

NOTICE OF MEETING

Notice is hereby given in accordance with
Section 83 of the *Planning, Development and Infrastructure Act 2016*,

Council Assessment Panel Meeting **of the**



will be held

by electronic means

Public access to the meeting will be via

<https://www.youtube.com/channel/UCtMO9nfkK2HBYiFxWe4APYQ>

on

Wednesday 3 November 2021

At 5:30pm

A handwritten signature in black ink, appearing to read "DR", is written over a horizontal dotted line.

David Roberts

ASSESSMENT MANAGER

In light of the ongoing COVID-19 public health emergency, and social distancing requirements, **public access to the meeting will be facilitated via live stream on Council's YouTube channel** <https://www.youtube.com/channel/UCtMO9nfkK2HBYiFxWe4APYQ>. A Zoom link will be provided to representors and applicants presenting to the Panel.

AGENDA

Page
Number

1 ATTENDANCE RECORD

- 1.1 Present
- 1.2 Apologies
- 1.3 Not Present/Leave of Absence

2 MINUTES

- 2.1 “that the minutes of the Council Assessment Panel meeting held on Wednesday 4 August 2021, be accepted as read and confirmed” **3**

3 DECLARATION OF INTEREST

4 REPORTS FOR DECISION UNDER THE DEVELOPMENT ACT 1993

- 4.1 312/261/2020 – Built Solutions - Construction of a childcare centre (pre-school) with associated on-site car parking, landscaping, site works, fencing and ancillary nature experience area – Lot 14, 36 Bailey Road Two Wells – CT 6098/323 **7**

5 REPORTS FOR DECISION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016

- 5.1 21023767 – Mohammad Baqeri - Construction of three (3) additional broiler sheds on the existing poultry farm and increased capacity to raise additional poultry – Lot 72, 51 Lemmey Road Lower Light – CT 4361/796 **75**
- 5.2 21012863 – Christopher Girling - Additions to existing veterinary clinic including a relocated training green, a small laboratory, dog breeding facility including 12 kennels and exercise yard, consulting room, car parking and onsite accommodation for visiting medical specialists, students and kennel hands – Lot 11, 168 Hayman Road Lewiston – CT 6228/472 **111**

6 REPORTS FOR INFORMATION

7 OTHER BUSINESS

8 CONFIDENTIAL ITEMS

9 NEXT MEETING

Wednesday 1 December 2021
(To be confirmed)

10 CLOSURE

MINUTES

of the

Council Assessment Panel Meeting

of the



Pursuant to the provisions of section 83 of the
Planning, Development and Infrastructure Act 2016

HELD Via

Electronic Means

In light of the ongoing COVID-19 public health emergency, and social distancing requirements, participation by representors and applicant was facilitated by electronic means (Zoom) and public access to the meeting was be facilitated via live stream on Council's YouTube channel

<https://youtu.be/c7IZGle8mH8>

on

Wednesday 4 August 2021 at 5.30pm

The Presiding Member formally declared the meeting open at 5.30pm and acknowledged the Kurna People as the Traditional Custodians of the Land.

1. ATTENDANCE RECORD

1.1 Present

Mr Nathan Cunningham	Presiding Member
Mr Paul Mickan	Independent Member
Ms Susan Giles	Deputy Independent Member
Mr Aaron Curtis	Independent Member
Ms Margherita Panella	Council Member Deputy

Also in Attendance

Assessment Manager	Mr David Roberts
General Manager – Development and Community	Mr Darren Starr
Senior Planning Officer	Mr Josh Banks
Administration Support Officer/Minute Taker	Miss Abbey Cook
IT Officer	Mr Sean Murphy

1.2 Apologies:

Mr Ian O’Loan

5.2 Planning and Design Code Implementation 19 March – July 2021

Moved Paul Mickan Seconded Susan Giles

1. That the Panel, having considered item 5.1 – Planning and Design Code Implementation 19 March – July 2021, dates 04 August 2021 receives and notes the report

AGREED

6. **OTHER BUSINESS**

Nil

7. **CONFIDENTIAL ITEMS**

Nil

8. **NEXT MEETING**

Wednesday 1 September 2021 at 5:30pm

9. **CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 6:02pm.

Confirmed as a true record.

Presiding Member:.....

Date: ____/____/____

Application Number	312/261/2020
Applicant	Built Solutions Pty Ltd
Development Proposal	Construction of a childcare centre (pre-school) with associated on-site car parking, landscaping, site works, fencing and ancillary nature experience area
Subject Land	Lot 14, 36 Bailey Road Two Wells (CT6098/323)
Zone	Rural Living Zone
Policy Area	N/A
Precinct	N/A
Nature of Development	Merit
Public Notification	Category 3
Representation(s)	2
External Referrals	Nil
Development Plan Version	13 December 2018
Assessing Officer	George Jacks
Recommendation	Development Plan Consent be REFUSED

PROCEDURAL MATTERS

Schedule 35 of the *Development Act 1993* lists three kinds of development, classified as either Complying, Non-complying or Merit. The proposed development falls under neither Complying Development as prescribed by Schedule 4 of the *Development Regulations 2008* nor Non-Complying Development pursuant to the procedural matters of the Rural Living Zone within the Mallala (Adelaide Plains) Council Development Plan consolidated 13 December 2018. As such, the proposed development is assessed as a merit form of development.

PROPOSAL

The application is for construction a childcare centre (preschool) with associated on-site car parking, landscaping, site works fencing and ancillary nature experience area.

The child care centre will comprise a footprint of 772.5m² and will have the capacity of accommodate a maximum of 120 children. There will be a maximum of up to 20 staff employed to care for these children. The building will be split into 5 separate areas based on age groups with each area having access to play areas. One of these play areas is to the north, in front of the proposed building, and the other to the south (to the rear).

The facility will operate from 6:30am until 6:30pm Monday to Friday (excluding public holidays). The building will also incorporate spaces to support the functioning of the centre including a reception, office, staff room, kitchen and storage areas.

A 'nature experience area' in the form of an olive grove is proposed adjacent and to the rear of the proposed child care centre and car park area, and will total 1650m².

The associated car park will include a total of 36 parking spaces including one disabled parking space.

Waste collection is to be managed by private waste collection service outside of the centre's operating hours. A dedicated waste storage area is located to the rear of the car park.

The full set of plans, documents and supporting information lodged with Council is contained within Attachment 1.

SITE AND LOCALITY

The subject land is formally described as Lot 14, 36 Bailey Road Two Wells and on Certificate of Title Volume 6098 Folio 323. There are no easements of rights of way registered on the Title.

The subject land is currently vacant and approximately 1.33ha in area. The subject land is of an irregular shape and has a frontage of 101.18m to Bailey Road. The subject land has a direct interface with Port Wakefield Road on the western side boundary but does not have direct access to the highway. The subject land is vacant and has a relatively flat topography.

The locality comprises rural living allotments of varying sizes which primarily contain detached dwellings, domestic outbuildings with a mix of home based business activity. The allotment directly to the north contains an olive grove and processing plant approved in 2005. The allotment directly to the east has recently received approval for the construction of a detached dwelling. The locality is wholly within the General Bushfire Risk Area and is not affected by flooding from the Gawler and Light rivers.

Aerial imagery of the subject land is shown on the following page.

Figure 1: Subject land – as at 22 January 2021



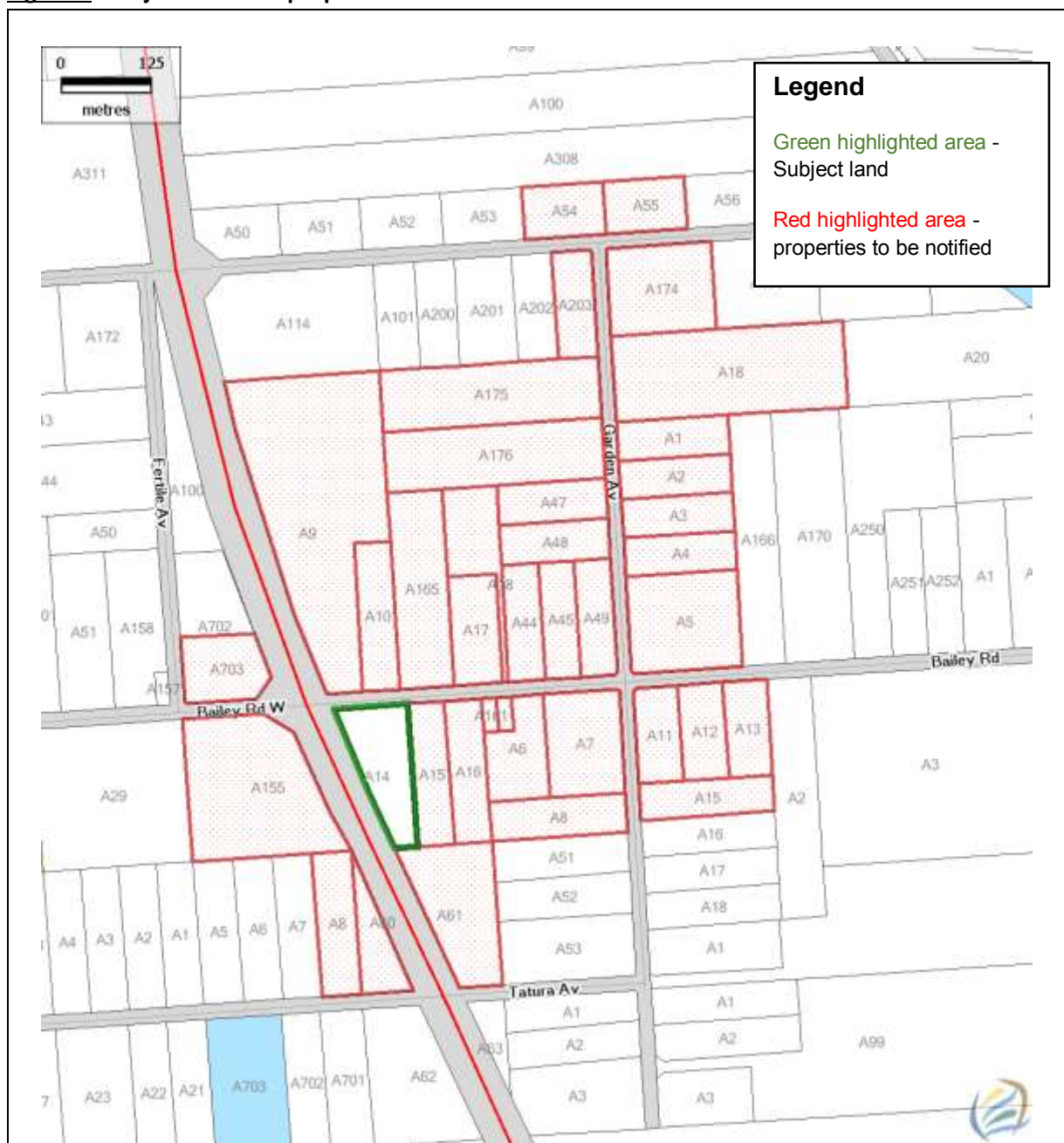
Figure 2: Subject land locality context - as at 28 February 2021



PUBLIC NOTIFICATION

The proposed development falls under neither Category 1 or Category 2 as prescribed by Schedule 9 of the *Development Regulations 2008* nor Category 1 or Category 2 within the procedural matters of the Rural Living Zone of the Development Plan. As such the proposal defaulted to Category 3 for public notification purposes, and consequently adjacent property owners were directly notified in addition to an advertisement placed in local newspapers. As the proposal was considered to result in increased traffic movements though Garden Avenue and Bailey road, broadening the area of publically notified allotments was considered applicable.

Figure 3: Subject land and properties notified



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SUMMARY OF REPRESENTATIONS

Two valid representations were received as part of this notification process and the key points of the proposal are outlined below:

Name of person making submission	Summary of Submission
Bruno Lopresti	<ul style="list-style-type: none"> • Opposes the proposal • Does not believe there is a need for a new child care centre • Describes the area as rural with existing farms and potential spray drift from his property • Believes the proposal will result in a lot of noise and unnecessary traffic.
Filippo Belperio	<ul style="list-style-type: none"> • Opposes the proposal • Believes the proposal will result in noise • Describes the road as a 'dead end road' and has concerns with traffic.

Copies of the representations received are contained within Attachment 2.

APPLICANT'S RESPONSE

The representations received were forwarded to the applicant and the applicant has provided a response to the concerns raised by the representors. The key points of the applicant's response are outlined below:

Name of person responding	Summary of Submission
Mark Kwiatkowski	<ul style="list-style-type: none"> • The zone envisages residential development along with employment generating activities such as farming, home based industries and horse keeping, there is minimal policy guidance on the types and forms of non-residential development that may be appropriate • Pre-schools and child care centres are not referenced in the complying nor non-complying lists • A child care centre has sufficient merit and is an appropriate form of development to support the residents of the rural living zone along with providing child-care options for employers and employee of the employment generating uses in the area • The proposal has incorporated extensive landscaping around the perimeter of each outdoor play area to minimise potential conflicts of spray drift • The proposed building has been setback from Port Wakefield Road by the car park and landscaping

	<ul style="list-style-type: none"> • A traffic report has been provided by Cirqa which demonstrates the amount of increased traffic along Bailey Road and suggests these increased volumes would be well within the capacity of Bailey Road • There are no dwellings within in close proximity to the proposed development which are likely to be impacted by the proposed centre • The proposal includes a 2.1m high colorbond acoustic fence along the southern and eastern boundaries
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A copy of the response is contained within Attachment 3.

EXTERNAL REFERRALS

Nil.

INTERNAL REFERRALS

The Administration sought independent advice on traffic matters and engaged MFY Consultants to undertake a review of the CIRQA traffic advice provided by the applicant. The findings of the review are summarised below:

- The proposed access will be provided in accordance with Australia/New Zealand Standard, Parking Facilities Part 1: Off-Street car parking (AS/NZS 2890.1:2004)
- Adequate sightlines will be provided for drivers but Council should ensure that the pedestrian sight distance requirement identified in AS/NZS2890.1:2004 are met
- The car park will meet the dimensional requirement in AS/NZS 2890.1:2004
- One parking space nominated for people with a disability. While the dimension identified on the plan would comply with Australia/New Zealand Standard, Parking Facilities Part 6: Off-street parking for people with disability, a wheel stop should not be located within this space
- Wheel stops should not be located within the car park in other spaces either as they are a tripping hazard
- The collection of waste management of the site outside of operating periods by private contractor as proposed, is common practice at privately operated child care centres. The vehicle will be able to enter and exit the site in a forward direction
- It is expected that a majority of drivers will access the site from the east, directly from Bailey Road or Artesian Road and Garden Avenue. The total volumes generated by the site will be accommodated on these roads
- As a result of the legal requirement for parents/carers to enter the facility in order to sign attendance sheets the likelihood of drivers dropping off children on Port Wakefield Road is minimal
- The proposal has generally addressed the traffic and parking matters and will provide adequate parking and result in minimal impact on adjacent roads. However – as there is no physical barrier at the end of Bailey Road at its junction with Port Wakefield Road, it would be possible for a parent or carer to park on Port Wakefield Road and gain access on foot to the facility.

Department	Response
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Environmental Health	<ul style="list-style-type: none"> Request was made to the applicant for the relevant detail for the waste water assessment. No significant concerns were identified and the assessment is still ongoing.
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ASSESSMENT

The proposal has been assessed against the relevant Objectives (OBJ) and Principles of Development Control (PDC) of Council’s Development Plan as follows:

Zone Section	Objectives	Principles of Development Control
Rural Living	1, 2, 3	1, 2, 4, 5, 6, 9, 11, 12

The Objectives of the Rural Living Zone are:

- 1 A zone consisting of large allotments, detached dwellings and rural activities that do not adversely impact the amenity of the locality.
- 2 Minimisation of risks to safety and property of flooding from the Gawler River, Salt Creek and the Light River.
- 3 Development that contributes to the desired character of the zone.

The Desired Character of the Rural Living Zone reads:

This zone is located in areas abutting the townships of Mallala, Dublin and Two Wells, and localities known as Lewiston, Barabba and Fischer, which are suitable for horse keeping, but exclude significant numbers of dog kennels.

The zone provides for low density residential living consisting of detached dwellings on larger allotments and associated small scale, non-intensive rural activities and non-intensive animal keeping. To help achieve a desirable level of amenity, it is expected that the numbers of non-domestic animals, such as sheep, goats and poultry, kept on an allotment will be limited in number.

It is envisaged that properties within the zone will be well landscaped with locally indigenous plant species to promote privacy and to provide for the screening of buildings and structures from neighbouring properties and public roadways.

The zone will be developed in a way that minimises potential amenity impacts on sensitive land uses through the use of appropriate buffers and will protect the amenity of and outlook from, the residential areas adjacent to the zone and from Port Wakefield Road. All development will incorporate environmentally sustainable building design, eco-friendly and appropriate water sensitive design techniques and, if required, flood mitigation measures. Where possible, stormwater, detention and/ or retention basins will be incorporated into suitably designed and accessible areas of public open space, provided such areas are useable for the majority of the year. It is desirable that the standard of development within these areas be such as to enhance the rural character and be compatible with the residential function and semi-rural environment. The semi-rural character of the zone will be reinforced and strengthened through the design and siting of buildings and structures, open style fencing and appropriate landscaping to compliment the landform.

There will be no industrial, commercial or retail uses. Home based businesses and cottage industries are not desired in Precinct 3 Two Wells but may be established elsewhere in the zone.

Portions of the zone are subject to inundation by floodwaters from the Gawler River, Salt Creek and the Light River. Provision for recreation and open space activities within areas subject to flooding is encouraged within the zone. It is expected that new development will not increase the potential for blockage of floodways or alter flow paths, will not remove areas of flood storage (through filling etc) and thereby impact on localized levels and flow paths and will not increase pre-development volume and peak runoff levels.

Dwellings and ancillary buildings and structures will be located and designed to prevent entry by floodwaters. This will primarily be achieved through the raising of floor levels above the flood level, although alternative solutions may be appropriate in limited circumstances provided specific flood proofing measures are included within any design and construction.

Land division layout will also take into consideration evacuation routes for land within or adjacent to the flood plain to avoid isolating areas and placing greater demands on emergency services during flood events.

PDC 1 includes a list of forms of development which are envisaged within the zone. The list of envisaged land uses draw from the uses identified within the desired character statement including detached dwellings, domestic outbuildings, farm buildings and public outdoor recreation activities. A pre-school does not feature on this list of envisaged uses. While the proposal incorporates 1650m² of described nature experience area, this area is not considered to be an area the public can utilise for outdoor recreation activity.

While a pre-school is not explicitly listed within the list of non-complying development, the absence of particular form of development from the non-complying list is not to be construed in any way as an indicator of support. The Desired Character statement and PDC 1 clearly indicate the types of development which are desired within the zone. This is somewhat strengthened by the absence of any PDCs or parameters which guide or support the development of a pre-school.

The Objectives of the zone envisage large allotments with detached dwellings and rural activities that do not adversely impact on the amenity of the locality together with development that contributes to the desired character of the zone.

The Environment, Resources and Development Court has provided some guidance that the Desired Character outcomes for a zone can have significant weight placed upon them when considering the merits of a development application - *Shopov v The Corporation of the City of Adelaide & Anor (2015) SAERDC 41* and *Ned Ritan Design v The Corporation of the City of Adelaide (2016) SAERDC 32* are relevant.

The Desired Character statement seeks to accommodate low density residential living consisting of detached dwellings on larger allotments and associated small scale non-intensive animal keeping. It also includes a clear statement that *“There will be no industrial, commercial or retail uses”*, and there is nothing mentioned about commercial forms of land uses such as offices, shops, or educational establishments including pre-schools. As such there are very few PDCs within the Rural Living zone that are applicable for the proposal. Given the extent of the residential nature of the Desired Character statement together with the abovementioned statement that explicitly precludes commercial uses, the proposal is not considered to adequately satisfy the intent of the zone.

General Section	Objectives	Principles of Development Control
Advertisements	1, 2, 3	1, 2, 4, 5, 6, 7, 8, 9, 10, 13

The proposal includes signage that identifies the business. The primary sign faces west above the main entry from the car park area, with a secondary sign on the edge of the entry portico that will face north to the street.

The proposed signage is well designed and not considered to significantly disfigure the landscape or create a hazard. **PDC 13** is considered met as the proposed advertisements will not be illuminated and will not move.

While there will be advertising that faces Port Wakefield road, it is some 65 metres from the western boundary and is separated by an open landscaped area and car park. On this basis it is not considered to have the potential to cause significant distraction to motorists given the separation distance.

Community Facilities	1, 2	1, 2, 3, 4
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The subject land is located outside of and to the south of the Two Wells township. Access to and from the subject land is only possible via Old Port Wakefield Road with no direct access to Port Wakefield Road possible.

OBJ 1 suggests the location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve. Convenience of location is very subjective and will depend on the users the facility. It is difficult to opine in this instance that the facility is not convenient for the community. That said, PDCs 1 and 4 talks about community facilities being accessible by all forms of transport, and being grouped together or be located in appropriate, centralised and accessible locations. This PDC is not considered met due to its isolated location and not nearby any other community facility.

Design and Appearance	1	1, 2, 3, 5, 7, 9, 10, 13, 14, 16, 19, 21
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The objectives of the zone seek development of a high architectural standard that responds to and reinforces positive aspects of the local environment and built form. Development that achieves suitable setbacks and avoids unreasonably restricting views is desired.

The contemporary design of the proposed building together with the coordinated appearance of the car park and landscaping is considered to be reasonable and will be of a scale that will not restrict views in any way or detract from the amenity of the locality.

Interface between Land Uses	1, 2, 3	1, 2, 5, 7, 15
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These provisions seek to minimise adverse impacts and conflict between land uses, protect community health and amenity from adverse impacts of development and protect desired land uses from encroachment of incompatible development.

The proposal is not considered to generate significant noise and will incorporate 2.1m tall fencing on the eastern and southern boundaries to minimise the impact of any noise generated from the site. The proposal is located in an area which includes long established farming uses which utilise spray as part of their operation. Landscaping has been proposed to minimise the impact of this.

Landscaping, Fences and Walls	1, 2	1, 4
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The proposal will incorporate the planting of a reasonable array of trees, shrubs and grasses to the front and western side of the site and proposed car parking areas and provide visual screening. 2.1m Colorbond fencing is proposed to the southern and eastern boundaries. These provisions are considered reasonably addressed.

Orderly and Sustainable Development	1, 3, 4	1, 4, 6, 7, 8
<p>The proposal is for a land use that is not envisaged within the zone. The proposal is for a use which is not in keeping with the intended purposes of the zone. The proposal will introduce a sensitive use among existing long established residential and farming uses which will potentially result in conflict with farming relating activity and vehicle movements.</p> <p>Furthermore, the proposal will result in a ‘land-locked’ piece of land to the rear of the proposed use. This land marked as ‘vacant’ on the site plan will have no direct access to public roads, and this is not considered orderly development.</p>		
Transportation, Access and Parking	2	8, 12, 13, 14, 25, 26, 33, 35, 36, 37, 38, 43
<p>The proposal is considered to have sufficient numbers of car parks and appropriate driveway and manoeuvring areas on site in accordance with relevant Australian Standards. Council’s consulting traffic engineers confirmed this opinion.</p> <p>Potential traffic issues raised by representors appear to be unfounded as Council’s consulting traffic engineers have opined that all aspects of the proposal in terms of the existing road network, traffic movements, waste collection and car parking numbers are supportable.</p>		
Waste	1, 2	1, 2, 3, 4, 5, 8, 18, 19, 22
<p>Council’s Health Officer reviewed the proposal, and no significant concerns were identified in the internal advice. Council’s consulting traffic engineer also commented on the proposal and did not identify any specific issues with the proposed waste collection arrangement.</p>		

SUMMARY

While the Rural Living Zone does not specifically encourage nor discourage preschools/child care centres, it does state that commercial uses should not exist within the zone. The zone is very clear, however, about what type of development should be anticipated – primarily residential uses or low scale, home business-type uses associated with dwellings. Consequently the proposal is not considered to be broadly compatible with the desired character and overall intent of the Rural Living Zone.

Whilst the community benefits of a child care centre may be taken into consideration, these considerations do not form a strong base for justification from a planning assessment perspective. The proposal does meet many of the relevant quantitative and qualitative aspects of Council’s Development Plan, but it is considered to fail the fundamental intent of the Rural Living Zone outcomes.

Accordingly, on balance, the Administration has concluded the proposal does not have sufficient merit and cannot be justified as representing a satisfactory planning outcome in the context of the subject land and the locality, and is at variance with the desired character of the zone. Refusal to grant Development Plan Consent is therefore recommended.

RECOMMENDATION

1. That the Council Assessment Panel resolves that the proposal by Built Solutions Pty Ltd for the construction of a childcare centre (pre-school) with associated on-site car parking, landscaping, site works, fencing and ancillary nature experience area at Lot 14, 36 Bailey Road Two Wells (DA 312/261/2020) is not seriously at variance with the Mallala Council Development Plan Consolidated 13 December 2018.
2. That the Council Assessment Panel, having considered all aspects of the report and the application to carry out development of land, resolves to REFUSE Development Plan Consent by Built Solutions Pty Ltd for the construction of a childcare centre (pre-school) with associated on-site car parking, landscaping, site works, fencing and ancillary nature experience area at Lot 14, 36 Bailey Road Two Wells (DA 312/261/2020) as the proposed development is contrary to the following provisions of the Mallala Council Development Plan Consolidated 13 December 2018:

Rural Living Zone – Objective 3

Reason: The proposed development does not contribute to the desired character of the zone.

Rural Living Zone – Principle of Development Control 6

Reason: The proposed development is not consistent with the desired character of the zone.

General Section (Community Facilities) – Principles of Development Control 1 and 4

Reason: The development is not appropriately sited in a centralised, accessible location.

General Section (Orderly and Sustainable Development) – Objectives 3 and 4 and Principle of Development Control 1

Reason: The proposed development prejudices the development of the Rural Living zone for its intended purpose.

AUTOMATED DRIPPER IRRIGATION SYSTEM TO BE PROVIDED TO ALL GARDEN BEDS.

IRRIGATION SYSTEM TO BE CONTROLLED BY AUTOMATIC TIMERS WITH MOISTURE SENSOR OVERRIDE.

MIN. 100mm OF JEFFRIES 'FOREST MULCH' TO ALL GARDEN BEDS TO MAINTAIN SUB SOIL MOISTURE.



1 ORNAMENTAL PEAR (Pyrus Calleryna "Capital") (3mH. x 2mW.)
 2 EVERGREEN TREES - TUCKEROO (CAPANIOPSIS ANACARDIOIDES) HEIGHT: 8 - 15m
 3 SMALL EVERGREEN TREE - RED FLOWERING GUM (CORYMBIA FICIFOLIA) HEIGHT: 3 - 6m
 4 SMALL SHRUB - RED SUNSET GREVILLEA (GREVILLEA OLIVACEA) HEIGHT: 0.6 - 1m WIDTH: UP TO 2m
 5 SCREEN PLANTING STANDARD LILLY PILLY OR SYZYGIUM (2mH.x1.5mW.)
 6 WESTRINGIA FRUTICOSA (Wynybbie Gem) (1mH.x1mW.)
 7 ORNAMENTAL GRASSES
 8 MULCH

SITE LEGEND

- HATCH DENOTES EXTENT OF NEW BUILDING WORK
- HATCH DENOTES EXTENT OF UNIT PAVERS
- VEHICULAR ACCESS
- 1800H. SELECTED POWDERCOATED TUBULAR FENCE
- 2100H. COLORBOND FENCE ON BOUNDARY
- 1800H. SELECTED POWDERCOATED TUBULAR FENCE BETWEEN 2100H. BLOCKWORK PIERS.
- BOLLARD TO SHARED AREA / DISABLED CAR PARKING AS PER A.S 2890.6 100mm DIAMETER X 900 HIGH GALV STEEL PIPE BOLLARD WITH WELDED STEEL END CAP
- NATIVE LANDSCAPING AREA

STATISTICS

LOCAL AUTHORITY	DISTRICT COUNCIL OF MALLALA
CHILD CARE SITE AREA	5270m ²
OLIVE GROVE	8660m ²
TOTAL SITE AREA	13930m ²
ACTIVITY AREAS	5
REQ. 3.25m ² PER CHILD PROVIDED	390m ² 425m ² CLEAR
OUTDOOR PLAY AREAS	
PLAY AREA 1	511m ²
PLAY AREA 2	511m ²
REQ. 7.0m ² PER CHILD PROVIDED	840m ² 1022m ²
CAR PARKING TOTAL	(1:4) 36 (INCLUDING DISABLED)
ENCLOSED BUILDING	772.5m ²
SIDE VERANDAHS	140.9m ²
FRONT PORCH	28.2m ²
BUILDING TOTAL	941.6m ²
SITE COVERAGE	17.8%

Boundary information on this drawing has been provided via a detailed survey only. Prior to any building work commencing, it is the builder's responsibility to arrange a Boundary Identification survey to confirm all dimensions and set out.

C	vacant land use re-defined	GZ	27/09/21
B	turning bay added	GZ	20/11/20
A	planning consent issue	AR	29/07/20
rev	details	dm	date

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 ABN 73 090 085 037

© ASPEX BUILDING DESIGNERS Pty Ltd
 Verifying all dimensions & setbacks is the responsibility of the contractor. This drawing should not be scaled. Discrepancies should be reported immediately to the designer. This drawing shall be read in-conjunction with all other drawings, documents and specifications.

