



I hereby give notice that the Council Assessment Panel Meeting will be held on:

Date: Tuesday, 27 August 2019
Time: 9.30am
Location: Council Chambers
Minlaton Town Hall
57 Main Street
Minlaton

AGENDA

Council Assessment Panel Meeting

27 August 2019

Roger Brooks
ASSESSMENT MANAGER

**Yorke Peninsula Council
Assessment Panel Membership**

Rodney Button – Presiding Member

Debra Agnew

Elinor Walker

Jeffrey Cook

CONFLICT OF INTEREST

Council Assessment Panel Members are reminded of the requirements for disclosure by Members of direct or indirect personal or pecuniary interest in an item listed for consideration on the Agenda. Section 56A of the Development Act 1993 requires that Members declare any interest and provide full and accurate details of the relevant interest to the Council Assessment Panel prior to consideration of that item on the Agenda.

Each Member of a Council Assessment Panel has a duty to vote at all meetings unless excepted by legislation.

The major exception being where a Member has a conflict of interest.

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1 WELCOME BY PRESIDING MEMBER

Meeting declared opened

2 PRESENT

3 GALLERY

4 APOLOGIES

Nil

5 LEAVE OF ABSENCE

Nil

6 MINUTES OF PREVIOUS MEETING – FOR CONFIRMATION

Council Assessment Panel Meeting - 25 June 2019

7 CONFLICT OF INTEREST

8 VISITORS TO THE MEETING

Report 9.1 - DA 544/1059/2019 - Trevor White from Planning Solutions (SA) Pty Ltd

Report 9.1 - DA 544/1059/2019 - Spartan Plans and Building Services (on behalf of Gareth Harrison)

Report 9.2 - DA 544/1341/2018 - Wayne Gladigau from Master Plan SA Pty Ltd

REPORTS

REPORTS

9 DEVELOPMENT APPLICATIONS**9.1 544/1059/2019 - SPARTAN PLANS & BUILDING SERVICES**

Document #: 19/67356

Department: Development Services

PROPOSAL OUTLINE

Author: Access Planning

Application No.: 544/1059/2019

Applicant: Spartan Plans & Building Services

Owner: M & S Haydon

Development Proposal: Expansion of an existing caravan park including establishment of 27 caravan sites and 7 tent sites, construction of an ablution building and conversion of former school and dwelling buildings into two dormitories, a kitchen, accommodation building, conference room and a games room.

Lodgement Date: 15 February 2019

Subject Land: 14 Minlacowie Road, Port Vincent, CT Volume 5915 Folio 441

Zone: Residential Zone (Map YoP/57)

Nature of Development: Merit

Public Notification: Category 3

Representations: 10 received – 5 Supporting 5 Opposing

Referrals: Nil

Development Plan Version: 29 November 2018

RECOMMENDATION

- A. That following consideration and having regard to all relevant matters concerning Development Application 544/1059/2019 for the expansion of an existing caravan and cabin park with the establishment of 27 caravan sites, and 7 tent sites, a single storey ablution building and conversion of former school and dwelling buildings into two dormitories, a kitchen, accommodation building, conference room, and a games room at 14 Minlacowie Road, Port Vincent is not seriously at variance with the Yorke Peninsula Council Development Plan, as consolidated 29 November 2018.
- B. That the Council Assessment Panel grant Provisional Development Plan Consent to Development Application 544/1059/2019 for the expansion of an existing caravan and cabin park with the establishment of 27 caravan sites, and 7 tent sites, a single storey ablution building and conversion of former school and dwelling buildings into two dormitories, a kitchen, accommodation building, conference room, and a games room at 14 Minlacowie Road, Port Vincent subject to the following conditions:

Conditions

- 1. The occupation of the land shall be limited to a maximum of 34 caravan and tent sites only as depicted on the plan entitled Site Plan (Rev H), and in accordance with the supporting documents lodged with and forming a part of Development Application 544/1059/2019 and stamped as approved by the Council.**
- 2. The stormwater and site management plan and computations shall ensure post development peak rate of run-off from the 'design' storm does not exceed that from the pre-development site from a 5-year ARI storm. The 'design' storm requirement is a 100-year ARI storm.**
- 3. The Applicant or Landowner shall apply and obtain the necessary approvals for a waste control system in accordance with the South Australian Public Health Act 2011, prior to obtaining Development Approval.**
- 4. On-site parking and internal access roads within the development approved herein shall be developed in accordance with the following requirements:**
 - a) All car parking spaces, driveways, roads and associated manoeuvring areas shall be sealed with either (or a combination of) asphalt, bitumen, concrete or brick pavers prior to approved expansion commencing operation**
 - b) The design of internal car parking areas and access roads shall conform with the Australian Standards 2890.1 for Off-Street Parking Facilities**
 - c) All parking areas shall be marked, to delineate the parking spaces, in accordance with the relevant Australian Standard AS 1742 prior to the approved expansion commencing operation**
 - d) A sign with the message 'visitor car parking', having an advertising area not exceeding 0.2 square metres, shall be erected at the car park entry and shall be maintained in good condition at all times**
 - e) Wheel stopping devices constructed as per Australian Standard AS 2890.1**
- 5. The level of the driveway at the property boundary with a public road must match the existing footpath level or allow for the construction of a footpath, which is compliant with the Disability Discrimination Act.**
- 6. Each occupant shall be provided with a copy of the campground regulations at the commencement of their occupation of the land.**
- 7. For the purposes of this consent the applicant shall adhere strictly to conditions outlined in the Port Vincent Caravan Park and Seaside Cabins rules and guidelines:**

- a) The running of generators shall be limited to between the hours of 7.00am and 10.00pm daily.
 - b) Noise from other factors shall be minimised after the hours of 10.00pm.
8. Vehicle speeds on site shall be limited to not greater than 10Kph, which shall be signposted on the land at the entry to the property and which shall be included in campground regulations.
 9. No person is to reside on/in the proposed structures as a place of permanent or long-term residence/occupancy.
 10. None of the caravan park site additions are to be rented or leased for permanent or long-term residence/occupancy. Sites are to be used for tourist accommodation purposes only.
 11. Landscaping along Curramulka Road shall comprise plant species which are unlikely to grow higher than 1 metre above natural ground level to mitigate anti-social behaviour.

Notes

1. The applicant is advised that an application for Building Rules Consent, including appropriate plans and specifications, must be submitted either to Council or a Private Certifier in accordance with the provisions of the Development Act 1993, and the written Development Approval of Council must be obtained prior to the commencement of construction.
2. The granting of this consent does not absolve the applicant from obtaining all other consents which might be required pursuant to the provision of any other statutes or regulations.

NATURE OF THE DEVELOPMENT

The applicant proposes an expansion of an existing caravan park including establishment of 27 caravan sites and 7 tent sites, construction of an ablution building and conversion of former school and dwelling buildings into two dormitories, a kitchen, accommodation building, conference room and a games room.

The subject land comprises three road frontages, those being Minlacowie Road, Wauraltee Road and Curramulka Road located in the Residential Zone, as depicted in the Yorke Peninsula Council Development Plan, consolidated 29 November 2018.

