 12.5m</p> <p>(viii) provides for simultaneous two-way vehicle movements at the access:</p> <p>A. with entry and exit movements for vehicles with a length up to 5.2m vehicles being fully within the kerbside lane of the road</p> <p>and</p> <p>B. with entry movements of 8.8m vehicles (where relevant) being fully within the kerbside lane of the road and the exit movements of 8.8m vehicles do not cross the centreline of the road.</p>
Access - On-Site Queuing	
<p>PO 2.1</p> <p>Sufficient accessible on-site queuing adjacent to access points is provided to meet the needs of development so that all vehicle queues can be contained fully within the boundaries of the development site, to minimise interruption on the functional performance of the road and maintain safe vehicle movements.</p>	<p>DTS/DPF 2.1</p> <p>An access point in accordance with one of the following:</p> <p>(a) will not service, or is not intended to service, more than 6 dwellings and there are no internal driveways, intersections, car parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site) as shown in the following diagram:</p>  <p>(b) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and:</p> <p>(i) is expected to be serviced by vehicles with a length no greater than 6.4m</p> <p>(ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site)</p> <p>(c) will service, or is intended to service, development that will generate less than 60 vehicle movements per day, and:</p> <p>(i) is expected to be serviced by vehicles with a length greater than a 6.4m small rigid vehicle</p> <p>(ii) there are no internal driveways, intersections, parking spaces or gates within 6.0m of the access point (measured from the site boundary into the site)</p> <p>(iii) any termination of or change in priority of movement within the main car park aisle is located far enough into the site so that the largest vehicle expected on-site can store fully within the site before being required to stop</p> <p>(iv) all parking or manoeuvring areas for commercial vehicles are located a minimum of 12m or the length of the longest vehicle expected on site from the access (measured from the site boundary into the site) as shown in the following diagram:</p>

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Access - (Location Spacing) - Existing Access Point	
<p>PO 3.1</p> <p>Existing access points are designed to accommodate the type and volume of traffic likely to be generated by the development.</p>	<p>DTS/DPF 3.1</p> <p>An existing access point satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) it will not service, or is not intended to service, more than 6 dwellings (b) it is not located on a Controlled Access Road and will not service development that will result in (b) a larger class of vehicle expected to access the site using the existing access (c) is not located on a Controlled Access Road and development constitutes: <ul style="list-style-type: none"> (i) a change of use between an office <500m² gross leasable floor area and a consulting room <500m² gross leasable floor area or vice versa (ii) a change in use from a shop to an office, consulting room or personal or domestic services establishment (iii) a change of use from a consulting room or office <250m² gross leasable floor area to shop <250m² gross leasable floor area (iv) a change of use from a shop <500m² gross leasable floor area to a warehouse <500m² gross leasable floor area (v) an office or consulting room with a <500m² gross leasable floor area.
Access – Location (Spacing) – New Access Points	
<p>PO 4.1</p> <p>New access points are spaced apart from any existing access point or public road junction to manage impediments to traffic flow and maintain safe and efficient operating conditions on the road.</p>	<p>DTS/DPF 4.1</p> <p>A new access point satisfies (a), (b) or (c):</p> <ul style="list-style-type: none"> (a) where a development site is intended to serve between 1 and 6 dwellings and has frontage to a local road (not being a Controlled Access Road) with a speed environment of 60km/h or less, the new access point is provided on the local road and located a minimum of 6.0m from the tangent point as shown in the following diagram:

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NOTE:

The points marked X_1 and X are respectively at the median end on a divided road and at the intersection of the main road centre-line and the extensions of the side road property lines shown as dotted lines, on an undivided road. On a divided road, dimension $Y-Y_1$ extends to Point Y_1 .

- (b) where the development site is intended to serve between 1 and 6 dwellings and access from a local road (being a road that is not a State Maintained Road) is not available, the new access:
- (i) is not located on a Controlled Access Road
 - (ii) is not located on a section of road affected by double barrier lines
 - (iii) will be on a road with a speed environment of 70km/h or less
 - (iv) is located outside of the bold lines on the diagram shown in the diagram following part (a)
 - (v) located minimum of 6m from a median opening or pedestrian crossing
- (c) where DTS/DPF 4.1 part (a) and (b) do not apply and access from an alternative local road at least 25m from the State Maintained Road is not available, and the access is not located on a Controlled Access Road, the new access is separated in accordance with the following:

Speed Limit	Separation between access points	Separation from public road junctions and merging/terminating lanes
50 km/h or less	No spacing requirement	20m
60 km/h	30m	73m
70 km/h	40m	92m
80 km/h	50m	114m
90 km/h	65m	139m
100 km/h	80m	165m
110 km/h	100m	193m

Access - Location (Sight Lines)

PO 5.1

Access points are located and designed to accommodate sight lines that enable drivers and pedestrians to navigate potential conflict points with roads in a controlled and safe manner.

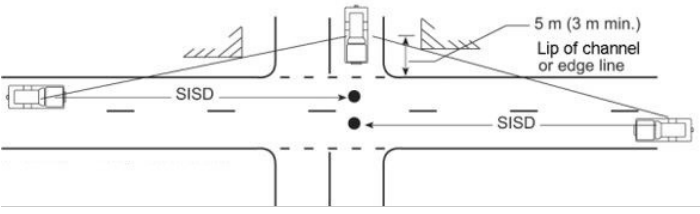
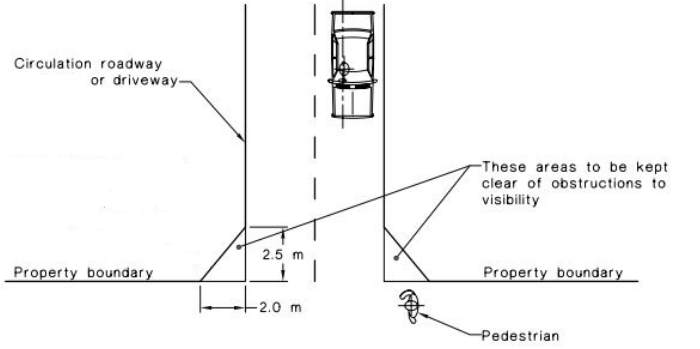
DTS/DPF 5.1

An access point satisfies (a) or (b):

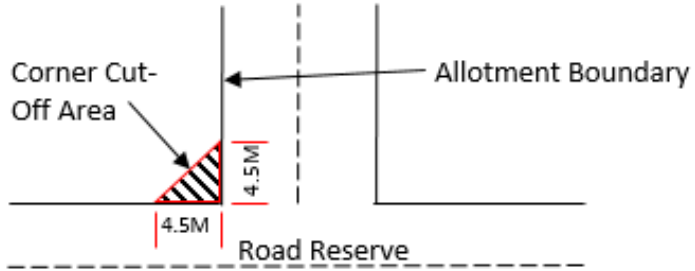
- (a) drivers approaching or exiting an access point have an unobstructed line of sight in accordance with the following (measured at a height of 1.1m above the surface of the road):

Speed Limit	Access point serving 1-6 dwellings	Access point serving all other development
40 km/h or less	40m	73m

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		<table> <tr><td>50 km/h</td><td>55m</td><td>97m</td></tr> <tr><td>60 km/h</td><td>73m</td><td>123m</td></tr> <tr><td>70 km/h</td><td>92m</td><td>151m</td></tr> <tr><td>80 km/h</td><td>114m</td><td>181m</td></tr> <tr><td>90 km/h</td><td>139m</td><td>214m</td></tr> <tr><td>100 km/h</td><td>165m</td><td>248m</td></tr> <tr><td>110km/h</td><td>193m</td><td>285m</td></tr> </table> 	50 km/h	55m	97m	60 km/h	73m	123m	70 km/h	92m	151m	80 km/h	114m	181m	90 km/h	139m	214m	100 km/h	165m	248m	110km/h	193m	285m
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		<p>(b) pedestrian sightlines in accordance with the following diagram:</p> 																					
Access – Mud and Debris																							
PO 6.1	DTS/DPF 6.1	<p>Access points constructed to minimise mud or other debris being carried or transferred onto the road to ensure safe road operating conditions.</p> <p>Where the road has an unsealed shoulder and the road is not kerbed, the access way is sealed from the edge of seal on the road for a minimum of 10m or to the property boundary (whichever is closer).</p>																					
Access - Stormwater																							
PO 7.1	DTS/DPF 7.1	<p>Access points are designed to minimise negative impact on roadside drainage of water.</p> <p>Development does not:</p> <ul style="list-style-type: none"> (a) decrease the capacity of an existing drainage point (b) restrict or prevent the flow of stormwater through an existing drainage point and system. 																					
Building on Road Reserve																							
PO 8.1	DTS/DPF 8.1	<p>Buildings or structures that encroach onto, above or below road reserves are designed and sited to minimise impact on safe movements by all road users.</p> <p>Buildings or structures are not located on, above or below the road reserve.</p>																					

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Public Road Junctions	
PO 9.1 New junctions with a public road (including the opening of unmade public road junctions) or modifications to existing road junctions are located and designed to ensure safe operating conditions are maintained on the State Maintained Road.	DTS/DPF 9.1 Development does not comprise any of the following: (a) creating a new junction with a public road (b) opening an unmade public road junction (c) modifying an existing public road junction.
Corner Cut-Offs	
PO 10.1 Development is located and designed to maintain sightlines for drivers turning into and out of public road junctions to contribute to driver safety.	DTS/DPF 10.1 Development does not involve building work, or building work is located wholly outside the land shown as 'Corner Cut-Off Area' in the following diagram: 

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except where all of the relevant deemed-to-satisfy criteria are met, development (including the division of land) that involves any of the following to/on a State Maintained Road or within 25 metres of an intersection with any such road:</p> <ul style="list-style-type: none"> (a) creation of a new access or junction (b) alterations to an existing access or public road junction (except where deemed to be minor in the opinion of the relevant authority) (c) development that changes the nature of vehicular movements or increase the number or frequency of movements through an existing access (except where deemed to be minor in the opinion of the relevant authority). 	Commissioner of Highways.	To provide expert technical assessment and direction to the Relevant Authority on the safe and efficient operation and management of all roads relevant to the Commissioner of Highways as described in the Planning and Design Code.	Development of a class to which Schedule 9 clause 3 item 7 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

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Water Resources Overlay

Assessment Provisions (AP)

Desired Outcome	
DO 1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO 2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Catchment	
PO 1.1 Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development avoids interfering with the existing hydrology or water regime of swamps and wetlands other than to improve the existing conditions to enhance environmental values.	DTS/DPF 1.2 None are applicable.
PO 1.5 Development that increases surface water run-off includes a suitably sized strip of vegetated land on each side of a watercourse to filter runoff to: (a) reduce the impacts on native aquatic ecosystems (b) minimise soil loss eroding into the watercourse.	DTS/DPF 1.5 A strip of land 20m or more wide measured from the top of existing banks on each side of the watercourse is free from development, livestock use and revegetated with locally indigenous vegetation.
PO 1.6 Development resulting in the depositing or placing of an object or solid material in a watercourse or lake occurs only where it involves any of the following: (a) the construction of an erosion control structure (b) devices or structures used to extract or regulate water flowing in a watercourse (c) devices used for scientific purposes (d) the rehabilitation of watercourses.	DTS/DPF 1.6 None are applicable.
PO 1.7 Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.	DTS/DPF 1.7 None are applicable.