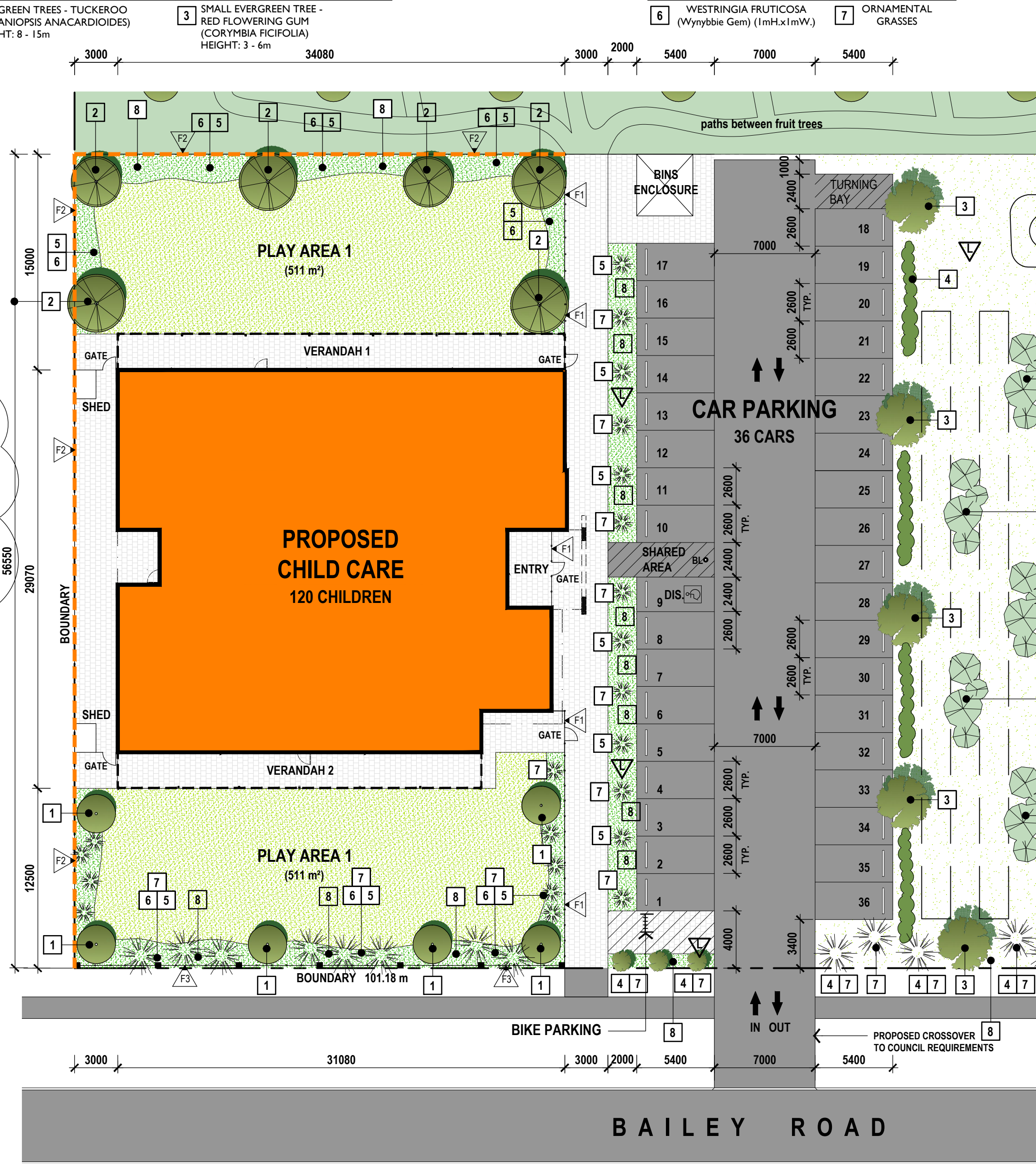
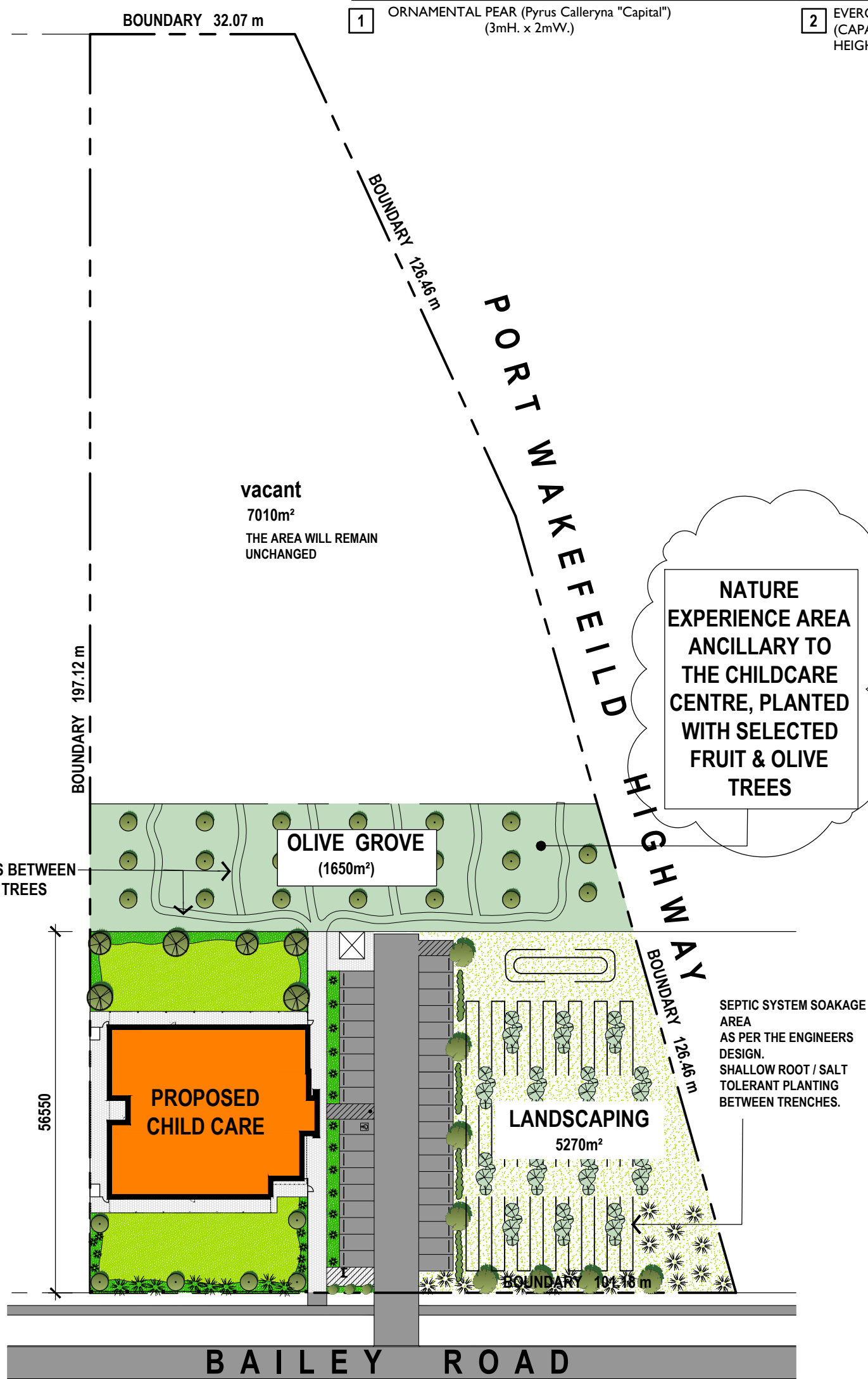
project
PROPOSED CHILD CARE CENTRE

address
 Lot 14 Bailey Road,
 Two Wells, SA

client
 Built Solutions

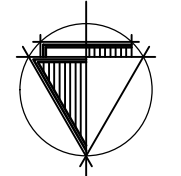
sheet size A2 scale 1:500 drawn AR
 drawing title **OVERALL SITE PLAN**
 project no BSL 3721 drawing no PD01 revision no D

PLANNING CONSENT ISSUE



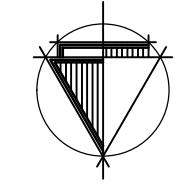
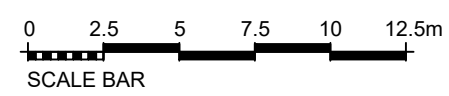
OVERALL SITE PLAN

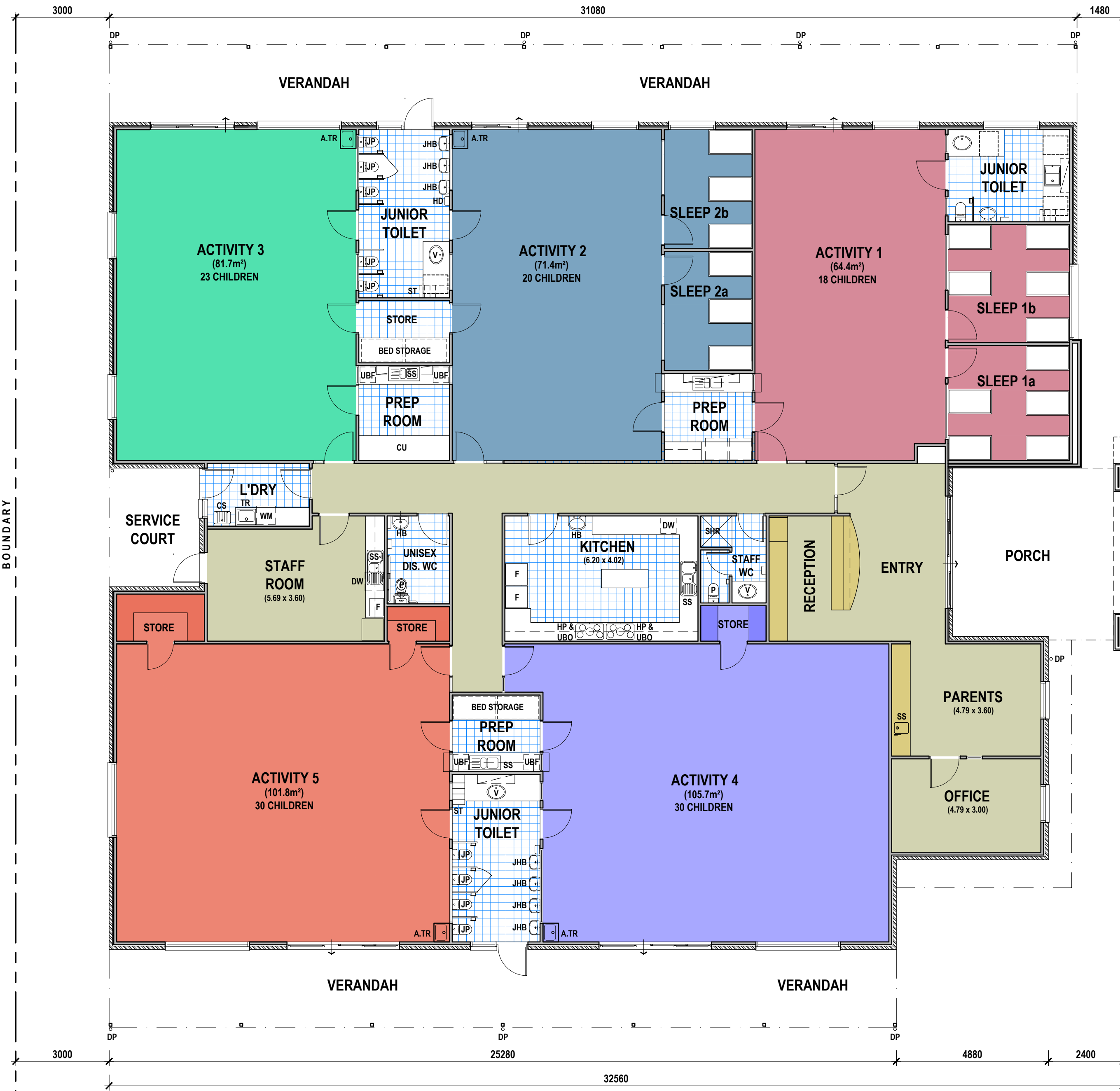
SCALE 1:750



PROPOSED SITE PLAN

SCALE 1:250





LEGEND

- P TOILET PAN
- JP JUNIOR TOILET PAN
- HB HAND BASIN
- JHB JUNIOR HAND BASIN @ 550 ABOVE FFL
- BB SELECTED BABY BATH TROUGH
- V VANITY BASIN WITH JOINERY UNIT
- SHR SHOWER / BATH
- F REFRIGERATOR
- UBF UNDER BENCH REFRIGERATOR
- DW COMMERCIAL UNDER BENCH DISHWASHER
- SS STAINLESS STEEL SINK
- HP & UBO HOT PLATE & UNDER BENCH OVEN
- PTY PANTRY
- OC OVERHEAD CUPBOARD
- RH CANOPY RANGE HOOD
- M MICROWAVE
- WM WASHING MACHINE
- HD HAND DRYER
- TR INSET LAUNDRY TROUGH
- A. TR 600x600 CUPBOARD & S/STEEL ART TROUGH & 600 ABOVE FFL MAX.
- CS CLEANERS SINK
- CU CUPBOARD
- ST JOINERY - PORTABLE JUNIOR STEPS
- GR GRAB RAIL
- TP TOILET PARTITION
- SL 600x600 FIXED SKYLIGHT WITH DIFFUSER
- DP SELECTED PAINTED PVC DOWNPIPE

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C	vacant land use re-defined	GZ	27/09/21
B	turning bay added	GZ	20/11/20
A	planning consent issue	AR	29/07/20
rev	details	drm	date

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PLANNING CONSENT ISSUE

project
PROPOSED CHILDCARE CENTRE

address
 Lot 14 Bailey Road,
 Two Wells, SA

client
 Built Solutions

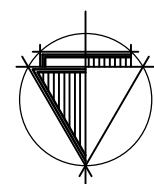
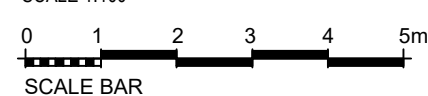
sheet size scale drawn
 A2 1:100 AR

drawing title
PROPOSED PROPOSED PLAN

project no drawing no revision no
BSL 3721 PD02 3 November 2021 C

GROUND FLOOR PLAN

SCALE 1:100

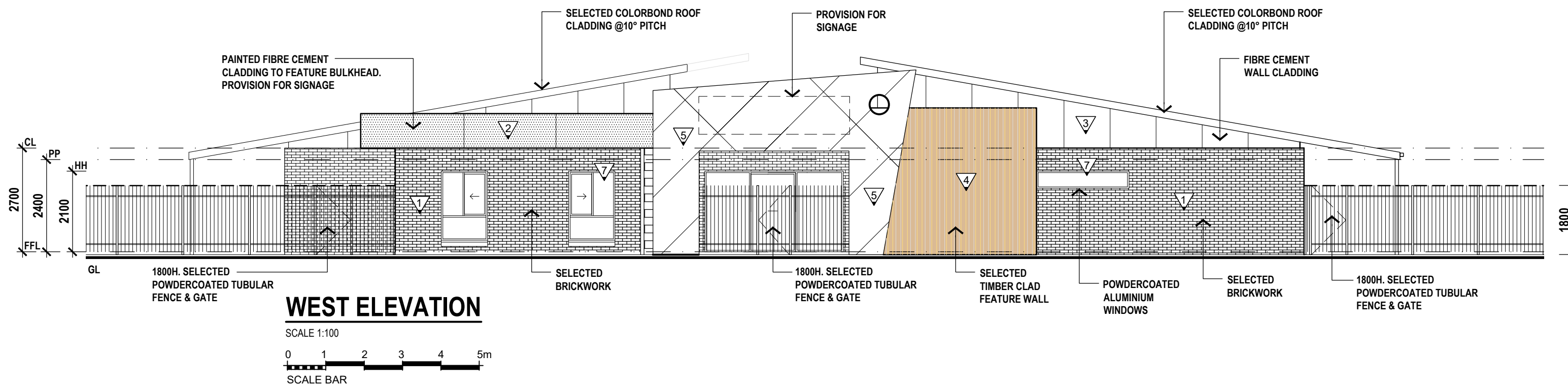


ELEVATIONS LEGEND

- GL GROUND LEVEL
- CL CEILING LEVEL
- DP DOWNPIPE
- FFL FINISHED FLOOR LEVEL
- HH HEAD HEIGHT
- PP PITCHING POINT

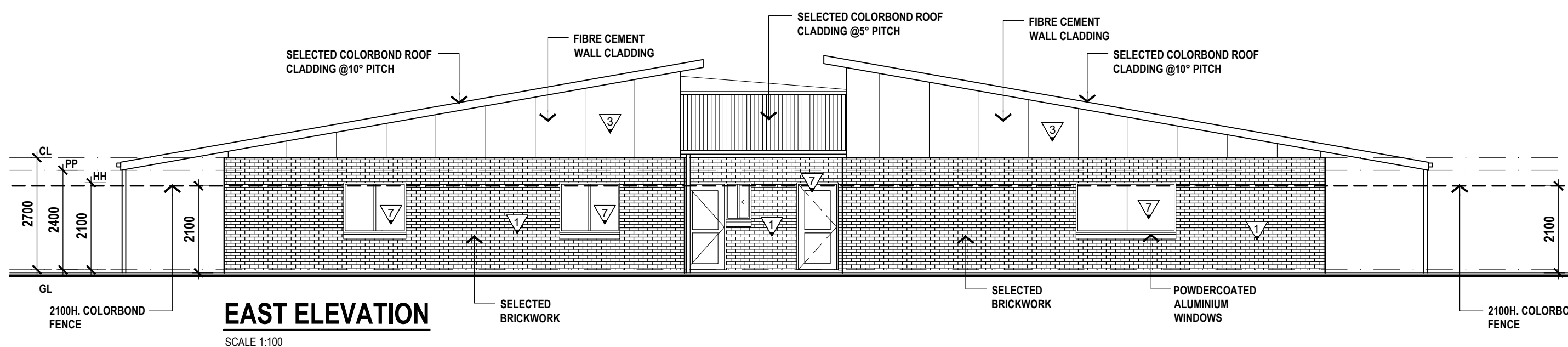
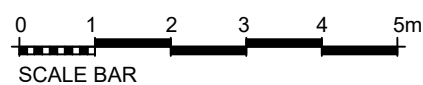
EXTERNAL FINISHES & COLOUR SCHEDULE

- 1 EXTERNAL WALLS FACE BRICKWORK
COLOUR: LIQUORICE
- 2 FEATURE CANOPY SCYON MATRIX CLADDING. PAINT FINISH
COLOUR: WHITE
- 3 EXTERNAL WALLS ABOVE CEILING LINE FC MATRIX CLADDING. PAINT FINISH
COLOUR: WHITE
- 4 FEATURE TIMBER WALL VERTICAL TIMBER CLADDING
NATURAL OIL FINISH
- 5 FEATURE PORTICO FC MATRIX CLADDING. PAINT FINISH
COLOUR: WHITE
- 6 GUTTERS AND DOWNPIPES COLORBOND
COLOUR: MONUMENT
- 7 WINDOWS AND DOORS ALUMINIUM POWDERCOATED
COLORBOND 'NIGHT SKY'



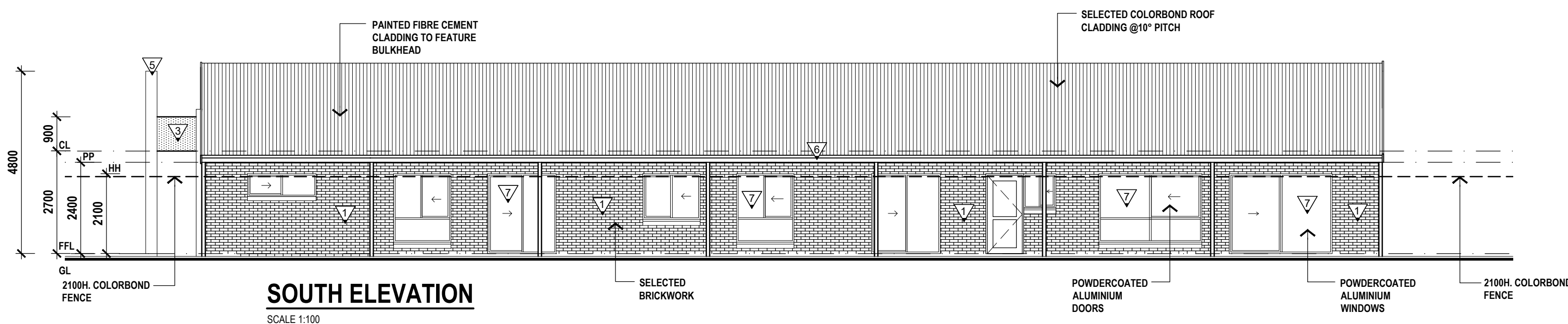
WEST ELEVATION

SCALE 1:100



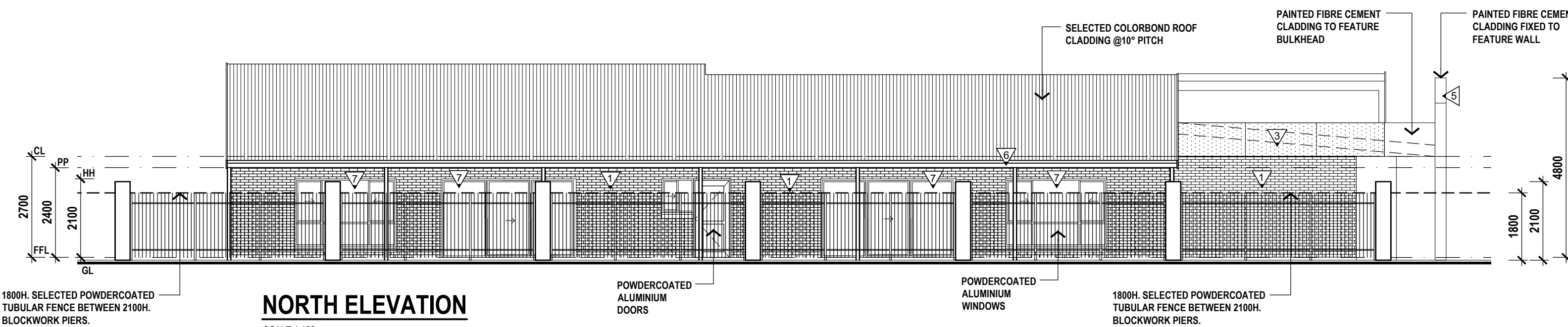
EAST ELEVATION

SCALE 1:100



SOUTH ELEVATION

SCALE 1:100



NORTH ELEVATION

SCALE 1:100

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project
PROPOSED CHILDCARE CENTRE

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 Two Wells, SA

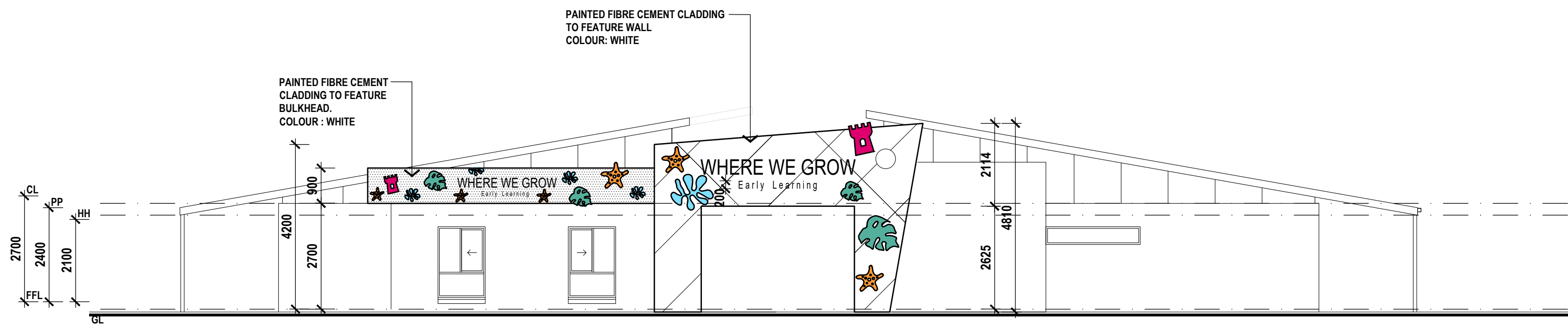
client
 Built Solutions

sheet size scale drawn
 A2 1:100 AR

drawing title
PROPOSED ELEVATIONS

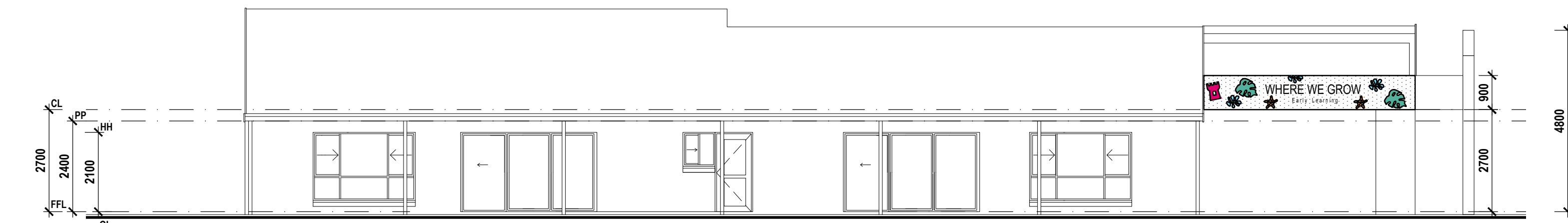
project no drawing no revision no
BSL 3721 PD03 C

PLANNING CONSENT ISSUE



WEST ELEVATION

SCALE 1:100
0 1 2 3 4 5m
SCALE BAR



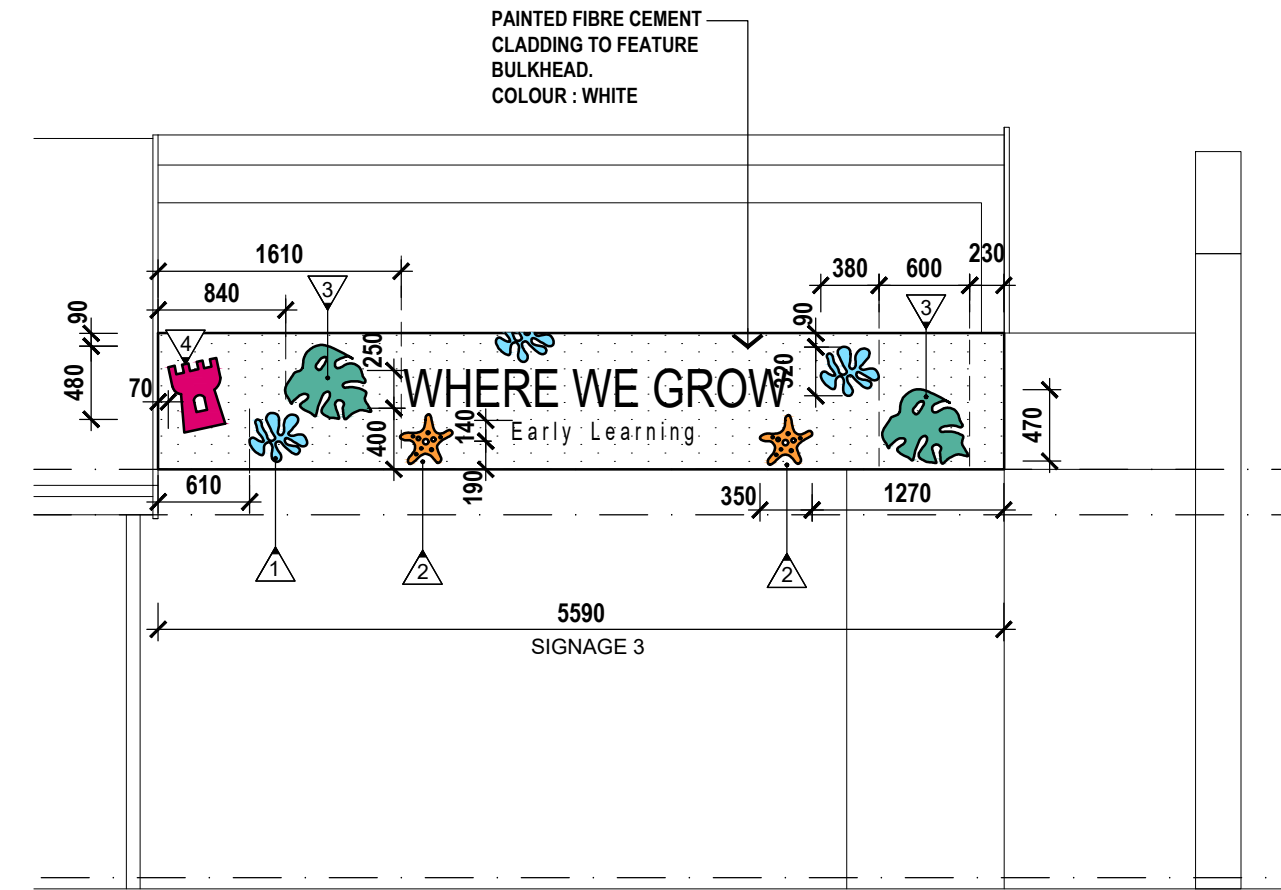
NORTH ELEVATION

SCALE 1:100
0 1 2 3 4 5m
SCALE BAR



WEST ELEVATION

SCALE 1:50
0 0.5 1 1.5 2 2.5m
SCALE BAR



NORTH ELEVATION

SCALE 1:50
0 0.5 1 1.5 2 2.5m
SCALE BAR

COLOUR SCHEDULE

- 1 SHAPE 1 - LEAF LIGHT BLUE
- 2 SHAPE 2 - STARFISH ORANGE
- 3 SHAPE 3 - MONSTERA LEAF GREEN
- 4 SHAPE 4 - SANDCASTLE PINK
- 5 SHAPE 5 - MONSTERA LEAF GREEN

SHAPES:
3D ALUMINIUM SHAPES.
WRAP IN AVERY DENNISON
VINYL INCLUDING RETURN.