The development is not categorised as a complying or non-complying form of development in the Procedural Matters section of the Residential Zone. The development is not listed as a complying form of development in Schedule 4 of the Development Regulations 2008. On that basis the proposed development is a "merit" form of development.

DESCRIPTION OF THE PROPOSAL

The proposed development seeks approval for the expansion of an existing caravan and cabin park comprising the establishment of 27 caravan sites, and 7 tent sites, a single storey ablution building and conversion of former school and dwelling buildings into two dormitories, a kitchen, accommodation building, conference room, and a games room. The expansion will change the use of two adjoining properties which were formally a residential property and a public school (Port Vincent Primary School and Aquatic Centre).

More specifically, the expansion will comprise:

- Conversion of a former Resource/Aquatic classroom (Building 1) to a 30-bed dormitory;
- Conversion of a former classroom (Building 4) to a 30-bed dormitory;
- Conversion of former store room (Building 5) to a camp kitchen;
- Conversion of former administration and classroom (Building 10) to become a conference room;
- Conversion of former activity hall (Building 12) to a games room;
- Conversion of a former dwelling into an accommodation building with a maximum 12-person occupancy;
- Construction of a 19.6m by 7.95 m ablution block with associated wastewater system;
- Construction of 27 caravan park spaces with an average area each of 81m²;
- Construction of 7 tent sites with a dimension of 9.5m by 6.0m;
- Demolition of a former shed;
- Alteration to an existing crossover to Minlacowie Road and widening of an existing crossover to Wauraltee Road;
- Construction of on-site car parking spaces and associated internal access roads;
- Associated stormwater management;
- Bin storage area; and
- Landscaping and fencing along Curramulka Road.

SUBJECT LAND AND LOCALITY

The subject land is formally identified as Lot 200 comprising 9406m² as contained in Certificate of Title Volume 5915 Folio 441. The land is more commonly known as 14 Minlacowie Road, Port Vincent (*refer Attachment 1*).

The site has three road frontages, Minlacowie Road of 89.58m, Wauraltee Road of 51.29m, and Curramulka Road of 69.73m. It has a side boundary to 12 Minlacowie of 50.35m, and 21 Curramulka of 50.02m.

The land is the site of the former Port Vincent Primary School and Aquatic Centre. The former school buildings and hard-stand external activity are consolidated primarily in the southern part of the land. A grassed oval (with concrete cricket pitch) is situated in the northern part of the land and adjacent to the Curramulka Road property boundary. A playground is located in the eastern part of the land.

Although on the same allotment as the school, a single storey dwelling with an associated free-standing outbuilding is contained within a fenced area which separates the residence from the school grounds. The dwelling is located adjacent to the property boundary shared with the Port Vincent Caravan and cabin park.

Established and mature vegetation is widespread around the boundaries of the land and around the buildings.

The site is currently accessible by crossovers on Minlacowie Road (of some 30.0m long), Wauraltee Road (3.0m) and Curramulka Road (of 3.0m). Each of these roads is a sealed local collector road.

The subject land was recently the subject of an approved division of land application which facilitated the western corner being severed from the balance of the land. Certificate of Titles for the new allotments had not been formally created at the time of this report.

The subject land is located within the town of Port Vincent and entirely within a Residential Zone. The boundary between the Residential Zone and the Town Centre Zone runs down the middle of Curramulka Road and the Caravan and Tourist Park Zone abuts the eastern part of the northern boundary of the subject land. The land uses adjacent the subject land primarily comprise low density, single storey, detached dwellings and the tourist accommodation facilities associated with the Port Vincent Caravan and Cabin Park. Refer *Attachment 2* for the locality plan.

PUBLIC NOTIFICATION

The development is not listed as being either a Category 1 or Category 2 form of development within the Procedural Matters section of the Residential Zone or Schedule 9 of the *Development Regulations, 2008*. As such, the proposed development defaulted to a Category 3 development for public notification purposes upon which ten (10) letters of representation were received by Council during the notification period (*Refer Attachment 4*).

The representations (*refer Attachment 5*), expressed positions on the proposed development and a response from the Applicant are briefly summarised below:

Name and Address	Reasons for Representation
Andreas Storic Port Vincent SA 5575 <i>Does not wish to be heard</i>	<ul style="list-style-type: none"> • Oppose the proposed development; • Concerned the Caravan Park expansion will increase crime and noise which will impact on the amenity of the locality; • How internal site management will occur; • Hazard management in relation to fire prevention; • Traffic management and signage and amount of traffic along Curramulka; • Safety and security of Curramulka Road; • Waste management; • Appropriateness of the proposed development in this land use <p>Applicants Response</p> <p>Poor lighting along Curramulka</p> <ul style="list-style-type: none"> • SA Power Networks is responsible for the lighting along Curramulka. • The applicant will provide the necessary lighting within the development site to ensure the safe and efficient movement of patrons throughout the existing and proposed facility <p>Traffic and access along Curramulka Road</p> <ul style="list-style-type: none"> • Amended plans were prepared to achieve the minimum 81m² required by the Development Plan. These plans do not have an access point to Curramulka Road. <p>Hours of operation and Noise Impacts</p> <p>Noise will be controlled by a set of rules provided by the caravan park.</p>

	<p>The Rules and Guidelines state the following on relation to Noise Aspects:</p> <p style="text-align: center;"><i>Noise – Is to be kept to a minimum at all times, especially after 10.00pm. Noise which disturbs others after 10.00pm will not be tolerated.</i></p> <p>Therefore, in the isolated case where the noise continues beyond 10.00pm and has an impact on the neighbouring residential properties, the following course of action is available to the caravan park management:</p> <ol style="list-style-type: none"> 1. Request the guests to cease the noise if it continues beyond 10.00pm; 2. Request guests to turn their generators off at 10.00pm; 3. Reserve the right to terminate any permit for occupancy, provide the guests with 1 hours' notice in which to leave the facility, should the guests refuse to comply with directions from management SAPOL will be called. <p>Fire Hazard management</p> <p>The proposal is within a township that is excluded area from bushfire protection planning provisions and therefore there is no requirement for the proposal to be referred to the CFS under Schedule 8 of the <i>Development Regulations 2008</i>.</p> <p>Many of the existing disused classrooms already have disabled access, signage and emergency lighting, however, these aspects will be considered for the proposed new uses, in due course.</p> <p>Safety and Security of Curramulka Road and Children</p> <ul style="list-style-type: none"> • Agreeable to fund some additional signage directing caravans and other guests to the existing and proposed facility. • Safety of tourists, especially children is everybody's responsibility, and this is an issue that will be conveyed and reinforced to guests through the rules and guidelines provided to each guest for the duration of their stay. The rules and guidelines address the issue of children's safety through the following statement: <ul style="list-style-type: none"> <i>Their safety and behaviour is your responsibility – An adult must accompany any child under the age of 8 year in the amenities. Baby's bath is located in one Ladies/Family Shower and recreational activities are confirmed to areas away from park buildings.</i> • The owners and operators of the existing facility are currently negotiating with DPTI staff for the installation of a permanent pedestrian crossing in Minlacowie Road, which will have the mandatory 25kph assigned to the crossing, thus providing for the safe and efficient movement of pedestrians from the proposed
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new extension to the existing seaside cabins, beach and the existing golf putt-putt facility located adjacent to the beach front.