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PO 1.8 Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.	DTS/DPF 1.8 None are applicable.
PO 1.9 Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.	DTS/DPF 1.9 None are applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design

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Desired Outcome	
DO 1	<p>Development is:</p> <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
External Appearance	
<p>PO 1.5</p> <p>The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.</p>	<p>DTS/DPF 1.5</p> <p>None are applicable.</p>
On-site Waste Treatment Systems	
<p>PO 6.1</p> <p>Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.</p>	<p>DTS/DPF 6.1</p> <p>Effluent disposal drainage areas do not:</p> <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Carparking Appearance	
<p>PO 7.2</p> <p>Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>

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PO 7.5 Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5 None are applicable.
PO 7.6 Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	DTS/DPF 7.6 None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 8.1 Development does not involve any of the following: (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Supply	
PO 11.1 Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.	DTS/DPF 11.1 Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.
Wastewater Services	
PO 12.1	DTS/DPF 12.1

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<p>Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:</p> <ul style="list-style-type: none"> (a) it is wholly located and contained within the allotment of the development it will service (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	<p>Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:</p> <ul style="list-style-type: none"> (a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.
<p>PO 12.2</p> <p>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2</p> <p>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature								
Hours of Operation									
<p>PO 2.1</p> <p>Non-residential development does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) or an adjacent zone primarily for sensitive receivers through its hours of operation having regard to:</p> <ul style="list-style-type: none"> (a) the nature of the development (b) measures to mitigate off-site impacts (c) the extent to which the development is desired in the zone (d) measures that might be taken in an adjacent zone primarily for sensitive receivers that mitigate adverse impacts without unreasonably compromising the intended use of that land. 	<p>DTS/DPF 2.1</p> <p>Development operating within the following hours:</p> <table border="1"> <thead> <tr> <th>Class of Development</th><th>Hours of operation</th></tr> </thead> <tbody> <tr> <td>Consulting room</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr> <tr> <td>Office</td><td>7am to 9pm, Monday to Friday 8am to 5pm, Saturday</td></tr> <tr> <td>Shop, other than any</td><td>7am to 9pm, Monday to Friday</td></tr> </tbody> </table>	Class of Development	Hours of operation	Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday	Shop, other than any	7am to 9pm, Monday to Friday
Class of Development	Hours of operation								
Consulting room	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Office	7am to 9pm, Monday to Friday 8am to 5pm, Saturday								
Shop, other than any	7am to 9pm, Monday to Friday								

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	one or combination of the following: (a) restaurant (b) cellar door in the Productive Rural Landscape Zone, Rural Zone or Rural Horticulture Zone	8am to 5pm, Saturday and Sunday
Overshadowing		
PO 3.1 Overshadowing of habitable room windows of adjacent residential land uses in: a. a neighbourhood-type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.1 North-facing windows of habitable rooms of adjacent residential land uses in a neighbourhood-type zone receive at least 3 hours of direct sunlight between 9.00am and 3.00pm on 21 June.	
PO 3.2 Overshadowing of the primary area of private open space or communal open space of adjacent residential land uses in: a. a neighbourhood type zone is minimised to maintain access to direct winter sunlight b. other zones is managed to enable access to direct winter sunlight.	DTS/DPF 3.2 Development maintains 2 hours of direct sunlight between 9.00 am and 3.00 pm on 21 June to adjacent residential land uses in a neighbourhood-type zone in accordance with the following: a. for ground level private open space, the smaller of the following: i. half the existing ground level open space or ii. 35m2 of the existing ground level open space (with at least one of the area's dimensions measuring 2.5m) b. for ground level communal open space, at least half of the existing ground level open space.	
PO 3.3 Development does not unduly reduce the generating capacity of adjacent rooftop solar energy facilities taking into account: (a) the form of development contemplated in the zone (b) the orientation of the solar energy facilities (c) the extent to which the solar energy facilities are already overshadowed.	DTS/DPF 3.3 None are applicable.	
Activities Generating Noise or Vibration		
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.	
PO 4.2 Areas for the on-site manoeuvring of service and delivery	DTS/DPF 4.2 None are applicable.	

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<p>vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <ul style="list-style-type: none"> (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone. 	
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>
Air Quality	
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <ul style="list-style-type: none"> (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers. 	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
Light Spill	
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>
<p>PO 6.2</p> <p>External lighting is not hazardous to motorists and cyclists.</p>	<p>DTS/DPF 6.2</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.4 Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is: (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
PO 3.5 Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.	DTS/DPF 3.5 Vehicle access to designated car parking spaces satisfy (a) or (b): (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
Vehicle Parking Rates	

Policy24 - Enquiry

PO 5.1 Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as: (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place.	DTS/DPF 5.1 Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant: (a) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements (b) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.
Vehicle Parking Areas	
PO 6.1 Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.	DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.	DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.

Table 1 - General Off-Street Car Parking Requirements

The following parking rates apply and if located in an area where a lawfully established carparking fund operates, the number of spaces is reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate (unless varied by Table 2 onwards) Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.
Residential Development	
Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Group Dwelling	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered. 0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Residential Flat Building	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.

Policy24 - Enquiry

	0.33 spaces per dwelling for visitor parking where development involves 3 or more dwellings.
Row Dwelling where vehicle access is from the primary street	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Row Dwelling where vehicle access is not from the primary street (i.e. rear-loaded)	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Semi-Detached Dwelling	Dwelling with 1 bedroom (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 2 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling, 1 of which is to be covered.
Aged / Supported Accommodation	
Retirement village	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Supported accommodation	0.3 spaces per bed.
Residential Development (Other)	
Ancillary accommodation	No additional requirements beyond those associated with the main dwelling.
Residential park	Dwelling with 1 or 2 bedrooms (including rooms capable of being used as a bedroom) - 1 space per dwelling. Dwelling with 3 or more bedrooms (including rooms capable of being used as a bedroom) - 2 spaces per dwelling. 0.2 spaces per dwelling for visitor parking.
Student accommodation	0.3 spaces per bed.
Workers' accommodation	0.5 spaces per bed plus 0.2 spaces per bed for visitor parking.
Tourist	
Caravan park / tourist park	Parks with 100 sites or less - a minimum of 1 space per 10 sites to be used for accommodation. Parks with more than 100 sites - a minimum of 1 space per 15 sites used for accommodation. A minimum of 1 space for every caravan (permanently fixed to the ground) or cabin.
Tourist accommodation	1 car parking space per accommodation unit / guest room.

Policy24 - Enquiry

Commercial Uses	
Auction room/ depot	1 space per 100m ² of building floor area plus an additional 2 spaces.
Automotive collision repair	3 spaces per service bay.
Call centre	8 spaces per 100m ² of gross leasable floor area.
Motor repair station	3 spaces per service bay.
Office	4 spaces per 100m ² of gross leasable floor area.
Retail fuel outlet	3 spaces per 100m ² gross leasable floor area.
Service trade premises	2.5 spaces per 100m ² of gross leasable floor area 1 space per 100m ² of outdoor area used for display purposes.
Shop (no commercial kitchen)	5.5 spaces per 100m ² of gross leasable floor area where not located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared. 5 spaces per 100m ² of gross leasable floor area where located in an integrated complex containing two or more tenancies (and which may comprise more than one building) where facilities for off-street vehicle parking, vehicle loading and unloading, and the storage and collection of refuse are shared.
Shop (in the form of a bulky goods outlet)	2.5 spaces per 100m ² of gross leasable floor area.
Shop (in the form of a restaurant or involving a commercial kitchen)	Premises with a dine-in service only (which may include a take-away component with no drive-through) - 0.4 spaces per seat. Premises with take-away service but with no seats - 12 spaces per 100m ² of total floor area plus a drive-through queue capacity of ten vehicles measured from the pick-up point. Premises with a dine-in and drive-through take-away service - 0.3 spaces per seat plus a drive through queue capacity of 10 vehicles measured from the pick-up point.
Community and Civic Uses	
Childcare centre	0.25 spaces per child
Library	4 spaces per 100m ² of total floor area.
Community facility	10 spaces per 100m ² of total floor area.

Policy24 - Enquiry

Hall / meeting hall	0.2 spaces per seat.
Place of worship	1 space for every 3 visitor seats.
Pre-school	1 per employee plus 0.25 per child (drop off/pick up bays)
Educational establishment	<p>For a primary school - 1.1 space per full time equivalent employee plus 0.25 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a secondary school - 1.1 per full time equivalent employee plus 0.1 spaces per student for a pickup/set down area either on-site or on the public realm within 300m of the site.</p> <p>For a tertiary institution - 0.4 per student based on the maximum number of students on the site at any time.</p>
Health Related Uses	
Hospital	<p>4.5 spaces per bed for a public hospital.</p> <p>1.5 spaces per bed for a private hospital.</p>
Consulting room	4 spaces per consulting room excluding ancillary facilities.
Recreational and Entertainment Uses	
Cinema complex	0.2 spaces per seat.
Concert hall / theatre	0.2 spaces per seat.
Hotel	1 space for every 2m ² of total floor area in a public bar plus 1 space for every 6m ² of total floor area available to the public in a lounge, beer garden plus 1 space per 2 gaming machines, plus 1 space per 3 seats in a restaurant.
Indoor recreation facility	<p>6.5 spaces per 100m² of total floor area for a Fitness Centre</p> <p>4.5 spaces per 100m² of total floor area for all other Indoor recreation facilities.</p>
Industry/Employment Uses	
Fuel depot	<p>1.5 spaces per 100m² total floor area</p> <p>1 spaces per 100m² of outdoor area used for fuel depot activity purposes.</p>
Industry	1.5 spaces per 100m ² of total floor area.
Store	0.5 spaces per 100m ² of total floor area.

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Timber yard	1.5 spaces per 100m ² of total floor area 1 space per 100m ² of outdoor area used for display purposes.
Warehouse	0.5 spaces per 100m ² total floor area.
Other Uses	
Funeral Parlour	1 space per 5 seats in the chapel plus 1 space for each vehicle operated by the parlour.
Radio or Television Station	5 spaces per 100m ² of total building floor area.

Table 2 - Off-Street Car Parking Requirements in Designated Areas

The following parking rates apply in any zone, subzone or other area described in the 'Designated Areas' column subject to the following:

- (a) the location of the development is unable to satisfy the requirements of Table 2 – Criteria (other than where a location is exempted from the application of those criteria)
or
- (b) the development satisfies Table 2 – Criteria (or is exempt from those criteria) and is located in an area where a lawfully established carparking fund operates, in which case the number of spaces are reduced by an amount equal to the number of spaces offset by contribution to the fund.