STAND OFF BRACKETS TO
ATTACH TO LIGHTWEIGHT
WALL FRAMING.

LED IN EACH SHAPE TO
CREATE GLOW.

LETTERS:
3D ALUMINIUM LETTERS.
MATT BLACK FINISH. NO
RETURN REQUIRED.

STAND OFF BRACKETS TO
ATTACH TO LIGHTWEIGHT
WALL FRAMING.

NO LED LIGHTING.

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project
PROPOSED CHILDCARE CENTRE

address
Lot 14 Bailey Road,
Two Wells, SA

client
Built Solutions

sheet size scale drawn
A2 1:100 AR

drawing title
PROPOSED SIGNAGE

project no drawing no revision no
BSL 3721 PD04 3 November 2021 C

PLANNING CONSENT ISSUE

PLANNING STATEMENT

DEVELOPMENT OF A CHILDCARE CENTRE (PRESCHOOL) WITH
ASSOCIATED ON-SITE CAR PARKING, LANDSCAPING, SITE WORKS
AND FENCING

LOT 14 BAILEY ROAD, TWO WELLS



Prepared for Built Solutions Pty Ltd

Report prepared by Adelaide Planning and Development Solutions

Contact Mark Kwiatkowski

Phone 0499933311

Email mark@adelaideplanning.com.au



SUPPORTING PLANNING STATEMENT

Lead Consultant Adelaide Planning and Development Solutions

In association with Aspex Building Designers

Project Manager

Mark Kwiatkowski

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Document History and Status

Version	Date	Author
Version 1.0	29 July 2020	Mark Kwiatkowski APDS

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1.0 Application Overview

Applicant	Built Solutions Pty Ltd
Property Address	Lot 14 Bailey Road, Two Wells
Description of land	CT 6098/323
Site area	Approximately 13930 square metres. The portion of the site used for the childcare centre will be 5270 square metres.
Development Plan	Mallala Council Development Plan Consolidated 13 December 2018
Zone	Rural Living Zone
Policy area	N/A
Development Plan maps	MAP Mal/10
Existing land use	Vacant Land
Development proposal	Development of a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing
Public notification	To be Determined by Council
Referrals	None
Relevant Authority	Adelaide Plains Council
Primary contact person	Mark Kwiatkowski Mark@adelaideplanning.com.au 0499933311

2.0 Introduction

This Planning Statement has been prepared by Adelaide Planning and Development Solutions (APDS) on behalf of Built Solutions.

The application seeks the development of a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing at Lot 14 Bailey Road, Two Wells.

Pursuant to MAP Mal/10, the subject land is located within the Rural Living Zone of the Mallala Council Development Plan Consolidated 13 December 2018.

This Planning Statement provides information about the subject land and proposed development and addresses the merits of the Development Application against the relevant provisions of the Rural Living Zone of the Mallala Council Development Plan, as well as the most relevant 'General Section' provisions.

In preparing this planning statement of support, I can confirm that I have reviewed the proposal plans prepared by Aspex Building Designers along with the most pertinent provisions of the Mallala Council Development Plan Consolidated 13 December 2018.

I have also inspected the subject land and locality.

3.0 Subject Land and Locality

3.1 Subject land



Figure 1 Subject land identified in blue

The subject land is located at Lot 14 Bailey Road Two Wells and is located within the Rural Living Zone of the Murrumbidgee Council Development Plan Consolidated 13 December 2018.

The subject land is an irregular shaped allotment with a site area of approximately 13930 square metres. The portion of the site used for the childcare centre will be 5270 square metres with a frontage of 101.18 metres to Bailey Road.

The allotment is vacant and is relatively flat in topography.

The site has access from Bailey Road and whilst fronts onto Port Wakefield Road, does not have access to the highway.

The subject land has connection to the majority of services (power, electricity, telephone).

3.2 Locality



Figure 2 Locality Plan

The locality surrounding the subject land comprises rural living allotments to the east and south within which contain dwellings on smaller larger allotments and examples of mixed commercial land uses.

The allotments directly to the north contains a two storey detached dwelling and a further olive processing plant (Verdale Olive Estate) / and olive café.

Further rural living allotments are contained on the allotments to the north east and north west along Bailey Road and Garden Avenue.

The two allotments directly to the east of the site are vacant and the allotments to the west on the opposite side of Port Wakefield Road are vacant.

4.0 Planning Assessment

4.1 Nature of development and built form

The application seeks the development of a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing at Lot 14 Bailey Road, Two Wells.

A Child Care Centre is a 'Pre-school', as defined in Schedule 1 of the Development Regulations, 2008:

Pre-school means a place primarily for the care or instruction of children of less than primary school age not resident on the site, and includes a nursery, kindergarten or child-care centre. (our emphasis)

The Child Care Centre will comprise

- A single-storey building with a footprint of 772.5m² which will be used to care for a maximum of 120 pre-school aged children.
- The building will be separated into five (5) areas based on the ages of the children, with each area having access to outdoor play spaces located to the rear and front of the site.
- The children will be cared for by up to 20 staff. Activity room 1 (18 children) 1 in 4 staff ratio – 5 staff, Activity room 2 (20 children) 1 in 5 ratio - 4 staff, Activity room 3 (23 children) 1 in 5 staff ratio – 5 staff, Activity room 4 (30 children) 1 in 10 staff ratio – 3 staff, and Activity room 5 (30 children) 1 in 10 staff ratio – 3 staff.
- The facility will operate from 6.30 am until 6.30 pm Monday to Friday (excluding public holidays).
- A range of internal spaces which support the functioning of the centre are incorporated within the building including a kitchen, offices, amenities and rooms for staff.
- Two separate play areas with areas of 511 square metres
- Refuse collection is to be managed via a private waste collection service with waste collected outside of the Centre's operating hours in order to facilitate the necessary movements for a Medium Rigid Truck. A dedicated refuse area will be located to the rear of the carpark.
- The proposed single storey building is of contemporary design with a hipped dark roof over light stone and rendered walls. The design is reminiscent of a residence and features a more domestic than commercial character.
- Generous windows and door openings will be provided on all facades of the building, allowing natural light throughout and convenient movement between the indoor and outdoor spaces. External building materials include: 'Monument' Colorbond metal sheet roof and downpipes; 'Light Cream and White' painted rendered walls, Aluminium glazed windows; and night sky aluminium and steel framed doors. The material palette is simple and modest and in keeping with the natural character of the local environment.
- Provision for 36 parking spaces including one disabled space.
- Provision for signage to the front façade of the building.

4.2 Kind of development

As aforementioned in section 2.0 of the report, Pursuant to MAP Mal/10, the subject land is located within the Rural Living Zone of the Mallala Council Development Plan Consolidated 13 December 2018.

As outlined, the proposal is best described as the development of a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing at Lot 14 Bailey Road, Two Wells.

Given that a 'Pre-school' is neither a complying nor non-complying development in the Rural Living Zone, the application is a 'consent' use, to be assessed on its merits against the relevant provisions of the Development Plan.

In preparing this planning statement of support, I can confirm that I have reviewed the proposal plans prepared by Aspex Building Designers along with the most pertinent provisions of the Mallala Council Development Plan Consolidated 13 December 2018.

4.3 Development Plan Assessment

We have considered the most relevant provisions of the Zone with respect to their intent as well as the relevant general section provisions.

As noted previously, pursuant to MAP Mal/10, the subject land is located within the Rural Living Zone of the Mallala Council Development Plan Consolidated 13 December 2018

The Rural Living Zone contemplates a zone consisting of large allotment with detached dwellings and rural activities that do not adversely impact the amenity of the locality.

In my view, the proposal is acceptable when balanced against all the relevant provisions of the Development Plan, the small sale nature and residential appearance of the proposal, the adjoining range of commercial and rural living land uses in close proximity to the subject land and the intent of the relevant provisions of the Zone.

This will be explored within the content of this report.

4.3.1 Rural Living Zone – Land Use

The Rural Living Zone seeks a zone consisting of large allotments, detached dwellings and rural activities that do not adversely impact the amenity of the locality. The Rural Living Zone indicates

The zone will be developed in a way that minimises potential amenity impacts on sensitive land uses through the use of appropriate buffers and will protect the amenity of and outlook from, the residential areas adjacent to the zone and from Port Wakefield Road. All development will incorporate environmentally sustainable building design, eco-friendly and appropriate water sensitive design techniques and, if required, flood mitigation measures. Where possible, stormwater, detention and/ or retention basins will be incorporated into suitably designed and accessible areas of public open space, provided such areas are useable for the majority of the year. It is desirable that the standard of development within these areas be such as to enhance the rural character and be compatible with the residential function and semi-rural environment. The semi-rural character of the zone will be reinforced and strengthened through the design and siting of buildings and structures, open style fencing and appropriate landscaping to compliment the landform.

Further, dwellings and ancillary buildings and structures will be located and designed to prevent entry by floodwaters. This will primarily be achieved through the raising of floor levels above the flood level, although alternative solutions may be appropriate in limited circumstances provided specific flood proofing measures are included within any design and construction.

Whilst the land use as a childcare centre is not specifically listed as an envisaged land use in the Rural Living Zone, there is minimal policy guidance on the types and forms of non-residential development that may be appropriate in the Zone. However, we note that the list of non-complying development in the Zone is comprehensive and extensive with separately listed forms of development. Importantly, 'Pre-school' and 'Childcare centre' are not referenced in this non-complying list.

While the Rural Living Zone does not specifically envisage non-residential development (such as childcare centres), the zone suggests that in certain circumstances other forms of development may be acceptable where it minimises impacts on the amenity of the adjoining properties amongst other elements.

The General Section - Community Facilities seeks the location of community facilities including social, health, welfare, education and recreation facilities where they are conveniently accessible to the population they serve and the proper provision of public and community facilities including the reservation of suitable land in advance of need. Further, the General Section - Community facilities, seeks that development of this nature should be grouped with and complement similar facilities, or be located in appropriate centralised, accessible locations.

While private childcare centres technically operate as commercial businesses, the nature of their function is often considered a community service, much in the way kindergartens, nurseries and schools are identified as 'community uses'. We note that Schedule 1 within the Development Regulations, 2008 does not include a definition of 'community use' and nor does the 'Better Development Plans Terminology List' (July 2009), prepared by the former Department of Planning and Local Government.

We note that the Mallala Council Development Plan only specifically lists 'Pre Schools' as envisaged uses in the Suburban Activity Node Zone. This zone comprises very limited geographic areas within the Mallala Council and limiting Pre Schools to these Zones alone would not facilitate the provision of kindergarten services being readily accessible throughout the Council area.

These Zones, as well as other 'Centre' zones which might be deemed suitable locations for Pre Schools are, typically, very tightly held by existing land owners with extremely limited land availability and their existing mix of uses and access arrangements make finding sites suitable for Childcare centres in Centre Zones very difficult. These challenges have been exacerbated due to legislative improvements within the childcare industry which stipulate non-negotiable square meterage space per child, resulting in the need for larger outdoor and internal play spaces within centres than was typically offered in the past.

The proposal will provide a childcare centre to support the wide Two Wells area which currently operates as a service centre for the wider retail catchment. Approval of the Two Wells Residential Development Plan Amendment (DPA) in 2013 facilitated the expansion of the Two Wells township by an additional 3,000-3,500 dwellings which will accommodate between 8,000 and 11,000 new residents.

The current level of services located within the Two Wells town centre are not sufficient to cater for the predicted increased demand in residential population and the proposal will complement the predicted growth in the immediate and wider locality.

In relation to the suitability of the subject site for a childcare facility, we note that:

- While a childcare centre is neither encouraged nor discouraged in the Rural Living Zone, the land use is specifically excluded from being a non-complying form of development.
- The Council Wide provisions identify that community uses and specifically kindergartens (a type of preschool and a service provided within the proposed childcare centre) should be established throughout the Council area.
- The locality (including the allotment across the road) features a number of non-residential land uses
- The site is highly accessible from Bailey Road with frontage to an arterial road (noting no direct access to Port Wakefield Road is proposed); and
- The proposal will provide a childcare centre to support the wider Two Wells area which currently operates as a service centre for the wider locality.

While the approval of non-residential uses within rural living areas must be carefully considered, the Development Plan envisages 'community uses' (including kindergartens/pre-schools), in order to provide a supporting service to the local community.

In our view, the proposed childcare centre is a suitable land use within the Rural Living Zone and aligned with the broader intent of land use distribution within the Adelaide Plains Council area. Importantly, the use of this particular site for a childcare centre will in no way compromise the achievement of the Zone's Desired Character and will be designed to minimise impacts on the amenity of the adjoining land.

4.3.2 Council Wide – Design and Appearance

The Council Wide - Design and Appearance Objectives and Principles of Development Control seek well-designed alterations and additions to the existing building which provide a high standard of design using a range of colours and materials complimenting the built form and rural environment.

The proposal seeks the construction of a single storey building which incorporates a range of architectural elements including of a range of colours and materials and articulation to add visual interest to the existing building and proposed structures in the immediate locality. The proposal will complement the existing environment with the appearance which presents as a larger residential dwelling and will sit comfortably on the site with appropriate siting and form in keeping with the intent of Rural Living Zone.

The proposed single storey building is of contemporary design with a hipped dark roof over light stone and rendered walls. The design is reminiscent of a residence and features a more domestic than commercial character.

Generous windows and door openings will be provided on all facades of the building, allowing natural light throughout and convenient movement between the indoor and outdoor spaces. External building materials include: 'Monument' Colorbond metal sheet roof and downpipes; 'Light Cream and White' painted rendered walls, Aluminium glazed windows; and night sky aluminium and steel framed doors. The material palette is simple and modest and in keeping with the natural character of the local environment.

The building has been positioned to ensure safe and convenient access through the site for pedestrians and vehicles whilst being functional. The design of the site has been focused on creating a safe, well-designed pedestrian environment and a functional space to enjoy the land use. The proposed building results in a coordinated appearance consistent with other buildings in the immediate locality which maintains and enhances the visual attractiveness of the locality and the carpark has been set away from the adjoining rural living properties. The building will have setbacks consistent with other development along Bailey Road to the north and east. Whilst the proposal is not providing for a dwelling on the site, guidance from PDC 7 of the rural living zone has been taken for the design of the building providing

adequate setbacks from front, side and rear boundaries ensuring the proposal will sit comfortably on the subject land. Further, the proposal will result in a site coverage of 27.8% of the site which allows for adequate building coverage on the site and adequate space surrounding the built form of the site in keeping with the intent of development within the Rural Living Zone. The building height and form will present as a larger residential building to the wider locality.

The proposal includes a formalised parking area to the side of the building for 35 spaces which will be appropriately screened to Bailey Road and the remainder of the existing land will act as a buffer to adjoining property. A new crossover to allow for safe and convenient access is proposed to the front of the site which again will not impact on the appearance of the land which is considered suitable.

Signage will be in the form of a modest sign entry feature to the front and the side of the building. The proposed signage is considered appropriate in that it will have appropriate siting, size, height, scale, design, colour, shape, and materials which are in keeping with the proposed land use on the site. Further assessment of the appropriateness of the signage will be undertaken in the supporting planning statement.

The material palette is varied and robust and considered to contribute to what will be a high-quality design outcome. The main building entrance is positioned to be highly visible and pedestrian connections through the site assists pedestrians to arrive at this entry.

In summary, the built form design and appearance of the childcare centre is considered suitable and in harmony with the existing and desired character of the Rural Living Zone.

It is considered that the proposed building has been designed to satisfy the requirements of the Development Plan in relation to design and appearance and will result in a building which will sit comfortably within the Bailey Road / Port Wakefield Road streetscape complementing the existing built form on adjoining sites. On this basis, it is considered that the proposal satisfies the intent of the Council Wide Objectives and Principles of Development Control relating to design and appearance.

4.3.3 Council Wide – Advertisements

The intent of the Council Wide Section – Advertisements Objectives and Principles of Development Control seek that signs / advertisements will not disfigure the urban landscape, will not create a hazard, and will enhance the appearance of the buildings and the immediate locality. Further, any proposed signage should result in a coordinated appearance over the site associated with the proposed land uses on the site and not result in clutter, disorder, or untidiness on the buildings.

The proposal includes signage in the form of a modest sign to the front entry feature and a further sign to the side of the existing outbuilding.

The proposed signage location is considered appropriate in that it will have appropriate siting, size, height, scale, design, colour, shape, and materials which are in keeping with the proposed land use on the site. It will not endanger public safety, or cause nuisance or hazard by reason of its location, construction or design and will not require any pruning or lopping of branches from significant vegetation in order to improve the visibility of the display. The signage location will provide simple, easily recognisable, utilise symbols and will not dominate or obscure other advertisements and will be constructed of professionally and will utilise durable and weather resistant materials. The signage won't result in visual clutter, duplication of message and will not have an adverse impact on the amenity of adjacent sites and areas from which the advertisements are visible and will provide an appropriate colour, scale and proportion resulting in a co-ordinated and complementary appearance to the architectural form and design of the building. Further, the proposal will provide a primary advertisement on the site associated with the proposed childcare centre and will be of a scale and size which is compatible with and complementary to development on the site.

On this basis, it is considered that the proposal satisfies the intent of the relevant provisions of the Development Plan as it relates to Advertisements.

4.3.3 Council Wide – Crime Prevention

With regard to the Council Wide section – Crime Prevention Objectives and Principles of Development Control relating to Crime prevention, the proposal provides a childcare centre which will allow increased casual surveillance from users on the site. The location of buildings and open nature of the building layout on the site allows for clear sightlines though the site with passive surveillance over the car park, driveway, and outdoor areas from the building.

The use of a range of materials proposed with articulation to the proposed built form will create a robust environment that is resistant to vandalism and graffiti and will withstand normal use. The use of a range of colours and materials including windows and verandahs will minimise areas for vandalism and graffiti. In any event, should the buildings be vandalised, this would be immediately removed from the site by the tenants.

Whilst the final detail of the internal lighting to the site has not been finalised, it will be designed in a manner to ensure that the subject land is appropriately lit whilst not impacting on the amenity of adjoining land uses including along pedestrian pathways and main access routes. Any lighting used at the site will comply with AS 4282-1997-Control of the Obtrusive Effects of Outdoor Lighting, and AS 1158.1 Public Lighting Code for the illumination level of the car parking area. The hours of operation from 6:30 am to 6:30 pm will not require the lighting of the site for the majority of the year in any event.

It is considered that the proposal will result in a form of development which satisfies the intent of the Development Plan in relation to Crime Prevention.

4.3.4 Council Wide – Interface considerations

The Council Wide Section - Interface between land uses seeks development that does not cause unreasonable interference, particularly referencing the emission of effluent, odour, smoke, fumes, and dust or other airborne pollutants, noise, hours of operation and traffic impacts. Further the development plan seeks development to be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality and be designed, constructed, and sited to minimise negative impacts of noise and to avoid unreasonable interference.

The proposed childcare centre will operate between the hours of 6:30 am to 6:30 pm Monday to Friday which will have an acceptable impact on the adjoining locality and is consistent with the hours of operation of other commercial development in the wider locality. The hours of operation will ensure that the proposal operate to ensure compliance with the Environmental Protection (Noise) Policy 2008 which allows a level of noise until 10pm.

In response to the relevant interface provisions, the proposed development includes acoustic 2.1m high Colorbond fences along the southern and eastern boundaries of the outdoor play areas. These fences will include standard 50mm thick insulation with a density of 32kg/m³ in the cavity which will restrict the transfer of noise to the existing dwellings to the east and south noting that there is a olive processing plant on the opposite side of the road which would result in significantly greater impacts compared with the proposal.

In relation to other potential interface impacts we note that:

- The centre operates on weekdays only and during predominately daylight hours (6.30am until 6.30pm on weekdays).
- Children only spend allocated periods of time outside and the outdoor play times of the different age with groups typically staggered throughout the day so that not all children in the Centre would be playing outside at the same time; and
- Given the single storey structure, there will not be any impacts associated with overlooking, overshadowing or loss of privacy.

Within areas of the Rural Living Zone where there are commercial activities, it is envisaged that a range of impacts will occur to adjoining properties including noise, traffic, hours of operation and will be more significant when compared with a traditional residential area during certain periods of the day.

The activities associated with the childcare centre building and car parking will result in limited noise or light spill impacts to the adjoining allotments. Given the small scale nature of the proposal and envisaged low level traffic volumes given the limited days and hours of operation of the childcare centre, the proposal will have an acceptable impact on the existing road network which is consistent with other land uses in the immediate and wider locality. The use of the proposed access point from Bailey Road will not result in additional detrimental impacts from traffic movements to the adjoining properties.

With regard to lighting, whilst the final detail of the internal lighting to the site have not been finalised, it is likely that the site will be lit with low level lighting surrounding the building which will be designed in a manner to ensure that the subject land is appropriately lit whilst not impacting on the amenity of adjoining land uses including along pedestrian pathways and main access routes in accordance with Australian Standard AS 4282-1997 Control of the obtrusive effects of outdoor lighting.

With regard to the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants, vibration, electrical interference and glare, the proposal will have an acceptable impact given distances to adjoining properties.

On balance, it is considered that the proposal will have an acceptable impact on the amenity of the adjoining properties in accordance with the General Section requirements of the Development Plan as it relates to Interface between Land Uses.

4.3.5 Council Wide – Landscaping, Fences and Walls

The subject land is void of any landscaping so the proposed development will have minimal impact on the vegetation on the site. The proposed building location will be located onsite on the vacant site and will maintain adequate separation from existing vegetation on adjoining properties.

In addition, the proposed development will involve additional planting of trees, shrubs and grasses to the front and western portions of the site and proposed carparking areas which will strengthen the landscaping on the subject land and in the future provide a more effective visual screen to the activities on the land.

The proposed fencing to the east and south will be constructed of colorbond an additional 2.1 metre tubular fencing between high blockwork piers which is consistent with the range of fencing within the Rural Living Zone character and will enhance the entrance to the proposed childcare centre building. Further, the existing fencing surrounding the property on the remainder of the site will not be altered maintaining and aiding in enhancing the rural character of the locality.

On this basis, it is considered that the proposal has been designed to satisfy the relevant provisions of the Development Plan as they relate to Landscaping, Fences and Walls.

4.3.6 Council Wide – Orderly and Sustainable Development

As outlined in the land use assessment, the proposed childcare is considered appropriate and orderly and consistent with the relevant provisions of the Development Plan in that

- While a childcare centre is neither encouraged nor discouraged in the Rural Living Zone, the land use is specifically excluded from being a non-complying form of development.
- The Council Wide provisions identify that community uses and specifically kindergartens (a type of preschool and a service provided within the proposed childcare centre) should be established throughout the Council area.
- The locality (including the allotment across the road) features a number of non-residential land uses and the proposal will provide a suitably design childcare centre to support the wider Two Wells area which currently operates as a service centre for the wider locality.
- The proposal is for a small scale development which will ensure a safe convenient and pleasant environment for uses and adjoining landowners and utilises the existing infrastructure afforded to site.
- The proposal does not prejudice the zone for its intended purpose as outlined in the above assessment against the Zone provisions and is consistent with the intended of the site and adjoining land uses within the Rural Living Zone.
- Will not jeopardise the mix of land uses in the surrounding allotments,
- The site will utilise the existing facilities and services to the site (power, access to roads etc.)
- The proposed development does not undermine the objectives of the zone and protects the character and amenity of the rural character of the locality.
- Will provide safe and convenient traffic movements and sufficient on-site car parking.
- Results in a development which retains and protects the natural resources and environment.
- Provides an environmentally sustainable and innovative community land use that does not adversely affect the use of adjoining land uses. The proposed single storey building is of contemporary design with a hipped dark roof over light stone and rendered walls. The design is reminiscent of a residence and features a more domestic than commercial character.
- The current level of services located within the Two Wells town centre are not sufficient to cater for the predicted increased demand in residential population and it is proposed that land the proposal will provide a service to complement the predicted growth in the immediate and wider locality.
- While the approval of non-residential uses within rural living areas must be carefully considered, the Development Plan envisages 'community uses' (including kindergartens/pre-schools), in order to provide a supporting service to the local community.

On this basis it is considered that the proposal satisfies the above provisions in relation to orderly and sustainable development.

4.3.7 Council Wide – Transportation, access, and parking

The relevant transportation and access objectives and principles promote development that provides for the safe and efficient movement of all motorised and non-motorised transport modes. Given the small-scale nature of the development and the hours of operation proposed, the proposal will not result in unacceptable traffic movements to and from the site.

The proposal will utilise the existing access afforded to the site from Bailey Road which is a sealed road and the proposal will not provide access from Port Wakefield Road. The current access arrangements from Bailey Road provide suitable site lines to ensure the safe vehicular access to the land.

Appropriate parking will be provided for the proposed use at the rear of the site. Table Mal/1 - Off Street Vehicle Parking Requirements does not provide a carparking rate for childcare centres (preschool). The application proposes thirty six car parking spaces including one (1) disabled parking space which satisfies the commonly applied rate of 1 space per 4 children for childcare centres across South Australia.

The design of the on-site car parking conforms to the requirements as set out in the Australian/New Zealand Standards for Off Street Parking (AS/NZS2890.1:2004 and AS/NZS2890.6:2009). Safe and convenient access has been incorporated into the proposal including a dedicated internal footpath from Bailey Road to the building entry. Further, Traffic movements generated by the development will be readily accommodated by the proposed access point and the adjacent road network.

The Development Plan also seeks for all developments to have adequate provision for onsite refuse including space on the site for loading, unloading and manoeuvring of vehicles which results in minimal conflict between customer and service vehicles. In this regard, the development will utilise a private waste contractor to collect refuse on an as needs basis and the carpark has been designed to accommodate private refuse collection vehicle (8.8m long Medium Rigid Vehicle) subject to this collection occurring outside the centres hours of operation (which can be arranged and is the usual situation for child care centres).

On this basis it is considered that the formalisation of the existing all weather driveway and carpark area is appropriate complementing the semi - rural living environment and the proposal satisfies the relevant Council Wide provisions as they relate to transportation, access, and parking.

4.3.8 Council Wide – Natural Resources / Waste and Stormwater

The Development Plan also seeks to ensure that development suitably manages the impacts from stormwater and wastewater so that it does not impact on the natural environment. This is supported by policies within the General Section that seek the storage and re-use of stormwater and appropriate management of waste through well designed waste treatment systems.

The subject land is currently serviced SA Water's sewer services. Effluent will be managed on site by way of a suitably designed waste management system in accordance with SA Water's sewer services requirements.

General Waste from the proposal will be collected by a private waste contractor as required. Waste bins will be stored in the dedicated store area which is in a non-visible / screened location that is not visible from public roads or surrounding properties.

Stormwater will be collected in rainwater tanks and recycled back into the building for use in the toilets. Overflow from the rainwater tanks will be directed to the adjacent vineyard area or into the landscape areas. This will negate the demands of the development on reticulated water or ground water.

Engineering / civil plans will be provided to achieve the relevant Development Plan provisions related to stormwater and the specific site requirements of the Council engineers.

5.0 Conclusion

The application seeks the development of a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing at Lot 14 Bailey Road, Two Wells.

While the Rural Living Zone does not specifically envisage non-residential development (such as childcare centres), the zone suggests that in certain circumstances other forms of development may be acceptable where it minimises impacts on the amenity of the adjoining properties. The proposal will provide a childcare centre to support the wide Two Wells area which currently operates as a service centre for the wider retail catchment. Approval of the Two Wells Residential Development Plan Amendment (DPA) in 2013 facilitated the expansion of the Two Wells township by an additional 3,000-3,500 dwellings which will accommodate between 8,000 and 11,000 new residents. The current level of services located within the Two Wells town centre are not sufficient to cater for the predicted increased demand in residential population and it is proposed that land the proposal will provide a service to complement the predicted growth in the immediate and wider locality.

In relation to the suitability of the subject site for a childcare facility, we note that:

- While a childcare centre is neither encouraged nor discouraged in the Rural Living Zone, the land use is specifically excluded from being a non-complying form of development.
- The Council Wide provisions identify that community uses and specifically kindergartens (a type of preschool and a service provided within the proposed childcare centre) should be established throughout the Council area.
- The locality (including the allotment across the road) features a number of non-residential land uses
- The site is highly accessible with frontage to an arterial road (noting no direct access to Port Wakefield Road is proposed); and
- The proposal will provide a childcare centre to support the wider Two Wells area which currently operates as a service centre for the wider locality.

While the approval of non-residential uses within rural living areas must be carefully considered, the Development Plan envisages 'community uses' (including kindergartens/pre-schools), in order to provide a supporting service to the local community.