Fence

Whilst the proposed fence has been included as part of the overall development of the previous Port Vincent Primary School site, the actual construction of the fence does not need approval. Reference has been made to the Development Regulations 2008, Schedule 3 – Acts and activities that are not development states the following in relation to a fence less than 2.100 metres in height.

Waste management

The existing Rules and Guidelines state the following in relation to rubbish:

All rubbish is to be placed in secured tied bags prior to placing the rubbish in the appropriate rubbish bins – Bins are conveniently located around the park for disposal of rubbish and recycling. Bottles and cans can be placed in separate recycling bins provided.

With the existing facility the rubbish is collected by the normal Council waste collection service on a weekly basis. However, it is acknowledged that with the caravan park extension the volume of rubbish will increase, and the applicant proposes to use an independent contractor (Hart Bros) to remove additional rubbish on an as needs basis.

Effluent system

Mace Engineering have been engaged to design a wastewater management system to cater to the proposed extension and the change in use of the existing school buildings.

The proposed new wastewater treatment system will be larger than required, will cater for an average of 3.5 person per caravan, will require the approval of SA Health prior to construction, will be de-sludged every 4 years and maintained in accordance with the final design criteria, hence the new wastewater system will have minimal odour impacts on adjoining landowners.

Drunken Behaviour

Any unruly behaviour, where intoxication is involved and not able to be handled by management, the police would be called. This course of action is no different to what would happen in any residential area where domestic parties where unreasonably impacting on the adjoining landowners.

Appropriateness of the proposed development

The extension of the existing caravan park is not a 'complying' nor a 'non-complying' form of development within the Residential Zone and therefore it is currently undergoing assessment as a 'merit' form of development. A 'merit' form of development does not mean that the expansion of the caravan park is not permitted in the zone, but rather assessed on its

	<p>'merit' and the level of impact on the adjoining landowners within the immediate locality of the development site.</p>
<p>Carmel Bradburn Port Vincent SA 5575</p> <p><i>Desires to be heard personally</i></p>	<ul style="list-style-type: none"> • Oppose the proposed development; • Amenity, impacts of the caravan park on the locality through an increase in noise, odour, extra rubbish; • Traffic, increase, and safety of pedestrians; • Visual impact of the caravan park on the locality; • Hours of operation to be restricted; • For the installation of speed bumps on Curramulka; • Increase in foot traffic in the locality as a result of the caravan park being developed; • Waste management and effluent disposal system concerns.
	<p>Applicants Response</p> <p>The applicant has responded to this above.</p>
<p>Ronald and Pamela Trinnie Port Vincent SA 5581</p> <p><i>Does not wish to be heard</i></p>	<ul style="list-style-type: none"> • Oppose the proposed development; • Amenity, impact of change of use, noise and lighting; • Missing detail in regard to the effluent disposal system; • Hazard, fire risk of new use for vacant buildings; • Waste management and affluent system and its location to Minlacowie Street; • Light spill; • Bin location; • Signage; • Traffic management for buses or emergency vehicles; • Vehicle parking in adjacent streets; • Internal site management and operations of park facilities. • Appropriateness of the proposed development in this land use.
	<p>Applicants Response</p> <p>The applicant has responded to this above.</p>
<p>John and Elizabeth Cowell Port Vincent SA 5581</p> <p><i>Does not wish to be heard</i></p>	<ul style="list-style-type: none"> • Oppose the proposed development; • Appropriateness of the proposed development in this land use; • Would rather have residential dwellings opposite their dwelling; • Visual amenity of the caravan park to Minlacowie and Curramulka; • Height of a fence along Curramulka, whether patrons of the park will have lines of sight along Curramulka; • Generation of overshadowing and invasion of visual privacy from the proposed caravan park; • Traffic, increase, and safety of pedestrians.
	<p>Applicants Response</p> <p>The applicant has responded to portions of this above.</p> <p>Overshadowing and invasion of privacy As the proposed caravan park extension is on the opposite side of Curramulka Road to the residential components, overshadowing from the proposed fencing will have no impact on the existing dwellings on the opposite side of the road.</p>

	<p>The applicants have also made a genuine effort to screen the proposed extension through the construction of the proposed 1.80m high solid Colorbond fence, with integrated landscaping to soften the appearance of total fence length of approximately 74 metres. The existing fencing is a low-level chain mesh fence which allows the buildings and activities to be viewed by the residents on the opposite side of Curramulka Road, hence the solid Colorbond fence provides and greater level of privacy.</p>
<p>Rob and Cathy Aktanarowicz Port Vincent SA 5581 <i>Does not wish to be heard</i></p>	<ul style="list-style-type: none"> • Oppose the proposed development; • Preservation of the amenity of Minlacowie Road; • Loss of recreational area; • Caravan park will be a significant impact on the adjacent housing; • Light spill and internal site management; • Parking arrangement for buses; • Internal site management of proposed facilities; • Traffic increase, and safety of access for pedestrians to either side of Minlacowie Road; • Economic feasibility of the proposal. <p>Applicants Response</p> <p>Traffic, safety, waste management and appropriateness of the proposed development are responded to above.</p> <p>Loss of amenity It has been suggested by one of the representors that there will be a loss of amenity and for a large part of the year (especially during winter) the park is likely to be empty and the space will be a wasteland that locals are locked out of. It is essential that some control is in place regarding those who can access the facility, both for security reasons and insurance purposes. If the site was developed as residential allotments locals would also be denied access to the residential properties</p> <p>Intrusive lighting The proposed caravan and tent site extension, which abuts the Curramulka Road will be non-powered sites and as such guests will have their own lighting which is normally solar powered. The applicants will provide strategic lighting along the internal roadworks, which again will be low density solar powered lights.</p> <p>I can confirm there is no lighting proposed on or in the proposed new Colorbond fence along Curramulka Road. Any lighting that will be provided by the owners and operators of the extended facility will be low density solar powered lighting located in bollards which will be hidden by the proposed new fence.</p> <p>Off-street parking for buses or emergency vehicles</p> <ul style="list-style-type: none"> • Buses are parked in an empty caravan site • Emergency vehicles very rarely need to park on the site • In the case of a fire the emergency vehicles always park in the public roads where they have easy access to the water mains within the public roads. Should they need to enter the site for any other reason there is ample parking space on the internal road

