

DEVELOPMENT ACT 1993

YORKE PENINSULA COUNCIL

NOTICE OF APPLICATION FOR CATEGORY 3 DEVELOPMENT

Pursuant to Section 38(5) of the Development Act 1993

Notice is hereby given that an application comprising a CATEGORY 3 DEVELOPMENT has been lodged with the Council for a development assessment.

Details of the application are as follows :-

DEVELOPMENT No.	544/1200/2017	
APPLICANT ADDRESS	S PALECEK PO Box 61 ARDROSSAN SA 5571	
NATURE OF THE DEVELOPMENT	Detached Dwelling and Rainwater Tanks (Non-Complying)	
SUBJECT LAND	Pieces 8-9 Hundred Coonarie FOUL BAY 5577	
CERTIFICATE OF TITLE	VOLUME 5297	FOLIO 200

The application may be examined on the Council website or at any office of the Council located at Maitland, Yorketown or Minlaton during normal business hours and any person or body affected may make relevant representations in writing concerning this application to reach the Authorised Officer at PO Box 57, MAITLAND SA 5573 or emailed to admin@yorke.sa.gov.au not later than 5pm, 15 April 2020.

Each person making a submission should indicate whether that person wishes to appear personally or be represented by another party before the Council in support of that submission.

Please note that, pursuant to Section 38(8) of the Development Act, a copy of each representation received will be forwarded to the applicant for a written response.

Signed Jodie Terp
AUTHORISED
OFFICER
Date 31 March 2020

THIS IS THE FIRST AND ONLY PUBLICATION OF THIS NOTICE

A CAMERON
CHIEF EXECUTIVE OFFICER

STATEMENT OF REPRESENTATION – CATEGORY 3 DEVELOPMENT

SF057
Responsible Officer: DO
Issue Date: 23/09/2019
Next Review Date: June 2022

Pursuant to Section 38 of the Development Act 1993

TO: Planning Officer – Yorke Peninsula Council
Yorke Peninsula Council
PO Box 57
MAITLAND SA 5573

DEVELOPMENT NO: 544 / 1200 / 2017

NAME OF PERSON(S)
MAKING REPRESENTATION:

POSTAL ADDRESS:

Email address:

Telephone :

NATURE OF INTEREST
AFFECTED BY DEVELOPMENT:
(eg adjoining resident, owner of land in
vicinity, or on behalf of an organisation
or company)
.....
.....
.....

REASONS FOR
REPRESENTATION:
.....
.....
.....
.....

MY REPRESENTATION
WOULD BE OVERCOME BY:
(state action sought)
.....
.....
.....

Please indicate in the appropriate box below whether or not you wish to be heard by the Council Assessment Panel in respect to this submission:-

I DO NOT WISH TO BE HEARD

I DESIRE TO BE HEARD PERSONALLY

I WILL BE REPRESENTED BY
(please specify)