In our view, the proposed childcare centre is a suitable land use within the Rural Living Zone and aligned with the broader intent of land use distribution within the Adelaide Plains Council area. Importantly, the use of this particular site for a childcare centre will in no way compromise the achievement of the Zone's Desired Character and will be designed to minimise impacts on the amenity of the adjoining land.

The proposal seeks the construction of a single storey building which incorporates a range of architectural elements including of a range of colours and materials and articulation to add visual interest to the existing building and proposed structures in the immediate locality. The proposal will complement the existing environment with the appearance which presents as a larger residential dwelling and will sit comfortably on the site with appropriate siting and form in keeping with the intent of Rural Living Zone. Further, adequate parking has been provided to service the proposed land use.

The use will be of a low intensity such that the amenity of adjoining land uses will not be determinately affected which has been considered in the planning statement. Further, no vegetation will be removed to facilitate the proposed development and additional landscaping is proposed on the site which will enhance the appearance of the subject land especially compared with the existing situation.

The proposal is consistent with the wider intent of the Rural Living Zone as the relevant provisions relate to non-residential land uses. The proposal will not impact on the natural character of the zone, will provide a small scale childcare facility, and will complement the existing uses in the immediate and wider locality.

After careful consideration of the proposed development and having regard to the relevant provisions of the Development Plan, it is my opinion, that the application represents an appropriate form of development in the context of the Rural Living Zone of the Mallala Council Development Plan Consolidated 13 December 2018 and the unique circumstances of the subject land and locality.

For all the reasons outlined in this statement, we consider the proposed development to satisfy the pertinent Development Plan provisions to warrant development plan consent.

We look forward to your support of this proposal. If you have any further questions regarding this application or require additional information, please contact me on 0499 933 311.

Yours Sincerely,



Mark Kwiatkowski MPIA CPP

Director + Principal Urban Planner

Adelaide Planning & Development Solutions - Town Planning Specialists + Planning Private Certifiers

**CHILD CARE CENTRE
LOT 14 BAILEY ROAD, TWO WELLS
TRAFFIC AND PARKING REPORT**

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DOCUMENT CONTROL

Report title: Child Care Centre, Lot 14 Bailey Road, Two Wells
Traffic and Parking report

Project number: 20373

Client: Aspex Building Designers Pty Ltd

Client contact: Gosia Zebrowska-Bogusz

Version	Date	Details/status	Prepared by	Approved by
Draft	19 Nov 20	For review	BNW	BNW
V1	27 Nov 20	For submission	BNW	BNW

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1. INTRODUCTION

CIRQA has been engaged to provide design and assessment advice for a proposed child care centre at Lot 14 Bailey Road, Two Wells. Specifically, CIRQA has been engaged to provide advice in respect to traffic and parking aspects of the proposal.

This report provides a review of the subject site, the proposed development (and its associated operation), its access and parking provisions and the associated traffic impact on the adjacent road network. The traffic and parking assessments have been based upon plans prepared by Aspex Building Designers Pty Ltd (drawing no. BSL 3721 PD01 Rev B, dated 20 November 2020, refer Appendix A).

2. BACKGROUND

2.1 SUBJECT SITE

The subject site is located at Lot 14 Bailey Road, Two Wells. The site is bound by Bailey Road to the north, vacant land to the south and west, and a residence, olive grove and associated sheds to the east.

The site is currently vacant (undeveloped). The Adelaide Plains Council's Development Plan identifies that the site is located within a Rural Living Zone.

Figure 1 illustrates the location of the subject site and the adjacent road network.



Figure 1 – Location of the subject site and adjacent roads

2.2 ADJACENT ROAD NETWORK

Bailey Road is a local road under the care and control of the Adelaide Plains Council. Adjacent the site, Bailey Road generally comprises an approximately 7.0 m wide road with unsealed shoulders and a single traffic lane in each direction separated by a marked centreline. No footpaths or cycling facilities are provided on Bailey Road. Cyclists would be required to share the road with vehicles (which is acceptable given the low traffic volumes). Just west of the site, Bailey Road terminates at a 'dead-end' (access to Port Wakefield Road is not accommodated). A 50 km/h speed limit applies on Bailey Road.

Bailey Road provides connection to the broader road network via a four-way intersection with Garden Avenue (with Bailey Road forming the priority approaches) and, further east, a four-way intersection with Old Port Wakefield Road and Dawkins Road. Connections to Port Wakefield Road (A1 Highway) are provided via the surrounding local road network.

3. PROPOSED DEVELOPMENT

3.1 LAND USE AND YIELD

The proposal comprises the construction of a new Child Care Centre on the site. The centre will have the capacity for 120 children. The development will be serviced by a 36-space car park. This includes one space for use by persons with disabilities.

3.2 ACCESS AND PARKING DESIGN

Access to the site is proposed via a new two-way crossover on Bailey Road at which all turning movements will be permitted. The access is proposed to be 7.0 m wide which exceeds the minimum requirements of the Australian/New Zealand Standard for *"Parking Facilities – Part 1: Off-street car parking"* (AS/NZS 2890.1:2004). Adequate sight distance provisions (in excess of the requirements of the relevant Austroads' guides) will also be provided at the access point. Additionally, it is noted that the access location is outside of the restricted access area identified by AS/NZS 2890.1:2004.

The parking area will generally comply with the requirements of AS/NZS 2890.1:2004 as well as the Australian/New Zealand Standard for *"Parking Facilities – Part 6: Off-street parking for people with disabilities"* (AS/NZS 2890.6:2009) in that:

- parking spaces will be 2.6 m wide and 5.4 m long with the exception of the space for persons with disabilities which will also be 2.4 m wide (and 5.4 m long);

- a 2.4 m wide shared area will be provided adjacent the space for use by persons with disabilities;
- the parking aisles will be 7.0 m wide (which exceeds the minimum requirements of the Australian Standard and will assist the achievement of turnaround movements at the ends of the blind aisles via the turnaround bays proposed); and
- a turnaround area will be provided at the end of the parking aisle.

Pedestrian paths will provide internal connection to/from the car park as well as direct access to/from Bailey Road.

The parking aisle will also accommodate access (right-of-way) to the land to the south (which forms part of the same property) should it be required in the future.

3.3 REFUSE COLLECTION

Refuse collection will be undertaken via private contractor with the associated manoeuvres accommodated on-site (forward-in/forward-out). The site will be able to accommodate movements by a Medium Rigid Vehicle (MRV). It is anticipated that such movements would be undertaken outside of peak periods (or opening hours). Figure 2 illustrates the turn path for an MRV to turn around on site (and exit in a forward direction).

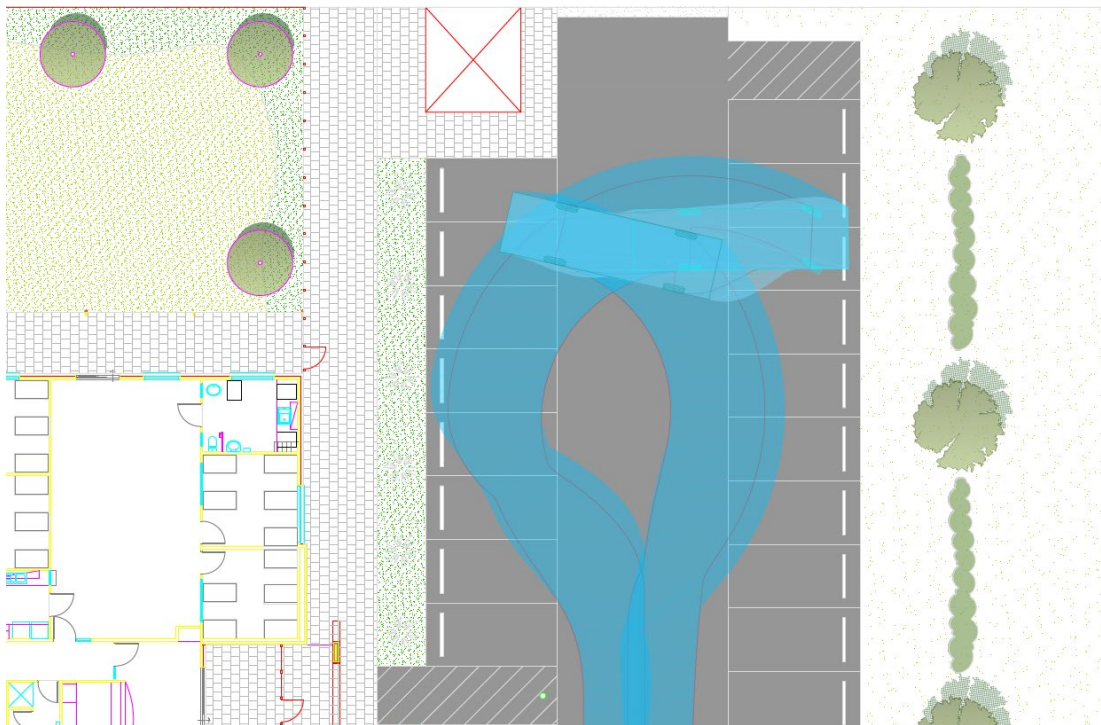


Figure 2 – Medium Rigid Vehicle turning movements within the site

4. PARKING ASSESSMENT

4.1 CAR PARKING

The Adelaide Plains Council's Development Plan does not identify a parking rate specifically applicable to child care centres. However, a detailed study of parking demands at a number of child care centres was prepared by MFY (traffic consultants) in 2016 for the Australian Childcare Alliance (SA). The study identified that peak parking demands varied between a rate of one space per 4.2 to one space per 6.7 children (inclusive of both parent and staff parking demands), and recommended a rate of one space per four children.

Similarly, a recent (2018) survey undertaken by Austraffic (on behalf of CIRQA) at the Seacliff Casa Bambini child care centre identified a peak parking demand of one space per 6.5 children in the am and one space per six children in the pm (inclusive of both staff and parent parking demands).

For the purposes of this assessment, the conservative rate of one space per four children has been adopted. On the basis of a 120-child capacity, the proposed child care centre is forecast to have a peak parking demand for 30 spaces. Given that 36 spaces will be provided on-site, it is considered that the proposed provisions will adequately accommodate the anticipated peak staff and parent parking demands.

4.2 BICYCLE PARKING

In respect to bicycle parking, Council's Development Plan does not identify a bicycle parking requirement for land uses classified as child care centres. Five bicycle spaces are proposed to be provided within the site. Such a provision would be more than adequate to accommodate likely demands associated with the proposal.

5. TRAFFIC ASSESSMENT

5.1 TRAFFIC GENERATION AND DISTRIBUTION

The RTA's "*Guide to Traffic Generating Developments*" (the RTA Guide), and its subsequent updates, are documents commonly used by traffic engineers in order to determine the forecast traffic generation of a variety of land uses. The rates identified for child care centres in the RTA Guide have previously been accepted by the Department for Infrastructure and Transport (as well as many South Australian Councils) as appropriate for assessment of trip generation for such uses.

The guide identifies peak (2-hour) period trip generation rates for child care centres of 0.8 trips per child in the am peak period (7:00 am to 9:00 am) and 0.7 trips per child in the pm peak period (4:00 pm to 6:00 pm).

It should be noted that the above traffic generation rates are based upon peak periods of two hours. In order to determine the peak hour traffic generation of the proposal, it has been assumed that 60% of the child care peak period will occur during the peak hour (i.e. 0.48 am and 0.42 pm peak hour trips per child). Based upon these rates, the proposed development would generate in the order of 58 am and 50 pm peak hour trips.

Vehicle movements will be distributed via the proposed access point on Bailey Road. Assuming an approximate 50% in/50% out split during the am and pm peak hour, there would be in the order of 25 to 30 inbound and 25 to 30 outbound trips in each peak hour.

Such volumes would be well within the capacity of Bailey Road. The movements would then be distributed to the various surrounding roads at the intersection of Bailey Road and Garden Avenue with any one movement at the intersection experiencing an increase of 15 movements or less. Such an increase in movements is very low and would be easily accommodated at the intersection and on the surrounding road network.

6. SUMMARY

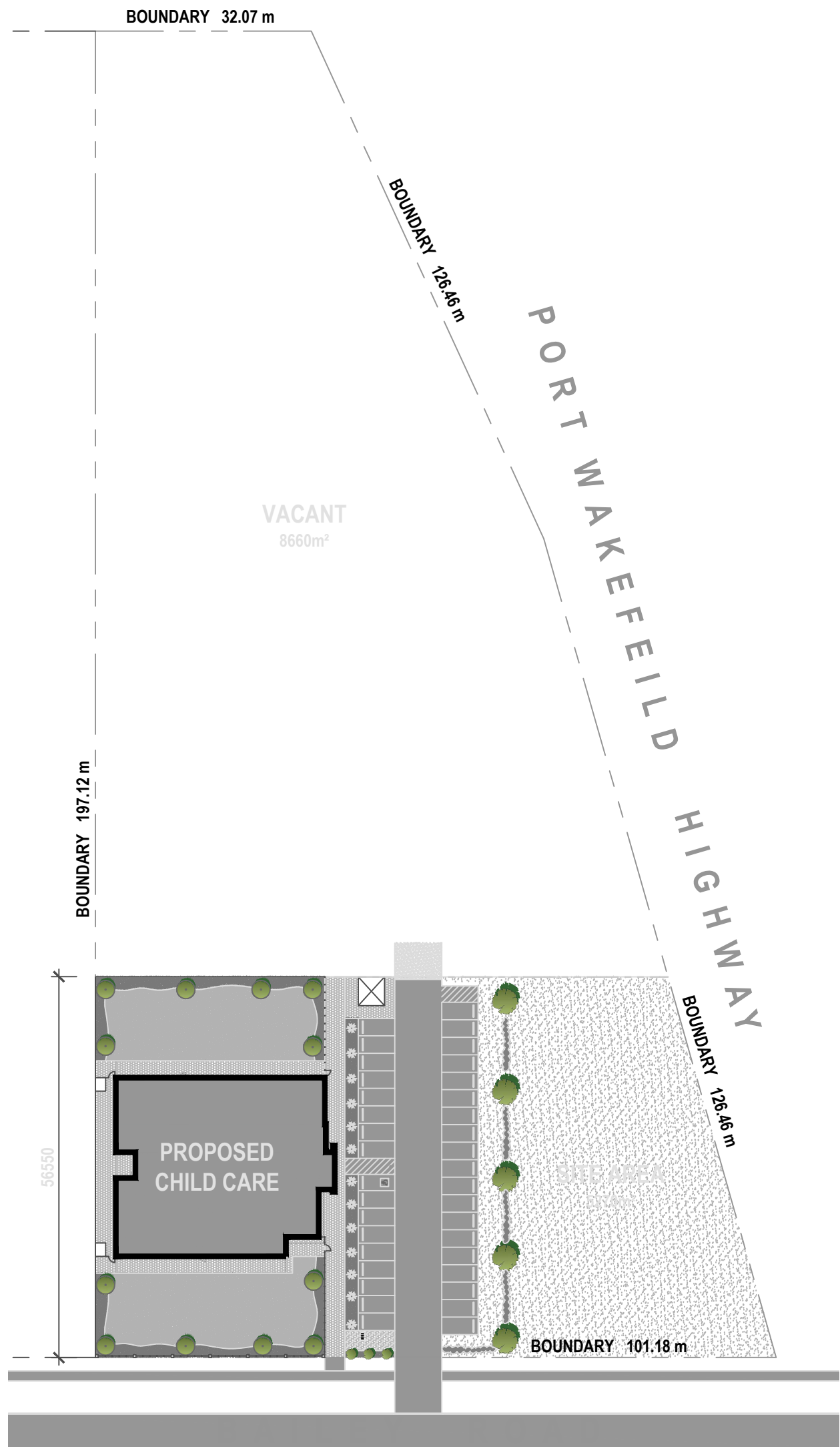
The proposal comprises the construction of a 120-place child care centre with associated access and parking provisions. Vehicle access to the site will be provided via a two-way access point at which all movements are proposed on Bailey Road.

A total of 36 parking spaces will be provided on-site. Such a provision will accommodate the forecast peak parking demands generated by the proposal. The car park will be provided in accordance with the requirements of the relevant Australian Standard.

It is forecast that the proposal will generate in the order of 50 to 60 trips in the am and pm peak hours. Such movements will be readily accommodated via the proposed access point and on the adjacent road network. It is considered that the access movements will be accommodated safely and efficiently (particularly given the low traffic volumes on the surrounding roads).

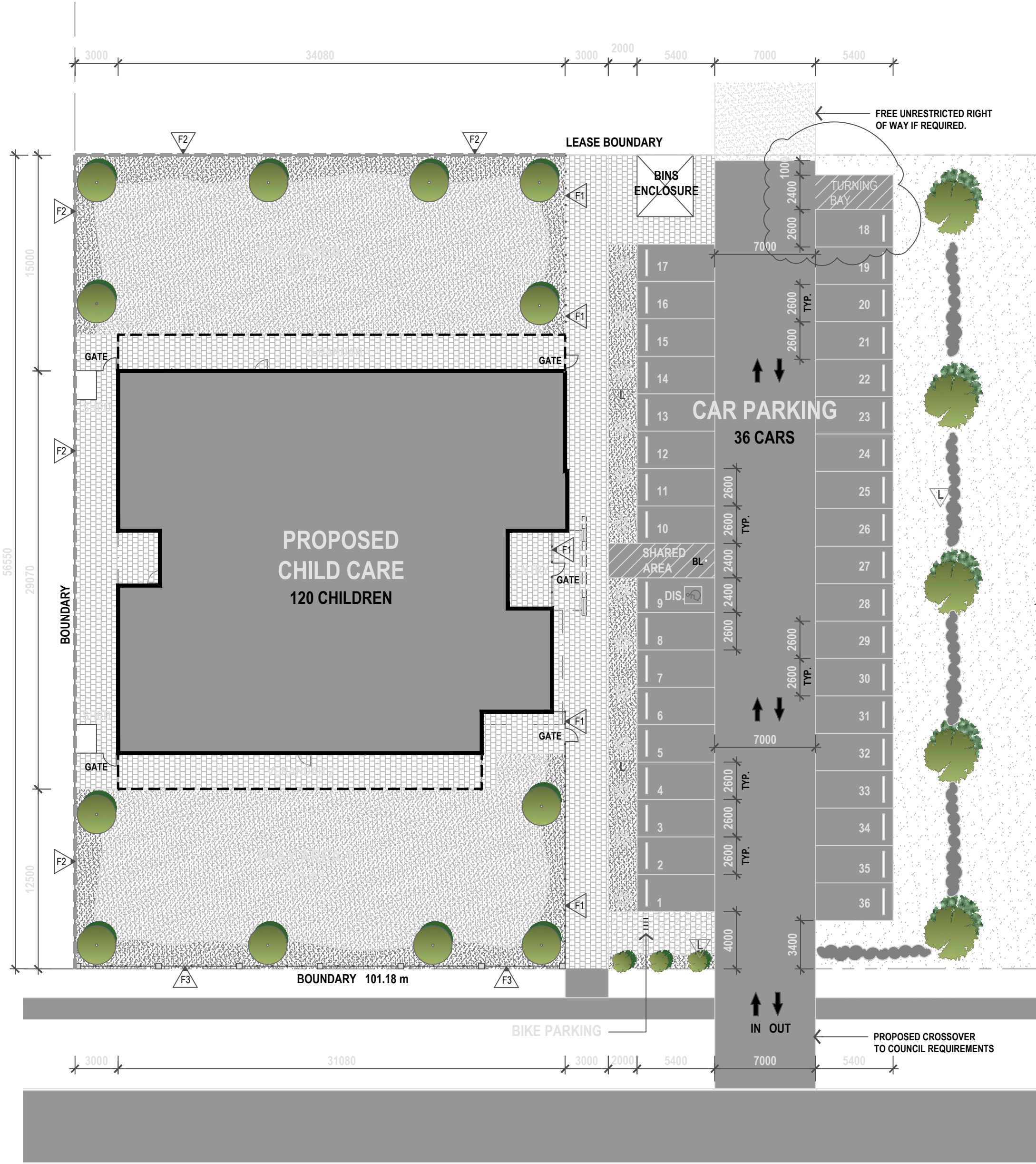
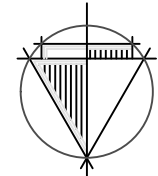
APPENDIX A

ASPEX BUILDING DESIGNERS PLANS



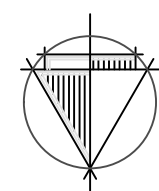
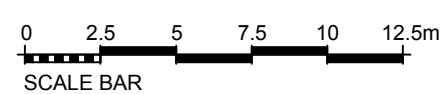
OVERALL SITE PLAN

SCALE 1:750



PROPOSED SITE PLAN

SCALE 1:250



SITE LEGEND

- HATCH DENOTES EXTENT OF NEW BUILDING WORK
- HATCH DENOTES EXTENT OF UNIT PAVERS
- VEHICULAR ACCESS
- 1800H. SELECTED POWDERCOATED TUBULAR FENCE
- 2100H. COLORBOND FENCE ON BOUNDARY
- 1800H. SELECTED POWDERCOATED TUBULAR FENCE BETWEEN 2100H. BLOCKWORK PIERS.
- BOLLARD TO SHARED AREA / DISABLED CAR PARKING AS PER A.S. 2890.6 100mm DIAMETER X 900 HIGH GALV STEEL PIPE BOLLARD WITH WELDED STEEL END CAP
- NATIVE LANDSCAPING AREA

STATISTICS

LOCAL AUTHORITY		DISTRICT COUNCIL OF MALLALA	
CHILD CARE SITE AREA	5270m ²	VACANT	8660m ²
TOTAL SITE AREA	13930m ²		
ACTIVITY AREAS	5		
REQ. 3.25m ² PER CHILD PROVIDED	390m ²	425m ² CLEAR	
OUTDOOR PLAY AREAS			
PLAY AREA 1	511m ²		
PLAY AREA 2	511m ²		
REQ. 7.0m ² PER CHILD PROVIDED	840m ²	1022m ²	
CAR PARKING TOTAL	(1:4)	36 (INCLUDING DISABLED)	
ENCLOSED BUILDING	772.5m ²		
SIDE VERANDAHS	140.9m ²		
FRONT PORCH	28.2m ²		
BUILDING TOTAL	941.6m ²		
SITE COVERAGE	17.8%		

Boundary information on this drawing has been provided via a detailed survey only. Prior to any building work commencing, it is the builder's responsibility to arrange a Boundary Identification survey to confirm all dimensions and set outs.

B	turning bay added	GZ	20/11/20
A	planning consent issue	AR	29/07/20
rev	details	dm	date



ASPEX BUILDING DESIGNERS Pty Ltd
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ABN 73 090 085 037

PLANNING CONSENT ISSUE

© ASPEX BUILDING DESIGNERS Pty Ltd
Verifying all dimensions & setbacks is the responsibility of the contractor. This drawing should not be scaled. Discrepancies should be reported immediately to the designer. This drawing shall be read in-conjunction with all other drawings, documents and specifications.

project
PROPOSED CHILDCARE CENTRE

address
Lot 14 Bailey Road,
Two Wells, SA

client
Built Solutions

sheet size scale drawn
A2 1:500 AR

drawing title
OVERALL SITE PLAN


project no drawing no revision no
BSL 3721 3 November 2021 B

PURPOSE: DIVISION TWO WELLS MAP REF: 6628/11/H THE DISTRICT COUNCIL OF MALLALA LAST PLAN: DEVELOPMENT NO: 312D005/11/001	APPROVED: DEPOSITED/FILED:	SHEET 1 OF 2 <small>30410_text_01_y01</small>
AGENT DETAILS: STEED AND POHL LICENSED SURVEYORS 23 SYDENHAM ROAD NORWOOD SA 5067 NORWOOD SA 5067 PH: 08 8362 7900 FAX: 08 8363 5154 AGENT CODE: STPO REFERENCE: A11006C1.0/BAC		
SUBJECT TITLE DETAILS: PREFIX VOLUME FOLIO OTHER PARCEL ALLOTMENT(S) CT 5748 694		
OTHER TITLES AFFECTED:		
EASEMENT DETAILS: STATUS LAND BURDENED FORM CATEGORY IDENTIFIER PURPOSE IN FAVOUR OF CREATION	NUMBER 159 PLAN F NUMBER HUNDRED / IA / DIVISION TOWN REFERENCE NUMBER 162508 PORT GAWLER SECTION 185	
ANNOTATIONS: NO OCCUPATION UNLESS OTHERWISE SHOWN		

Development Assessment Commission

LAND DIVISION CERTIFICATE

Approved in accordance with the requirements
of Section 51 of the Development Act 1993

Signed 
Description of signatory: Supervisor of Land Divisions
as delegate of D.A.C.

Dated: 11/08/2011, 09:20 pm

Development Assessment Commission

LAND DIVISION CERTIFICATE

Approved in accordance with the requirements of Section 51 of the Development Act 1993

Signed:

Description of signatory: Supervisor of Land Divisions as delegate of D.A.C.

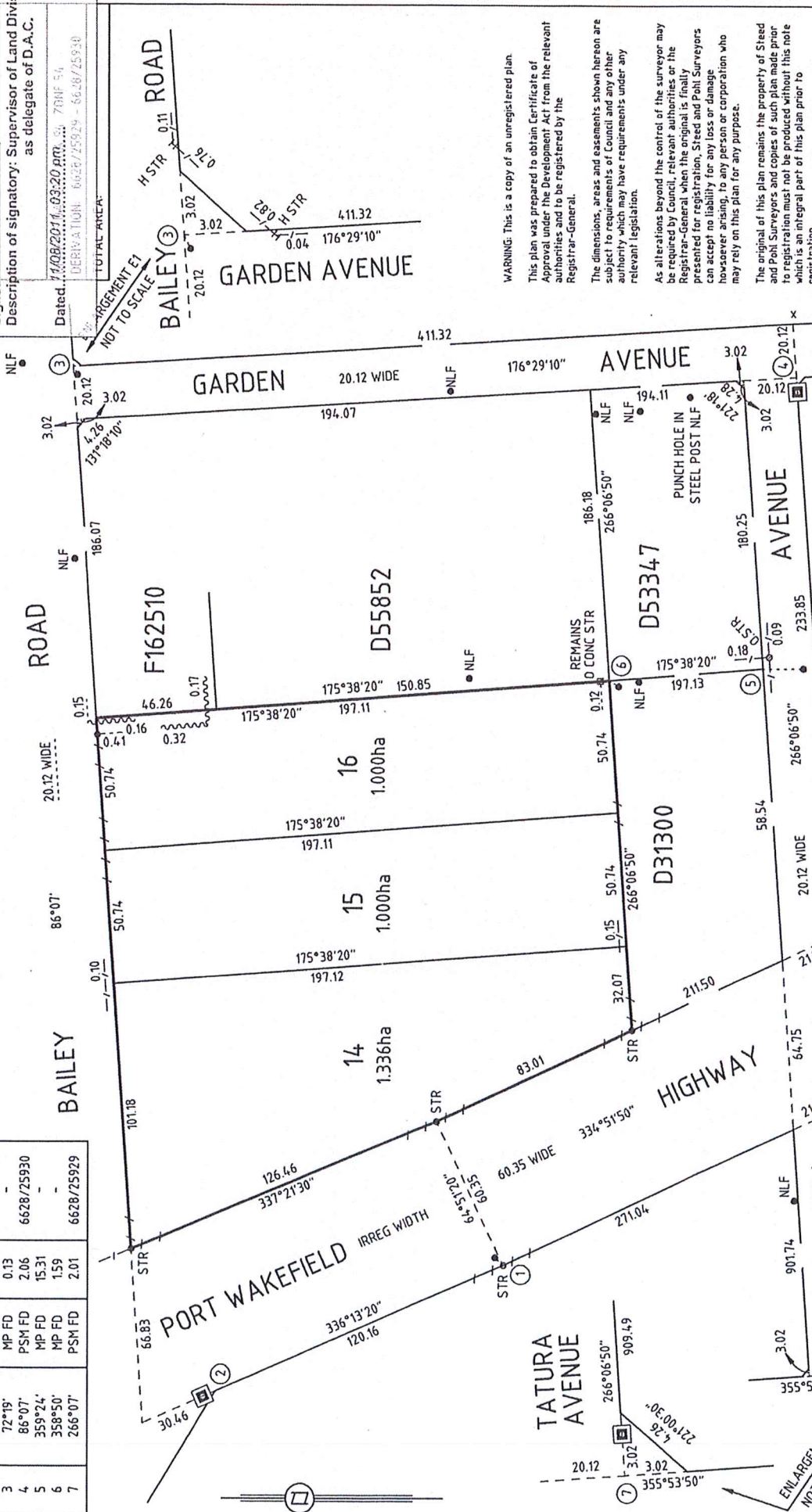
Dated: 11/08/2014 03:20 pm. 54. 70MP 54.
DERIVATION: 6628/25929 - 6628/25930

TOTAL AREA:
ENLARGEMENT E1
NOT TO SCALE



REFERENCE MARKS

CNR	BEARING	FROM	DIST.	PSM No.
1	244°51'	MP FD	0.70	-
2	156°13'	PSM FD	0.70	6628/25926
3	72°19'	MP FD	0.13	-
4	86°07'	PSM FD	2.06	6628/25930
5	359°24'	MP FD	15.31	-
6	358°50'	MP FD	1.59	-
7	266°07'	PSM FD	2.01	6628/25929



WARNING: This is a copy of an unregistered plan.
This plan was prepared to obtain Certificates of Approval under the Development Act from the relevant authorities and to be registered by the Registrar-General.