	<p>network or by utilising available space on one of the caravan spaces for the period they are on-site.</p> <p>Safety of Access for Pedestrians</p> <ul style="list-style-type: none"> • There will be no additional access point to the expanded facility than already exists off Minlacowie Road. This has been done deliberately to ensure the others who are not guests to the facility cannot wonder through the park. • Speed limit within the existing and proposed extension is and will continue to be 5kph (walking pace) <p>Economic feasibility</p> <p>As part of the decision making process undertaken by the current owners and operators of the existing Caravan Park & Seaside Cabins facility they would have prepared an economic feasibility study to form the basis on whether to purchase and extend the existing facility onto the land owned by the Education Department (Port Vincent Primary School). This document of course is 'confidential' in nature and does not form part of the documentation required as part of the development assessment process for the proposal and therefore such a document would never be made available to the public.</p>
<p>Ron Turnbull No address listed <i>Does not wish to be heard</i></p>	In support expansion of tourist park operations at Port Vincent.
<p>Rodney Harrex No address listed <i>Does not wish to be heard</i></p>	In support expansion of tourist park operations at Port Vincent.
<p>Brooke Liebelt No address listed <i>Does not wish to be heard</i></p>	In support expansion of tourist park operations at Port Vincent.
<p>Kelly-Anne Saffin 85 Ellen Street Port Pirie SA 5540 <i>Does not wish to be heard</i></p>	In support expansion of tourist park operations at Port Vincent.
<p>Fraser Ellis MP 51 Robert Street Maitland SA 5573 <i>Does not wish to be heard</i></p>	In support expansion of tourist park operations at Port Vincent.

The applicant engaged the services of Planning Solutions (SA) Pty Ltd to address the issues raised within the representations. The response included amended plans and additional information including revised drawings, a vehicle swept path plan, existing park rules and guidelines and EPA Noise Policy Information. The amendments removed the proposed exit on Curramulka Road for the proposed caravan park extension with all traffic entering and exiting the site from an existing access point on Minlacowie Road. The location of the proposed landscaping along Curramulka Road has been amended to suit the new site layout. (*refer Attachment 6*)

CONSULTATION

The proposed development is not listed in the Table of Schedule 8 of the *Development Regulations, 2008*. The application did not require referral or concurrence of a prescribed body.

ASSESSMENT

The subject land is located within the Residential Zone as depicted on Map YoP/57 of the Yorke Peninsula Council Development Plan (as Consolidated 29 November 2018) (*refer Attachment 3*)

The provisions which are considered to be relevant to the proposal are:

Residential Zone Provisions

Objectives: 4

Desired Character Statement

Principles of Development Control: 4, 10, 11

Caravan and Tourist Park Zone Provisions

Objectives: 2

Desired Character

Principles of Development Control: 1, 4, 6, 7, 10, 11

Council Wide

Crime Prevention

Principles of Development Control: 6

Interface Between Land Uses

Objectives: 1

Principles of Development Control: 1, 2, 6

Residential Development

Principles of Development Control: 10, 19, 29

Tourism Development

Principles of Development Control: 19, 20, 21

Transportation and Access

Principles of Development Control: 31, 32

Residential Zone**Objectives****4 Development that contributes to the desired character of the zone.****Desired Character (relevant paragraphs)**

The zone will provide pleasant, safe and convenient living environments for residents together with an appropriate range of recreation, education, community and aged care facilities.

Residential development has traditionally been developed at low densities on generally large allotments, comprising in the main single storey detached dwellings. This trend is expected to continue but there will be pressure to increase the density of development recognising a need for more compact allotments to meet the demands of the ageing population and holiday makers.

The character of development in the zone varies greatly from streetscapes dominated by pre 1940s housing to more contemporary development and large areas of transportable or lightweight development in the coastal towns and settlements.

Principles of Development Control

- 4 Non-residential development such as shops, schools and consulting rooms should be of a nature and scale that:
- (a) serves the local community
 - (b) is consistent with the character of the locality
 - (c) does not detrimentally impact on the amenity of nearby residents.

The proposed development is best described as a caravan park encompassing;

- Caravan and tent sites;
- accommodation for the intent and purposes of temporary accommodation for tourists – people who are away from their regular places of abode for one night to as much as a month; and
- Associated amenity facilities – such as the ablution block, camp kitchen, shade structures.

To this end the land use has a strong residential character albeit accommodating short term tourist accommodation rather than longer term residential occupation.

The development is an expansion of the adjoining caravan park which is located in a Caravan and Tourist Park zone.

The expansion of the park is over land previously used for non-residential purposes, i.e. a primary school, which, although an envisaged land use in the zone is nonetheless a non-residential land use.

The previous use of the land as a primary school would have brought with it, characteristics of a non-residential nature including high volumes of traffic, periods of high volumes of noise, night-time lighting and weekend and night-time activity.

Whilst the Development Plan seeks to provide specific zones to accommodate various forms of development, it does not do so to the exclusion of a wide range of land uses that might otherwise be suitable having regard to the specific characteristics of the land use and locality

The Residential Zone does not prohibit the development or expansion of a caravan park; rather, the relevant provisions require such uses to be considered on a case by case basis.

Such assessment must have regard to the existing form of development on the land, the nature and scale of activities proposed, the ability of the land to satisfy the infrastructure necessary to support any proposed development, and the impacts of any proposal upon the character and amenity of the land and its locality.

Interface Between Land Uses

Objectives

- 1 Development located and designed to prevent adverse impact and conflict between land uses.

Principles of Development Control

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
 - (e) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
 - (f) noise
 - (g) light spill
 - (h) glare
 - (i) hours of operation
 - (j) traffic impacts
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

Noise

Noise is managed under Environment Protection Act 1993 and by the Environment Protection (Noise) Policy 2007 (Noise Policy). Section 25 of the EP Act provides a general environmental duty requiring a person not to undertake an activity which pollutes (pollution includes noise) the environment unless that person takes all reasonable and practicable measures to prevent or minimise environmental harm. It is in the interest of the caravan park to manage this for the benefit of their patrons and business.

We understand that people using the caravan park will generate noise. For these purposes it is difficult to assess the transient nature of a Caravan Park's noise generation. The proposed expansion of the caravan park would be one that is surrounded by three roads, Curramulka, Minlacowie and Wauraltee Road. These road verges are some 20 metres in width and form the greatest physical separation between the proposed development and existing dwellings in the locality. In relation to parties, disorderly behaviour or loud music these should be policed by management. It is expected that the amenity of the locality will be affected during the peak tourist season due to an increase in tourist traffic; however, for the reasons stated above, the community and locality is one where tourist and caravan parks exist in the residential zone and would be separated by a wide road verge.

With regards to generators used by campers, there is no indication that they exceed the noise levels within the EP Noise Act, but clearly noise from this source does affect the quiet enjoyment of local residents, in much the same way as I am sure it impacts on other campers on the land. The Port Vincent Caravan Park and Seaside Cabins rules provide for generators to be run only between the

hours 7.00am and 10.00pm daily, which is not unreasonable. It is hard to know how strictly these rules are policed.

Of concern though is that the applicant seeks patrons of the caravan park themselves to determine the noise levels of their own generators and turn them off after 10:00pm. This generates a scenario that cannot be readily controlled. It is recommended that the applicant create powered sites and removes the need for generators entirely to prevent conflict between the residential zone and the proposed caravan sites within the site. A condition of consent has been attached to reinforce the rule for generator operation times between 7:00 am and 10:00pm. Even though there may be operation restrictions on the running of generators they can still prove annoying if for example run on a quiet Sunday afternoon. One solution may be for the Port Vincent Caravan Park and Seaside Cabins to provide some portable acoustic housings on site for people to place their generators in.