Class of Development	Car Parking Rate		Designated Areas
	Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.		
	Minimum number of spaces	Maximum number of spaces	
Development generally			
All classes of development	No minimum.	<p>No maximum except in the Primary Pedestrian Area identified in the Primary Pedestrian Area Concept Plan, where the maximum is:</p> <p>1 space for each dwelling with a total floor area less than 75 square metres</p> <p>2 spaces for each dwelling with a total floor area between 75 square metres and 150 square metres</p> <p>3 spaces for each dwelling with a total floor area greater than 150 square metres.</p>	<p>Capital City Zone</p> <p>City Main Street Zone</p> <p>City Riverbank Zone</p> <p>Adelaide Park Lands Zone</p> <p>Business Neighbourhood Zone (within the City of Adelaide)</p> <p>The St Andrews Hospital Precinct Subzone and Women's and Children's Hospital Precinct Subzone of the Community Facilities Zone</p>

Policy24 - Enquiry

		Residential flat building or Residential component of a multi-storey building: 1 visitor space for each 6 dwellings.	
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	5 spaces per 100m ² of gross leasable floor area.	City Living Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone
Non-residential development excluding tourist accommodation	3 spaces per 100m ² of gross leasable floor area.	6 spaces per 100m ² of gross leasable floor area.	Strategic Innovation Zone Suburban Activity Centre Zone Suburban Business Zone Business Neighbourhood Zone Suburban Main Street Zone Urban Activity Centre Zone
Tourist accommodation	1 space for every 4 bedrooms up to 100 bedrooms plus 1 space for every 5 bedrooms over 100 bedrooms	1 space per 2 bedrooms up to 100 bedrooms and 1 space per 4 bedrooms over 100 bedrooms	City Living Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone
Residential development			
Residential component of a multi-storey building	Dwelling with no separate bedroom -0.25 spaces per dwelling 1 bedroom dwelling - 0.75 spaces per dwelling 2 bedroom dwelling - 1 space per dwelling 3 or more bedroom dwelling - 1.25 spaces per dwelling	None specified.	City Living Zone Strategic Innovation Zone Urban Activity Centre Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone

Policy24 - Enquiry

	0.25 spaces per dwelling for visitor parking.		Urban Neighbourhood Zone
Residential flat building	<p>Dwelling with no separate bedroom -0.25 spaces per dwelling</p> <p>1 bedroom dwelling - 0.75 spaces per dwelling</p> <p>2 bedroom dwelling - 1 space per dwelling</p> <p>3 or more bedroom dwelling - 1.25 spaces per dwelling</p> <p>0.25 spaces per dwelling for visitor parking.</p>	None specified.	<p>City Living Zone</p> <p>Urban Activity Centre Zone</p> <p>Urban Corridor (Boulevard) Zone</p> <p>Urban Corridor (Business) Zone</p> <p>Urban Corridor (Living) Zone</p> <p>Urban Corridor (Main Street) Zone</p> <p>Urban Neighbourhood Zone</p>

Table 2 - Criteria:

The following criteria are used in conjunction with Table 2. The 'Exception' column identifies locations where the criteria do not apply and the car parking rates in Table 2 are applicable.

Criteria	Exceptions
<p>The designated area is wholly located within Metropolitan Adelaide and any part of the development site satisfies one or more of the following:</p> <p>(a) is within 200 metres of any section of road reserve along which a bus service operates as a high frequency public transit service⁽²⁾</p> <p>(b) is within 400 metres of a bus interchange⁽¹⁾</p> <p>(c) is within 400 metres of an O-Bahn interchange⁽¹⁾</p> <p>(d) is within 400 metres of a passenger rail station⁽¹⁾</p> <p>(e) is within 400 metres of a passenger tram station⁽¹⁾</p> <p>(f) is within 400 metres of the Adelaide Parklands.</p>	<p>(a) All zones in the City of Adelaide</p> <p>(b) Strategic Innovation Zone in the following locations:</p> <p>(i) City of Burnside</p> <p>(ii) City of Marion</p> <p>(iii) City of Mitcham</p> <p>(c) Urban Corridor (Boulevard) Zone</p> <p>(d) Urban Corridor (Business) Zone</p> <p>(e) Urban Corridor (Living) Zone</p> <p>(f) Urban Corridor (Main Street) Zone</p> <p>(g) Urban Neighbourhood Zone</p>

[NOTE(S): (1) Measured from an area that contains any platform(s), shelter(s) or stop(s) where people congregate for the purpose waiting to board a bus, tram or train, but does not include areas used for the parking of vehicles. (2) A high frequency public transit service is a route serviced every 15 minutes between 7.30am and 6.30pm Monday to Friday and every 30 minutes at night, Saturday, Sunday and public holidays until 10pm.]

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Attachment 1 - Application Documents



11/10/2021

Mrs Ashlee Carver

Request for Information

Applicant: Ashlee Carver

Application ID: 21027494

Consent: Planning Consent

Proposed Development: Partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking

Subject Land:

Location reference: 1 SMYTH RD DAWESLEY SA 5252

Title ref.: CT 6023/113

Plan Parcel: D60395 AL31

Council: MOUNT BARKER DISTRICT COUNCIL

Dear Mrs Carver,

Thank you for the submission of the information. Council now requests final points of information prior to proceeding to public notification.

- Please confirm the days and hours of operation.
- Maximum number of staff (including trades) to be on site at any one time.
- Plans and details of waste management i.e. excess building material (location, method of disposal, frequency of removal)
- Plans and details of any lay down area for materials.
- Confirm if the proposal is seeking approval for 12 months or a permanent basis.
- Confirm the maximum number of completed transportable buildings to be stored on site at any one time.
- Confirm the maximum number of transportable buildings under construction on site at any one time inside the shed and outside.
- Please indicate the proposed location of the signage on the site plan.
- Please provide plans and details of signage content.

This information must be provided within 60 business days of the date of this letter. If you require additional time to provide the information, please contact the Authority on the details below as soon as possible to allow for consideration of your request. Please note failure to provide the requested may result in refusal of your application.

If you have any other questions regarding your application, please use the contact details below.

Planning, Development and Infrastructure Act 2016 & Planning, Development and Infrastructure (General) Regulations 2017	Section 119(3) / Regulation 34
Due Date	<DD/MM/YYYY>



1300 848 553
info@outbackportablebuildings.com.au
www.outbackportablebuildings.com.au

12.10.2021

Dear Andrew,


In response to your letter regarding application 21027494 please see the following details.

- Monday to Saturday, between 8:00 & 17:00.
- Maximum of 12.
- OBPB have a commercial trading agreement with Waste Away SA for excess building materials and rubbish removal that are not recyclable – please see attachment 'Waste Away' as evidence of this occurring. This bin sits just outside of the shed. It is emptied on a needs basis. Scrap metal is collected in a skip bin provided by Balhannah Scrap Metal. This sits along side of the other skip bin. We are not charged for this service. It is collected on a needs basis.
- Laydown of material is predominantly stored in front of the water tank. This is neatly arranged on a sturdy industrial rack. Please see attached 'PIC 1'. Materials such as welded frames, gyprock, windows, and doors are neatly stored in their allocated spaces within the shed. See 'PIC 2, 3 & 4'. Cladding is stored next to the associated building when delivered – see 'PIC 5'.
- Seeking approval on a permanent basis.
- The number of transportable buildings, both completed and under construction, will be no more than 12. Depending on the size of transportable building, out of those 12, there will be between two and four that are always in the shed.
- Please see attached picture 'PIC 6' which shows the signage details and location on the right-hand side of the entrance gate.

If you require any additional details, please let me know.

Kind regards,

Ashlee Carver



OUT-*BACK*

PORTABLE BUILDINGS

Built for the outback and out the back

1300 848 553 www.outbackportablebuildings.com

Application for Manufacturing Works to be Undertaken
Premises: 1 Smyth rd Dawesley

Introduction

Context:

Out-Back Portable Buildings started in FY21 with the intention of completing 4 buildings in the 2020 calendar year. The business was able to find a price point to begin advertising and test the market.

Since advertising, the business has been successful in receiving orders for a further 6 buildings (completed) and another 9 buildings on order.

The intention was to seek approval from the Mount Barker Council in the new year once there was confirmation of an ongoing business model.

The Managing Director – Luke Angel is still currently employed on a full-time basis by BHP, commuting to Olympic Dam. Marcus Rayner has taken the position of Operations Director and manages the operation day to day.

Retrospective Approval:

Out-Back Portable Buildings is seeking approval to operate for a further 12 months from the approval date to ensure a sustainable business can be established.

Investment:

Since operating, Out-Back Portable Buildings has invested \$485,000 into the community by employing local trades, suppliers and local employment – this figure is projected to be in the vicinity of \$700,000 by EOFY21. Out-Back Portable Buildings is operating at a profit of 10% which at this stage, will not secure a successful lease, or equity to purchase a commercial allotment.

Operations Explained

Fabrication:

Out-back Portable Buildings construct buildings from formed steel channel to steel frames and the building bases are also fabricated in-house. This welding activity is done out of sight from the public and is done so due to the need for using a MIG welder requiring shelter from any wind as Argon gas is required.

Assembly:

Generally, the building assembly is done within the confinement of the shed until at 'lockup' stage to ensure the internals are not exposed to the environment. The buildings are then finished outside ready to be shipped.

Machinery Used:

Currently the business is utilizing only farm machinery (Massey Ferguson FEL) for unloading deliveries and manouvering the buildings. We have electrical tooling in the shed – powered equipment is the welder and air compressor with the remainder operated mainly in cordless configuration.

Delivery / Dispatch

Deliveries to site are either unloading by ourselves, delivered by a crane truck or unloaded by hand – as a typical builder would, however on a much smaller scale. Generally we would expect 1-2 deliveries per week and kept to a minimum. Buildings are dispatched by a specialised company who operate crane trucks to avoid the need to have cranes on site.

Employees

Out-Back Portable Buildings relies heavily on trades coming to site and campaigning electrical, plumbing, plasterboard, painting, welding and cladding. We have one full time employee 2 employees on the floor assisting in light duties where a trade is not required.





Low Impact Transport





Fabrication - within
the confines of the
building until frames
are completed.

Summary Proposal

Timing

Out-Back Portable Buildings will see a reduction in risk to the business's sustainability if there was flexibility to operate for a further 12 months to ensure capital is available to make a transition. If a suitable location becomes available where affordability is met, the business will relocate as soon as the opportunity presents.

Signage

Signage is required at the entrance to the gateway to direct deliveries, this has been placed in Black and White to minimize the visual impact on passer-by traffic. This sign is approximately 1m x 2m in size, we can reconsider the size if appropriate.