The dimensions, areas and easements shown hereon are subject to requirements of Council and any other authority which may have requirements under any relevant legislation.
As alterations beyond the control of the surveyor may be required by Council, relevant authorities or the Registrar-General when the original is finally presented for registration, Street and Pohl Surveyors can accept no liability for any loss or damage howsoever arising, to any person or corporation who may rely on this plan for any purpose.

The original of this plan remains the property of Street and Pohl Surveyors and copies of such plan made prior to registration must not be produced without this note which is an integral part of this plan prior to registration.

STEELE & POHLS
LICENSED SURVEYORS
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NORWOOD 5067
PH: 83627900
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EMAIL: steedandpohl@steedandpohl.com.au
HMP.BAC.CC
29/07/11
REFERENCE: A11006C110

Our ref: THG/221237

27 September 2021

Mr Jason Coluccio
Welden & Coluccio Lawyers Pty Ltd
PO Box 1233
FLINDERS PARK SA 5025

By email: jason@welcolawyers.com.au

Dear Jason

DA 7/2020/261 - child care centre - 36 Bailey Road, Two Wells

You have sought our advice in relation to a proposal to develop the land at 36 Bailey Road, Two Wells being the land comprised in Certificate of Title Volume 6098 Folio 323 (**the Land**).

In particular, you have sought our advice on whether a childcare centre (preschool) with associated on-site car parking, landscaping, site works and fencing (**the proposed development**) is a suitable land use in the Rural Living Zone (**the Zone**) of the Mallala Council Development Plan.

In summary, although the proposed development is not expressly envisaged in the Zone, it is broadly compatible with its desired character and the overall intent of the Development Plan. Further, the particular circumstances of the Land and the locality lend support to the proposed development.

The Development Plan

The Land is located in the Rural Living Zone of the Mallala Council Development Plan, relevant consolidation date being 13 December 2018. It is not located in a precinct or policy area, and no development constraints apply.

The majority of the Zone abuts the Primary Production and Animal Husbandry Zones; however, a small portion of its north western corner, nearest the Two Wells town centre, is bordered by the Community Zone and the Residential Zone.

The Land is located towards the outer bounds of the Zone along its boundary with the Primary Production Zone.

Classification and Categorisation

Schedule 1 of the *Development Regulations 2008* relevantly defines “pre-school” to include a childcare centre.

Although appropriately characterised as a childcare centre, the proposed development falls under the broader purview of “community facilities”. In *Urquhart v City of Mount Gambier & Ors (1995) LGERA 57*, Justice Cox interpreted the subject matter of community facilities in a “fairly liberal way”, commenting that “a kindergarten ... is an obvious community facility”. It is relevant that both kindergartens and childcare centres fall under the same definition in the *Development Regulations 2008*.

The proposed development is neither *complying* nor *non-complying* within the Zone and accordingly is to be assessed on its merit.

Approach to Assessment

An examination of the case-law relating to the South Australian planning legislation reveals that there are a number of general principles that have been established to guide a planning authority in the interpretation and application of Development Plan principles in assessing the planning merits of an application. Insofar as the subject development application is concerned, relevant principles include:

1. the Development Plan is a “practical Code calling for practical application”¹;
2. the Development Plan is a practical “planning document” rather than a statute. In other words, it is to be approached on the basis that it expresses planning objectives and principles rather than hard and fast rules having mandatory effect²;
3. although the provisions of the Development Plan are important they are at the end of the day not mandatory; they are couched in the language of “guidelines”³;
4. the Development Plan is not applied in a “theoretical vacuum”. The assessment of a proposed development against the provisions of the Development Plan must be undertaken having regard to the factual and historical context in which the proposed development will be implemented, and having regard to relevant surrounding circumstances⁴; and
5. the appropriateness of a proposed development is to be determined by “gleaning and distilling the overall intent of the Plan from the zoning, policy area and general guides, in the locality and site contexts”.⁵

¹ *City of Mitcham v Freckmann* (1999) 74 SASR 56

² *St Ann’s College v Corporation of the City of Adelaide & Renton* (1999) SASC 479

³ *Alexandrina Council v Strath Hub Pty Ltd* [2003] SASC 382 at [35].

⁴ *Courtney Hill Pty Ltd v SAPC* (1990) 59 SASR 259 : *South Australian Housing Trust v Development Assessment Commission and Corporation of the City of Marion* (1994) 63 SASR 35

⁵ *Emali Early Learning Centre Inc v City of Mitcham & Ors* [2015] SAERDC 36 at [47].

Assessment Against Development Plan

Rural Living Zone

The Rural Living Zone in which the Land is located covers an area of approximately 36.9 square kilometres (3,690 hectares). It is the largest Rural Living Zone in the State and likely comprises well over one thousand dwellings. This is of some significance in considering the distribution of community facilities in locations convenient to the populations they serve.

Objectives 1 and 3 of the Zone provide for “a zone consisting of large allotments, detached dwellings and rural activities that do not adversely impact the amenity of the locality” and development that “contributes to the desired character of the zone”.

The desired character statement for the Zone is one that “provides for low density residential living consisting of detached dwellings on larger allotments and associated small scale, non-intensive rural activities and non-intensive animal keeping.” It also provides for small scale home-based businesses and cottage industries, and seeks a standard of development which will “enhance the rural character [of the zone] and be compatible with [its] residential function and semi-rural environment”.

It can be distilled from the desired character statement that the types of development contemplated in the Zone are primarily residential in nature, with associated “hobby farm”, and home-based business activities. Although the Zone does not speak loudly or clearly in favour of the proposed development, in making a planning assessment it must be acknowledged that it does not speak loudly or clearly *against* it.

The proposed development is not incompatible with the desired character of the Zone. The Land is a large allotment some 1.3ha in size; it is proposed to use less than half of that for the proposed childcare centre, with the balance of the allotment proposed to be planted with a range of olive and fruit trees. Paths between the rows of fruit trees will facilitate nature-based experiences in association with the child care centre, providing a functional link to its semi-rural setting. These complementary small-scale rural activities, in conjunction with the substantial landscaping proposed, will enhance the semi-rural character of the Zone, and will not detract from its residential function. The proposed development is appropriately low density, and in many ways is commensurate to a large detached dwelling with associated hobby farm activities.

It is relevant that PDC 1 specifically identifies “public outdoor recreation activities” as an envisaged land use in the Zone. Although not defined, such a use might be constituted by a children’s playground, sporting grounds, or a bicycle motocross track. The level of activity generated by these activities would likely be greater than that generated by the proposed development. The use of the two outdoor play areas proposed would be on a significantly smaller scale than a public playground, as would the level of traffic generated by the proposed development compared to what could be expected at a local sporting game. It is significant that these types of development are identified as appropriate in the Zone, as it suggests that a feature of “rural living” is non-residential development directed towards community use. Moreover, although the absence of a particular form of development from the non-complying list is “not to be construed as an indicator of support” it is of some import that the types of development listed as non-complying in the Zone generally exclude community facilities.⁶

⁶ *Emali Early Learning Centre Inc v City of Mitcham & Ors* [2015] SAERDC 36 at [47].

Community Facilities

In considering the overall intent of the Development Plan, it is clear that as a matter of town planning, it seeks to promote the clustering of certain types of development in the Town Centre Zone, with a transition outward to residential, then rural land uses; this is reflected in the zoning surrounding the Two Wells town centre, with the Rural Living Zone providing a link between the two.

Objective 1 of the Council Wide Centres and Retail Development provisions provides for the location of “shopping, administrative, cultural, **community**, entertainment, educational, religious and recreational facilities” in integrated centres. This is reflected in the objectives of the Town Centre Zone.

However, Objective 1 of the Council Wide Community Facilities provisions recognises that whilst it is desirable for community facilities to be located alongside other public facilities in integrated centres, primarily they must be located “where they are conveniently accessible to the population they serve”. The reality is that childcare centres such as the one proposed are designed to serve residential areas, and this is reflected in the fact the only zone in the Development Plan which specifically lists childcare facilities and pre-schools as envisioned land uses is the Residential Zone. Indeed, the two existing childcare centres located in Two Wells are in this zone.

It makes good planning sense for the proposed development to be located in the Rural Living Zone, given it will primarily serve the families living in the semi-rural areas located outside the town centre.

Development Adjacent Arterial Roads

In assessing the proposed development regard must be had to the factual and historical context “on the ground”. The Land is in close proximity to the Port Wakefield Highway, which represents a dominant, non-residential feature of the locality. The courts have consistently found that major arterial roads such as this necessarily influence the character of the surrounding area. In *Morrow & Anor v City of Mitcham* [1997] SAERDC 366 the Court said:

Perhaps the most dominant feature of the locality is Cross Road itself - a major, four lane arterial road carrying in excess of 23,000 vehicles per day.

...

*Cross Road has an impact upon the locality. **It constitutes a significant non-residential use within the locality.** It detracts from both the residential character and amenity of the locality. It is a major arterial road within Metropolitan Adelaide. The advertising which may be acceptable on such a road may well be significantly different to that which may be acceptable in residential streets within the same locality. (our emphasis)*

Similar conclusions were reached by Justice Jacobs in *McMillan v City of Salisbury & Anor* [1990] SASC 2095. In considering a proposed development abutting Port Wakefield Road, His Honour commented that:

*The characteristics of a “zone” are **not** necessarily the same throughout its whole area and the achievement of the objectives of a zone may simply not be possible,*

not only by reason of existing non-conforming uses, but by reason of the geographical relationship of the zone to other zones.⁷

...

*It has to be remembered that the subject land is **not** in the heart of a rural or any other zone. It is on the edge of the subject zone, an **edge** which abuts, among other things, an industrial zone, not to mention a **heavily trafficked highway**...⁸
(our emphasis)*

Consequently, the types of development which are appropriate along the Port Wakefield Highway are likely to differ substantially from those located elsewhere in the Zone. To some extent this is already reflected in the locality, with the Verdale Olive Estate, a large commercial orchard, encompassing some 8ha of land adjacent the highway. There are also several non-residential land uses located to the east of the Land (yet still within the Zone) along Port Wakefield Road, including two automotive repair businesses, a florist, and an olive oil manufacturer.

Summary

Whether the proposed development is an appropriate land use in the Zone is determined by “gleaning and distilling the overall intent of the Plan from the zoning, policy area and general guides, in the locality and site contexts”. Some non-residential development which is compatible with the overall residential function and semi-rural character of the Zone is envisioned. The Development Plan recognises that community facilities such as those proposed should be located amongst the community they serve. The reality is the Land is located adjacent a heavily trafficked highway and this necessarily detracts from the residential character of the locality, which influences the types of development which may be appropriate.

In my opinion, the proposed development is an appropriate use of the Land in the circumstances.

Yours faithfully



Tom Game
BOTTEN LEVINSON
Mob: 0419 809 361
Email: thg@bllawyers.com.au

⁷ McMillan at 364-365

⁸ McMillan at 365-366

LAND APPLICATION SYSTEM ASSESSMENT FOR DOMESTIC WASTEWATER DISPOSAL

Project and Site Details

Project No:	201051	Date:	27 November 2020
Client:	Built Solutions	Project:	Proposed Wastewater system
Site Address:	Lot 14 Bailey Road, Two Wells		
Land Slope:	1 in 50 in area of proposed system	Direction:	North to South

Soil Assessment

Basis of assessment: On-site Wastewater Systems Code

Soil Inspection Method: Borehole – refer attached Surface Soil Borelog

Depth to Bedrock:	Not Encountered	Depth to Watertable:	Not encountered
Soil Category: 4	Critical soil texture: Silty Clay	Structure:	Moderately structured
Indicative Permeability (Ksat):	0.5– 0.12 m/d	Design DLR (mm/day):	≈ 10mm/day

Disposal System Assessment

Recommended Treatment System:	Primary treatment unit	No. of persons using system:	120 Students, 26 Staff
Daily Flow rate per person (L/day):	Refer Gama Consulting Calculations	Spa baths/Food waste units:	Nil
Total Design Flow (L/day):	Refer Gama Consulting Calculations	Design Land Application Area:	584m ²
Recommended Land Application System:	Soakage Trench		

Recommendations

1. Water saving devices should be adopted to reduce flow rates to the land application system.
2. Establish vigorous vegetation and where feasible, plant trees and shrubs nearby and preferably downslope to encourage evapo-transpiration. Planting should be carried out with-in 3 months of the system installation on the low side of the mound.
3. Provide regular monitoring to ensure soil does not become waterlogged.

General Notes

1. On site construction of the land application system shall not commence until this assessment is approved by the relevant authority / authorities
2. Other information require to gain approval, such as watershed zoning, proximity to wells, dams or watercourses, liability to flooding etc., is to be established by the owner/owners agent. The distance that a wastewater system or land application system location is currently situated minimum 50m from any watercourse, body of water. Some factors may affect the design of the land application system and must be referred to this office for further assessment.
3. Septic tanks and land application systems shall be installed in strict accordance with AS/NZS 1547:2012 and the SA Health On-site Wastewater System Code-2013. The codes provide crucial information on the management of wastewater systems and guidelines on limitations due to site, soil and climatic factors.
4. the assessment of site suitability for long term effluent disposal; a summary of all site characteristics as per 8.2.2 of the Code; supporting information pertaining to climate characteristics; specific slope at the irrigation area and any

required surface water diversion; any limitations of the proposed system; any soil or land modification required to install the system etc.

5. No roof or surface drainage waters to enter the dispersal field. All downpipes and swales to be directed away from dedicated dispersal or reserve areas. Refer site plan for detail of any specific diversion requirements.
6. Available area: Adequate area is available for dispersal system.
7. Site limitations: No limitations have been identified provided the dispersal network is installed within the proposed area and the wastewater system is operated and managed in accordance with the DHA Code, this design report and any product manufacturers operational conditions.



Matthew Mammone on behalf of Gama Consulting Pty Ltd

NER 5371177

Enclosures

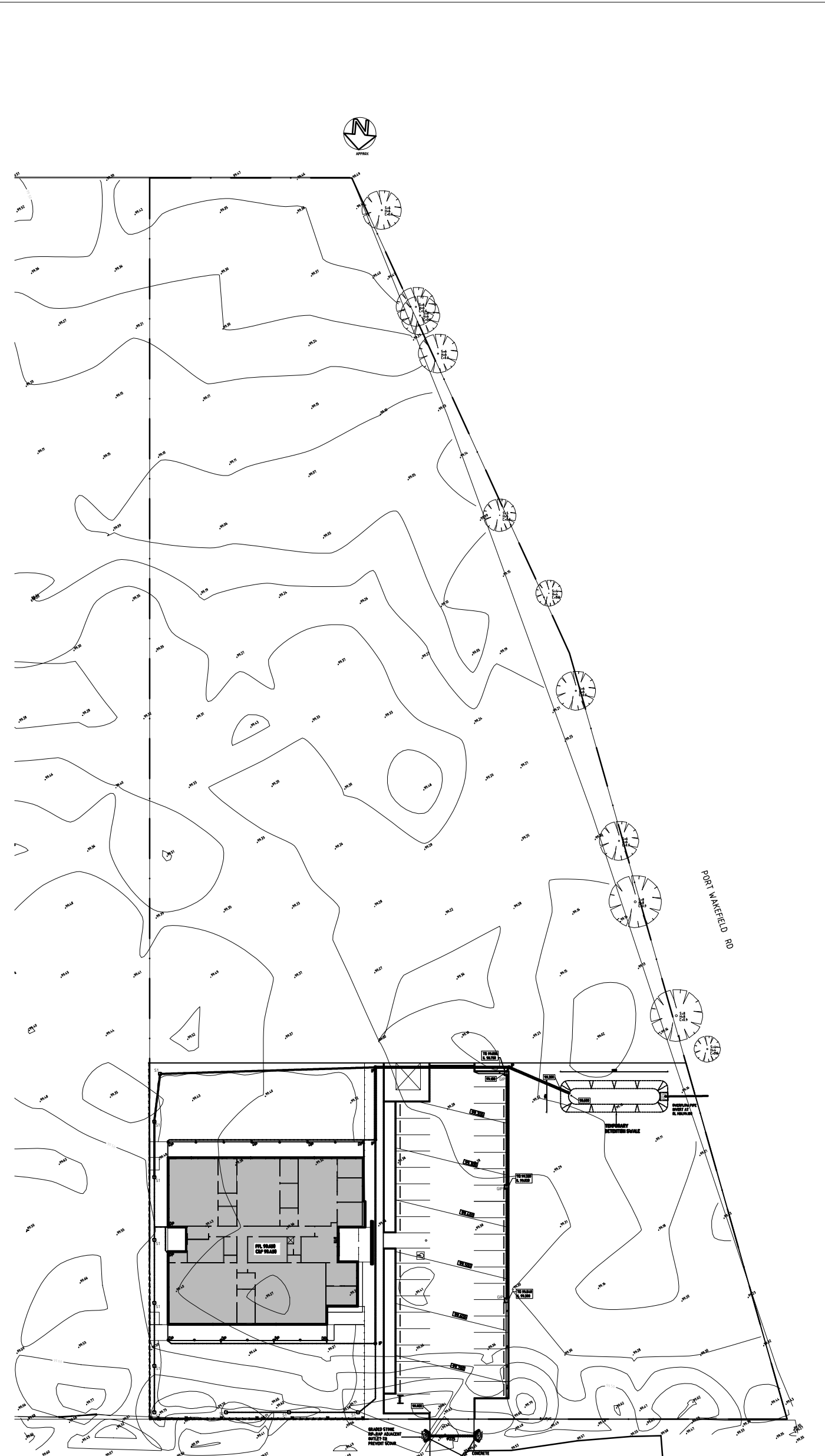
Surface Soil Borelog

Borehole Location Plan

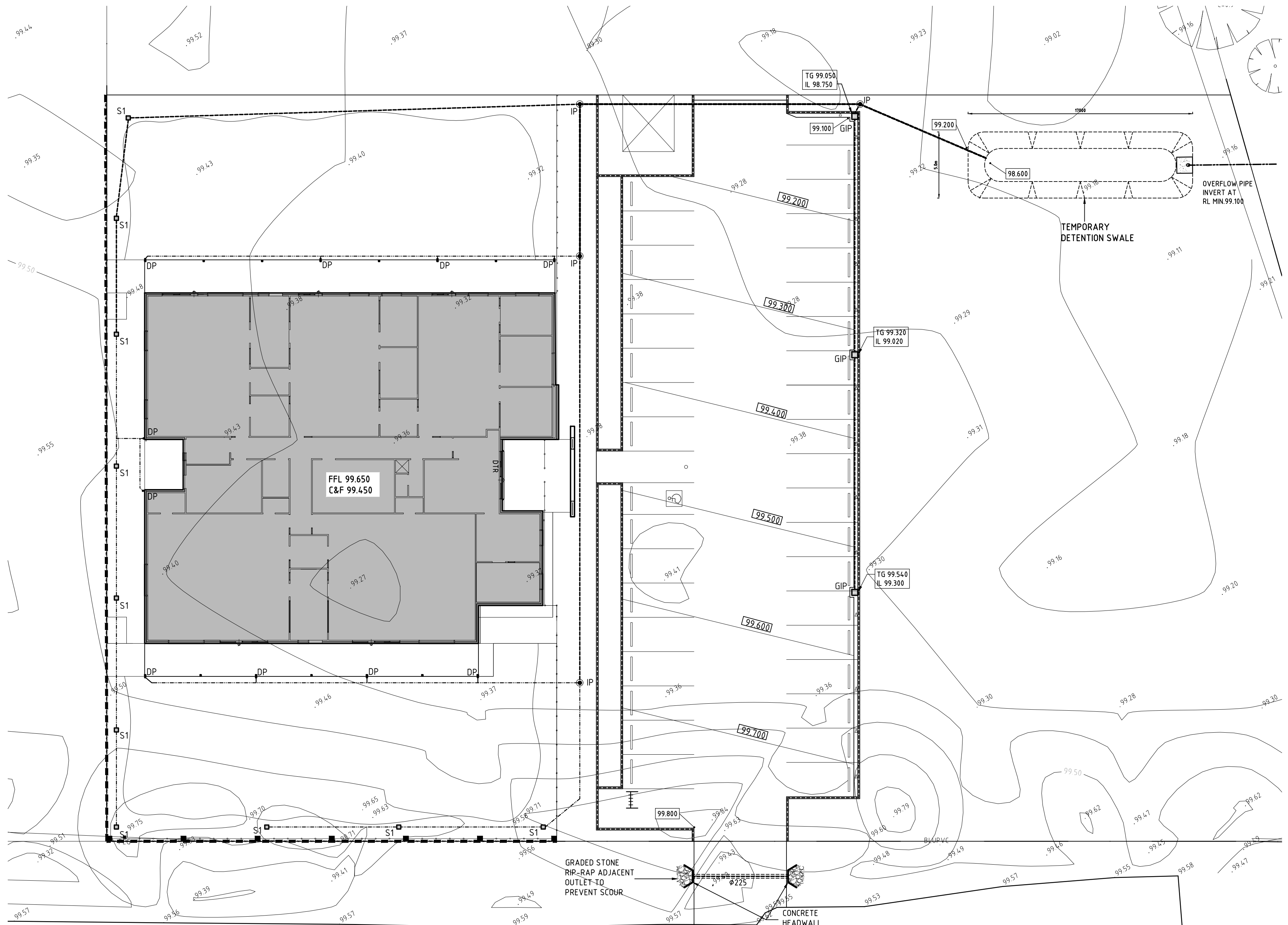
Gama Consulting, Site Plan & Details, Dwg No.: 201051-C01, Rev. A

Gama Consulting, Wastewater Plan, Dwg No.: 201051-C02, Rev. A

Gama Consulting Calculations



SITE PLAN
A1 1:1000
A3 1:500



SITE PLAN 1:200

SITE WORKS NOTES

THIS IS AN ENGINEERING SURVEY PLAN, AND SHOULD NOT BE TAKEN AS A CADASTRAL OR IDENTIFICATION SURVEY. BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY.

SURVEYED BY RAPID SURVEYS

ALL SITE LEVELS AND DETAILS MUST BE CHECKED AND APPROVED BY THE OWNER/BUILDER PRIOR TO COMMENCEMENT OF ANY WORK.

COVER TO PIPES SHALL COMPLY WITH AS 3500.5. PIPES LESS THAN 200mm BELOW THE FINISHED SURFACE UNDER THE DRIVEWAYS SHALL BE ENCASED IN 100mm OF CONCRETE.

SITE CLASSIFICATION TO AS2870-2011: TO BE CONFIRMED

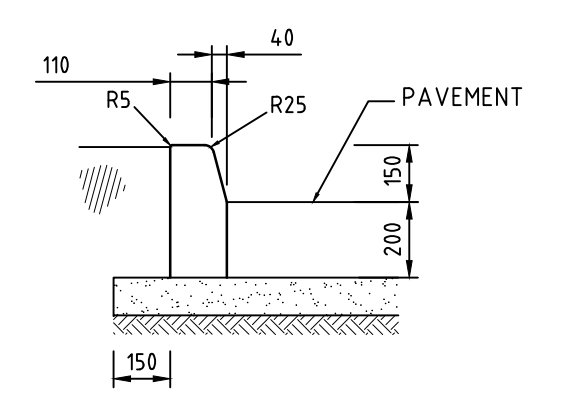
DO NOT SCALE FROM THE DRAWINGS

ANY DISCREPANCIES TO BE REFERRED TO THIS OFFICE FOR CLARIFICATION BEFORE PROCEEDING WITH FURTHER WORK

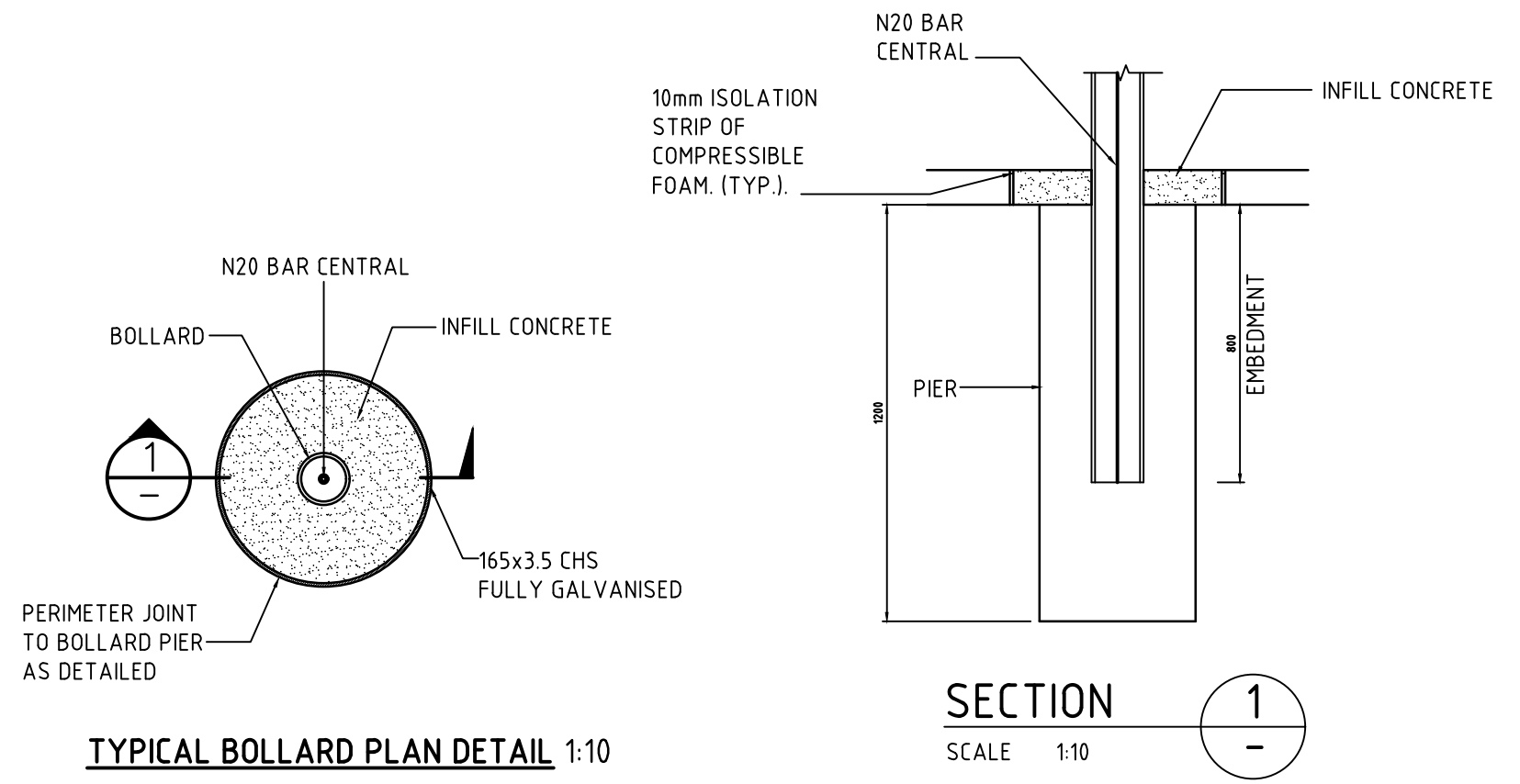
THESE DRAWINGS ARE TO BE READ IN CONJUNCTION WITH THE ARCHITECTURAL DRAWINGS, STRUCTURAL DRAWINGS AND SPECIFICATIONS

LEGEND

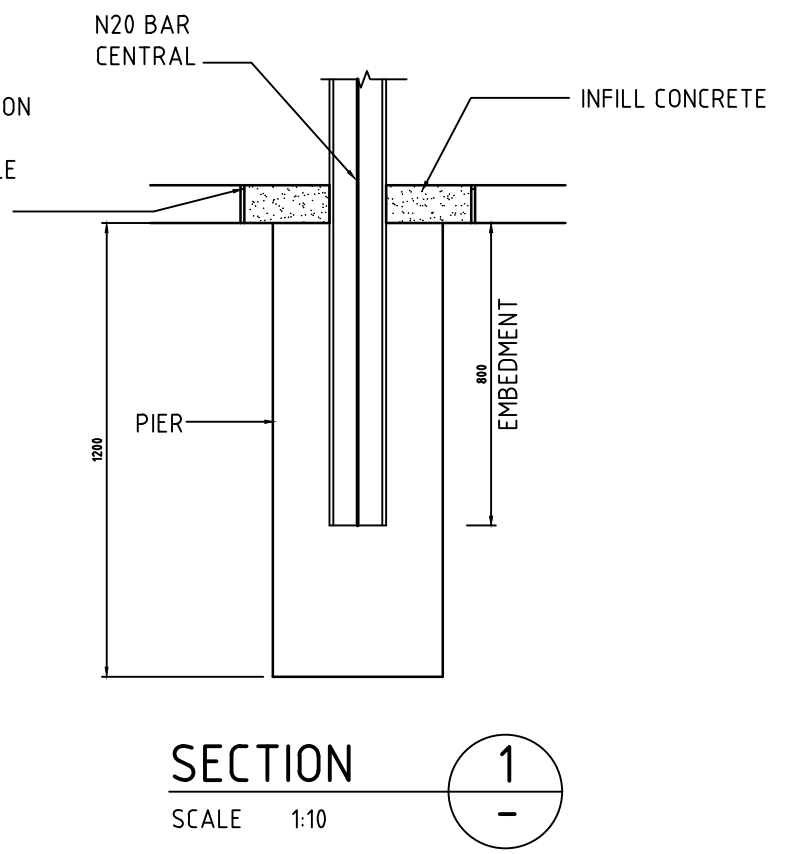
- DN100 STORMWATER PIPE
- DN150 STORMWATER PIPE
- DN225 STORMWATER PIPE
- DP DOWNPIPES
- S1 300 SQ. SUMP (CLASS A GRATED COVER)
- GIP 450 SQ. GRATED INLET PIT (CLASS B GRATED COVER, U.N.O)
- BK BARRIER KERB
- BK&WT BARRIER KERB & CHANNEL
- B BOLLARD
- [100.620] FINISHED DESIGN LEVELS
- NEW PAVING
- SURFACE FALL
- IP INSPECTION POINT
- RETAINING WALL/CONCRETE PLINTH (0.5m MAX. HEIGHT)
- DTR 200 WIDE CONCRETE DOOR THRESHOLD RAMP REFER DETAIL