Lighting

It is in the interest of the caravan park to manage lighting within the park, high powered lights are likely to disturb patrons at night. The applicant has confirmed that the proposed lighting is to be low-density solar powered lights. I do not expect light spill to be a significant issue or an intrusive element in the locality in comparison to higher power street lighting. Furthermore, the sites on the boundary to Curramulka will be unpowered, so there will be no intrusive light spill onto Curramulka Road.

Odour

Septic systems are managed by the *South Australian Public Health Act 2011*, and more specifically the *On-Site Wastewater Systems Code* produced by SA Health. On-site management of the septic system is to the business' interest as well. This septic system is subject to a separate approval by Council and SA Health prior to construction. If built in accordance with the system, there should be minimal odour impacts on adjoining residential dwellings in the locality.

The applicant intends to retain the existing stormwater systems of spoon drains and underground sumps and pipes. There will be an on-site treatment system comprising a bottomless sand filter that will allow water to percolate through that will be de-sludged every four years. (*refer Attachment 7*)

Traffic and Access

Tourism Development

Principles of Development Control

- 19 Residential parks and Caravan and Tourist parks should be designed to:
- (a) minimise potential conflicts between long-term residents and short-term tourist
 - (b) protect the privacy and amenity of occupants through landscaping and fencing
 - (c) minimise traffic speeds and provide a safe environment for pedestrians
 - (d) include centrally located recreation area
 - (e) include extensive landscaping that enhances the appearance of the locality, with a landscape buffer around the perimeter of the site
 - (f) ensure that adequate amenity blocks (showers, toilets, laundry and kitchen facilities) and service facilities (eg public telephones, kiosks and restaurants) are provided to serve the population to be accommodated by the facility.

- 20 Visitor car parking should be provided at the rate of:

(a) one space per 10 sites to be used for accommodation for parks with less than 100 sites

21 On-site visitor parking in Caravan and Tourist parks should:

- (a) be designed and located to be accessible to visitors at all times
- (b) not dominate the internal site layout
- (c) be clearly defined as visitor spaces and not specifically associated with any particular accommodation site.

Transportation and Access

Principles of Development Control

31 Development should provide off-street vehicle parking and specifically marked disabled car parking places to meet anticipated demand in accordance with Table YoP/3 - Off Street Vehicle Parking Requirements.

32 Development should be consistent with Australian Standard AS 2890: Parking facilities

Curramulka Road is a public road that is used by the community and tourists alike that is capable of handling articulated vehicles, such as the many locals who use trailers for their boats. There is no indication that the caravan park taking access from Minlacowie Road will result in an increase of traffic along Curramulka Road, however Curramulka, Minlacowie and Wauraltee Roads are wide enough to handle such traffic.

Safety of children along Minlacowie Road for the future proposed use is an understandable concern. Rules and guidelines provided to all patrons of the caravan park indicate that all children under the ages of eight are to be accompanied by an adult. Though, I'm not certain of the rigidity of this application. As the history of the subject site is a former school, I can understand that children have accessed the former school from the locality alongside the continuing legal operating of the Port Vincent Seaside and Caravan Park. In the absence of information to suggest safety is a concern along Curramulka and Minlacowie Roads I am not convinced this caravan park will be a matter that will generate additional safety concerns to the locality.

It is of note that the applicant is engaged with DPTI to install a pedestrian crossing on Minlacowie Road to provide a crossing location for pedestrians. This pedestrian crossing, if installed, should address concerns of representors regarding the safety of the street. However, this crossing is a separate matter to Council and DPTI.

It is in the caravan parks interest to manage internal navigation and provide adequate parking for each tent site and caravan site. Having regard to the information furnished by MFY traffic engineering consultants we are satisfied that the site is navigable by an articulated vehicle. Each site is understood to have sufficient space for the caravan/tent and its patrons' vehicle.

Eighteen car parking spaces are provided for the dormitories. The space in front of the residential accommodation is sufficient for four vehicles. A condition of consent has been recommended to ensure that traffic and movement internally throughout the site complies with AS 2890.1 and AS 1742.

The applicant has addressed this in their planning report that buses are parked on caravan sites as part of their current site management practice. Outside of this, I understand that the Minlacowie Road frontage is 120 metres kerbside; this dimension is more than suitable to handle such vehicles.

Fire Hazard

This development is not within a demarcated bushfire protection zone within the Development Plan. As such they are exempt from such requirements. I note that the buildings will require building rules consent for the change of use of these structures. It is in the interest of the caravan park to ensure that these buildings are to code in regard to fire exits. Many of these structures, as classrooms already have disability access, signage and emergency lighting.

FenceGeneral Section**Crime Prevention**Principles of Development Control

- 1 Landscaping should be used to assist in discouraging crime by:
 - (a) screen planting areas susceptible to vandalism
 - (b) planting trees or ground covers, rather than shrubs, alongside footpaths
 - (c) planting vegetation other than ground covers a minimum distance of 2 metres from footpaths to reduce concealment opportunities.

The proposed landscaping describes 1.8m high plantings and does not specify a planting schedule. The lack of specification of plantings presents potential issues of security and surveillance. As a result, a condition of consent has been recommended for a landscaping planting schedule and plan that uses species endemic to the locality; either shrubs or ground covers with a maximum 1 metre mature height, or for trees to be planted.

CONCLUSION

The proposed development is generous in space and retains its street presentation and setbacks to Minlacowie Road. It is suitably located within an existing locality with extensive amount of tourist accommodation developments and will add to the range of tourist accommodation facilities available to meet the needs of visitors to Port Vincent. It is especially well suited for the ongoing purposes of school camps given its retention of the former school buildings that are an appropriate scale for such a use, and more particularly having regard to the established former use of the subject land and its relationship to the residential zone.

Having had regard to the provisions of the Residential Zone and Caravan and Tourist Park Zone, and the council-wide provisions of the Yorke Peninsula Council, the proposed development warrants approval subject to conditions of consent.