Addressing Concerns

Should any concerns or complaints be raised with us directly, we will do our absolute best to address the issues as they arise. Out-back Portable Buildings wants to create and maintain a reputable standard within the community.

Commitment

The business is committed to being upstanding contributors to the community. All our goods and services are procured locally, we are committed to continuing this model. Should our success continue, we believe our business will be an asset to the community and the local job-seeker population.

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1300 848 553
info@outbackportablebuildings.com.au
www.outbackportablebuildings.com.au

23/09/2021

Dear Andrew Houlihan,

In response to your letter dated 15.09.21 please see below.

Attached in the portal are PDF's that I hope will provide you with sufficient information.

As requested, I have provided scaled documentation where possible.

- PDF "SP" outlines the boundaries and dimensions of the site – 2(1)(a)(i)
- PDF "North point" for 2(1)(a)(ix).
- PDF "Site Plan" shows the position of the existing buildings 2(1)(a)(ii); car parking spaces 2(1)(a)(vi); existing septic systems 2(1)(a)(ix).
- PDF "Shed Floor Plan" will show you the layout and purpose of the OBPB shed, office, and bathroom areas 2(1)(b)(i).
- PDF "Entrance Intersection" for access point 2(1)(h)(i); the expected number of vehicles 2(1)(h)(ii); vehicle length maximum 2(1)(h)(iii) & access point 2(1)(h)(vi).
- Regarding vehicle turning points 2(1)(h)(iv)(A), please refer to PDF "Site Plan"

I have not provided any information regarding new, or modified driveway, or access points as this isn't something that will be occurring/has occurred 2(1)(a)(xii) & 2(1)(h)(v)

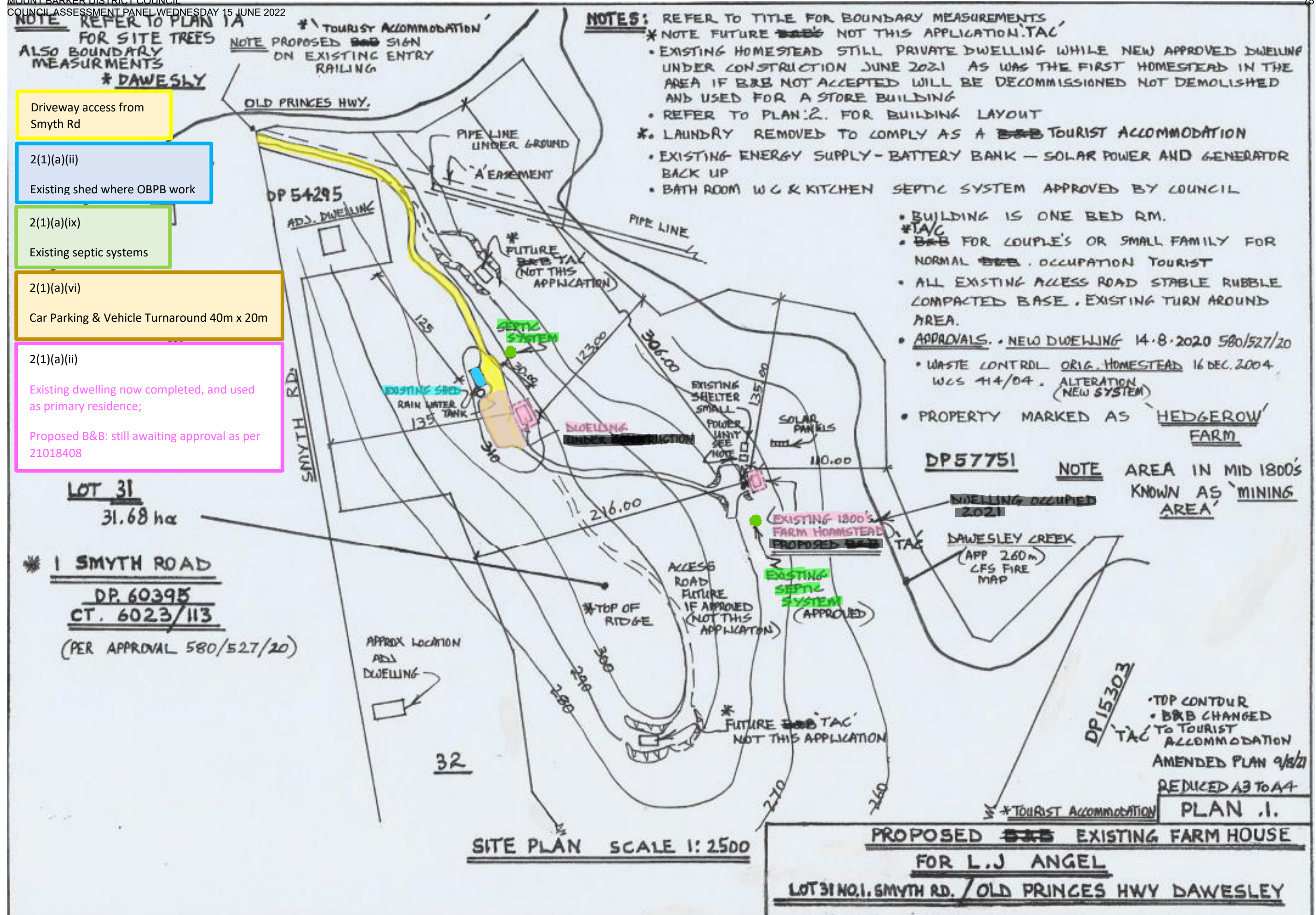
No tree species to be removed or planted, all remains as it always has been 2(1)(a)(xiii)

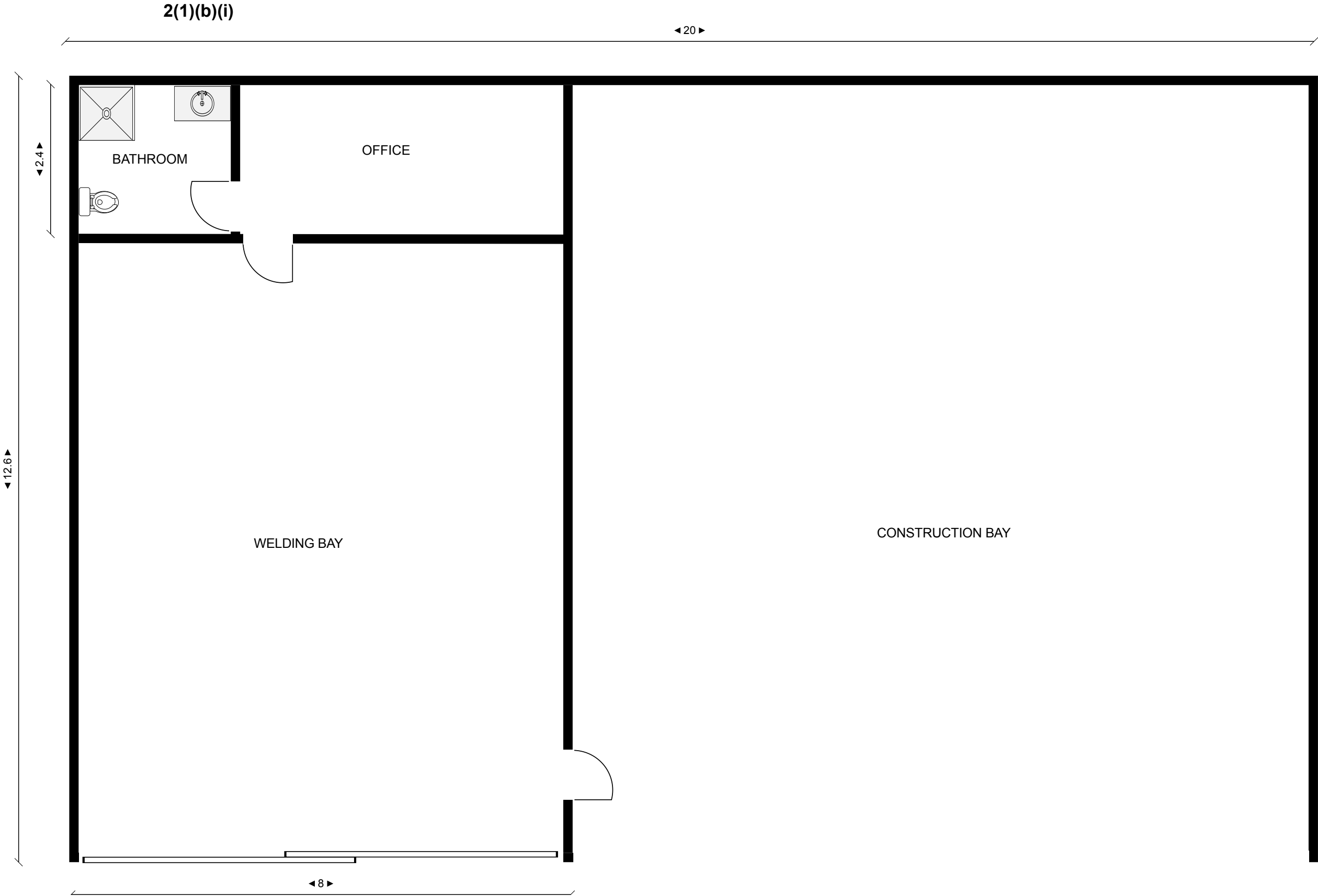
Please let me know if you need anything else.