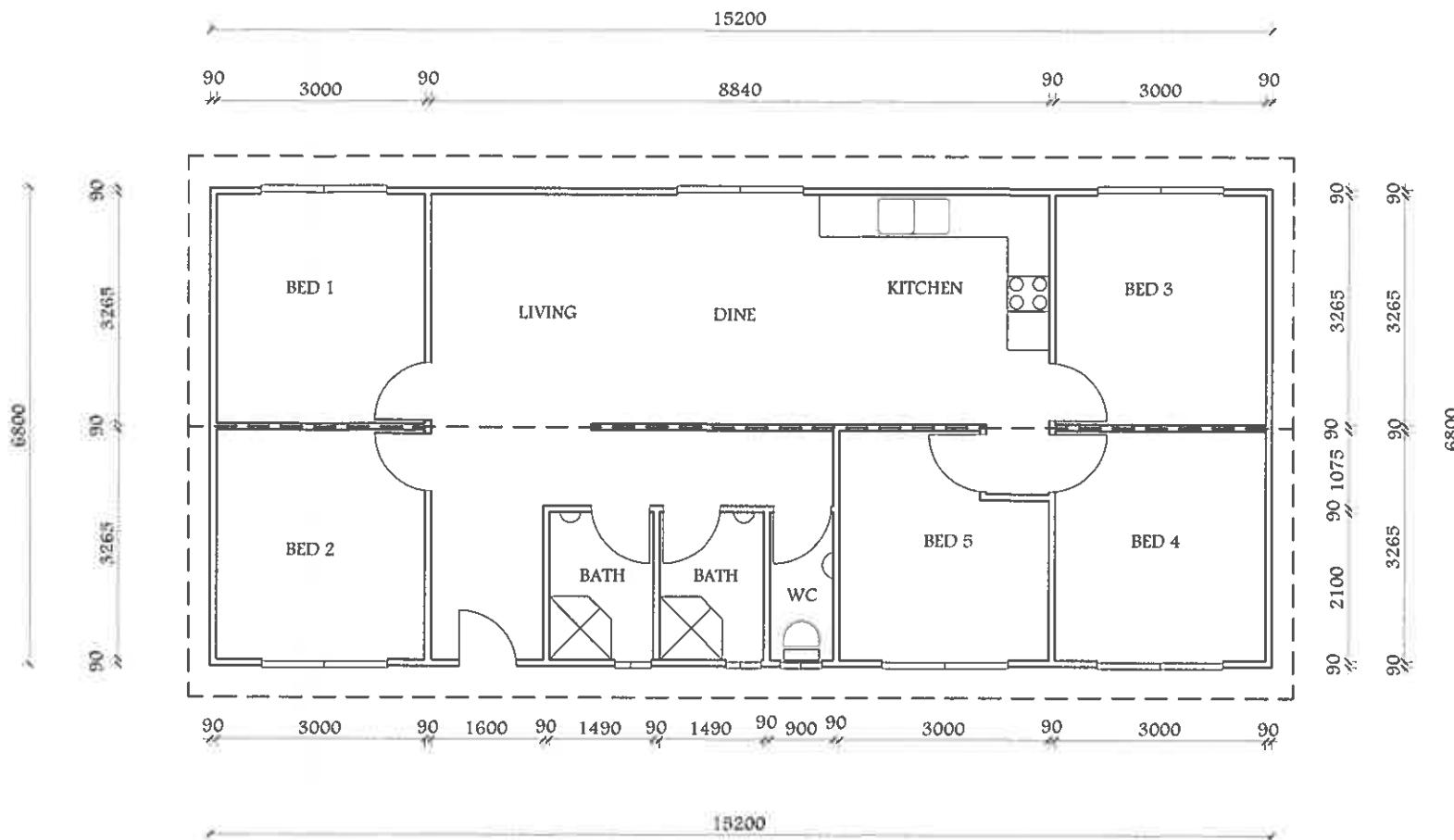
SIGNED: DATE: / /

Page 1 of 1

TIMBER FRAMED TRANSPORTABLE DWELLING ON STUMPS

ROOF, CUSTOM ORB, ZINCLUME
WALLS, HARDIEPLANK, CREAM

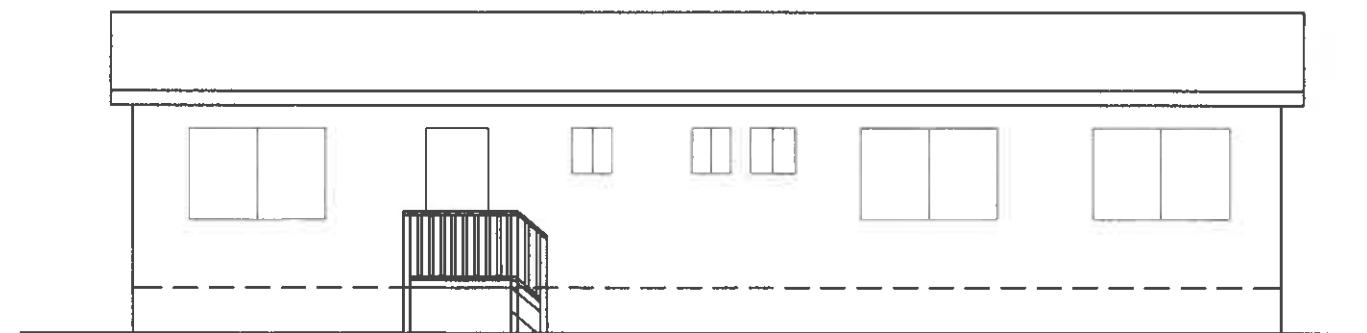
ENSURE DWELLING COMPLIES WITH CURRENT REQUIREMENTS OF BCA