ATTACHMENTS

- 1. Subject Land**
- 2. Locality Plan**
- 3. Zone Map**
- 4. Category 3 Public Notice, Plans & Information**
- 5. Representations**
- 6. Applicant's Response to Representations with Amended Plans**
- 7. Application Details & Information**
- 8. Site Inspection Photos**

9.2 544/1341/2018 - N KOCH**Document #:** 19/68439**Department:** Development Services**PROPOSAL OUTLINE****Author:** Access Planning**Application No.:** 544/1341/2018**Applicant:** Neil Koch**Owner:** Regine Afke Koch**Development Proposal:** A partial change of use to include a store associated with an earthmoving depot and farm storage.**Lodgement Date:** 24th September 2018**Subject Land:** Section 127 Songvaar Road, Port Victoria, SA 5573**Zone:** Primary Production Zone**Nature of Development:** Merit**Public Notification:** Category 3**Representations:** 2 received – 1 Supporting 1 Opposed**Referrals:** Nil**Development Plan Version:** 31 October 2017**RECOMMENDATION**

- A. That following consideration and having regard to all relevant matters concerning Development Application 544/1341/2018 for an earthmoving depot and storage facility at Section 127 Songvaar Rd, Port Victoria (as contained in Certificate of Title Volume 6154 Folio 838) is not seriously at variance with the Yorke Peninsula Council Development Plan, as consolidated 31 October 2017.**
- B. That the Council Assessment Panel grant Provisional Development Plan Consent to Development Application 544/1341/2018 for an earthmoving depot and farm storage facility at Section 127 Songvaar Rd, Port Victoria (CT Volume 6154 Folio 838) subject to the following conditions:**

Conditions

- 1. The development shall be undertaken in accordance with the details submitted to the Council and approved plans relating to Development Application Number 544/1341/2018 except where varied by the following conditions.**
- 2. Prior to the issue of Development Approval, the applicant shall provide a detailed landscaping plan prepared by an appropriately qualified landscape architect/designer for Council approval that will;**
 - Confirm the extent of landscaping to all four boundaries of the site;**
 - Create 3 metre wide landscaping verges on public road frontages;**

- Comprise species to street boundaries in particular, but more generally to the perimeter of the site, with 20% of the plantings to comprise of trees with the ability to grow to at least the height of the proposed building;
 - Comprise species endemic to the locality and suited to the specific soil conditions on the subject land.
3. Landscaping shall be commenced within 6 months of the date of this consent and shall be completed with 12 months of the date of this consent. Thereafter landscaping shall be maintained to a standard considered appropriate by the Council at all times during the operation of the development.
 4. The sheep yard shall be used for the short-term housing of sheep only and not be used for any form of intensive animal keeping.
 5. The site shall not be open to the public at any time.

Notes

1. The applicant is advised that an application for Building Rules Consent, including appropriate plans and specifications, must be submitted either to Council or a Private Certifier in accordance with the provisions of the Development Act 1993, and the written Development Approval of Council must be obtained prior to the commencement of construction.
2. The granting of this consent does not absolve the applicant from obtaining all other consents which might be required pursuant to the provision of any other statutes or regulations.

NATURE OF THE DEVELOPMENT

The applicant seeks Development Plan Consent for a partial change of use to an existing farm building and surrounding area to include a store associated with an earthmoving depot and farm storage.

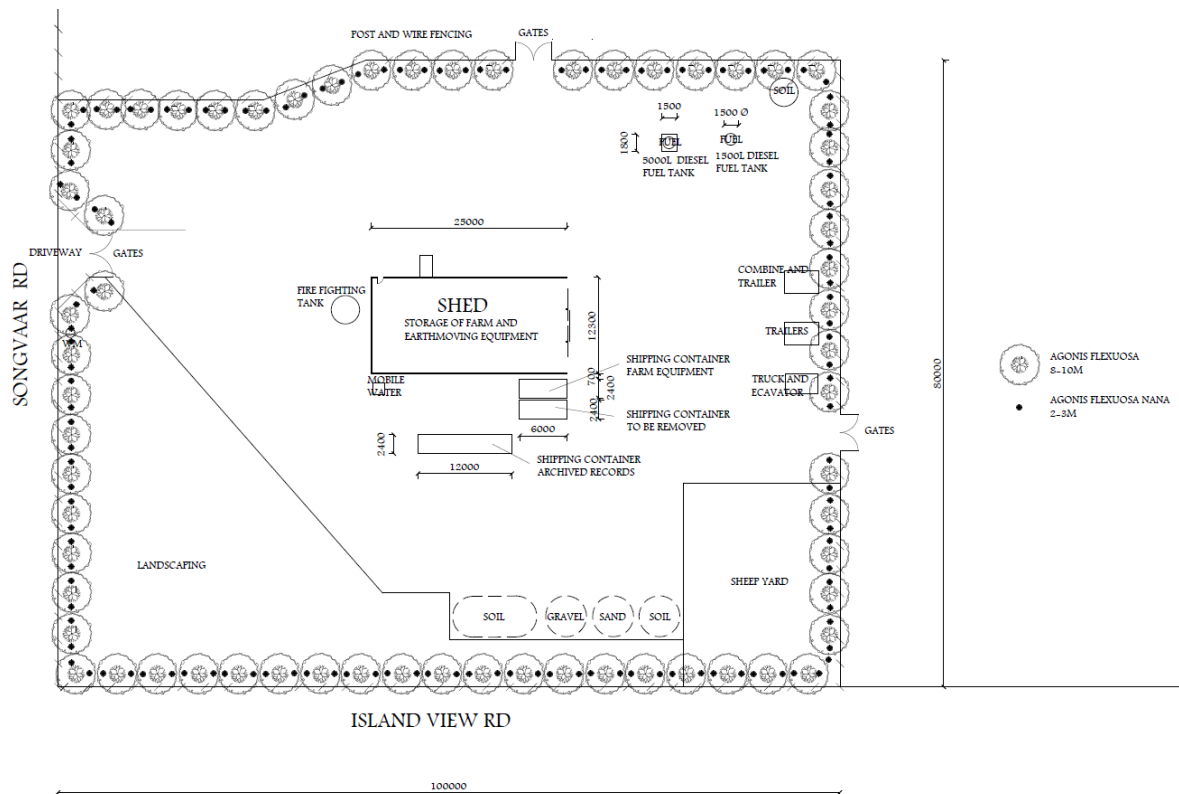
DESCRIPTION OF THE PROPOSAL

The applicant operates a landscaping business from Adelaide and now provides the service throughout the Peninsula. I understand the service will operate in conjunction with the existing family farming activities on Yorke Peninsula and to this end the proposed development will fulfil a twofold purpose of storing farm machinery used on the various family farm properties, as well as machinery and materials to be used in the landscaping/earthmoving business.

- The proposed development is for an earth moving and farming equipment depot. This will include the following:
- Use of the existing 25 x 12.3m shed for storage of farm and earthmoving equipment, including;
 - Storage of an excavator, bobcat, truck and their associated trailers;
 - Farm storage of tractors, implements, truck, trailers, workshop equipment;
- Storage of rubble, sand and topsoils;
- Placement 2 storage containers; one for archived records, one for farming equipment storage;

- 2 bunded diesel fuel tanks; one 5000L and one 1500L;
- A fenced sheep yard to the south-eastern corner of the development;
- Landscaping to the perimeter of the development.

The earthmoving depot will not be open to the public and will not have any deliveries from third parties. The materials will be sourced by the landowner directly from a quarry in Kulpara. The operation hours will be 8am- 5pm, where the owner will arrive at 8am in his personal vehicle, drive out to a job in the truck with excavator in tow, and then return the vehicles at 5pm, driving home in his personal vehicle again. The purpose of the depot is to store materials for jobs, minimizing the frequency of need to drive to the Kulpara quarry.