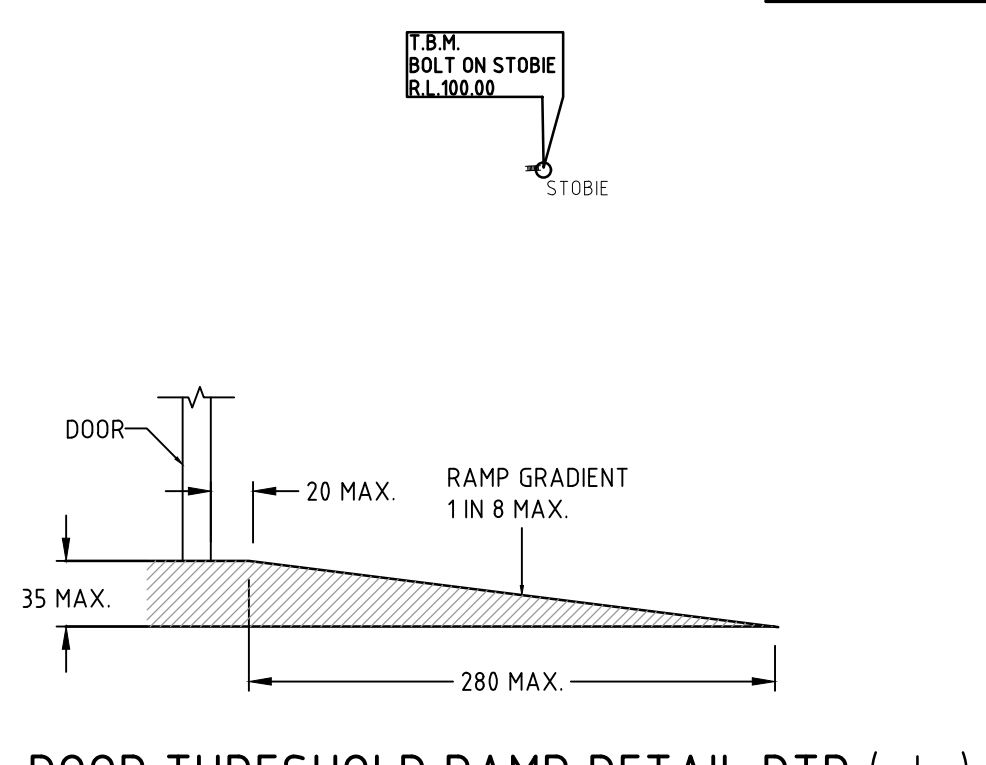
BARRIER KERB (BK)
PROVIDE CONTRACTION JOINTS AT MAXIMUM 3m CENTRES



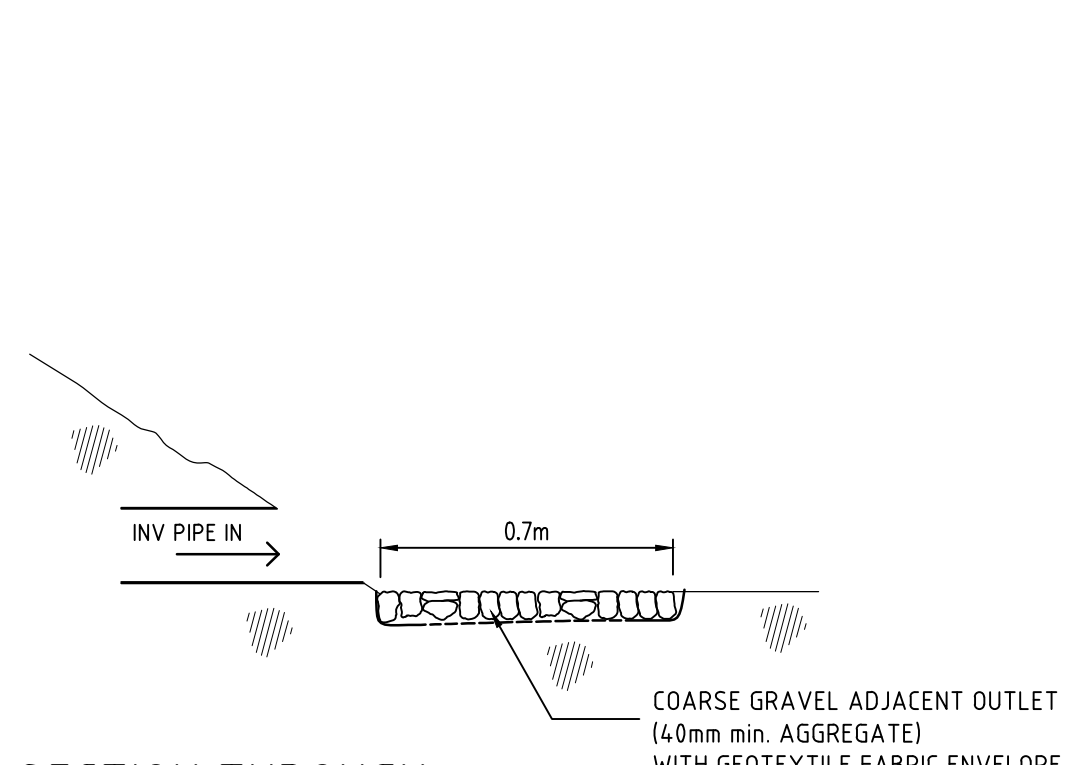
TYPICAL BOLLARD PLAN DETAIL 1:10



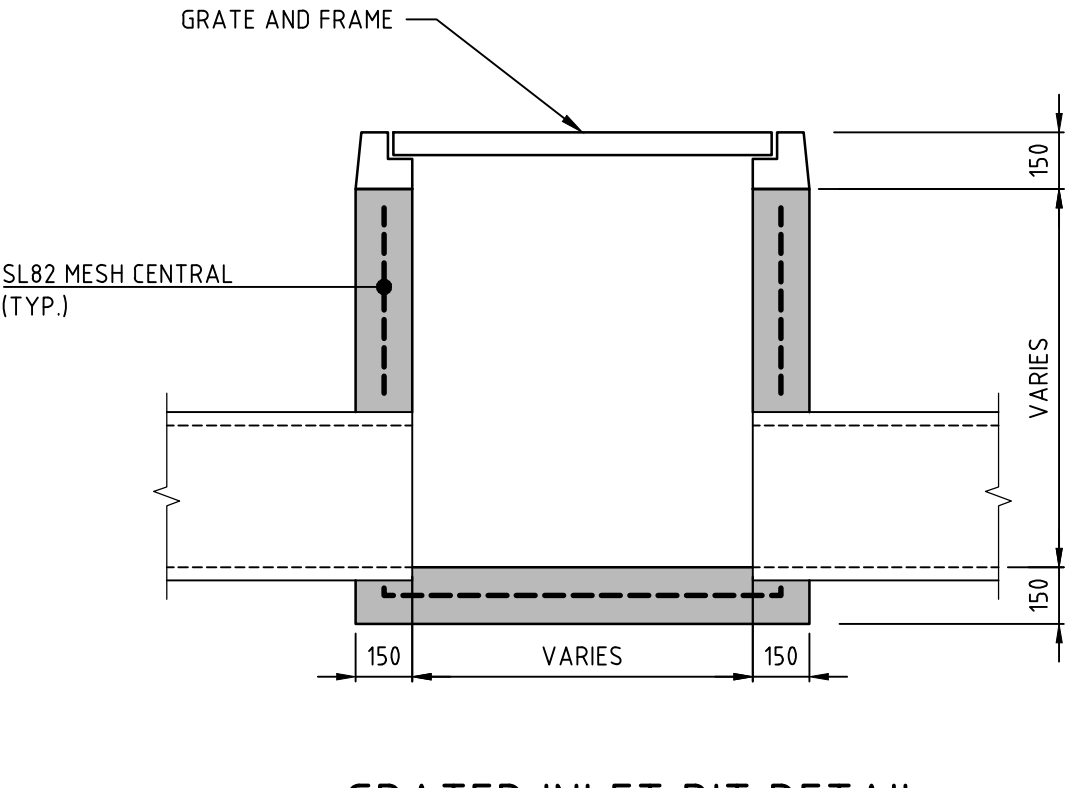
SECTION 1
SCALE 1:10



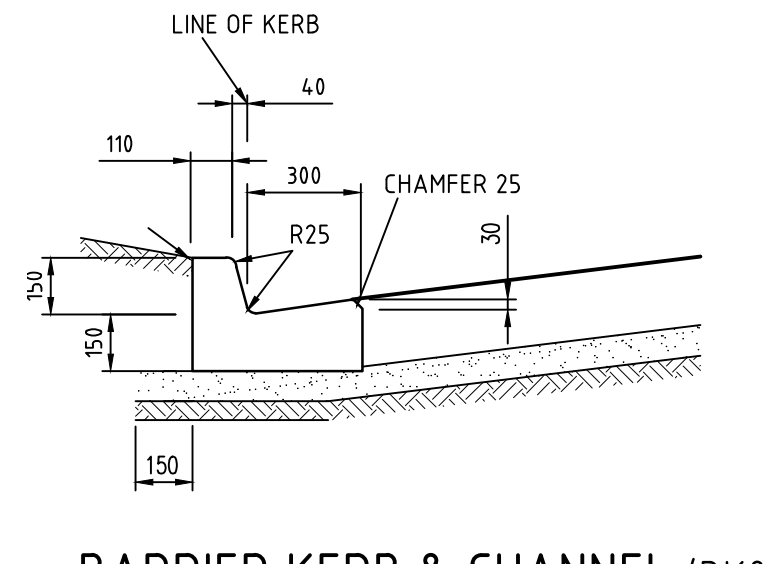
DOOR THRESHOLD RAMP DETAIL DTR (nts)



SECTION THROUGH DISCHARGE OUTLET (nts)



GRATED INLET PIT DETAIL
SCALE 1:20



BARRIER KERB & CHANNEL (BK&WT)
PROVIDE CONTRACTION JOINTS AT MAXIMUM 3m CENTRES

A	ISSUED FOR PLANNING APPROVAL	23/11/20	MM
REV	DESCRIPTION	DATE	APPS

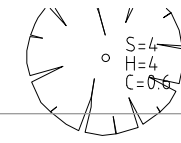


α: Suite 3, No.83 Fullarton Rd,
KENT TOWN, SA 5067
T: 08 7123 4050

admin@gamaconsulting.com.au
www.gamaconsulting.com.au

PROJECT	PROPOSED CHILD CARE CENTRE LOT 14 BAILEY ROAD TWO WELLS, SA
CLIENT	BUILT SOLUTIONS

STATUS	PRELIMINARY	DRAWN CZ	DESIGN CZ
COUNCIL	ADELAIDE PLAINS	DRAFT CHECK CZ	DESIGN CHECK MM
DESCRIPTION	SITE PLAN & DETAILS	DRAWING No.	201051-C01
		SHEET SIZE	A1 REVISION A

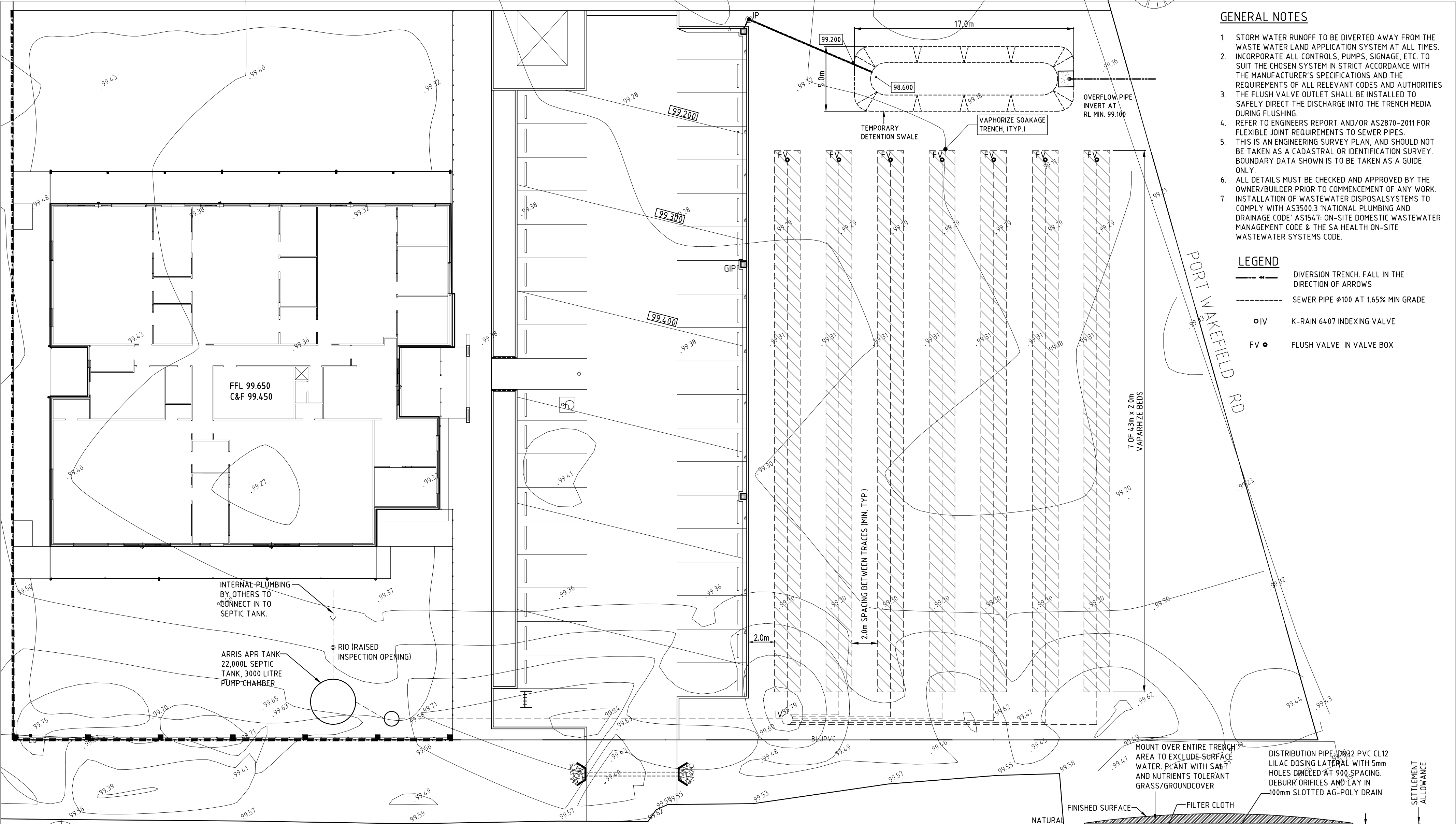


GENERAL NOTES

1. STORM WATER RUNOFF TO BE DIVERTED AWAY FROM THE WASTE WATER LAND APPLICATION SYSTEM AT ALL TIMES.
2. INCORPORATE ALL CONTROLS, PUMPS, SIGNAGE, ETC. TO SUIT THE CHOSEN SYSTEM IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS AND THE REQUIREMENTS OF ALL RELEVANT CODES AND AUTHORITIES
3. THE FLUSH VALVE OUTLET SHALL BE INSTALLED TO SAFELY DIRECT THE DISCHARGE INTO THE TRENCH MEDIA DURING FLUSHING.
4. REFER TO ENGINEERS REPORT AND/OR AS2870-2011 FOR FLEXIBLE JOINT REQUIREMENTS TO SEWER PIPES.
5. THIS IS AN ENGINEERING SURVEY PLAN, AND SHOULD NOT BE TAKEN AS A CADASTRAL OR IDENTIFICATION SURVEY. BOUNDARY DATA SHOWN IS TO BE TAKEN AS A GUIDE ONLY.
6. ALL DETAILS MUST BE CHECKED AND APPROVED BY THE OWNER/BUILDER PRIOR TO COMMENCEMENT OF ANY WORK.
7. INSTALLATION OF WASTEWATER DISPOSAL SYSTEMS TO COMPLY WITH AS3500.3 'NATIONAL PLUMBING AND DRAINAGE CODE' AS1547: ON-SITE DOMESTIC WASTEWATER MANAGEMENT CODE & THE SA HEALTH ON-SITE WASTEWATER SYSTEMS CODE.

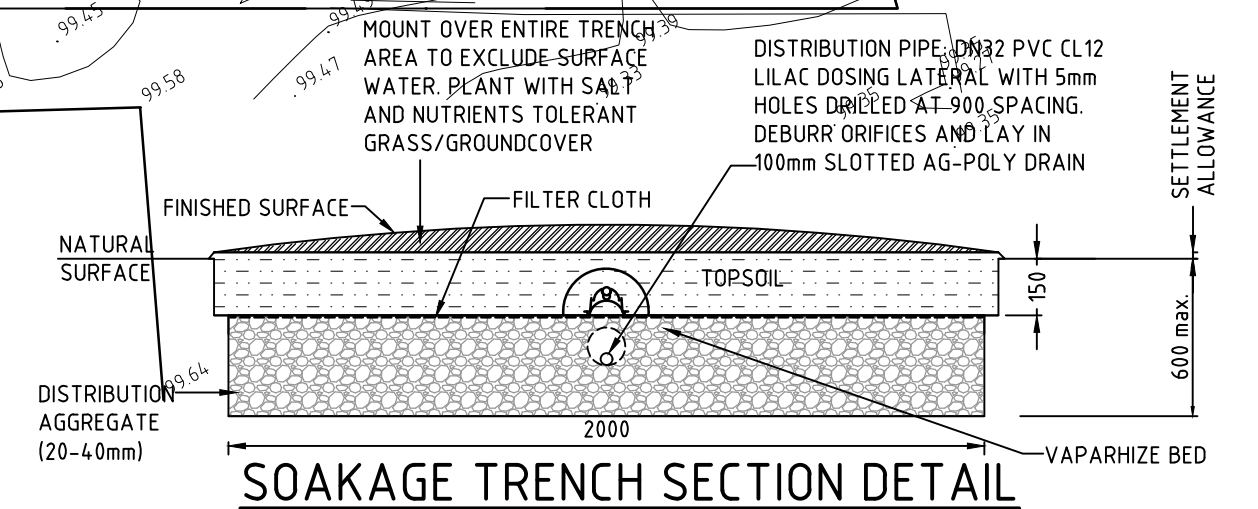
LEGEND

- — — — — DIVERSION TRENCH, FALL IN THE DIRECTION OF ARROWS
- SEWER PIPE Ø100 AT 1.65% MIN GRADE
- IV K-RAIN 6407 INDEXING VALVE
- FV ● FLUSH VALVE IN VALVE BOX



WASTE WATER MANAGEMENT PLAN
1:200

BAILEY RD



SOAKAGE TRENCH SECTION DETAIL

T:\2020\20105\ACAD\CURRENT\20105\1002\REV.A.DWG

IT.B.M. BOLT ON STOBIE R.L. 100.00				
STOBIE				
A	24/11/20	ISSUED FOR PLANNING APPROVAL	EK	MM
REV	DATE	DESCRIPTION	DRN	APP'D



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PROJECT OLD ARE ENTRE
LOT 14 BAILEY ROAD
TWO WELLS, S.A
CLIENT BUILT SOLUTIONS

STATUS	APPROVAL
UNOIL	ADELAIDE PLAINS
DESCRIPTION	WASTE WATER PLAN

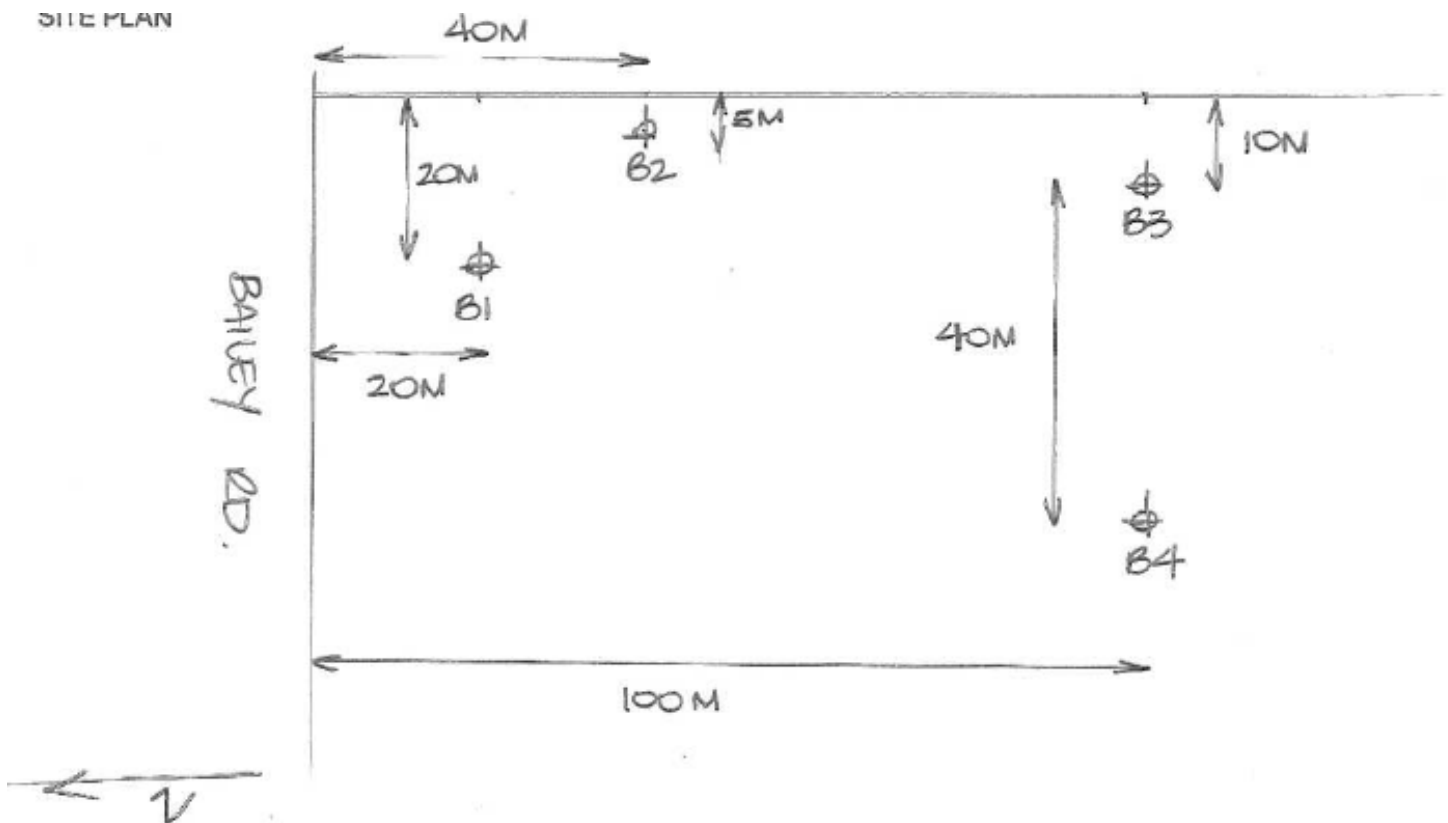
DRAWN	DESIGN
EK	MM
DRAFT	DESIGN
MM	EK
DRAWING No.	201051-02
SHEET SIZE	A2
REVISION	A

Bore Hole Location Plan

Project No. : 201051

Date Sampled : 6/11/2020

Site Address : Lot 14 Bailey Road, Two Wells



Project No. : 201051

Site Address : Lot 14 Bailey Road, Two Wells

Sampling Method : DPT

Date Logged : 9/11/2020

Logged by: JF

BORE 1	BORE 2	BORE 3	Soil Description	USC	Moisture Content	Bearing Strength	Est Ips (%)
Depth (m)	Depth (m)	Depth (m)					
0.00 - 0.40	0.00 - 0.45	0.00 - 0.65	Silty SAND, brown – orange brown, non-plastic, friable.	SM	Very Dry	L/M	0
0.40 - 0.65	0.45 - 0.95	0.65 - 1.05	Sandy Silty CLAY, dark red orange brown, low to medium plasticity, hard.	CL	≤PL	M	1.8
0.65 - 0.90			Clayey SAND, orange brown, very low plasticity, friable.	SC	Dry	M	0.8
0.90 - 1.85	0.95 - 1.85	1.05 - 1.80	Sandy CLAY, orange brown grey, medium plasticity, hard.	CL-CH	≤PL	M	2.2
1.85 - 2.10			Calcareous Sandy CLAY, medium plasticity, brown dark orange cream parts, medium plasticity, firm.	CL-CH	≤PL	M	2.0
2.10 - 2.30			Very Sandy CLAY, reddish orange brown, low plasticity, friable.	CL-SC	≤PL	H/VH	1.0
2.30 - 3.00			SAND, orange – red orange, non-plastic, friable.	SP	Dry	LM	0

General Overview (Also refer AS2870 – 2011)	Legend
The overall soil profile is assessed predominantly as being very highly reactive clay with deep-seated moisture change characteristics. These soil profiles will undergo very high swelling and shrinkage movements upon wetting and drying respectively. The calcareous/limey soils are prone to significant loss of strength and settlement if inundated under load. Shallow surface fill of undetermined origin and compaction was present at the borehole locations. Ground water was not encountered	USC = Unified soil Classification. L = low M = Medium H = High V = Very NP = Non plastic PL = Plastic Limit <u>Bearing Capacity Guide</u> VL ≤ 25 kPa L ~ 50 kPa M ~100 kPa MH ~150 kPa H ~ 200 kPa VH > 200 kPa

The number of borelogs taken on the site is in accordance with AS2870 and will be sufficient to gain the average soil characteristics. It is not economically viable or practical to determine every sub-surface feature on a site, consequently any variations or discrepancies found on site in soil type, colour, or horizon depth, shall be referred to the Engineer immediately.

Gama Consulting will not accept liability for the use of this Surface Soil Borelog by any third party until and unless permission has been duly granted in writing, as other matters not specifically mentioned on this sheet may have been taken into account in our assessment.

Project No. : 201051

Site Address : Lot 14 Bailey Road, Two Wells

Sampling Method : DPT

Date Logged : 9/11/2020

Logged by: JF

BORE 4			Soil Description	USC	Moisture Content	Bearing Strength	Est Ips (%)
Depth (m)							
0.00 - 0.45				SM	Very Dry	L/M	0
0.45 - 0.85				CL	≤PL	M	1.8
0.85 - 1.65				CL-CH	≤PL	M	2.2
1.65 - 2.10				CL-SP	≤PL	H/VH	1.0
2.10 - 3.00				SP	Dry	LM	0

General Overview (Also refer AS2870 – 2011)	Legend
The overall soil profile is assessed predominantly as being moderately reactive clay with deep-seated moisture change characteristics. These soil profiles will undergo moderate swelling and shrinkage movements upon wetting and drying respectively. The calcareous/limey soils are prone to significant loss of strength and settlement if inundated under load. Shallow surface fill of undetermined origin and compaction was present at the borehole locations. Ground water was not encountered	USC = Unified soil Classification. L = low M = Medium H = High V = Very NP = Non plastic PL = Plastic Limit <u>Bearing Capacity Guide</u> VL ≤ 25 kPa L ~ 50 kPa M ~100 kPa MH ~150 kPa H ~ 200 kPa VH > 200 kPa

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Gama Consulting will not accept liability for the use of this Surface Soil Borelog by any third party until and unless permission has been duly granted in writing, as other matters not specifically mentioned on this sheet may have been taken into account in our assessment.

CHILD CARE CENTRE

- OPERATES 5 DAYS ONLY
- LAUNDRY OFF-SITE
- STAFF = 26
- CHILDREN = 120

PREMISE DESCRIPTION: CHILD CARE CENTRE

SITE ADDRESS:

WATER SUPPLY: SA WATER MAINS SUPPLY

SYSTEM SIZE:

BEST FIT AS DESCRIBED IN DATA CODE } APPROX E:
CHILD CARE

SEPTIC TANK SIZE: $(S \times Y \times P1) + (P2 \times DF)$

$S = 48 \text{ L/P/Y}$

$Y = 2$

$P1 = 146$

$DF = 35 + 5 \text{ (CAMERON)}$

$P = 146$

SEPTIC TANK SIZE: $14016 + 5840$

$: 19856 \text{ L}$

\Rightarrow IMPLEMENT 22,000 L SEPTIC TANK.