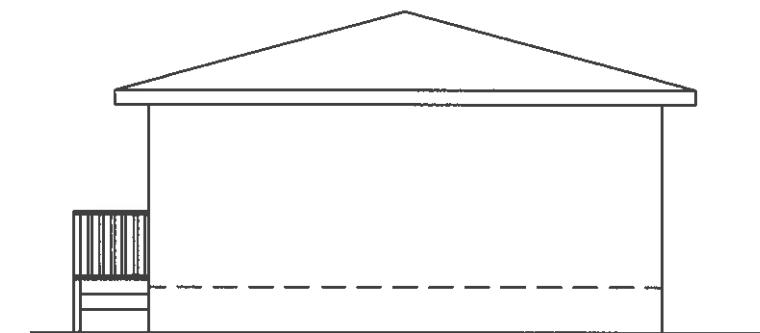
TIMBER FRAMED DWELLING ON STUMPS

ROOF, CUSTOM ORB, ZINCLUME
WALLS, HARDIEPLANK, CREAM

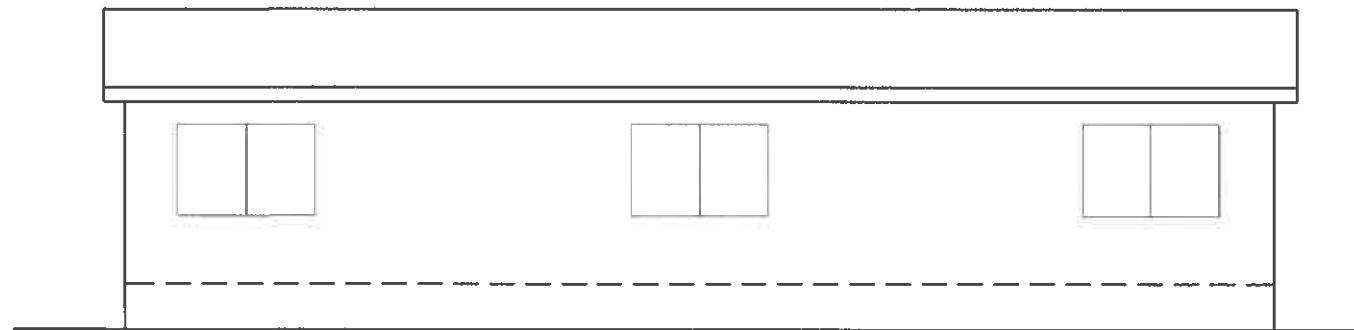
WEST



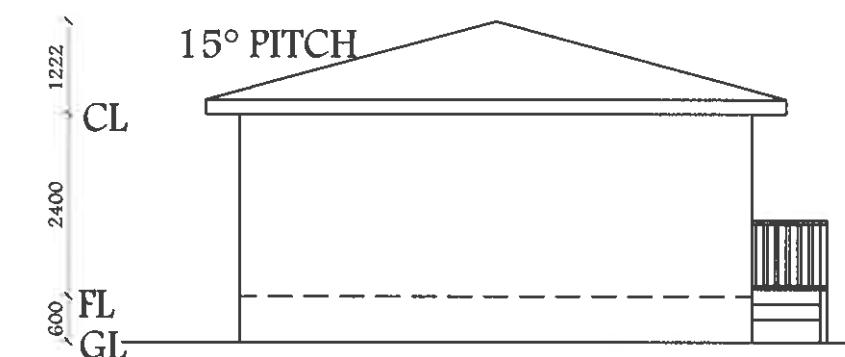
NORTH



EAST



SOUTH





 Subject Site

 Compacted Gravel

Site Plan

LOT 8-9 HUNDRED LINE ROAD
FOUL BAY

FOR STUART PALELIK



1:2500 @ A3
0 50m

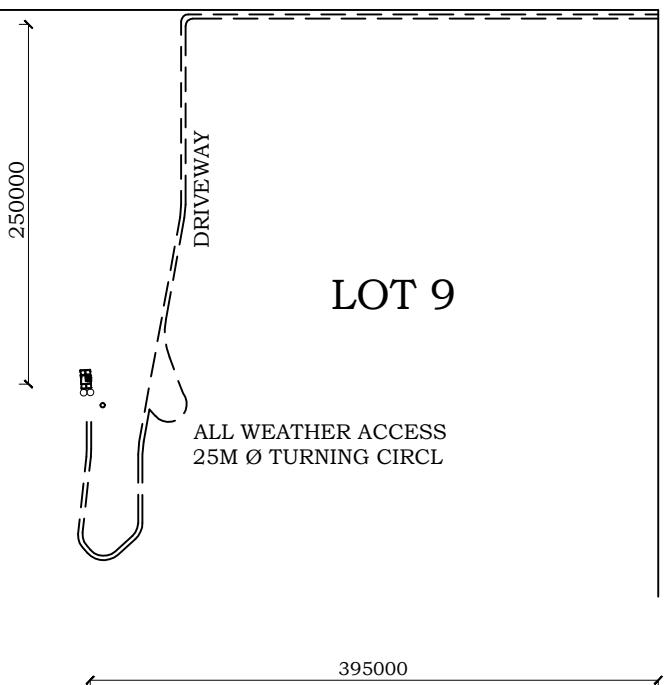
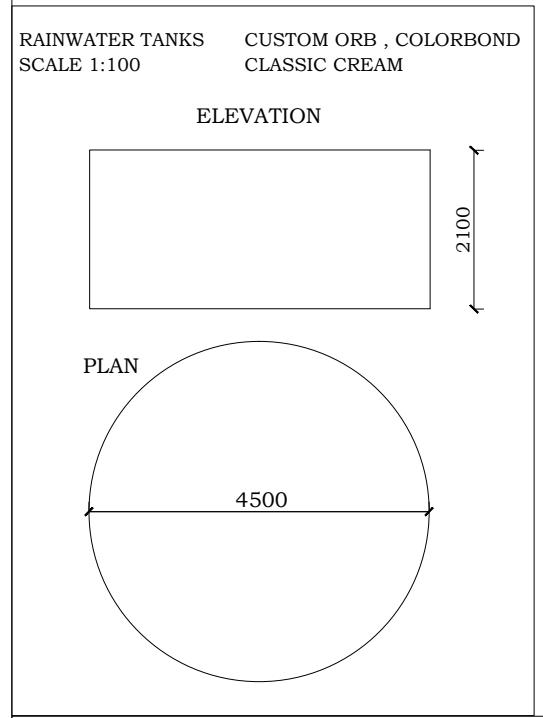
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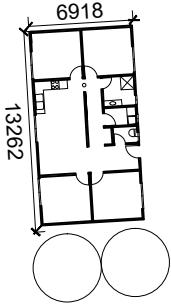
© FEB 2020 hm:51403-S1-3C

SITE
NOT TO SCALE

HUNDRED LINE RD



SITE
SCALE 1:500



LOT 9

5000L FIREFIGHTING TANK
24m

ALL WEATHER ACCESS
25M Ø TURNING CIRCLE

ARDROSSAN DRAFTING
P.O BOX 61
ARDROSSAN S.A 5517
0488 429 169
stuartpalecek@bigpond.com

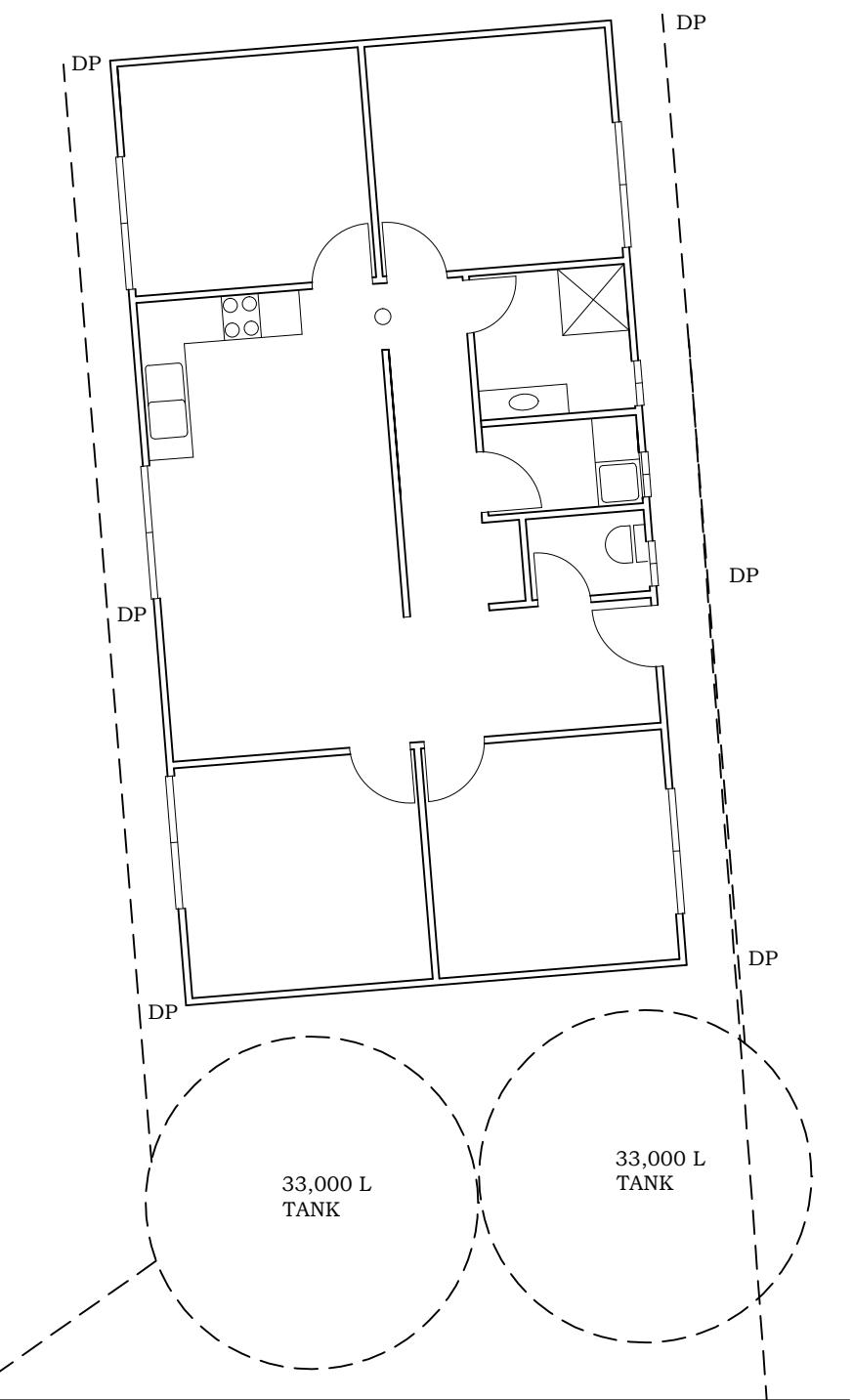
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WRITTEN DIMENSIONS TAKE PRECEDENCE OVER SCALE
CONFIRM ALL DIMENSIONS ON SITE