Kind regards,

Ashlee Carver

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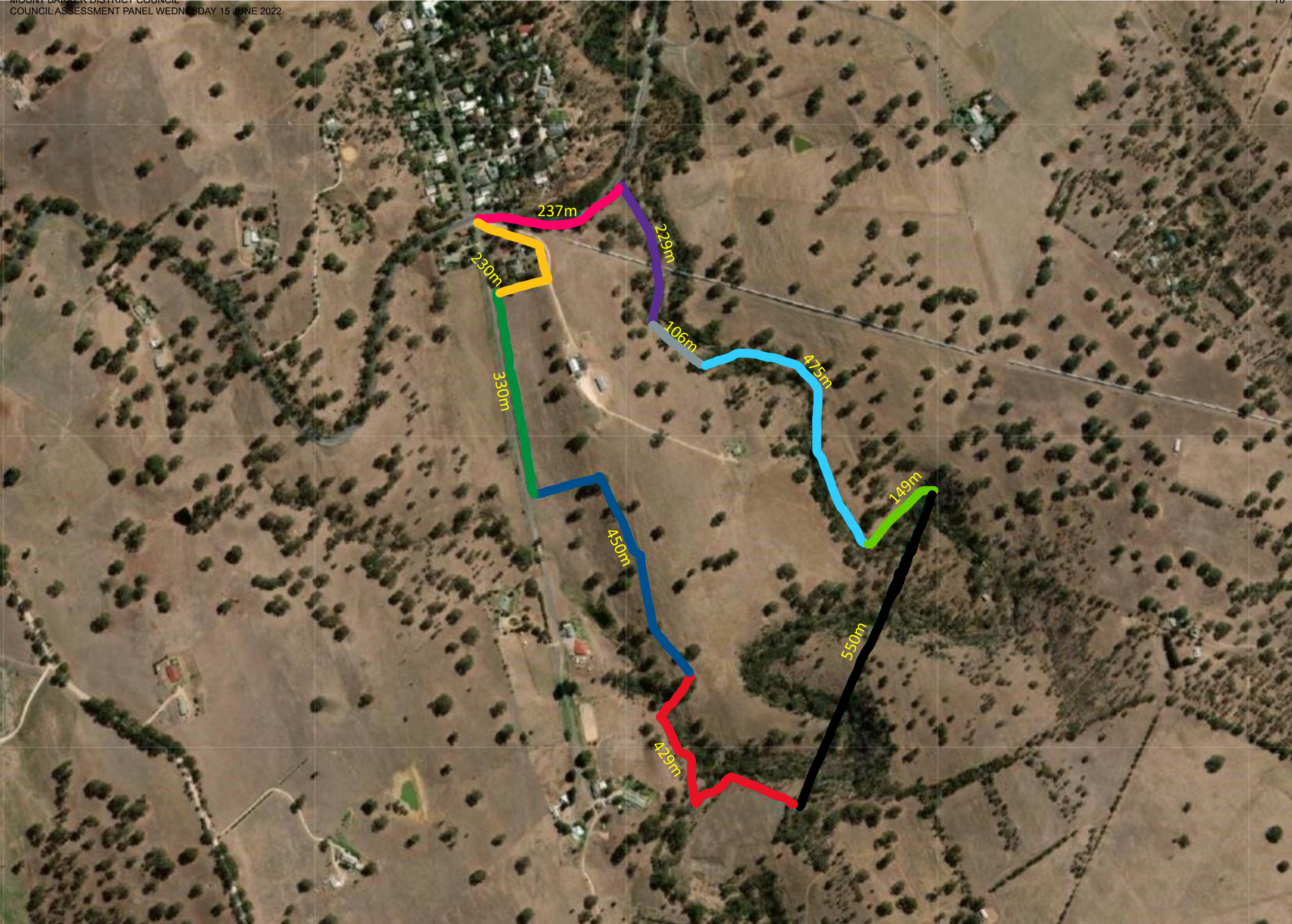




Vehicle movements: 10 per week day, due to local staff arriving and departing work. See original Land Use Presentation regarding deliveries etc. 2(1)(h)(ii)

The maximum vehicle length expected could be up to 23m. 2(1)(h)(iii)















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TRANSPORT PLANNING AND PROGRAM DEVELOPMENT
Transport Assessment GPO Box 1533
ADELAIDE SA 5001
ABN 92 366 288 135

Response To: SCHEDULE 9 - FURTHER INFORMATION REQUEST

Commissioner of Highways

Please see responses for the assessment of Development Application: 21027494

To assist assessment, the following information is requested before a referral response is given, and can be provided in the format of a traffic report:

□ Confirmation that the proposed development approval is for now ongoing/permanent and not temporary basis

The development application is based on a permanent arrangement as the business cannot commit to a fixed date to transition to a new premise. The business plan is however to re-locate to Murray Bridge and works to continue in some capacity at the Dawesley location.

□ Details of the expected traffic generation from the development for all uses on the site (including light vehicles and heavy vehicles for daily, AM and PM peak movements);

Movements on and off the property described in the below table. (LV = Light Vehicle
HV = Semi Trailer)

	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
6am-9am	6 x LV 0 x HV	4 x LV 0 x HV	6 x LV 0 x HV	4 x LV 0 x HV	4 x LV 0 x HV	1 x LV 0 x HV
9am-12pm	2 x LV 0 x HV	0 x LV 1 x HV	2 x LV 0 x HV	0 x LV 0 x HV	0 x LV 1 x HV	1 x LV 0 x HV
12pm-3pm	2 x LV 0 x HV	2 x LV 0 x HV	2 x LV 0 x HV	2 x LV 0 x HV	2 x LV 0 x HV	1 x LV 0 x HV
3pm-6pm	4 x LV 0 x HV	4 x LV 0 x HV	4 x LV 0 x HV	4 x LV 0 x HV	4 x LV 0 x HV	1 x LV 0 x HV
Total	14 x LV 0 x HV	10 x LV 1 x HV	14 x LV 0 x HV	10 x LV 0 x HV	10 x LV 1 x HV	4 x LV 0 x HV

These vehicle movements are an average of what we would expect per week, days may change however the time slots are accurate.



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Details of the largest vehicle expected to require access to the site (ie. Largest delivery/refuse vehicle) and predominant direction of travel on Old Princes Highway

Vehicles carrying finished buildings generally exit toward Murray bridge (East), the length of out largest building is 14m (19m Total). Although the 14m buildings are uncommon, most buildings are 6m – 12m in length.

Freight deliveries enter from both east and west equally, these vehicles have semi trailers at the standard 12m – 13.6m.

Vehicle swept path turn diagrams demonstrating that all vehicle entry/exit and turning movements can occur in accordance with the relevant Australian Standard for the largest vehicle and show movement to the junction with Old Princes Highway

Movements of heavy vehicles have been observed and improvements made to the access / egress for vision and turning radius. The vision and swing radius are that of the Smyth rd intersection.

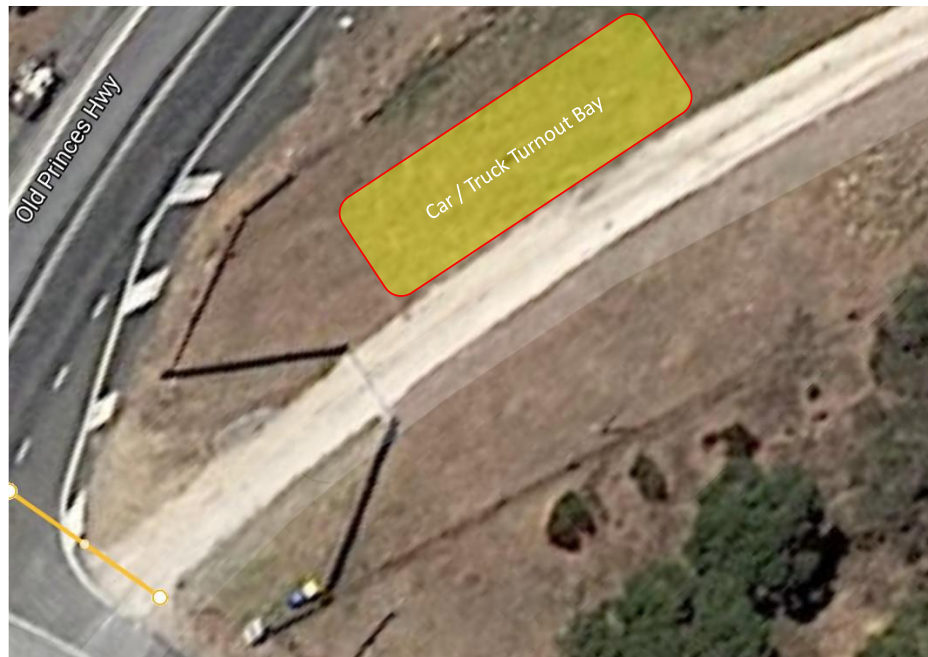




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□ Demonstrate that simultaneous two-way movements will be achieved for the largest vehicle expected to access the development and a passenger car;

Ample room waiting area is available on the inside of the property to allow for oncoming traffic interactions. It is very uncommon to have two vehicles interact given the minimal movements per day.

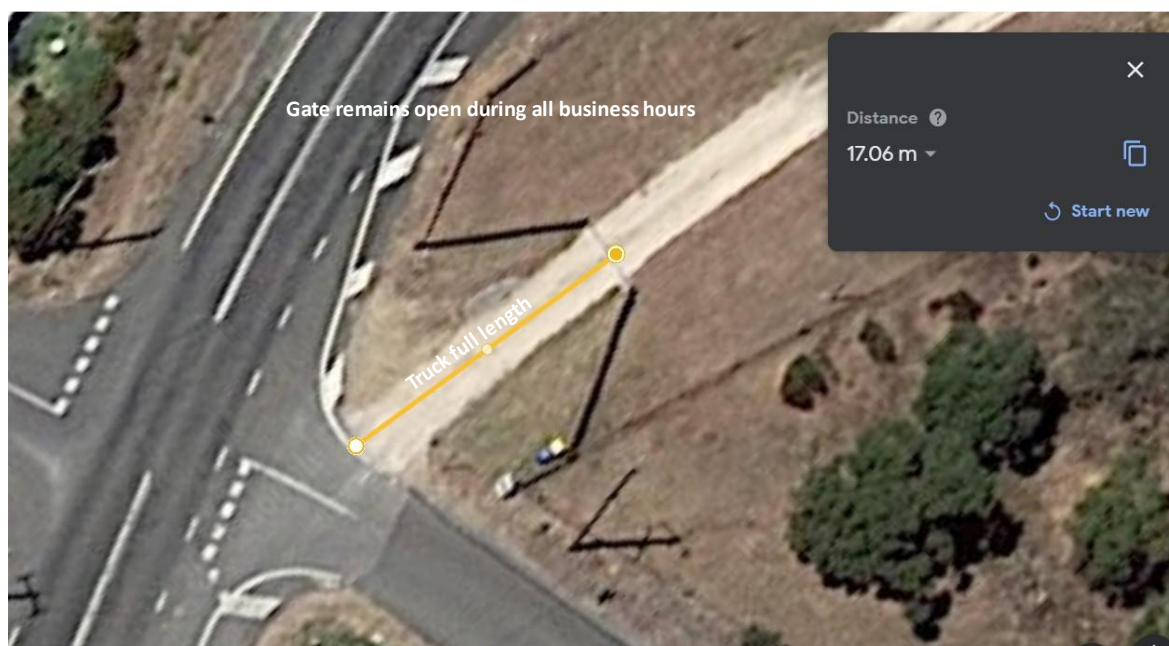




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JJ Access gate to be located at a distance to ensure the largest vehicle can store fully on the site

Trailers coming onto the property are of a standard length, should there be the requirement for a 14m tray this is an extendable trailer which is done so on site prior to loading. As stated in the image, the gate remains open during business activity and deliveries.