\therefore AUTOMATE FLOW: 5840 L/DAY

$\therefore \text{EPN} = 10 \text{ L/m}^2/\text{d}$

TOTAL AREA REQUIRED = $5840 / 10$

= 584 m^2



apc.sa.gov.au
Adelaide Plains Council
RECEIVED

27 JAN 2021

**DEVELOPMENT ACT 1993
Representation on Application**

My Name: F.A. Belperio

Contact No: 040 220 5421 Email: —

My postal address: PO Box 646

Two wells Postcode 5501

Details of the application are as follows:-	
DEVELOPMENT NO.	312/261/2020
APPLICANT'S NAME	BUILT SOLUTIONS PTY LTD
NATURE OF THE DEVELOPMENT	Construction of a pre-school (childcare centre) with associated on-site car parking, landscaping, site works and fencing
SUBJECT LAND	Lot 14, 36 Bailey Road Two Wells CT:6098/323
ZONE	Rural Living

My interests are: owner of local property
 occupier of local property
 a representative of a company/other organisation affected by the proposal
 a private citizen
 (Cross out whichever does not apply)

The address of the property affected is
Lot 9 A Garden Ave Two wells Postcode 5501

The specific aspects of the application to which I make comment on are:

- * noise
- * traffic - on dead end road
- * Farm owner directly behind / border of childcare

.....(please attach additional information if required)

I, Assunta Belperio wish to be heard in support of my submission by

- appearing personally
- being represented by the following person: John Kiparoglou
- do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>27.1.21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 550
Signature: <u>A. Belperio</u>	



info@apc.sa.gov.au
apc.sa.gov.au
Adelaide Plains Council

RECEIVED

**DEVELOPMENT ACT 1993
Representation on Application**

27 JAN 2021

My Name: Bruno Lopresti
Contact No: 0448343704 Email: bruno1@adelaideplains.council.sa.gov.au
My postal address: PO Box 154
Two Wells Postcode 5501

Details of the application are as follows:-	
DEVELOPMENT NO.	312/261/2020
APPLICANT'S NAME	BUILT SOLUTIONS PTY LTD
NATURE OF THE DEVELOPMENT	Construction of a pre-school (childcare centre) with associated on-site car parking, landscaping, site works and fencing
SUBJECT LAND	Lot 14, 36 Bailey Road Two Wells CT:6098/323
ZONE	Rural Living

My interests are: owner of local property
~~occupier of local property~~
~~a representative of a company/other organisation affected by the proposal~~
~~a private citizen~~
(Cross out whichever does not apply)

The address of the property affected is
30 Bailey rd Two Wells Postcode 5501

The specific aspects of the application to which I make comment on are:
NO need for a new childcare. this is a rural area with Farms and spraying of our property. We dont want Bailey rd open to traffic. Also a lot of noise and unnecessary traffic.
.....(please attach additional information if required)

I, Bruno Lopresti wish to be heard in support of my submission by
• appearing personally
• being represented by the following person:
• do not wish to be heard in support of my submission (Cross out whichever does not apply)

PRIVACY PLEASE NOTE:

I acknowledge that copies of this representation and supporting documentation will be provided to interested persons in accordance with the *Development Regulations 2008*. Written representations form part of the reports attached to Council agendas. The agenda, minutes and associated reports are made available on Council's website. Information including names and addresses recorded in these documents can therefore be searched by the various website search engines.

Date: <u>27-1-21</u>	Return Address: Manager Development Assessment, Adelaide Plains Council PO Box 18 Mallala SA 550
Signature: <u>B. Lopresti</u>	

4 February 2021

George Jacks
Adelaide Plains Council
PO Box 18
Mallala SA 5502

By email: gjacks@apc.sa.gov.au

Dear George

Response to representations for development application 312/261/2020 for the construction of a pre-school (childcare centre) with associated on-site car parking, landscaping, site works and fencing at Lot 14, 36 Bailey Road, Two Wells.

1.0 Introduction

Adelaide Planning and Development Solutions (APDS) have been engaged by Built Solutions Pty Ltd to provide a response to the representations received following the Category 3 public notification of a proposed development at Lot 14, 36 Bailey Road, Two Wells.

In preparing this response, I confirm that I have visited the subject land and locality, had regard to the representations and the Mallala Council Development Plan, Consolidated 13 December 2018.

This response should be considered in addition to the amended plans by Aspex Building Designers dated 20 November 2020 and the Traffic Report by Cirqa, which, along with the detailed response below, addresses the matters raised by the representors.

For the reasons I will detail below, I am of the view that the proposal results in a development which warrants Development Plan Consent.

2.0 Representation

Two representations were received during the public notification period – each raising similar objections. Both representors wish to be heard by the Council Assessment Panel in support of their representation.

The table provides details of the name of the representor, their address, whether they wish to be heard and the nature of their objections.

Location ID	Name of representor	Address of representor	Wishes to be heard by CAP	Objections
1 – Red	Bruno Lapresti	30 Bailey Road, Two Wells	Yes	Land use conflicts, traffic and noise
2 - Green	Assunta Belperio	Lot 9A Garden Avenue, Two Wells	Yes (represented by John Kiparoglou)	Noise, traffic, land use conflicts

Location of Representors



3.0 Consideration of representations

Having reviewed the representations received, the concerns raised specifically relate to:

- *Land use conflicts with adjacent farming uses*
- *Increased traffic along dead-end road*
- *Noise*

We respond accordingly:

3.1 Land use conflicts with adjacent farming uses

In regards to the proposed 'childcare centre' being an appropriate land use in the Rural Zone, the zone envisages residential development along with employment generating activities such as farming, home based industries and horse keeping. Whilst the land use as a childcare centre is not specifically listed as an envisaged land use in the Rural Living Zone, there is minimal policy guidance on the types and forms of non-residential development that may be appropriate in the zone.

It is noted that 'Pre-school' and 'Childcare centre' are not referenced in the complying nor non-complying list and are therefore a form of development which needs to be assessed on its merits. It is our opinion that the childcare centre has sufficient merit and is an appropriate form of development to support the residents of the rural living allotments along with providing child-care options for employers and employees of the employment generating uses in the area.

In regards to the potential for land use conflicts, the following provisions are applicable to the proposal:

- The Desired Character statement for the zone asks that development '*minimises potential amenity impacts on sensitive land uses through the use of appropriate buffers and will protect the amenity of and outlook from, the residential areas adjacent to the zone and from Port Wakefield Road*'.
- Principle of Development Control 17 of the General Section 'Interface Between Land Uses' asks for '*Development that is adjacent to land used for primary production (within either the zone or adjacent zones) should include appropriate setbacks and vegetative*

plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production'.

To address the above provisions and minimise potential conflicts of spray drift and other impacts associated with primary production, the proposal has incorporated extensive landscaping around the perimeter of each of the outdoor play areas and has fewer windows on the eastern side of the building. The landscaping plans have been updated since the proposal was publicly notified to address the representors' concerns, which now show significant additional plantings around the perimeter of the play areas, car parking areas and within the green space adjacent Port Wakefield Road.

Furthermore, the proposed building has been set well back from Port Wakefield Road, separated by the car park and has a generously landscaped noise buffer to minimise the visual impacts of the building to the road and noise impacts of the high-speed road to the sensitive childcare centre land use.

As such, it is considered that the proposal addresses the provisions relating to land use and interfaces between land uses in the Mallala Council Development Plan.

Additional potential interface issues have already been addressed in the Supporting Statement, which accompanies the application and forms part of the public notification documentation.

3.2 Increased traffic along dead-end road

The representors have raised concerns with increased traffic along Bailey Road, which is not currently open to through traffic. In order to address these concerns, a traffic report has been provided by Cirqa which demonstrates that the amount of increased traffic along Bailey Road as a result of the proposal is reasonable and well within the capacity of Bailey Road. The report states:

'In order to determine the peak hour traffic generation of the proposal, it has been assumed that 60% of the child care peak period will occur during the peak hour (i.e. 0.48 am and 0.42 pm peak hour trips per child). Based upon these rates, the proposed development would generate in the order of 58 am and 50 pm peak hour trips.

Vehicle movements will be distributed via the proposed access point on Bailey Road. Assuming an approximate 50% in/50% out split during the am and pm peak hour, there would be in the order of 25 to 30 inbound and 25 to 30 outbound trips in each peak hour.

Such volumes would be well within the capacity of Bailey Road. The movements would then be distributed to the various surrounding roads at the intersection of Bailey Road and Garden Avenue with any one movement at the intersection experiencing an increase of 15 movements or less. Such an increase in movements is very low and would be easily accommodated at the intersection and on the surrounding road network.'

Furthermore, the proposal does not change the nature of Bailey Road as a dead-end road. It will continue to be closed to through traffic to and from Port Wakefield Road.

As such, the Cirqa report demonstrates that the increase in traffic movements is very low and unlikely to detrimentally impact on nearby land uses and the surrounding road network.

3.3 Noise

In regards to the noise aspects raised by the representors, there are no dwellings in close proximity to the proposed development which are likely to be impacted by the proposed childcare centre. The nearest dwellings are located on the opposite side of Bailey Road, set back more than 42 metres from the proposed childcare building. It is considered that the proposal offers sufficient set backs and landscaping to mitigate any impacts of noise emanating from the site to the existing development noting that there is an olive processing plant on the opposite side of the road which would result in significantly greater impacts compared with the proposal.

The Interface Between Land Uses section of the development plan asks for development to be designed and sited to minimise negative impact on existing and potential future land uses considered appropriate in the locality and be designed, constructed, and sited to minimise negative impacts of noise and to avoid unreasonable interference. As such, the proposed development includes 2.1m high Colorbond acoustic fences along the southern and eastern boundaries of the outdoor play areas to minimize noise to future development. These fences will include standard 50mm thick insulation with a density of 32kg/m³ in the cavity which will restrict the transfer of noise to the east and south.

In regards to traffic noise, as discussed above, the noise impacts associated with the increase in traffic along Bailey Road will be minor and reasonable given the increase in movements is very low.

4.0 Conclusion

For the above reasons and based on the amended plans by Aspex Building Designers dated 20 November 2020 and the Traffic Report by Cirqa, the proposal in our opinion represents an appropriate development expressly sought by the provisions of the Rural Living Zone, the provisions contained in the Council Wide 'Impacts Between Land Uses' section of the Mallala Council Development Plan and the unique circumstances of the subject land and locality.

It is our opinion that the proposal is consistent with the objectives and desired character of the Rural Living Zone as it offers a community land use that supports rural living and the employment generating activities in the area.

The proposal will ensure there are minimal impacts in terms of noise and conflicts between land uses which have been appropriately managed through the design of the built form in accordance with the General Section provisions of the Development Plan. Further, the traffic impacts have been assessed in the Traffic Report by Cirqa which considers the increase in traffic to be very low and therefore reasonable.

For the reasons contained within this response, the proposed development satisfies the intent of the requirements of the Development Plan in relation to the issues raised by the representors. Therefore I contend that the proposal represents an appropriate form of development and warrants support.

Please confirm when this proposal will be considered by the Council Assessment Panel and the date and time of the meeting. A representative shall attend at this meeting in support of the proposal.

Should you have any queries or require any further information or clarification with any components of this response, please do not hesitate to contact by contacting me by email at mark@adelaideplanning.com.au.

Yours Sincerely,

A handwritten signature in black ink, appearing to be 'Mark Kwiatkowski', written in a cursive style.

Mark Kwiatkowski MPlA CPP

Director + Urban and Regional Planner

**Adelaide Planning & Development Solutions Pty Ltd - Town Planning Specialists - Planning
Private Certifiers**

Application Number	21013767
Applicant	Mr Mohammad Baqeri
Development Proposal	Construction of three (3) additional broiler sheds on the existing poultry farm and increased capacity to raise additional poultry
Subject Land	Lot 72, 51 Lemmey Road, Lower Light, CT 4361/796, Hundred of Dublin
Zone	Rural
Policy Area	N/A
Precinct	N/A
Nature of Development	Performance Assessed
Public Notification	15 July - 5 August 2021
External Referrals	Environment Protection Authority (EPA)
Assessing Officer	Martin Rutt – Planning Officer
Recommendation	Approve with conditions

BACKGROUND

The applicant has previously sought approval to expand the existing broiler sheds in 2016 by adding 2 new sheds the existing 5 broiler sheds and 2 large rainwater tanks. Development Plan Consent was granted on 2 May 2017 and full development approval was granted on 2 October 2018.

PROPOSAL

The applicant is seeking consent to expand the existing broiler sheds to be used for raising chickens. There are currently 7 sheds onsite. One of the new sheds (shed 3) is proposed to be sited between two existing sheds (2 & 4) at the rear of the site. The other 2 proposed sheds will be constructed in front of the existing sheds, closer to the front property boundary.

The proposed sheds will be 180.35m long and 15.65m wide making a total of area of 2822.48m² or a combined total of 8467.44m² of building area. Two sets of ten fans will be situated at one end and two extraction fans will be included at the other end of each building to draw fresh air through.

Proposed shed 3 is located approximately 55m from the northern property boundary and 42m from the southern boundary. Proposed shed 9 is located 37m from the northern boundary and 52m from the southern boundary. Shed 10 is located at the eastern end of the subject land 250m from front property boundary, 20.9m from the northern boundary and 68m from the southern boundary.

Ranging areas for chickens will be fenced in along the sides of each shed. Green pick will be irrigated from roof water runoff and will be supplemented by mains water where required.

The combined holding capacity of the existing and proposed sheds will be as follows:

- Existing sheds 1, 2, 4, 5, 6, 7, 8 = 269,500 birds (23,500 to 44,500 birds per shed)
- Proposed sheds 3, 9, 10 = 147,000 birds (49,000 birds per shed)
- Total no. of birds = 416,5000 birds

The applicant is proposing to plant native trees, shrubs and groundcovers along the northern and southern property boundaries to assist in screening the sheds from view. Landscaping will also be extended along the front (eastern) property boundary.

Generator upgrades will be made to accommodate additional energy demands. Mains power supply is also proposed to be upgraded. On site water storage will include a total of 375 kilolitre tanks which will be filled with water captured from roof tops. Mains water will supplement rainwater if required. Existing water storage tanks are readily accessible to CFS vehicles in the event of a bushfire.

Each of the new sheds will include 2 x 23 tonne feed silos situated next to the northern end of each shed. The internal network of gravel roads will be extended to provide access to the proposed sheds.

The applicant has provided information regarding the existing and proposed management of the chicken farm regarding animal welfare and optimal growing conditions. Flocks of birds will be managed as follows:

- Chickens will be grown out in batch cycles of up to 6 weeks and are then removed from the site
- Litter will be removed from the buildings and the site and will be taken to the nearest composting facility within 48 hours of the birds removal
- Mortalities are kept in a Bio Bin and will be regularly removed and taken to a specialist licenced composting facility
- In the event of a disease outbreak, a mortality pit will be used when not using Bio Bins/freezing containers. Trucks are restricted to the site in these situations to prevent disease spread.
- The farm will be managed to maximize the health of birds and sheds will be disinfected after use. Trucks are disinfected when entering the site, removing litter and dead birds, and having a bird free period between batches.

In consultation with the Environment Protection Authority (EPA), the applicant is proposing the following in relation to vehicle movements to and from the site:

- Feed delivery to occur between 7am and 10pm
- Cooling fans not operating between 10pm and 7am
- Truck engines to be switched off during collection periods between 10pm and 7am

Hatchlings are delivered to the site in 2 to 3 truckloads at the beginning of each growing period. Approximately 8 to 10 trucks required for each shed during bird pickups. Pickups will occur occur 4

times during the growing period. A maximum of 100 trucks is envisaged in a growing period with a maximum of 30 trucks on the last day of pick up. Catching birds is done after 6pm to minimise stress on the birds.

A copy of the consultant's report and associated plans is provided as **Attachment A**.

SUBJECT LAND AND LOCALITY

The subject land is Lot 72, 51 Lemmey Road, Lower Light and is contained in Certificate of Title Volume 4361 and Folio 796 in the Hundred of Dublin. The land is an irregular shaped allotment of approximately 30 hectares and has a frontage to Lemmey Road of 203m, a northern boundary of 1.2km, a southern boundary of 1.42km and western boundary of 330m.

The subject land is relatively flat and includes 7 existing broiler sheds, a caretakers residence (at the rear) and associated ranging areas are situated east of the caretakers residence. An image of the subject site is provided below which shows the low profile nature of the sheds.



Figure 1: Subject land viewed from Lemmey Road

The locality is characterised by a range of land uses including intensive animal keeping, waste management activities, open grazing, a major landfill facility and a mushroom farm. Several dwellings and farm buildings are scattered throughout the wider area. A disused dwelling is situated on the adjoining land, south of the subject land. Lemmey Road is an unsealed all weather access road that runs parallel to and provides direct access to Port Wakefield Road.

PUBLIC NOTIFICATION

Each zone contains a 'Procedural Matters – Notification' table that sets out the kinds of developments that are exempt from requiring public notification. Development applications that are determined to be minor in nature and will not unreasonably impact on the owners or occupiers of land in the locality of the site of development, are also exempt. The Rural Zone list of exempted land uses does not include intensive animal keeping.

The proposal involves a substantial increase in the size of the existing facility and scale of intensive animal keeping which is considered to be a 'change of use' under the Planning, Development and Infrastructure Act 2016 (Section 4 (d) which includes if *'there is an increase in the intensity of the use of the land which is prescribed by the Planning & Design Code a constituting a material increase for the purposes of this paragraph'*. For this reason the application could not be considered minor in nature and required public notification.

The application underwent public notification from 15 July to 5 August with only adjoining property owners notified (refer to Figure 1). A copy of the plans were also made available to the public at the Mallala and Two Wells offices.

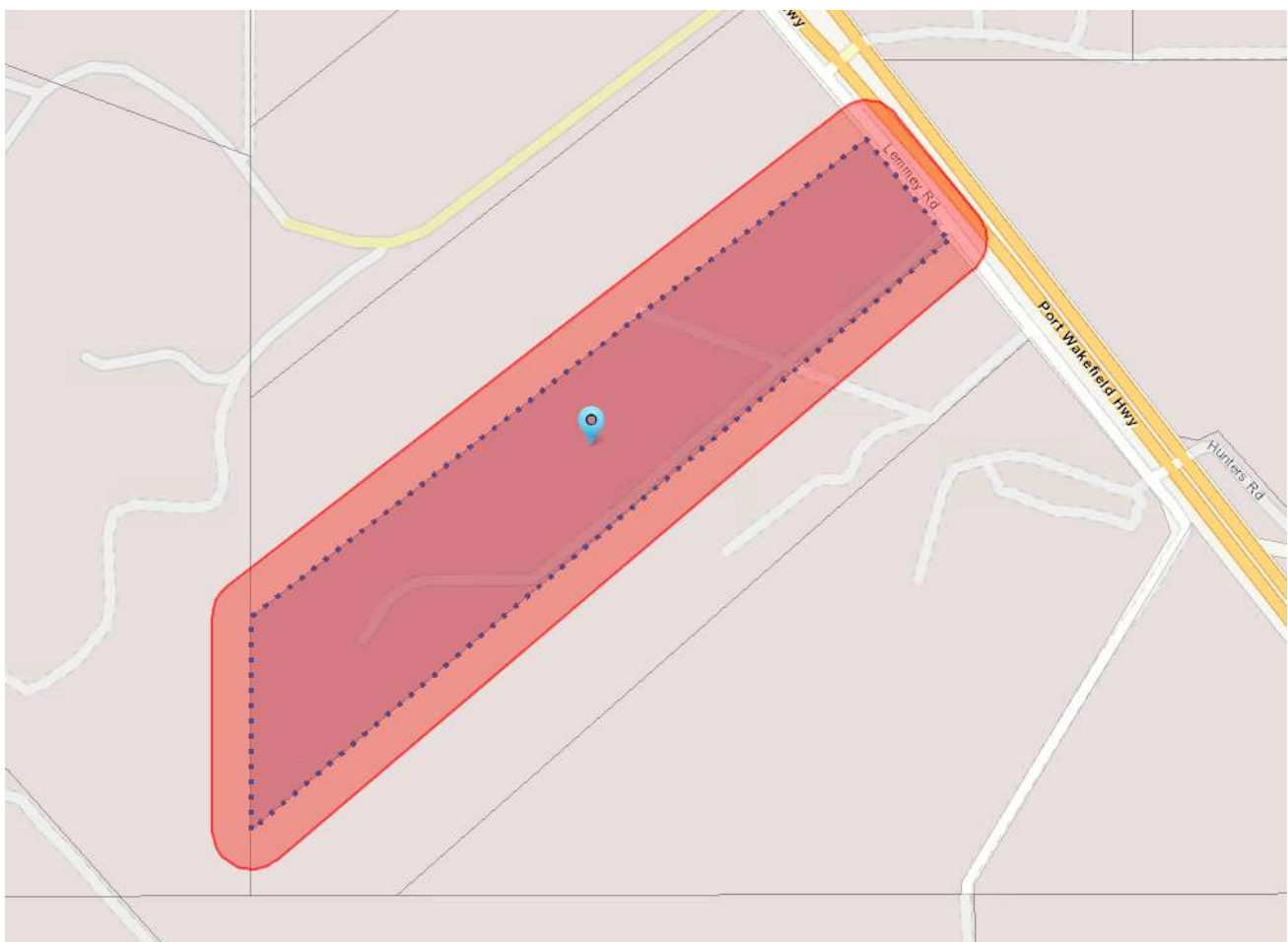


Figure 2: Subject land (blue pin) and 3 adjoining properties that were notified.

SUMMARY OF REPRESENTATIONS

As a result of the public notification, no submissions were received from the notified adjoining property owners or members of the public.

INTERNAL REFERRALS

Nil

EXTERNAL REFERRALS

The application was referred to the Environment Protection Authority (EPA) in accordance with Schedule 9 of the Planning, Development and Infrastructure Regulations (General) 2017. The applicants met with the EPA to cover several areas of concern with the proposal, including the disused dwelling on the southern allotment, delivery times, cooling fan operation times and truck management in evenings. Details covering these aspects of the proposal are covered in the proposal and assessment sections of the report. The EPA support the proposal subject to the inclusion of a range of conditions that will control the management of the site. A copy of the EPA response, including proposed conditions are provided as **Attachment B**.

ASSESSMENT

With the recent introduction of the Planning & Design Code on 19 March 2021, the assessment section of this report is structured in a way that reflects the new hierarchy of policies in the Code. In general, the hierarchy of policies flows in descending order (highest to lowest) as follows - Overlay, Sub Zone (if applicable), Zone and General Development Policies.

Overlays

Environment and Food Production Area Overlay

The Environment and Food Production Area (EFPA) Overlay seeks to protect valuable rural food production areas from urban encroachment (PO 1). The proposed expansion of the existing land use is considered acceptable and supported in the overlay as intensive animal husbandry is a form food production. The application does not include a proposal to divide the land around the facility (PO1.1).

Hazards (Bushfire – General Risk) Overlay

The Hazards (Bushfire – General Risk) Overlay is a low risk area that covers a large portion of the Rural Zone. The overlay seeks to ensure buildings and structures are located away from areas that pose an unacceptable bushfire risk (PO 1.1). The proposed shed is located in an area that is devoid of native vegetation. The retention basins (dams) and rain water tanks will provide water for firefighting purposes.

The overlay requires (PO 2.1) that buildings and structures be designed and configured to reduce the impact of bushfire by using designs that reduce the potential for trapping burning debris. The sheds are to be built at ground level (not elevated) and materials cannot be trapped underneath or between buildings.

Hazards (Flooding – Evidence Required) Overlay

The Hazards (Flooding – Evidence Required) Overlay adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential food risk through the

appropriate siting and design of development DO 1). There is no information available on Council's existing GIS or the State Governments SAPPA mapping system to suggest the land is at risk of flooding in a substantial flood event. The proposal is considered to comply with PO 1.1.

Interface Management Overlay

The subject land is located in the Interface Management Overlay. The focus of the overlay is to avoiding the development sensitive receptors where they may impact on existing lawful neighbouring land uses. The applicant has purchased the adjoining allotment to the south (31 Lemmey Road) which currently has an unoccupied dwelling sited closer to Lemmey Road. By purchasing the land, the applicant can prevent the dwelling being permanently occupied. The proposal satisfies the intent of the overlay (DO1 and PO 1.1).

Major Urban Transport Routes Overlay

The front portion of the subject land falls within this overlay due to its proximity to Port Wakefield Road. No access changes are proposed as a result of this development. Lemmey Road is an access road that runs parallel to Port Wakefield Road. The proposal will result in additional truck movements at peak delivery and retrieval periods but the existing road network is seen as capable of accommodating the additional truck movements. The proposal is consistent with DO 1 and DO 2 and PO 1.1, 2.1 and 3.1.

Native Vegetation Overlay

The subject land is located in the Native Vegetation Overlay however the location of the proposed development will not require the removal of any remnant native vegetation.

Traffic Generating Development Overlay

The proposal represents a reasonable increase in traffic levels that is unlikely to have a substantial impact on the operation of the existing transport route. There is no direct access to Port Wakefield road from the site so it will have a minimal impact on the State road network so the proposal is considered to satisfy DO 1, DO 2, PO 1.1, 1.2 and 1.3.

Rural Zone

The subject land is contained in the Rural Zone which seeks to 'support the economic prosperity of South Australia through the production, processing, storage and distribution of primary produce, forestry and the generation of energy from renewable sources' (DO 1). The zone also supports the 'diversification of existing businesses that promote value-adding such as industry, storage and warehousing activities, the sale and consumption of primary produce, tourist development and accommodation' (DO 2). The proposed expansion of the recently approved grain storage and handling facility is a land use which is envisaged and consistent with the desired outcomes of the Rural Zone.

PO 1.1 seeks to ensure the productive value of rural land is supported, protected and maintained. Intensive animal keeping is envisaged as a desirable land uses (DTS/DPF 1.1 – (0)). The proposal satisfies PO 2.1 and 2.2 insofar as Lemmey Road is an all-weather public road that provides safe vehicle access to the site and the development site is relatively flat so minimal cut and fill is required to construct the broiler buildings. No more than 1.5m of cut or fill is required to construct the buildings and there are no buildings in close proximity on adjoining land.

General Development Policies

Design

The proposed development is well integrated into the layout of the existing development in a way that will not detrimentally impact on the locality. Additional landscaping is proposed along northern, eastern and southern boundaries to further screen the sheds.

The buildings are oriented to ensure that light can access the sheds. Vehicle parking is available for staff in numerous locations. The proposal generally accords with DO 1 and PO’s 1.4 (a-c), 1.5, 2.1, 3.1 (a-e), 3.2, 4.1, 4.2, 4.3, 5.1, 7.2, 7.6, 7.7, 8.1 and 31.2.

Intensive Animal Husbandry and Dairies

There are a number of dwellings (sensitive receivers) on farms in the broader locality. The closest occupied dwelling is approximately 623m from the closest proposed shed (shed 10) on the other side of Port Wakefield Road and is part of a cattle feedlot farming operation. There is a disused dwelling on the adjoining southern allotment and the land has been purchased by the applicant. The other dwellings are located east and south east of the subject land and are between 880 and 947m away from the closest broilers. An extract map from the consultant’s report (below) shows the nearest separation distances to the closest dwellings.



Figure 2: closest sensitive receptors (image from consultant’s report)

The locality is developed with a number of intensive animal husbandry operations which have been in operation for many years, including land containing occupied dwellings (sensitive receptors). In addition, there is a waste significant landfill and resource recovery facility (operated by Integrated Waste Services) 2 allotments to the north of the subject land at 99 Lemmey Road.

The EPA have criteria (evaluation distances) they use as an indicator for potential odour impacts on sensitive receivers (dwellings). The criteria recommend an approximate separation distance of 1.047km for an operation of this size with 10 broilers. There are 3 dwellings inside this preferred separation distance, two of which operate in association with existing intensive animal keeping operations (cattle feedlots) and the

disused dwelling on the adjoining allotment, which has been purchased by the applicant. The EPA are satisfied the proposed development will not result in unacceptable impacts for the dwellings shown in figure 2.

The proposal involves an expansion of an existing facility so it is not considered unreasonable to expand the facility in the context of land uses in the locality, including the cattle feedlots linked with the occupied dwellings and is considered to be in accord with DO 1, PO 1.1 and 1.3. The proposal is also considered to be in accord with PO 1.2 insofar as the proposal is located a considerable distance from the closest broiler farms and is unlikely to transmit disease to other operations.

The proposal complies with PO 2.1 that relate to management of manure and litter, and PO 3.1 and 3.2 which relate to protection of water resources, effluent runoff and protection of ground water.

Interface Between Land Uses

The proposal includes details that detail the comprehensive management of waste products including the removal of manure within 24 hours of emptying sheds and dead chickens are kept in BioBins. The site will be managed to ensure night-time noise effects, including truck movements, are consistent with the activities already occurring on the subject land and the locality. They are considered appropriate.

The applicant submitted an acoustic report to the EPA (originally prepared for the last proposal in 2017) and proposed to manage the site in accordance the existing arrangements. The EPA have accepted the premise of the information contained in this report and factored it into making appropriate conditions. The proposal is considered to be consistent with DO 1 and PO 1.1, 1.2, 4.1, 4.2, 5.1, 6.1, 7.1, 8.1, 9.1 and 9.2.

Waste Treatment and Management Facilities

As mentioned previously, waste products such as manure will be removed from the facility for composting and turned into fertiliser. The proposed expansion of the operation will not have any detrimental impacts on the adjoining waste management facility. The proposal is considered to be consistent with DO 1 and PO 1.1 and 2.1.

SUMMARY

The proposed development of 3 additional broiler sheds incorporates a reasonable expansion of an existing land use that will bring the total number to 10 broiler sheds. The incorporation of extensive landscaping along boundaries will further assist in screening the visual impact of the sheds. The EPA are satisfied the existing operation can be expanded in a manner that will not detrimentally affect occupants of adjoining farms through unreasonable noise, dust or odour emissions, provided they comply with a range of 5 specific management conditions. Chicken broilers are also required to be licensed with the EPA which provides another layer of management control over the facility.