STORMWATER

SCALE 1:100

NORTH



AREAS
LAND
DWELLING
828.5HA
87M2

SITE 2
NOT TO SCALE
DRAWN S. PALECEK
SHEET NO 2 OF 10
VERSION 5
DATE 28/2/20

Statement of Effect

Detached Dwelling (Retrospective)

at Pieces 8-9 Coonarie Road, Foul Bay



Prepared by
MasterPlan SA Pty Ltd
ABN 30 007 755 277, ISO 9001:2015 Certified

33 Carrington Street, Adelaide SA 5000
Telephone: 8193 5600, masterplan.com.au



February 2020



1.0 INTRODUCTION

This Statement of Effect has been prepared in accordance with Regulation 17(5) of the *Development Regulations 2008* (the Regulations) for a retrospective development application for a detached dwelling.

The site of the development is within the Primary Production Zone (the Zone), as illustrated in Map YoP/15 of the Yorke Peninsula Council Development Plan (consolidated 26 November 2015).

A dwelling is listed as non-complying in the Zone's Procedural Matters, unless the following exception can be satisfied;

"Except for a dwelling that satisfies one of the following:

- (a) it is located on land held at Point Pearce by the Aboriginal Lands Trust and the dwelling will meet the needs of the local aboriginal population, provided it is restricted to the existing or planned expansion areas of the Point Pearce settlement*
- (b) it is in the form of workers accommodation*
- (c) it is for the replacement of an existing freehold dwelling."*

As the proposal does not satisfy these exceptions the application represents a non-complying development.

Yorke Peninsula Council has determined to proceed to assess the non-complying Development Application and requested amendments to the proposal and support from Native Vegetation Council in relation to retrospective removal of native vegetation.

This Statement of Effect contains:

- a description of the nature of the development and the nature of its locality;
- a statement as to the provisions of the Development Plan which are relevant to an assessment of the proposed development;
- an assessment of the extent to which the proposed development complies with the provisions of the Development Plan; and
- an assessment of the expected social, economic and environmental effects of the development on its locality.



Please find **enclosed**:

- an amended set of plans depicting a dedicated water supply, amendments to the access driveway for firefighting purposes, and additional details regarding water tanks.

We can confirm that the client has formally engaged environmental specialist Matthew Jones from Groundwork Plus to undertake the requested assessment of the native vegetation removal. Matthew has confirmed he will be able to undertake his assessment on the 16th of March 2019 with his report being finalised by the end of March.

In preparing this report, we have:

- examined the amended application plans; and
- examined the relevant provisions of the Yorke Peninsula Council Development Plan to inform our Statement of Effect.

We are satisfied having particular regard to the circumstances of the proposal, the features of the site and the relevant provisions of the Development Plan that the proposal exhibits substantial planning merit.

2.0 SITE AND LOCALITY

The subject site (the site) has a total site area of 29.5 hectares and encompasses Q8-9 in File Plan 139717, Hundred of Coonarie, Volume 5297 and Folio 200.

The site comprises an existing dwelling, farm paddocks, and dense portions of vegetation and trees. The existing dwelling is surrounded by vegetation and therefore screened when viewed from each boundary.

The existing dwelling is setback from Hundred Line Road by approximately 270 metres and from Coonarie Road by 380 metres. The dwelling is a transportable building that sits on piers. The existing dwelling is setback from the surrounding native vegetation by 8 to 25 metres, with small portions of regrowth located within those distances.

Vehicle access is currently provided at the edge of Hundred Line and Coonarie Road (unsealed) at the site's north west corner.

The site has gentle undulations and is currently used for cropping and livestock. The applicant's son resides in the existing dwelling on a permanent basis and undertakes farming on the site and surrounding allotments.



To our knowledge, all adjacent properties are used for primary production and residential dwellings used in association with primary production and farming activities. Allotments to the east, south and west of the site are heavily vegetated. As a result, views from the site into adjoining properties are largely screened. The adjoining allotment to the north maintains a close visual interface with the site, however the associated dwelling is located to the north of that allotment, separated by over four kilometres from the site and owned and lived in by the applicant and their family.