1. Figure 1: Proposed Development Source: Ardrossan Drafting Site Plan

Details of the proposed development are more particularly identified in the plans, specifications and documentation submitted to Council by the applicant. (Refer Attachment 1)

SUBJECT LAND AND LOCALITY

The subject land is formally identified as Section 127 in Hundred Plan 131600 in the Hundred of Wauraltee in the area named Port Victoria. The land is more commonly referred to as Section 127 Songvaar Road, Port Victoria, as contained within Certificate of Title Volume 6154 Folio 838. (Refer Attachment 2)

The property is located approximately 1km south-west of Port Victoria’s township. It is a rectangular shaped corner allotment with frontage to both Songvaar and Island View Roads. Frontage onto Songvaar Rd is approximately 225m, and to Island View Rd is approximately 200m. The land has a total area of 11 acres.

The land is not subject to any easements. It is relatively flat throughout and is currently occupied by a farm storage shed but is otherwise vacant and devoid of landscaping.

The immediate locality (*refer Attachment 3*) comprises of a mix of land uses, including an Industrial Zone adjacent to the west, opposite Songvaar Rd, and the remaining adjacent allotments zoned as Primary Production.

PUBLIC NOTIFICATION

The 'Procedural Matters' section of the Primary Production Zone specifies forms of development that are considered complying or non-complying within the Zone. A 'store' is not listed within either table therefore the proposal is determined to be considered on merit.

The Public Notification section of the Primary Production Zone assigns categories of development various forms of development for the purpose of determining the extent of public notification. A farm building is listed as a Category 1 form of development, however a store is not listed and therefore the categorisation defers to Schedule 9 the *Development Regulations, 2008*. Store within a Primary Production Zone is not listed within either Part 1 or Part 2 of Schedule 9 and therefore defaults to Category 3 for the purposes of public notification.

The application appeared in the Country Times Newspaper on 16 July 2019. (*Refer Attachment 4*)

CONSULTATION

Council received two representations (*refer Attachment 5*) in response to the public notification which are summarised below:

Name and Address	Reasons for Representation
<p><i>Luis Carrico</i> <i>Port Victoria SA 5573</i></p>	<p>2. Strongly against the proposal as the subject land is prime producing land, where the development proposed is industrial in nature.</p> <p>3. Representor personally had a proposal for a dwelling on the property denied because of this conflict of land use.</p> <p>4. Wishes to be heard by the Council DAP personally.</p> <p>5.</p>
<p><i>Graham and Carole Derrington</i> <i>Port Victoria SA 5573</i></p>	<p>Adjoining landowners, happy for the development to proceed. Do not wish to be heard by the Council DAP.</p>

Council received a response to representations made from the applicant (*refer Attachment 6*):

Representation	Response
<i>Luis Carrico</i>	<p>6. Acknowledges representation is strongly against the proposal because it is in a primary production zone but has an industrial nature.</p> <p>7.</p> <p>8. Identifies the property is to the northern boundary of the subject land, also in the Primary Production Zone and opposite Industry and Residential Zones on the western side of Songvaar Rd. There is an industrial use located within the Industry Zone across the road from the representor's property which is closer than the proposal.</p> <p>9.</p> <p>10. The proposed development is to use the existing facilities as a store associated with a small-scale earth moving business. This will not have an impact on the long-term continuation of primary production or on the operation and use of the adjoining land.</p> <p>11.</p> <p>12. Much of the equipment, machinery and materials stored will be used for both primary production on site and the earth moving business.</p> <p>13.</p> <p>14. The proposed use will not inhibit use of adjoining land and has no relevance to the ability to develop a dwelling in the Zone (which is non-complying use).</p> <p>15.</p>
<i>Graham and Carole Derrington</i>	Acknowledges they have no objections and are happy for the development to proceed.
	The applicant considers the issues raised in representations suitably addressed, and states the proposed development is consistent with the relevant provisions of the Development Plan, warranting Development Plan Consent.

ASSESSMENT

The subject land is located in the Primary Production Zone as depicted in Zone Map YoP/40 (*refer Attachment 7*) of the Yorke Peninsula Development Plan, consolidated 31st October 2017. It is also identified as general bushfire risk in BPA Map YoP/10.

I have given consideration to the relevant provisions of the Yorke Peninsula Council Development Plan- Consolidated 31st October 2017. The provisions of the Development Plan I consider most relevant to this application are as follows.

Zone Section**Primary Production Zone**

Objectives: 1, 2, 4

Principles: 1, 2, 4, 11, 12

General Section**Animal Keeping**

Objectives: 1

Principles: 2, 10, 11, 12

Design and Appearance

Objectives: 2

Principles: 1, 3, 5, 6, 11, 14

Energy Efficiency

Objectives: 1, 2

Principles: 1, 3

Hazards

Principles: 8, 9, 10, 13, 16

Industrial Development

Objectives: 1

Principles: 3, 4, 5, 6, 7, 8, 9

Infrastructure

Objectives: 1, 4

Principles: 1, 4, 6, 9, 10

Interface between Land Uses

Objectives: 1, 2, 3

Principles: 1, 2, 7, 14, 15, 16, 18

Landscaping, Fencings & Walls

Objectives: 1, 2

Principles: 1, 2, 3, 4

Orderly and Sustainable Development

Objectives: 1, 2, 3, 4,

Principles: 1, 2

Siting and Visibility

Objectives: 1

Principles: 1, 2, 4, 5, 6, 7, 8

Transport and Access

Objectives: 2, 5

Principles: 1, 4, 12, 13, 22

Waste

Objectives: 1

The following assessment will not discuss each provision of the Development Plan relevant to proposal, but those issues considered most pertinent to the planning assessment. The key planning issues are considerations of land use/zoning and the impact on the locality's amenity.

Primary Production Zone**Objectives**

- 4 Protection of primary production from encroachment by incompatible land uses and protection of scenic qualities of rural landscapes.**

Principles of Development Control

- 1. The following forms of development are envisaged in the zone:**

- **Farming**
- **Intensive animal keeping**

- 4. Industry and warehousing should only be developed if it supports primary production processing, storage and distribution of local primary produce and products produced on the same site, and should be developed where:**

- (a) It has a direct relationship with primary production;**
- (b) It is unlikely to limit or inhibit the use of adjoining land for primary production;**
- (c) The particular use requires a site in proximity to a particular natural resource or other product or materials sourced from the locality;**
- (d) It will not result in the alienation of land or water resources identified as significant for primary production or ecological reasons;**
- (e) The use would be inappropriate within a township;**
- (f) The capacity of the infrastructure, including roads, is capable of supporting the use without detriment to existing users.**

General Section**Design and Appearance:****Principles:**

- 3. Buildings should be designed to reduce their visual bulk and provide visual interest through design elements such as:**
- (a) articulation**
 - (b) colour and detailing**
 - (c) small vertical and horizontal components**
 - (d) design and placing of windows**

- (e) variations to facades.
6. The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighboring properties or drivers.
 14. Development should be designed and sited so that outdoor storage, loading and service areas are screened from public view by an appropriate combination of built form, solid fencing and/or landscaping.

Industrial Development

Objectives:

1. Industrial, warehouse, storage and transport distribution development on appropriately located land, integrated with transport networks and designed to minimise potential impact on these networks.