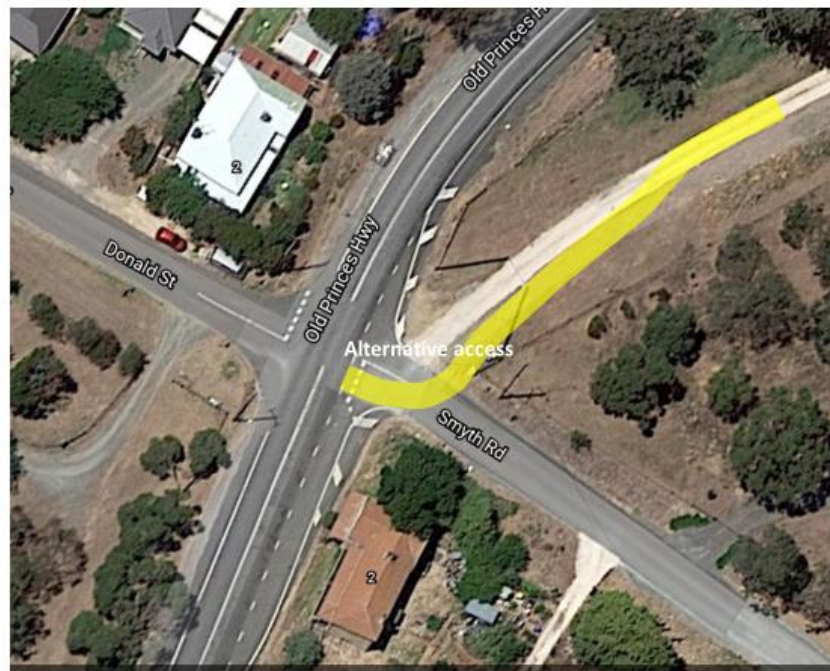




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□ This may necessitate consideration of site access configuration/location. If an alternative access arrangement is considered, identify that the access point/s achieve the 70-90 degree approach angle to the property boundary.

There are few alternatives to access this site given the undulation of the land. The property is currently zoned for Primary Production, deliveries of fodder, livestock, fertilisers and materials have been made successfully without incident.



2021/00594

Process ID: 85

Reece Loughron

Telephone: 7109 7876

E-mail: dit.landusecoordination@sa.gov.au

28/03/2022

Dear Mr Houlihan,

Please see below our response regarding the information requested by the DIT Transport Assessment Section dated the 11 February 2022 (2021/00594).

Assessment is to include:

- Left and right turns into the existing access.
- A turn path showing a vehicle exiting and giving way at the junction (left and right turn). These paths should demonstrate that these movements do not block the Smyth Road junction and restrict other vehicles.
- Suitability of the access separation from the Old Princes Highway/Smyth Road junction to accommodate the above movements.
- Demonstrate that simultaneous two-way movements can be achieved for the largest vehicle expected to access the development and a passenger car.

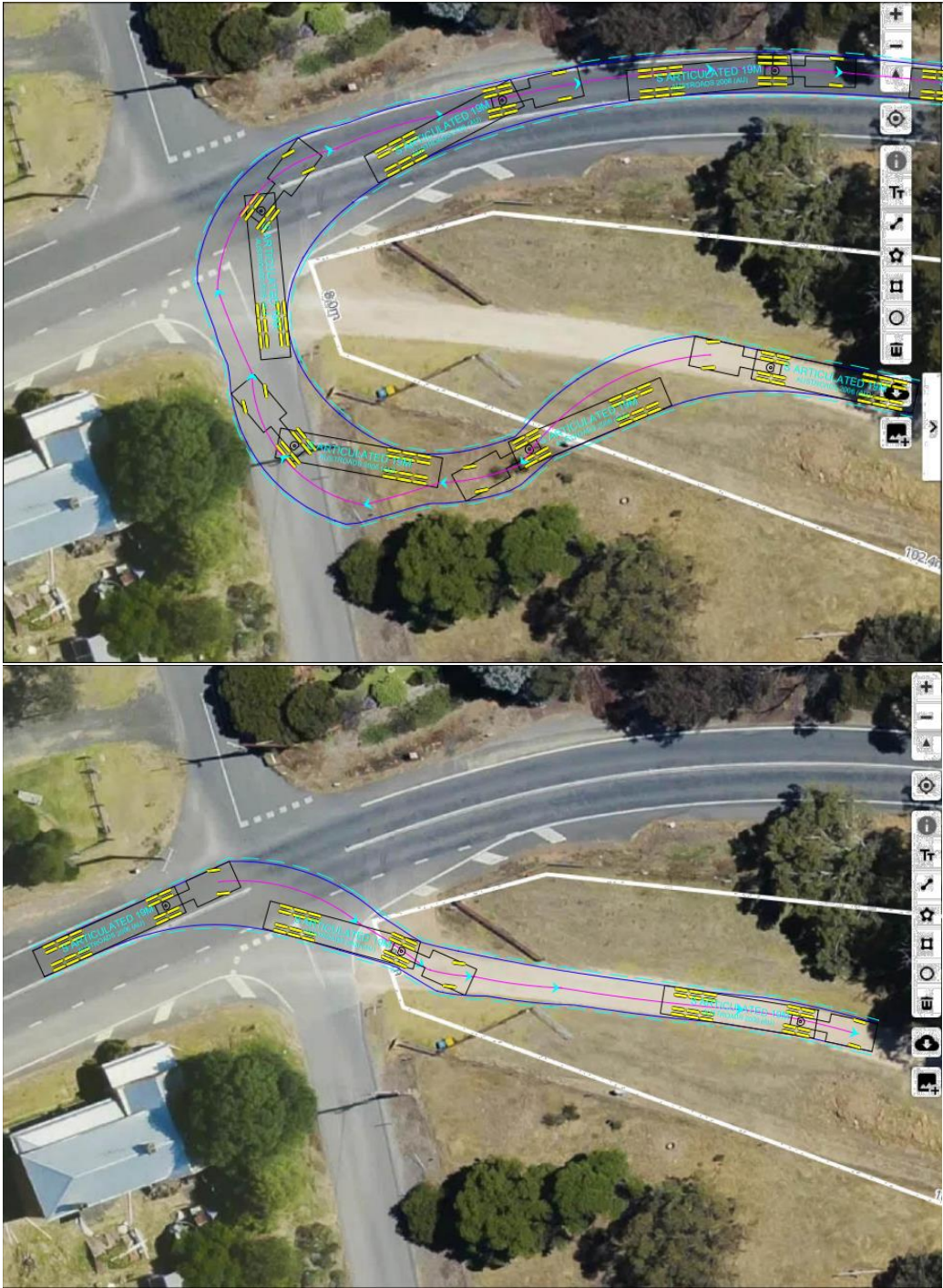
Heavy Vehicle and B99 Car Swept Path Assessment ML Michael Lee, BEng (Monash, 1989)

Consulting Traffic Engineer's Findings

The findings are as follows:

- "Heavy vehicle" terminology for assessment purposes covers 19m long semi-trailer, 12.5m long heavy rigid truck, 8.8m long medium rigid truck and 6.4m long small rigid truck.
- The proximity of the current access point within the intersection of Smyth Road and Old Princess Highway negates any left-turns into the property, and right-turns out of the property. Heavy vehicles are currently unable to access the site from the eastern approach of Princess Highway.
- The way the site can be accessed is via the western approach of Princess Highway. When entering and exiting the site, the heavy vehicle will traverse the holding line and median line of Smyth Road. There is currently no room to orientate or re-orientate the heavy vehicle in such a manner that the front of the heavy vehicle is at 90-degrees to the alignment of Princess Highway, however 70-degrees is possible.
- Two-way bidirectional access and egress will be possible at the nominated access point once driveway widening has been complete. The internal carriageway is 3.0m wide – which can only accommodate traffic in one direction at a time. The current width of the gated opening is 4.0m wide. To accommodate simultaneous two-way traffic, the width of the gated opening will be widened to be approximately 6.1m wide, i.e., 5.5m of carriageway plus 0.3m clearance to each (side) obstruction.
- It is currently not possible for a heavy vehicle exiting the site to orientate perpendicularly to Princess Highway on Smyth Road.
- A B99 car can satisfactorily enter and exit the site via the eastern approach of Princess Highway, and the western approach of Princess Highway. A B99 car can position itself perpendicularly to Princess Highway prior to make the left turn or right turn out of Smyth

Road.





Attachment 2 - Inspection Photos

INSPECTION PHOTOS 7.6.2022

Views of site from Princes Highway





Views of site from Smyth Road





Access onto Princes Highway/Smyth Road (gravelled crossover)







Subject site









Attachment 3 - Representations

Details of Representations

Application Summary

Application ID	21027494
Proposal	Partial change in land use to Industry for the purposes of manufacturing transportable buildings with associated conversion of existing farm building, storage area and car parking
Location	1 SMYTH RD DAWESLEY SA 5252

Representations

Representor 1 - Andrew May

Name	Andrew May
Address	PO Box 282 LITTLEHAMPTON SA, 5250 Australia
Phone Number	0418815724
Email Address	gviewfarm@bigpond.com
Submission Date	25/10/2021 05:21 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

Attached Documents

We_do_not_support_the_proposed_development_at_1_Smyth_Rd.pdf
--

We do not support the proposed development at 1 Smyth Rd,Dawesley (application ID: 21027494)
We have lived at 1068 Old Princes Hwy since 2004. Our home was sited so that the main view from our living area was of Mount Barker and directly below this was the hilltop that the proposed development is on (and currently operating on).
We looked at beautiful grazing land for 18 years and now what we look at is 8-10 Steel Transportable buildings spread right out across the hilltop in various stages of completion.

We have also spent the last few years planning to build 2 luxury Tourist Accommodation huts on a piece of our land directly below the hilltop and finally received council approval to do this earlier in 2021.We have just started construction of them.

We are marketing the huts as a luxury country escape on a cattle property with guests enjoying outdoor bbq's and firepits. We do not think a Steel Transportable building construction company is a suitable companion to luxury accommodation.

At times the Steel Transportable construction is very loud- when cutting steel with angle grinders,using tek guns etc. We believe that this would have a significant detrimental effect on the enjoyment of tourists that stay at our retreats,who are seeking peace and tranquility on their stay. Steel Transportable building manufacturing is a serious industrial activity and should not be located in a pristine rural area,particularly sited on top of a very visable hilltop but rather should be located in a Commercial/Industrial area.

Yours Sincerely
Andrew & Tania May
1068 Old Princes Hwy,Dawesley

Representations

Representor 2 - Kylie Stark

Name	Kylie Stark
Address	PO Box 1445 NAIRNE SA, 5252 Australia
Phone Number	0432191491
Email Address	lukestark@hotmail.com
Submission Date	08/11/2021 01:29 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	

Attached Documents

1_Smyth.pdf

Kylie Stark
2 Donald St
Dawesley
SA 5252

8th November 2021

Formal objection to the proposed variation of land usage [app ID 21027494 No1 Smyth Rd Dawesley]

In writing I would like to address the issue of lack of formal notification for the above mentioned variation of land usage. At the time of writing we have received no formal proposal from council or the applicant. I would request that the process be recommenced from the time of receipt of formal notification.