3.0 DESCRIPTION OF PROPOSED DEVELOPMENT

The applicant seeks approval for a single storey detached dwelling with two bedrooms, one bathroom, laundry and open living, dining and kitchen area.

The dwelling is a timber framed transportable that sits on piers, with a green custom orb Colorbond roof and cream coloured horizontal Trimdek Colorbond walls.

The proposal comprises retrospective removal of native vegetation. The existing vegetation on the property is naturally open and comprises semi cleared stunted mallee. Removal has occurred over time largely due to mallee being eaten by stock. The applicant has confirmed that the vegetation removal for the existing access track was initially done by a previous owner.

As requested by Council, the applicant has procured the services of Groundwork Plus to assess this retrospective removal of native vegetation and will seek to gain support from the Native Vegetation Council. As detailed above, a site inspection has been organised to be undertaken on 16th of March to inform the assessment, with the final report to be issued by the end of March.

The proposal comprises a new 3 metre wide compacted gravel driveway to connect with the site's north western vehicle access point. An amended plan shows the position of the new driveway and dedicated turning area for emergency vehicles. The driveway has been positioned strategically to avoid any further removal of vegetation, minimise the encroachment on the existing farmland, and to follow the site's flatter sections to provide safe and convenient access.

As emergency vehicles are not able to manoeuvre around the dwelling due to the surrounding native vegetation, a turning area has been provided further north. This area will provide sufficient space for emergency vehicles to turn, whilst being located in close proximity the dwelling and 5,000 litre firefighting water tank. The image below depicts an existing opening between the vegetation for pedestrian access between the emergency vehicle turning area and the dwelling.



Image 1 – pedestrian emergency access

For clarity, this is for emergency pedestrian use only and no vehicle access will be provided in this location.

4.0 DEVELOPMENT PLAN

The relevant Development Plan is the Yorke Peninsula Council Development Plan (consolidated 26 November 2015).

The site of the proposed development is in the Primary Production Zone. In order to determine the extent to which the proposed development sufficiently conforms to the Development Plan, the following Section evaluates what are considered to be the most relevant provisions of the Development Plan as listed below.

Primary Production Zone



Objectives: 1, 2 and 4.

Principles: 1, 5, 11 and 12.



Council Wide - 'Residential Development'

Objectives: 1.

Principles: 14, 15 and 20.

Council Wide - 'Natural Resources'

Objectives: 1, 8 and 9.

Principles: 26, 27, 28, 29, 30, 32 and 33.

General Section - 'Design and Appearance'

Objectives: 1.

Council Wide - 'Hazards'

Principles: 9.

General Section - 'Infrastructure'

Objectives: 1 and 5.

Principles: 6.

General Section - 'Waste'

Objectives: 1.

General Section - 'Orderly and Sustainable Development'

Objectives: 1, 2, 3 and 4.

To determine the extent to which the proposed development sufficiently conforms to the Development Plan, Section 5.0 below evaluates the proposal against the most relevant provisions of the Council's Development Plan.

5.0 DEVELOPMENT PLAN ASSESSMENT

5.1 Primary Production Zone

The key Objectives, Principles of Development Controls (PDC) and Desired Character of the Zone include:

The Zone

Objective 1: The long term continuation of primary production.



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

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

The climate, soil and landform characteristics of this zone favour the continuance of agricultural production and livestock grazing and it is desirable not only that these activities continue, but also that good land management techniques be encouraged to control proclaimed pest plants, vermin, and soil erosion.

PDC 1: The following forms of development are envisaged in the zone:

- ...
- **farming**
- ...

We contend that the proposal accords with the intent of the above provisions as:

- the site's existing primary production activities will be preserved as the Zone envisages (Zone Objective 1, 2 and 4);
- the dwelling is ancillary to the site's existing primary production activities as the occupant of the dwelling is the applicant's son who works on the farm (Zone Objective 3);
- the location of the dwelling ensures that minimal primary production activities will be impacted (with the exception of the new driveway and turning area), as envisaged in the Zone's Desired Character Statement; and
- as the occupant of the dwelling is the applicant's son who works on the family farm, it will be associated with a land use that is expressly envisaged in PDC 1 of the Zone.

The proposed land will preserve primary production activities currently undertaken onsite and is therefore considered to be appropriate and in accordance with the intent of the Zone Objectives and Desired Character.

In addition to the above, the Zone includes the following key provisions:

PDC 5: A dwelling should only be developed if:

- (a) **there is a demonstrated connection with farming or other primary production**
- (b) **the location of the dwelling will not inhibit the continuation of farming, other primary production or other development that is in keeping with the provisions of the zone**



- (c) it is located more than 500 metres from an existing intensive animal keeping operation, or other noise or odour generating activity, unless used in association with that activity
- (d) it does not result in more than one dwelling per allotment.

As detailed above, the occupant of the dwelling is the applicant's son who works on the family farm, thus, we contend there is a clear connection between the dwelling and primary production activities. The proposed driveway will have a minimal impact on the site's existing primary production activities in the context of the entire site given its limited length and strategic location. The dwelling is located more than 500 metres from intensive animal keeping and will remain as the only dwelling on the site. Given the above, we contend that the proposal accords with PDC 5 of the Zone.

PDC 10: Development should not occur within 500 metres of a National Park, Conservation Park, Wilderness Protection Area or significant stands of native vegetation if it will increase the potential for, or result in, the spread of pest plants.

The dwelling is located more than 500 metres from a National Park, Conservation Park and Wilderness Protection Area, however is located adjacent to native vegetation. In our view, given the small scale and retrospective nature of the dwelling, the proposal will not result in the spread of pest plants on the site as referenced in Zone PDC 10.

PDC 11: Development should provide an access way of at least 3 metres wide that provides access for emergency vehicles to the rear of the allotment.