Principles:

3. Industrial development should enable all vehicles to enter and exit the site in a forward direction.
5. Building facades facing a non-industrial zone, public road, or public open space should:
 - (a) use a variety of building finishes
 - (b) not consist solely of metal cladding
 - (c) contains materials of low reflectivity
 - (d) incorporate design elements to add visual interest
 - (e) avoid large expanses of blank walls
6. Industrial development should minimise significant adverse impact on adjoining uses due to hours of operation, traffic, noise, fumes, smell, dust, paint or other chemical over-spray, vibration, glare or light spill, electronic interference, ash or other harmful or nuisance-creating impacts.
8. Development should provide landscaped areas comprising at least 10 per cent of the site area and which incorporate:
 - a) a landscape strip adjacent to public roads that has a minimum width of 3 metres
 - b) 20 per cent of all plantings being in the form of trees capable of growing to at least the height of the main building on the land.
9. Fencing (including colour-coated wire mesh fencing) adjacent to public roads should be set back in one of the following ways:
 - (a) in line with the building facade
 - (b) behind the building line
 - (c) behind a landscaped area that softens its visual impact.

Infrastructure:

Principles:

4. Development should not take place until adequate and coordinated drainage of the land is assured.

Interface Between Land Uses**Objectives:**

- 1 Development located and designed to prevent adverse impact and conflict between land uses.**
- 2 Protect community health and amenity and support the operation of all desired land uses.**
- 3 Protect desired land uses from the encroachment of incompatible development.**

Principles:

- 14. Traffic movement, spray drift, dust, noise, odour, and the use of frost fans and gas guns associated with primary production activities should not lead to unreasonable impact on adjacent land users.**

Landscaping, Fences and Walls**Principles:**

- 2 Landscaping should:
 - (a) include the planting of locally indigenous species where appropriate**
 - (b) be oriented towards the street frontage**
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained.****

Orderly and Sustainable Development**Objectives:**

- 3 Development that does not jeopardise the continuance of adjoining authorised land uses.**

Siting and Visibility**Objective:**

- 1 Protection of scenically attractive areas, particularly natural and rural landscapes.**

Principles:

- 8 Development should be screened through the establishment of landscaping using locally indigenous plant species:
 - (a) around buildings and earthworks to provide a visual screen as well as shade in summer, and protection from prevailing winds**
 - (b) along allotment boundaries to provide permanent screening of buildings and structures when viewed from adjoining properties and public roads**
 - (c) along the verges of new roads and access tracks to provide screening and minimise erosion.****

The proposed development is one that encompasses a range of uses that might be expected to occur on any farming property in the Council area, albeit that the nature of the earthmoving business is not strictly related to the property on which it is sited.

The shed is existing, the other buildings and structures proposed are relatively small in scale and well set back from adjoining roads. As mentioned, the building is of a size and location that might be expected on any rural property in the Council area.

I find no particular issues with the nature of the buildings proposed or their location on the land. The undertaking of site landscaping as a component of this development has the very real benefit of screening the existing and proposed development on the land from view, although I note that there are no sensitive land uses close to the subject land that are likely to be affected by its visual impact or the nature of the activities to be undertaken on the property.

The development in total takes up less than 1/10th of the land and whilst it will remove small section of the land from Primary Production use it is a relatively small section of land that already looks to be used for non-cropping purposes as a consequence of its existing use for storing and maneuvering farm equipment.

Whilst it is desirable that industrial land uses be located in the Industry Zone, the present intended use is a benign activity with no public access and of a scale that is commensurate with, and which operates as adjunct to the existing use of the land for farm storage purposes.

Were the nature and scale of the land use to change and become more intense than a move into the Industry Zone might be required in the future. At the present time, investment into the now proposed development is relatively minor and as such a move into the Industry Zone in the future would not be a significant impost on the applicant.

The nature of the proposed development is such that the use is benign in its impacts, as it;

- generates little noise,
- produces no odour,
- has little bushfire risk;
- has minimal visual impact and will employ a landscaping plan to screen buildings;
- does not generate high levels of traffic,
- occupies only a relatively small area of land relative to the land holding and to the amount of Primary Production land zoned land in the Council area.

The hours of operation are between 8am and 5pm on business days, but the nature of the earth depot will mean very little movement on the property during these hours as the owner will simply pick up required materials and equipment for specific jobs off-site.

Although the land is zoned in Primary Production, it is not a form of development which is likely to adversely impact the amenity of adjoining or nearby rural activities, and I suggest that it would have little more impact than the envisaged types of Primary Production within the zone.

Vegetation screening is proposed along the perimeter of the development, with particular focus on the public road frontage. It should also provide protection from prevailing winds, shade in summer and erosion mitigation.

Proposed landscaping includes *Agonis flexuosa* and *Agonis flexuosa nana*; the natural range of these species is generally south-west Western Australia; it is not local to the subject site's area. These species are generally found growing in limestone heath, stable dunes and sandy soils, inland from the coastline. Although there has been some consideration to the approach of landscaping with

consideration of adjoining land uses and street frontages, I am not convinced the species is suitable to the locality.

The provisions of the Development Plan clearly specify endemic species suited to the locality, and for 10% of the overall site to be landscaped, with at least 20% of the landscaping to comprise of trees with the capability to grow at least as high as the proposed shed structure. Furthermore, public road frontages should have landscaping of at least 3 metres wide.

Plantings need not be dense but should be sufficient to act as a visual buffer to development and adjoining land. There should be a detailed landscaping plan and planting schedule. I have dealt with this issue by the imposition of a condition requiring a more detailed landscaping plan and planting schedule.

Planting will not comprise 20% but in the circumstances are sufficient to adequately screen the development and achieve the intent of the landscaping provisions on the Development Plan.

The sheep yard is a common feature of a farm property and is not an issue subject to it not being used for intensive animal keeping purposes.

CONCLUSION

In summary, when considering the scale of the proposed development in the context of its setting and against the relevant provisions of the Council Wide and Primary Production Zone Objectives and, Desired Character and Principles of Development Control within the Yorke Peninsula Council Development Plan, the proposed development is considered to have sufficient merit.

Having regard to the foregoing, I consider that the proposed development is an appropriate form of development for the land, and warrants approval subject to conditions of consent.

ATTACHMENTS

- 1. Application Details & Information**
- 2. Subject Land**
- 3. Locality Plan**
- 4. Category 3 Public Notice**
- 5. Representations**
- 6. Applicant's Response to Representations**
- 7. Zone Map**
- 8. Site Inspection Photos**

10 MATTERS DEFERRED

Nil

11 ERD COURT MATTERS

Nil

12 CONCURRENCE APPROVALS

544/1103/2018 Eddie Domin – Concurrence received and Planning Consent granted on 23 July 2019

544/1177/2018 Longridge Group Pty Ltd – Concurrence received and Planning Consent granted on 2 August 2019

13 PROCEDURAL MATTERS

14 NEXT MEETING

Tuesday 24 September 2019

15 CLOSURE