It is noted that the applicant claims commencement of operations in 2021 yet Outback Portable Buildings was registered with ASIC on 6th November 2018, which is when visual evidence would indicate a change of activity commenced. Structural evidence from that period of time would give every indication of a purpose built industrial shed whereby the floor plan shows a dedicated welding bay to accommodate mig fabrication , office, bathroom and large workshop/construction bay [ref. Draftmans plan (dev plan No obscured) where shed structure is 580/527/20] Photographic evidence submitted by the applicant would indicate a completed structure. Surrounding context would date this photograph at 2019 [ie location and type of vehicles adjacent to property on Donald St Dawesley that were subsequently disposed of in December 2019]

Further adding to the ambiguity a document lodged with council 12/10/21 seeks a temporary change of 12 months from the approval date. A subsequent document seeks a permanent change. With the levels of confusion surrounding operations , perceived history, on-going operation without approval and lack of clarity I would put to council that this application cannot be entertained.

Furthermore in regards to the issues surrounding traffic management entering and exiting the site we would request that the driveway be assessed with any proposed change of land use. The current driveway enters the intersection of Smyth Rd and The Old Princess Hwy in the middle of the apex rather than six metres back as required in the planning code. This makes egress from the site extremely dangerous and we believe increases risk of a serious crash at a location where there has been already been two head on collisions in recent history. The School bus stop for four of the local schools is adjacent to the current driveway location and causes signification traffic management issues especially when semi trailers are entering and exiting the site. The applicant has estimated a total of 10 vehicle movements a day with a total of 12 staff on site. We feel that this vastly underestimates the volume of traffic impacting the surrounding community by quite a considerable margin. We also believe that realignment of the driveway to The Old Princess Hwy with up to 50 vehicle movements per day including semi trailers and delivery trucks is not a viable solution.

The Historic Conservation Area of Dawesley is immediately adjacent to 1 Smyth Rd, with both the former Dawesley School at 2 Donald St [Lot 19 F161055 CT 5305/371] and the former Post Office on the corner of Smyth Rd [Lot 36 F160575 CT 5802/956] to the immediate Northern and Western boundaries of the applicants property. The proposed development is visible from both of the above mentioned Local Heritage Places and the Historic Conservation Area of Dawesley, we believe that this fails to promote, conserve and enhance the cultural significance and historic character as required by the councils development plan. We believe that running a permanent industrial construction site that operates 6 days a week is not an appropriate form of development adjacent to The Historical Conservation Area of Dawesley or the Residential Zone of the town.

We hereby formally submit our objection to the proposed variation of land usage at 1 Smyth Rd Dawesley [app ID 21027496]

Yours sincerely

Kylie Stark

Representations

Representor 3 - Nikkie Swanborough

Name	Nikkie Swanborough
Address	Bower street, 8 DAWESLEY SA, 5252 Australia
Phone Number	0460829654
Email Address	swan0067@yahoo.com.au
Submission Date	08/11/2021 08:46 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I support the development with some concerns
Reasons	I am concerned about the amount of traffic going in and out of the business on to a main road. My primary concern is the school bus that picks up children out the front of that property on that side of the road. I propose the bus pickup location could be moved to the other side of the road (Donald street) to protect the children from potentially being run over by heavy vehicles that frequent the property all day. I also don't appreciate the business using the annual helicopter to spray herbicide over the town of Dawesley, onto my house and surrounding garden/property (over spray).

Attached Documents



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12/11/2021

Application ID: 21027494

Luke Angel

1 Smyth Rd, Dawesley

SA 5252

To whom it may concern,

RE: response to representations.

Thank you for the opportunity to address the concerns raised by the residents of the neighbouring properties. I have resided on the property since 2013 and wish to conserve the outlook of all residents impacted by the activities on my property.

I would like to address the comments made:

Concerns raised by Andrew & Tania May - 1068 Old Princes Hwy, Dawesley.



"Now what we look at is 8-10 Steel Transportable buildings spread right out across the hilltop in various stages of completion"

RESPONSE: There is no dispute that there are at times 8-10 buildings at the property at any given time; we do dispute however, that this is a visual impact to the neighbours given the distance (745m) and the majority of buildings within the shadow of the shed structure (fig 1.0). Buildings are stored to the north of the shed, but as previously stated there is minimal impact to the neighbouring property given the distance.

"We have also spent the last few years planning to build 2 luxury Tourist Accommodation huts on a piece of our land directly below the hilltop and finally received council approval to do this earlier in 2021"

RESPONSE: We were notified of this application and did not oppose the development with the view that it would not impact our application for change of land use, due to the positioning of the tourist accommodation. There will be very little, if any visual impact to these accommodation huts due to the screen provided by natives along the Dawesley Creek line. (Fig 1.1)



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"We are marketing the huts as a luxury country escape on a cattle property with guests enjoying outdoor bbq's and firepits. We do not think a Steel Transportable building construction company is a suitable companion to luxury accommodation"

RESPONSE: We absolutely support this, and we also have an application in Council for the approval of a single luxury accommodation cottage. All work on site will support this, and minimal impact to occupants will be our priority for both customers on site and to neighbouring properties.

"At times the Steel Transportable construction is very loud- when cutting steel with angle grinders, using tek guns etc. We believe that this would have a significant detrimental effect on the enjoyment of tourists that stay at our retreats, who are seeking peace and tranquility on their stay"

RESPONSE: Our residence has been built opposite the shed where the building activity takes place. The Council is invited to undertake noise monitoring during business hours and after hours, from inside the home as there is little to no impact. To minimise the impact to neighbouring properties would be to restrict the farming activities for which it is currently zoned. I note that construction activities have started at the location of the accommodation units at the neighbouring property; there has been little to no noise pollution noted from that activity even though they have been working over weekends and from 7:00am. We are committed to addressing any such complaints should they occur, however highly unlikely.

"Steel Transportable building manufacturing is a serious industrial activity and should not be located in a pristine rural area, particularly sited on top of a very visible hilltop but rather should be located in a Commercial/Industrial area"

RESPONSE: The nature of the business is very low impact; all noise producing equipment is limited to working hours outlined in the application. Fabrication occurs within the shed footprint with the remainder of activity using hand tools. We agree that the area is pristine, and we wish to conserve that view. This operation will never be considered a 'serious industrial activity' as we service clients who are in the market for a bespoke, high-end product which cannot be mass produced.





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Response to Concerns raised by Kylie Stark – 2 Donald St Dawesley.

"It is noted that the applicant claims commencement of operations in 2021 yet Outback Portable Buildings was registered with ASIC on 6th November 2018, which is when visual evidence would indicate a change of activity commenced. Structural evidence from that period of time would give every indication of a purpose built industrial shed whereby the floor plan shows a dedicated welding bay to accommodate mig fabrication , office, bathroom and large workshop/construction bay [ref. Draftmans plan (dev plan No obscured) where shed structure is 580/527/20] Photographic evidence submitted by the applicant would indicate a completed structure. Surrounding context would date this photograph at 2019 [ie location and type of vehicles adjacent to property on Donald St Dawesley that were subsequently disposed of in December 2019]"

RESPONSE: We can confirm that the activities commenced in FY21 which can be confirmed through sales records and tax returns. The premises built was not constructed with the intention of operating a business, rather an opportunity for when the applicant was being made redundant from the Kanmantoo Copper mine.

RESPONSE: Due to the contamination of the Dawesley Creek, the property was deemed unviable to operate solely on the income of running stock (beef).

"Further adding to the ambiguity a document lodged with council 12/10/21 seeks a temporary change of 12 months from the approval date. A subsequent document seeks a permanent change. With the levels of confusion surrounding operations , perceived history, on-going operation without approval and lack of clarity I would put to council that this application cannot be entertained"

RESPONSE: The application was withdrawn and re-submitted for the following reasons:

- The applicant's wife was diagnosed with a terminal illness and moving location was no longer an option in the medium term.
- The conditions of the application changed with the critical dates of the 19th March reflecting changes to the application conditions and regulation.

"Furthermore in regards to the issues surrounding traffic management entering and exiting the site we would request that the driveway be assessed with any proposed change of land use"

RESPONSE: As part of this application, the driveway has been assessed with no objection from the Minister. The volume of traffic is minimal, with only 2-3 heavy vehicle movements per week, and the speeds in which traffic are entering/exiting is at a very low pace in comparison to the highway traffic.



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"The proposed development is visible from both of the above mentioned Local Heritage Places and the Historic Conservation Area of Dawesley, we believe that this fails to promote, conserve and enhance the cultural significance and historic character as required by the councils development plan. We believe that running a permanent industrial construction site that operates 6 days a week is not an appropriate form of development adjacent to The Historical Conservation Area of Dawesley or the Residential Zone of the town"

RESPONSE: We support the conservation of heritage, and currently have an application in council to preserve the heritage building on the property. Activities carried out by the applicant will minimise any impact to adjacent properties. We do reject the notion that the operation is visible from the township. (Fig1.2)

Response to Concerns raised by Nikkie Swanborough – 8 Bower St Dawesley.

"I am concerned about the amount of traffic going in and out of the business on to a main road. My primary concern is the school bus that picks up children out the front of that property on that side of the road. I propose the bus pickup location could be moved to the other side of the road (Donald street) to protect the children from potentially being run over by heavy vehicles that frequent the property all day. I also don't appreciate the business using the annual helicopter to spray herbicide over the town of Dawesley, onto my house and surrounding garden/property (over spray).

RESPONSE: As stated previously, this has been assessed by the minister without objection. It is acknowledged that there was an increase in traffic during the period of October 2020 to June 2021, due to the construction of the new primary residence which is now complete. Additionally, we have already committed to introducing a speed limit sign on and off our premises, however traffic is generally very slow. Heavy vehicles entering/exiting the property are generally not within school bus pick-up/drop off times, however we will endeavour to avoid any movements during school bus times as a priority. We appreciate the support from the neighbour and will address any ongoing concerns if they arise.

RESPONSE: Spraying was from a primary production enterprise which is likely to continue if this application does not proceed.



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CONCLUSION:

Every effort will be made to satisfy the conditions applied by the Council which are aligned to the rules and regulations set out in the development plan. We are committed to the tourist venture that the neighbouring property has initiated, and we will be marketing our own accordingly. We wish to preserve the natural outlook of the farmland for our own interests, and for the success of others.

Farming in itself is not viable on this property given the restrictions from the contaminated waterways (30% of land mass), and we would stress that the impact of intensive farming undertakings would have a greater impact on occupants staying at the adjacent property - the activity proposed will reduce that impact.

We have sought advice on this matter and have concluded that the operation is within the bounds of regulations and ask that the council look favourably upon the application.

Please see attachments provided below.

Kind regards,

A handwritten signature in black ink, appearing to read 'Ashlee Carver'.

Ashlee Carver on behalf of Luke Angel.