The driveway is largely located at the periphery of the usable primary production land, thereby preventing any significant disruption to the site's existing activities. The proposal incorporates a 3 to 5 metre wide access driveway that will facilitate emergency vehicle manoeuvrability and access to firefighting infrastructure, according with PDC 11 of the Zone.

PDC 12: Buildings should primarily be limited to farm buildings, a detached dwelling associated with primary production on the allotment and residential outbuildings that are:

- (a) grouped together on the allotment and set back from allotment boundaries to minimise the visual impact of buildings on the landscape as viewed from public roads
- (b) screened from public roads and adjacent land by existing vegetation or landscaped buffers.

The proposed dwelling is setback significantly from each site boundary, and wholly surrounded by native vegetation, thereby screening all views from public roads, according with PDC 12 of the Zone.

The proposed development is considered an appropriate land use that accords with the intent of the Zone's Objectives, Desired Character and PDCs of the Zone.



5.2 General Section - Residential Development

The General Section of the Development Plan prescribes a number of requirements associated with residential development.

Objective 1: **Safe, convenient, pleasant and healthy-living environments that meet the full range of needs and preferences of the community.**

The site supports farming activities; therefore, the location of the dwelling is considered appropriate as minimal primary production land will be impacted. The proposed development will deliver a dwelling that exhibits a sympathetic external appearance and efficient internal floor space for the occupant.

The proposal will ensure the dwelling occupant is provided with a safe and pleasant living environment as:

- the proposed dwelling is setback significantly from all site boundaries;
- the proposed development will not compromise adjoining land uses; and
- the proposed dwelling utilises a flat portion of the site.

PDC 1 of the General Section for residential development requires residential development to have appropriate siting and orientation to facilitate the construction of a dwelling, with provision for landscaping, vehicle access/parking and passive solar design.

PDC 1 Residential allotments and sites should have the appropriate orientation, area, configuration and dimensions to accommodate:

- (a) **the siting and construction of a dwelling and associated ancillary outbuildings**
- (b) **the provision of landscaping and private open space**
- (c) **convenient and safe vehicle access and off street parking**
- (d) **passive energy design.**

This section of the site offers sufficient space for associated landscaping, private open space, sustainable water supply and storage, safe vehicle access and car parking, thereby according with PDC 1 of the General Section for residential development.

The remaining relevant provisions of the General Section for residential development include:

PDC 14 Dwellings should be set back from allotment or site boundaries to:

- (a) **contribute to the desired character of the area**
- (b) **provide adequate visual privacy by separating habitable rooms from pedestrian and vehicle movement.**

PDC 15 Dwelling setbacks from side and rear boundaries should be progressively increased as the height of the building increases to:



- (a) minimise the visual impact of buildings from adjoining properties
- (b) minimise the overshadowing of adjoining properties.

PDC 20 Dwellings should have associated private open space of sufficient area and shape to be functional, taking into consideration the location of the dwelling, and the dimension and gradient of the site, with at least part of the required space capable of containing a rectangular area having minimum dimensions of 6 metres by 4 metres.

The proposal accords with the provisions listed as:

- the dwelling will be setback from all site boundaries so as to accord with the intent of the Zone and prevent loss of existing primary production land (PDC 14);
- the dwelling is single storey and setback significantly from rear and side boundaries, maintaining privacy and overshadowing to adjoining allotments (PDC 15); and
- the site is provided with ample area for outdoor domestic activities and private open space surrounding the proposed dwelling (PDC 20).

The Development Plan provides guidance on the design and appearance of residential development.

Objective 1: Development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form.

The proposed dwelling has been designed to ensure its appearance blends seamlessly with the surrounding natural environment. The colours and materials are sympathetic in appearance and the dwelling will be essentially screened from view in all directions.

Objective 1 of the General Section for siting and visibility seeks to protect the visual and environmental amenities of the wider Council area, whilst Table Yo/P/2 suggest buildings should be setback 30.0 metres from road boundaries in the Primary Production Zone.

Siting and Visibility

Objective 1: Protection of scenically attractive areas, particularly natural, rural and coastal landscapes.



Table Yo/P/2 – Building Setbacks from Road Boundaries

Road Boundary	Setback distance from road boundary (metres)
Within the following zones –	
Aquaculture Zone	30 metres
Bulk Handling Zone	
Coastal Conservation Zone	
Deferred Urban Zone	
Mineral Extraction Zone	
Primary Production Zone	
Water Protection Zone	

The proposed dwelling will be screened from view, thereby according with Objective 1 of the General Section for siting and visibility. The proposed dwelling will be setback well in excess of 30 metres from all site boundaries, according with Table Yo/P/2.

5.3 General Section – Natural Resources (Native Vegetation)

The relevant Objectives of the General Section for Natural Resources include:

- Objective 1:** Retention, protection and restoration of the natural resources and environment.
- Objective 8:** Native flora, fauna and ecosystems protected, retained, conserved and restored.
- Objective 9:** Restoration, expansion and linking of existing native vegetation to facilitate habitat corridors for ease of movement of fauna.

As detailed in Section 3, native vegetation has been removed in the past and the applicant is now seeking retrospective support from the Native Vegetation Council, with assistance from Groundwork Plus. Part of this removal has occurred through stock eating the mallee, whilst the applicant confirms that the access tracks were removed by previous landowners.



The proposed development will not involve the removal of any further native vegetation. The proposed dwelling is small in scale, incorporates generous setbacks on each side from existing native vegetation and is located on the periphery of the intact stratum. As such, will have minimal impact on habitat corridors which may exist further to the south within the denser portions of native vegetation.

PDC 26 Development should retain existing areas of native vegetation and where possible contribute to revegetation using locally indigenous plant species.

The proposal does not comprise additional plantings given the extent of existing native vegetation on the site. Further, the primary use of the site is for primary production, thus any additional plantings may potentially impede on the function of this primary use. In short, the proposal does not seek to remove any additional vegetation that has already occurred in the past, as desired in PDC 26.

PDC 27 Development should be designed and sited to minimise the loss and disturbance of native flora and fauna, including marine animals and plants, and their breeding grounds and habitats.

The proposed dwelling and access tracks do not result in any additional loss of vegetation. Given the scale of development when viewed in context with the extent and location of existing vegetation, we contend that the proposal accords with intent of PDC 27.

PDC 28 Native vegetation should be conserved and its conservation value and function not compromised by development if the native vegetation does any of the following:

- (a) provides an important habitat for wildlife or shade and shelter for livestock
- (b) has a high plant species diversity or includes rare, vulnerable or endangered plant species or plant associations and communities
- (c) provides an important seed bank for locally indigenous vegetation
- (d) has high amenity value and/or significantly contributes to the landscape quality of an area, including the screening of buildings and unsightly views
- (e) has high value as a remnant of vegetation associations characteristic of a district or region prior to extensive clearance for agriculture
- (f) is growing in, or is characteristically associated with a wetland environment.

In terms of satisfying PDC 28, Groundwork Plus will be undertaking their assessment shortly with consideration to issues such as habitat protection, presence of endangered species and general amenity. We do note however that the proposal is of a small scale, sits at the periphery of the existing native vegetation and will allow livestock to continue to use the vegetation for shading as expressed in PDC 28.

PDC 29 Native vegetation should not be cleared if such clearing is likely to lead to, cause or exacerbate any of the following:

- (a) erosion or sediment within water catchments
- (b) decreased soil stability
- (c) soil or land slip
- (d) deterioration in the quality of water in a watercourse or surface water runoff



- (e) a local or regional salinity problem
- (f) the occurrence or intensity of local or regional flooding.

The site of the development is largely flat and would not be at a high risk of land slip or flooding. The site does not sit in close proximity to a wetlands or watercourse. For these reasons we contend that the retrospective removal has not, nor will not, jeopardise the intent of PDC 29.

PDC 30 Development that proposes the clearance of native vegetation should address or consider the implications that removing the native vegetation will have on the following:

- (a) provision for linkages and wildlife corridors between significant areas of native vegetation
- (b) erosion along watercourses and the filtering of suspended solids and nutrients from run-off
- (c) the amenity of the locality
- (d) bushfire safety
- (e) the net loss of native vegetation and other biodiversity.

The extent of removal that has previously occurred is considered to be relatively small scale when viewed in context with the existing vegetation located throughout the site and locality. The location of the dwelling has been positioned so that the amenity of the locality is preserved through vegetation screening.

The dwelling is setback from the existing vegetation for bushfire protection. Groundwork Plus will assess the proposals potential impact, if any, on wildlife linkages, and the site is not located in close proximity to a watercourse. Subject to the assessment being undertaken by Groundwork Plus, we are confident the proposal accords with PDC 30.

PDC 32 Development should be located and occur in a manner which:

- (a) does not increase the potential for, or result in, the spread of pest plants, or the spread of any non-indigenous plants into areas of native vegetation or a conservation zone
- (b) avoids the degradation of remnant native vegetation by any other means including as a result of spray drift, compaction of soil, modification of surface water flows, pollution to groundwater or surface water or change to groundwater levels
- (c) incorporates a separation distance and/or buffer area to protect wildlife habitats and other features of nature conservation significance.

PDC 33 Development should promote the long-term conservation of vegetation by:

- (a) avoiding substantial structures, excavations, and filling of land in close proximity to the trunk of trees and beneath their canopies
- (b) minimising impervious surfaces beneath the canopies of trees
- (c) taking other effective and reasonable precautions to protect both vegetation and the integrity of structures and essential services.



The proposal comprises a small transportable dwelling, thus no spread of pest plants is anticipated that would otherwise compromise the integrity of the site's existing native vegetation. All necessary infrastructure will be provided to ensure appropriate standards for water and waste management are achieved. The dwelling sits at the periphery of the existing vegetation with setbacks in each direction, thereby preserving the site's natural features and associated habitats.

The dwelling is a transportable with associated infrastructure and therefore requires minimal excavation of the site or a need for impervious surfaces beneath tree canopies.

For the reasons listed above, we contend that the proposal accords with the majority of provisions prescribed within the General Section for Natural Resources (Native Vegetation), subject to the findings and recommendations of Groundwork Plus.

5.4 Domestic Infrastructure and Services

Objective 1 of the General Section for infrastructure requires the economic provision of infrastructure in an environmentally sensitive manner, whilst Objective 5 ensures the efficient and cost-effective use of existing infrastructure.

Objective 1: **Infrastructure provided in an economical and environmentally sensitive manner.**

Objective 5: **The efficient and cost-effective use of existing infrastructure.**

PDC 6 **In areas where no reticulated water supply is available, development should provide for an adequate and reliable on-site water storage system having a capacity of at least 45 000 litres which is connected to the development.**

The various PDC's of the General Section for infrastructure outline each service considered necessary for any development. There is also to be no demand on public expenditure as a result of the installation of such infrastructure.

The proposed development will be provided with the full necessary suite of infrastructure services. The installation or upgrading of infrastructure will be conducted in an environmentally sustainable and economic manner that aligns with the requirements of the Council's Health Department. There will be no public expenditure required to fund or service the proposed development, and any costs associated with infrastructure and waste treatment will be met by the applicant.

Please note that a waste system application will be lodged with Council shortly to ensure all associated waste is managed in accordance with the necessary standards.



The amended site plan depicts the location of two 33,000-litre water tanks, in accordance with PDC 6 of the General Section for infrastructure.

5.5 Bushfire Safety

PDC 9 of the General Section for hazards requires development to minimise the threat and impact of bushfires through according with the *Minister's Code: Undertaking development in Bushfire Protection Areas*.

The site is in an area of Medium Bushfire Risk according to Map YoP/24.