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Attachments:



Fig 1.0



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View from Applicants Site

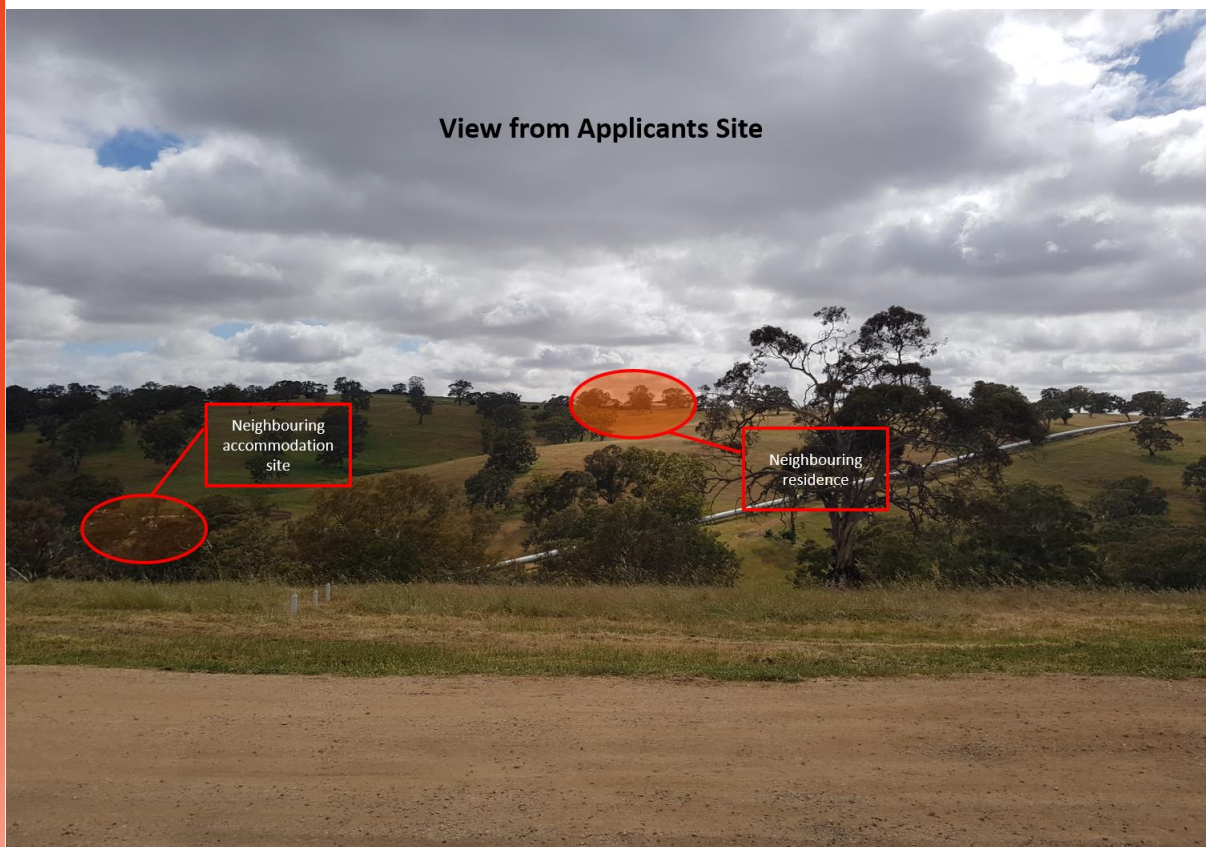


Fig 1.1



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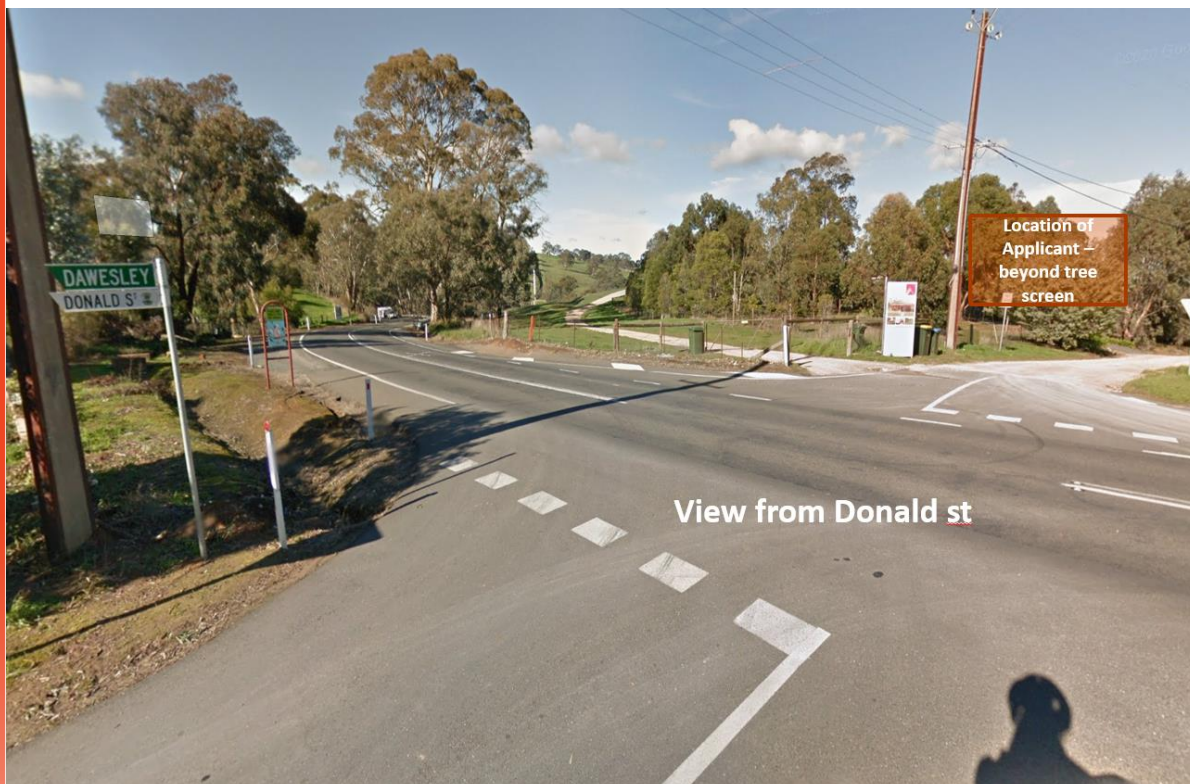


Fig 1.2

Attachment 5 - Statutory Referral Response

OFFICIAL

In reply please quote 21027494
Enquiries to Mr Martin Elsworthy
Telephone (08) 7322 9038
E-mail dit.landusecoordination@sa.gov.au



Government of South Australia

Department for Infrastructure
and Transport

**TRANSPORT PLANNING AND
PROGRAM DEVELOPMENT**

Transport Assessment

GPO Box 1533
ADELAIDE SA 5001

ABN 92 366 288 135

03 June 2022

Andrew Houlihan
Mount Barker District Council
PO Box 54
MOUNT BARKER SA 5251

Dear Mr Houlihan

SCHEDULE 9 - REFERRAL RESPONSE

Development No.	21027494
Applicant	Matthew Rowland
Location	1 Smyth Road, Dawesley
Proposal	Partial Change in Land Use to Industry for the Purpose of Manufacturing Transportable Buildings

The above application has been referred to the Commissioner of Highways (CoH) in accordance with Section 122 of the *Planning, Development and Infrastructure Act 2016*, as the prescribed body listed in Schedule 9 of the *Planning, Development and Infrastructure (General) Regulations 2017*.

CONSIDERATION

The subject development abuts the Old Princes Highway, an arterial road, under the care, control and responsibility of the CoH. At this location, Old Princes Highway carries approximately 1600 vehicles per day (9% commercial vehicles) and has a posted speed limit of 60km/h.

The site is a rural property which currently comprises a single dwelling and a shed with an unsealed roadway linking the dwelling and shed to Smyth Road. Smyth Road intersects Old Princes Highway forming a four-way intersection with Donald Street. The existing access to the development site intersects Smyth Road within the apron of the intersection with Old Princes Highway. Smyth Road is partially sealed and signed a dead end road. There is a reverse curve on Old Princes Highway immediately east of the Smyth Road / Donald Street intersection. The existing access arrangement does not meet current Australian Standards or the Code.

The applicant operates a transportable building manufacturing business from the property. It is understood that this use was initially to be temporary in nature but is now to be on-going. The applicant has provided advice as part of the application that vehicles carrying finished buildings generally exit toward Murray bridge (East), the length of the largest building is 14m (19m Total).

The department requested further information from the applicant in order to adequately assess the proposal and to determine the traffic impacts of the development. An assessment by a traffic engineer and their findings were provided as part of the Request for Information (RFI) response dated 28 of March 2022.

#18760240

The traffic engineer's findings including the turn path diagrams identify that these vehicles are unable to enter or exit the site from the eastern approach of Old Princes Highway. The turn paths diagrams also show that the heavy vehicle will block Smyth Road and will temporarily restrict access into Smyth Road during the truck deliveries. The angle of approach achievable by the truck will likely limit sight lines to the east to approaching traffic. The applicant has not provided a revised site plan identifying changes or improvements based on the findings.

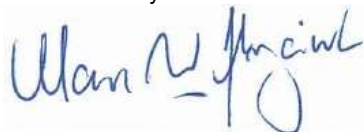
Whilst the department does not object to the proposed land use in-principle, the assessment undertaken by the applicant's traffic consultant identifies that the proposed operation of the site will impact on road safety at the Smyth Road intersection. Given the application is now for permanent use (with the potential for future growth of the business) it is necessary for the proposed access arrangements to be altered to ensure that truck movements do not unduly impact on the safe operation of the Old Princes Highway/Smyth Road intersection. It is recommended that any access be located a minimum of 20m from the intersection. A final plan showing a revised access layout is required.

ADVICE

Whilst the Department for Infrastructure and Transport does not object to the intent of the proposed development, it is recommended that changes be made to the access arrangements to ensure that truck movements do not impact on the safe operation of Old Princes Highway/Smyth Road intersection. In the event that Council supports the development, the following condition is directed:

1. A final access plan shall be submitted to the satisfaction of Council and the Department for Infrastructure and Transport prior to development approval being granted. In particular, the plan shall show all access to the site being located on Smyth Road, a minimum of 20m from the Old Princes Highway/Smyth Road intersection. All access shall be in accordance with this plan.

Yours sincerely



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

- 6. REVIEW OF ASSESSMENT MANAGER DECISIONS**
Nil
- 7. INFORMATION REPORTS**
Nil.
- 8. CONFIDENTIAL REPORTS**
Nil.
- 9. POLICY MATTERS ARISING FROM THIS AGENDA**
- 10. OTHER BUSINESS**
- 11. CLOSE**