The *Ministers Code: Undertaking Development in Bushfire Protection Areas* include the following requirements for new dwellings located in a Medium Bush Fire Area:

- have a dedicated firefighting water supply of at least 2,000 litres (*Minister's Specification SA 78*);
- ensure that gaps between the dwelling floor and the ground are enclosed to prevent burning debris from entering;
- be set back 20 metres from flammable/ combustible vegetation;
- be located and designed to minimise risk from bushfires; and
- have access roads and tracks that are appropriately designed and built for entry and exit of vehicles, including fire fighting vehicles, during a fire.

The proposed development seeks to accord with the Minister's Code as follows:

- provides a dedicated firefighting water supply of 5,000 litres that is conveniently located;
- there are no gaps between the dwelling floor and the ground that would cause a fire risk;
- is setback from vegetation and trees; and
- the access driveway comprises compacted soil with a gradient and slope appropriate for safe, continuous and convenient vehicle access and movement.

As a result, we consider the proposed development to sufficiently accord with the requirements of the *Minister's Code: Undertaking development in Bushfire Protection Areas*.

5.6 Waste

Objective 1 of the General Section for Waste ensures waste is managed sustainably.

Objective 1: **Development that, in order of priority, avoids the production of waste, minimises the production of waste, reuses waste, recycles waste for reuse, treats waste and disposes of waste in an environmentally sound manner.**

The applicant intends of lodging a waste system application shortly to ensure appropriate management of waste occurs in an environmentally sound and sustainable manner.



5.7 Orderly and Sustainable Development

The objectives of the General Section of the Development Plan for orderly development seek to ensure development creates safe, convenient and pleasant environments, that development occurs in an orderly sequence and does not jeopardise the continuation of adjoining land uses. The proposal provides an orderly development that is of an appropriate scale given the context of the surrounding locality. Minimal impact on primary production is proposed and appropriate infrastructure will be provided including a waste management system.

The development will not hinder or constrain the continuing use of adjacent properties, nor conflict with or constrain the continuing use of alternative activities in the wider area. Further, the dwelling will support the sites ongoing farming use that is envisaged within the Zone. On this basis, the development is considered to represent an orderly form of development, consistent with the intent of the Development Plan.

6.0 ASSESSMENT OF EXPECTED SOCIAL, ECONOMIC AND ENVIRONMENTAL EFFECTS

6.1 Expected Social Effects

The proposed development is expected to have a positive social effect because it will:

- offer the resident of the dwelling and his family the opportunity to enjoy the high amenity afforded by the site's natural surroundings and work in a close and convenient location to his family's farming land.

6.2 Expected Economic Effects

The proposed development is expected to have a positive economic effect because it will:

- not result in the need for additional community expenditure, as the applicant will fund the installation of infrastructures and services required now or in the future; and
- allow local businesses to benefit by offering goods and services during the upgrades of the dwelling and its associated infrastructure.

6.3 Expected Environmental Effects

The proposed development is expected to contribute to the environment because:

- minimal earthworks are required as the dwelling is a transportable; and



- no further clearance of vegetation is proposed.

The proposal will not create adverse environmental conditions on the site or to adjacent landowners by way of odour, noise, dust or other nuisances.

The proposal is furthermore not expected to detract from the aesthetic appeal of the wider area, nor will it compromise the Zone's existing character and appeal.



4.0 CONCLUSION

The proposal's planning merits can be summarised as:

- the existing primary production activities will be preserved as the Zone envisages;
- the dwelling is ancillary to the site's existing primary production activities as the occupant of the dwelling is the applicant's son who works on the family farm;
- the location of the dwelling ensures that minimal primary production activities will be impacted (with the exception of the new driveway);
- the dwelling is detached, associated with primary production, setback significantly from road frontages and screened by the site's existing dense vegetation;
- the dwelling will provide permanent accommodation for a resident who undertakes farming activities on the site and surrounding agricultural allotments (and is the son of the land owner), is located within an opening of the site's existing native vegetation to prevent encroachment on usable and viable primary production land and has a driveway that is largely located at the periphery of the usable primary production land;
- the dwelling is located more than 500 metres from intensive animal keeping and will remain as the only dwelling on the site;
- a new 3.0-metre-wide driveway is proposed to connect with the site's existing north western access point, thereby facilitating safe and convenient access for emergency vehicles;
- no additional native vegetation is proposed to be removed; therefore, it is not expected that this will negatively impact existing linkages for wildlife corridors, watercourses and surrounding natural resources;
- an assessment will soon be undertaken by Groundwork Plus to ensure compliance with the Native Vegetation Council is achieved;
- all wastewater effluent generated by the building will be treated and disposed of on site. A waste control system application will be lodged with the Council Health Department shortly;
- the existing building will be provided with adequate water supplies, namely through the use of two rainwater tanks for domestic use and firefighting purposes, particularly given the site sits within a Medium Bushfire Risk Area;



- the property has been developed in accordance with the *Minister's Code: Undertaking development in Bushfire Protection Areas*, namely through provision for supply and access to a dedicated firefighting water supply, separation from existing native vegetation, ensuring that gaps between the dwelling floor and the ground are enclosed and providing a safe vehicle access for emergency vehicles;
- the new dwelling has been designed with an appearance, bulk, scale and materiality that will integrate seamlessly with the site and locality;
- the proposal ensures sufficient areas of private open space, recreational spaces and onsite car parking;
- it will not alter the existing pattern of development in the locality;
- makes efficient and effective use of the land available to be developed;
- the dwelling will not be visible from road frontages;
- the scenic and environmental attributes of the zone will be preserved; and
- the proposal is an orderly and economic form of development.

We conclude that the development satisfies the relevant provisions set out in the Yorke Peninsula Council Development Plan and thereby warrants Development Plan Consent, pursuant to the assessment being undertaken by Groundwork Plus, and subject to the State Commission Assessment Panel's concurrence of the planning consent.

A handwritten signature in black ink, appearing to read "Daniel McKenna".

Daniel McKenna MPIA
Masters in Urban and Regional Planning

28 February 2020