The proposed development is not considered to be seriously at variance with the provisions of the Planning & Design Code. Accordingly, on balance, the proposal is considered to have sufficient merit and warrants approval with appropriate conditions and notes.

RECOMMENDATION

1. That the Council Development Assessment Panel resolves that the proposal by for the Construction of three (3) additional broiler sheds on the existing poultry farm and increased capacity to raise additional poultry at Lot 71, 51 Lemmey Road, Lower Light, Hundred of Dublin (21013767) is not seriously at variance with the Planning and Design Code consolidated 3 June 2021.
2. That the Council Development Assessment Panel resolves that the proposal by Mr Mohammad Baqeri for the Construction of three (3) additional broiler sheds on the existing poultry farm and increased capacity to raise additional poultry at Lot 71, 51 Lemmey Road, Lower Light, Hundred of Dublin (21013767) be GRANTED Planning Consent, pursuant to Section 102(a)(i) of the Planning, Development and Infrastructure Act 2016, subject to the following conditions imposed:

Council Conditions

1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.

Reason: To ensure the proposal is developed in accordance with the plans and documentation.

2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering practices to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason: To ensure adequate provision is made for the collection and dispersal of stormwater.

3. The development and development site must be kept in a neat, tidy and sanitary condition at all times, to the reasonable satisfaction of Council.

Reason: to ensure the subject land is well managed and does not become unsightly or insanitary.

4. The external walls and roofs of the broiler sheds and ancillary support building must be constructed with subdued colours which complement the existing sheds and must be maintained in a condition at all times.

Reason: to ensure the development does not detract from the rural character of the locality.

5. Litter must be loaded directly onto trucks and must not be stockpiled outside of the sheds prior to removal.

Reason: to ensure the site is maintained in good condition at all times.

6. Management of the property must be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

Reason: to ensure the site is maintained in good condition at all times.

7. All vehicles must enter and leave the site in a forward direction.

Reason: To ensure safe access and egress to and from the subject land.

8. A detailed landscaping plan shall be submitted showing the extent of screening landscaping on northern, eastern and southern boundaries and shall include a list of ground cover, shrub and tree species prior to granting development approval.

Reason: to ensure landscaping is established as proposed in the application details.

Council Notes

Once development approval is granted, the development must be:

- a) Substantially commenced within twenty four (24) months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of twenty four (24) months from this date (unless Council extends this period), and a new development application shall be required;
- b) Fully completed within three (3) years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of three (3) years from this date (unless Council extends this period), and a new development application shall be required; and
- c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

Pursuant to Section 202 of the *Planning, Development and Infrastructure Act 2016*, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (GPO Box 2465, Adelaide SA 5001 (Ph. 8204 0289).

Environment Protection Authority (EPA) Conditions

1. Prior to operation, the flooring of each poultry shed must be constructed with an impervious compacted clay base with a minimum permeability of less than 1×10^{-9} m/sec.
2. Any substances that by their nature or amount have the potential to cause environmental harm to surface water or groundwater must be stored within a bunded area so as to contain any spillages that may occur. Note: Information on bunding is available in the EPA Guideline Bunding and spill management (2016) http://epa.sa.gov.au/files/47717_guide_bunding.pdf.
3. All dead birds must be removed from the sheds immediately upon discovery and frozen before being collected by EPA licensed transporter for off-site disposal.
4. Feed delivery must only occur between the hours of 7:00am and 10:00pm.

5. Cooling fans must not operate between the hours of 10:00pm and 7:00am.

EPA Notes

- The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the Environment Protection Act 1993, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute (including noise pollution) the environment in a way which causes or may cause environmental harm. This includes, but is not limited to truck engines being switched off during collection of birds between 10pm and 7am, and all trucks and forklifts should be fitted with broadband reverse beepers.
- An environmental authorization (licence) is required for this development. Before commencing operation, the applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.
- A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.
- The applicant is reminded that noise from construction, demolition and site preparation is required to meet the mandatory provision of part 6 Division 1 of the Environment Protection (Noise) Policy 2007.
- More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

**A PROPOSAL TO ERECT THREE ADDITIONAL
BROILER SHEDS ON AN EXISTING FREE RANGE
CHICKEN FARM AT 51 LEMMY ROAD, LOWER LIGHT
(as amended 6th October 2021)**

Prepared by: Henri Mueller
BA (Plan), Grad Dip (RUP), M (Env St), MPIA

On behalf of: Mohammad Baqeri

October 2021



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1. INTRODUCTION

This report has been prepared on behalf of Mr. Mo Baqeri (my Client) in support of an application to erect three additional free range broiler sheds in conjunction with seven existing sheds, a manager's residence, and associated infrastructure on the subject land at 51 Lemmey Road, Lower Light.

The planning aspects of the proposal are addressed herein having regard to the relevant provisions in the Planning and Design Code.

This report was amended in August providing further information in relation to sensitive receptors and the number of birds kept on the subject land. Further consideration of noise levels and discussions held with the EPA has resulted in further amendments to management provisions relating to noise levels incorporated in this report as part of the application on the 6th of October 2021.

2. SUBJECT LAND AND LOCALITY

The subject land is 51 (Lot 72) Lemmey Road, Lower Light and is contained in Certificate of Title Volume 4361 and Folio 796 in the Hundred of Dublin.

The elongated allotment comprises 30 hectares, has a frontage of 203 metres to Lemmey Road, is 1,205 metres along the northern boundary, 1,418 metres along the southern boundary, and 330 metres along the western boundary.

The subject land is relatively flat with sandy loam overlaying calcareous deposits and clay.

An existing caretaker's residence is located toward the western end of the property. Seven existing broiler sheds, and associated ranging areas are situated to the east of the caretaker residence.

The locality is characterized by a mixture of land uses including open grazing, intensive animal keeping, waste management activities such as a major landfill facility next door, a composting operation and mushroom farm on Crabb Road to the southwest, plus dwellings and farm buildings sparsely distributed throughout the area (see figure 1 for locality map). A disused dwelling is situated on the adjoining property to the south of the subject land.

Lemmey Road is an unsealed all weather access road linking the property to Port Wakefield Road with access points a short distance to the north and another to the south of the subject land. The property is serviced by ETSA power and has an 80mm pipe connected to a new 150mm water main. Two gas tanks are situated adjacent to the existing generator shed on the subject land.

The locality is characterized by the existing poultry operations on the subject land, a large cattle feedlot operation situated one allotment to the south and a

large landfill operation located next door. Several rural dwellings are located in the wider area including to the south, and to the east of the subject land.

The existing dwelling situated on the adjoining property to the south of the subject land is no longer in use.

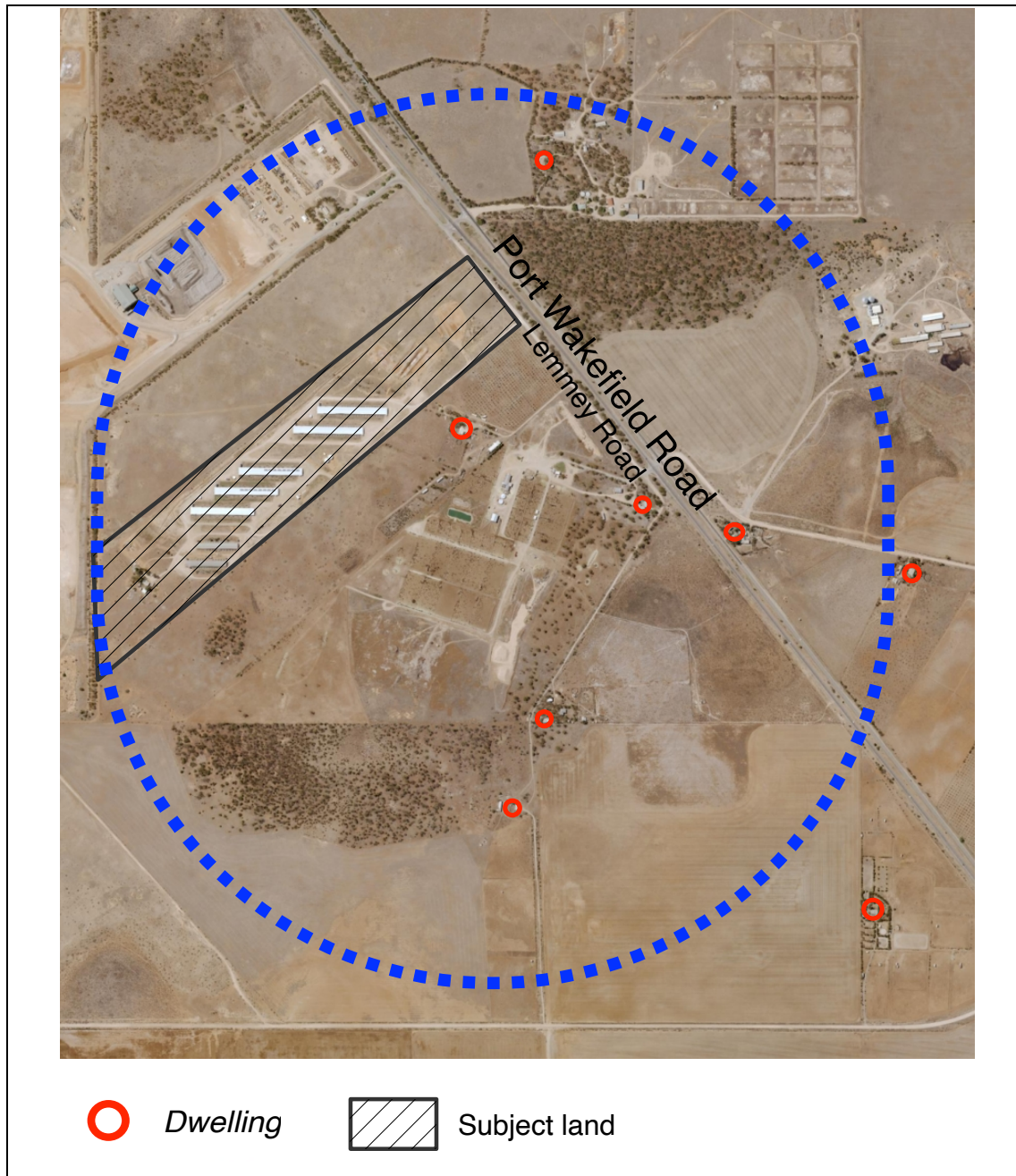


Figure 1 Locality plan

3. DETAILS OF PROPOSAL

The proposal is to erect three additional broiler sheds for free range chickens (see Figure 2 below). One of the new poultry sheds (shed 3) is to be situated in the gap between the two older sheds and the three newer sheds towards the

rear of the property making a cluster five. There is a gap between this cluster and two other existing sheds also of relatively recent construction.

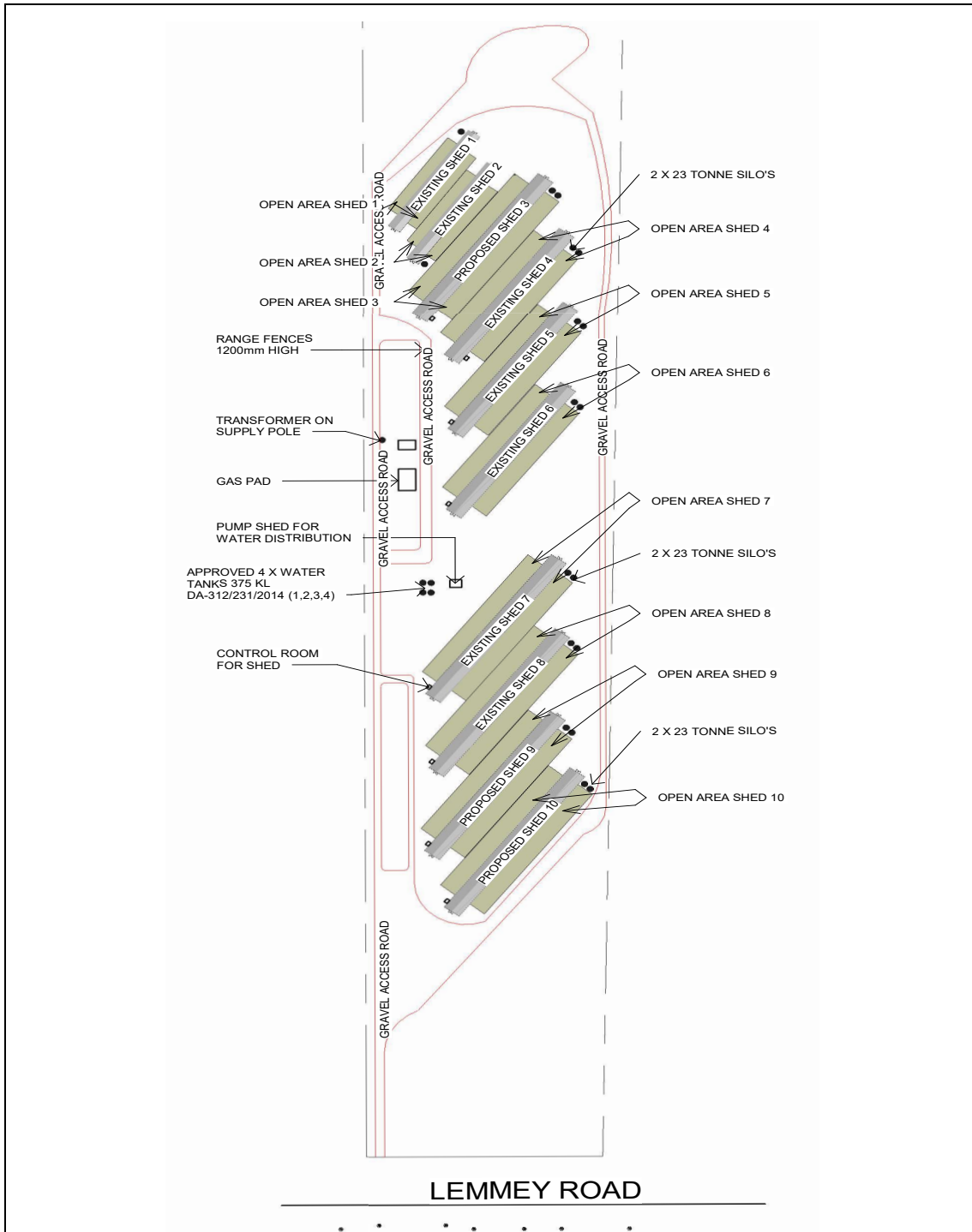


Figure 2: Site layout

The other two proposed poultry sheds (sheds 9 and 10) will be situated at the front of the two existing sheds to form a second cluster of four poultry sheds. With the three proposed sheds there will be a total of ten sheds on the subject land.

Each of the proposed sheds will be 180.35m in length by 15.65m wide making a total area of 2,822.4775 square metres / shed. They will have a side wall height of 2.524m. Two sets of ten fans will be situated at one end and two extraction fans on the other end.

Proposed shed 3 situated between the existing sheds 2 and 4 (see figure 2 above) would be approximately 55m from the northern property boundary and 42m from the southern boundary. Proposed shed 9 situated adjacent to shed 8 would be 37m from the northern property boundary and 52m from the southern property boundary. Proposed shed 10 at the eastern end of the cluster would be 20.856m from the northern property boundary, 68m from the southern boundary, and 250m from the front property boundary adjacent.

Fenced in ranging areas for chickens to feed on green pick will be provided to each of the long sides of the sheds. Green pick will be irrigated from roof runoff directed into the ranging areas and supplemented by mains water.

The holding capacity of the existing and proposed sheds is as follows:

- Sheds 1 & 2 @ 23,500 birds/shed x 2 = 47,000 birds
- Sheds 4, 5, 6, 7, 8 @ 44,500/shed x 5 = 222,500 birds
- Proposed sheds 3, 9, 10 @ 49,000/shed = 147,000 birds
- Total no. of birds = 416,500 birds

As shown above the capacity of the three proposed sheds will be approximately 147,000 birds bringing the total farm holding capacity to 416,500 birds.

The planting of native species of trees, shrubs, and groundcovers will be extended along the northern and southern boundaries to screen the proposed sheds from view. The landscaping will also be extended along the front property boundary.

Infrastructure

A backup generator between the two older existing sheds currently services the entire facility with 330 KVA as a backup power source in case of outages. This will be replaced by a generator with a capacity of 370KVA to cater for the existing and proposed sheds. Mains power to the property has been upgraded with a 315 KVA transformer installed to the property and a three-phase power supply.

In addition to the electricity supply several large gas tanks have been installed to provide heating for the sheds.

On site water storage will include a total of four 375 kilolitre tanks, including an additional 2 x 375 Kilolitre (KL) tanks on top of the 2 x 375 KL tanks already provided, plus an existing 240 KL of water storage associated with the existing sheds making a total of 1.74 megalitres of onsite storage for all the sheds combined.

It should be noted that my Client invested heavily in upgrading of the water supply to the subject land and commissioned SA Water to install a new parallel 150mm water main along a portion of Lemmey Road with an 80mm water metre at the property boundary able to supply up to a peak flow of 17.5 litres / second.

The existing water storage tanks will be highly accessible to CFS vehicles for fire fighting purposes.

Each shed will have two 23 tonne feed silos situated adjacent to the northern end of the sheds.

The internal network of gravel roads will be extended to cater for the proposed sheds.

Farm Management

As with the previous applications the chicken farm will be managed to ensure the welfare of the flock and to create optimal growing conditions in a free-range environment. Specific management details for Council's assessment are as follows:

- The chickens will be grown out in batch cycles of up to six weeks upon which they are removed from the site;
- Litter will be removed from the buildings and the site and will be taken to the nearest composting facility situated on Crabb Road within 48 hours of the bird's departure;
- Mortalities will be kept within a BIO BIN and will be regularly removed from the subject land to a composting facility licensed to take dead birds;
- Use of mortality pit when not using the BIO BIN / freezing containers due to ILT disease outbreak on other farms. It is important to restrict movements of trucks / people between farms in order to prevent it from happening on other farms (ILT usually gives the flock a higher mortality rate so from usually 5-6% its around 15-30%);
- The farm will be managed to maximize the health of birds and ensuring a high standard of biosecurity by disinfecting the sheds after use, disinfecting trucks when entering the site, removing litter and dead birds from the site, and having a bird free period between batches.

Noise

As requested by the EPA (email from Courtney Stollznow dated the 1st of October 2021) and confirmed by the Client (email from Mo Baqeri dated the 2nd of October 2021) the following recommendations within the Sonus Environmental Noise Assessment (ref S5212C2) dated March 2017 form part of this DA and will be implemented:

- *Feed delivery only occurring between the hours of 7:00am and 10:00pm.*
- *Cooling fans not operating between the hours of 10:00pm and 7:00am.*

- *Truck engines would be switched off during collection in the “night-time” hours of the Policy, that is, between 10pm and 7am.*

Traffic

The hatchlings are to be delivered to the site in approximately two to three truckloads at the beginning of the growing period. There will be approximately 8-10 trucks in total per shed involved in bird pickups over the growing period for each batch. Pickups will occur at four times during the growing period in accordance with table 1 below. This means that a maximum number of 100 trucks will be involved in bird pickups over the growing period with a maximum of 30 trucks at peak during the last pickup on day 40-42 for what will be a total of 10 sheds. Catching is done after 6pm, usually late at night or early morning (generally 1am- 3am) to minimize stress on birds.

Table 1 Bird Pickups per shed

Approx. day 31	2 trucks
Approx. day 36	2 trucks
Approx. day 39-40	2 trucks
Approx. day 40-42	2-3 trucks

The number of feed trucks per batch is shown in Table 2 below. The feed trucks usually deliver feed between 6am -6pm and truck engines will be turned off when stationary. Feed trucks park adjacent to the silo and fill them before leaving the site. Table 3 below shows the feed deliveries per batch.

Table 2 Feed truck deliveries per batch

Feed Type	Number of Trucks
Starter	4
Grower	11
Finisher	22
Withdrawal	10

4. CLASSIFICATION OF PROPOSAL

Intensive Animal Husbandry

The proposal is listed as *intensive animal husbandry* in the table in Part 7 of the Code and is defined as follows:

...the commercial production of animals or animal products where the animals are kept in enclosures or other confinement and their main food source is introduced from outside the enclosures or area of confinement in which they are kept.

The subject land is located in the Rural Zone in the Planning and Design Code (the Code) and *Intensive Animal Husbandry* is a *performance assessed development* in the Zone. As such the proposal is subject to an on-merit assessment against the relevant provisions of the code in accordance with Section 107 of the Planning Development and Infrastructure Act (the Act).

A number of overlays also apply to the subject land including:

- Environment and Food Production Area
- Hazards (Bushfire - General)
- Hazards (Flooding - evidence required)
- Interface Management
- Major Urban Transport Routes
- Traffic Generating Development
- Native Vegetation

In addition to the above the provisions for the Rural Zone apply to an assessment as well as a number of General Development Policies.

Public Consultation

Buildings used for intensive animal keeping are excluded from the definition of agricultural buildings. The proposal is not for a change of land use as Intensive Animal Husbandry already has existing use rights on the subject land. It is considered that the proposal has the potential to be excluded from notification in Column A of Table 5 for procedural matters in the Rural Zone as it is a minor extension of the existing land use and with the management measures proposed is unlikely to have a significant impact on adjoining properties.

EPA Consultation

The proposal involves the keeping of poultry in enclosed sheds exceeding 1,000 square metres and thereby has Environmental Significance triggering a referral requirement to the Environment Protection Agency (EPA).

The proposal exceeds the threshold of 13,500sqm floor area and as such requires licensing by the EPA.

5. PLANNING & DESIGN CODE CONSIDERATIONS

The policies relevant to an assessment of the proposal are those set out in the latest version of the Planning and Design Code as listed in Attachment 1 of this report. This section is structured in the order of the policy hierarchy outlined in the explanatory section of the Code covering the overlay policies first, followed by the Zone provisions, and then the General Policy Section.

Environment & Food Production Areas Overlay

Agriculture including intensive animal keeping is the predominant land use in the locality. The proposal would add value to the food production function of the area consistent with Desired Outcome (DO) 1 for the EFPA overlay.

Hazards (Bushfire – General Risk) Overlay

The subject land is within a General Bushfire Risk area which is the least hazardous of the bushfire protection areas.

The development can be adequately protected from risk of natural hazards. An internal circulatory all-weather road facilitates access for fire fighting vehicles and enables vehicles to leave in a forward motion. The internal road network will also provide a buffer or firebreak around the proposed poultry sheds.

The additional water storage tanks adjacent to the sheds can be used to fight any fires and would be accessible to CFS vehicles.

In view of the above the proposal would be in accord with DO 1 and 2 plus Performance Outcome (PO) 1.1, 2.1, 5.1 (a) (b), and 5.3. The proposal is also consistent with the Designated Performance Feature for vehicle access 5.1 (a) (b) (c) (d) (e) (f) (g).

Hazards (Flooding – Evidence Required) Overlay

The subject land is not affected by flooding from the Light River as the 100-year flood plain is situated to the south of Crabb Road. The subject land itself is well drained and is characterized by porous sandy loam and calcareous deposits. There are no watercourses in the area indicating that surface flows are unlikely to be significant.

The poultry sheds are situated on raised pads constructed from compacted rubble. Any runoff from the roof of the sheds is to be directed to the ranging areas to support the growing of green pick for the chickens. In the unlikely event of significant runoff occurring stormwater will be directed to the existing rubble pit via a swale drain.

Chemicals will be stored in the existing chemical storage facility on the subject land.

In view of the above the proposal would be consistent with DO 1, PO 1.1, and PO 2.1.

Interface Management Overlay

The Interface Management Overlay provisions generally relate to the development of sensitive receptors in a manner that mitigates potential adverse environmental and amenity impacts generated by an existing lawful neighboring and proximate land use in accordance with DO 1. This places the onus on a proposed sensitive receptor in proximity of a source of potential impacts.

Although PO 1.1 is directed to the sensitive receptor the subsections (a) (b) (c) and (d) indicate the desirability to mitigate potential impacts albeit through the design and siting of the sensitive receptor. However different standards may be justified where the source of the potential impact on a sensitive receptor has already been established and is subject to a proposal to extend this land use.

The proposal represents a reasonable extension of an existing lawful land use situated on the subject land. The proposal does not of itself propose a change of land use as the subject land has well established existing use rights for a free-range poultry operation.

Major Urban Transport Routes Overlay

A portion of the front of the subject land falls within this overlay due to the proximity to Port Wakefield Road. The proposal does not propose changes to the current access arrangements to Lemmey Road which runs parallel to Port Wakefield Highway. Suitable intersections from Lemmey Road to the highway currently exist for trucks and providing for north and south turns.

The proposal represents an incremental increase of the current operations, and it does not alter the nature of traffic using the site. Associated traffic is unlikely to exceed the capacity of the road network. The internal roadway provides sufficient opportunities for onsite queuing if required.

In view of the above the proposal would be consistent with DO 1 and 2, and PO's 1.1, 2.1, and 3.1.

In view of the above the proposal does not require referral to the Commissioner of Highways.

Native Vegetation Overlay

No native vegetation will be removed as a result of the proposed extra poultry sheds and associated modification to the site layout and access and a declaration to this effect will be submitted with the application in accordance with the Designated Performance Feature (DTF) 1.1 (a). As such the proposal is in accord with DO 1 and PO 1.1, DO 1.3.

As the proposal does not involve native vegetation clearance a referral to the Native vegetation Council is not required.

Traffic Generating Development Overlay

As the proposal represents an incremental increase in traffic levels it is unlikely to have a significant impact on the safe and efficient operation of the transport route. As the proposal would not alter the current access to the site and there is no direct access to Port Wakefield Road it is unlikely to impact significantly on the State maintained road network. As such it is likely that the proposal would meet DO 1 & 2, plus PO 1.1, 1.2, and 1.3.

Rural Zone

The proposal would support the economic prosperity of the State through primary production in accordance with DO 1 for the Zone. The proposal also preserves the value of the land for primary production activities in accord with PO 1.1 and satisfies the DPF 1.1 (0) by being for *Intensive Animal Husbandry*.

The proposal also satisfies PO 2.1 and 2.2 in that Lemmey Road is an all-weather public road, the site has a slope less than 10%, and buildings would not require filling or excavating of land greater than 1.5m

Whilst the proposed poultry sheds are large in area they are relatively low in height and are consistent with the other existing newer sheds already on the subject land and would be in accordance with PO 10.1 for Built Form and Character.

The proposal doesn't meet the Deemed to Satisfy (DTS) criteria for PO 12.1 under Agricultural Buildings due to the size of the sheds exceeding 500 square metres and not all side setbacks being 50m or more. However, the buildings have a low profile and would fit in with the character of existing agricultural buildings and boundary setbacks on the subject land. Furthermore, the boundary setbacks are relatively generous from the front and rear boundary well exceeding 50m, and side boundary setbacks being consistent with setbacks of the existing buildings on the subject land. In view of the above the proposal is generally consistent with PO 12.1.

As mentioned above the proposal comprises agricultural buildings for poultry and is likely to fall within the scope of being excluded from notification in accord with Column A of Table 5 for procedural matters.

General Development Policies

Clearance from Overhead Powerlines

A declaration in accordance with DPF 1.1 (a) will be submitted with the application. As such the proposal is in accordance with DO 1 and PO 1.1.

Design

The proposal will be integrated with the layout of the existing poultry sheds and internal circulatory roads on the subject land and is consistent with the character and appearance of the existing poultry sheds having a low visual profile.

Additional landscaping will be provided to screen the proposed sheds from view of adjoining properties and the road.

Although not incorporated in the current proposal solar panels and battery storage will be installed to the roof tops of the sheds in order to increase sustainability.

Zero waste principles have been incorporated in that all manure is taken for composting within 24 hours and a Bio Bin is provided for mortalities to be taken away for composting.

A caretaker lives in the residence towards the back of the property keeping an eye on the free range broiler farm operations. Monitoring of systems also occurs remotely sending messages to the owner should any system failures occur.

The buildings are orientated so that light can penetrate the northern side of the sheds and the low profile ensures that light is available to ranging areas on both sides of the sheds. The free-range conditions provide greater energy efficiencies by providing an outdoor environment for the birds thereby minimizing the use of fans.

The ranging areas provide opportunities for watering green pick by directing roof runoff into them.

Ample opportunities for carparking are provided adjacent to buildings and towards the rear of the property.

Although internal road extensions and the construction of raised pads require excavation of rubble from a borrow pit on the subject land the pit will be used for stormwater catchment. The water can then be reused on site for dust suppression on internal roads and no water will be discharged from the site.

In view of the above the proposal would be in accord with DO 1 and PO's 1.4 (a) (b) (c), 1.5, 2.1, 3.1 (a) (b) (c) (d) €, 3.2, 4.1, 4.2, 4.3, 5.1, 7.2, 7.6, 7.7, 8.1, 31.2.

Intensive Animal Husbandry and Dairies

A number of sensitive receivers are located in the general area as can be seen in Figure 3 below. The nearest of these on a property not associated with my Client's current and potential future operations is approximately 623m from proposed shed 10 to the north on the opposite side of Port Wakefield Road and is associated with an existing cattle feedlot operation. The dwelling on the allotment to the south is no longer used as a dwelling as the property has been purchased by my Client. The next closest is situated approximately 880m east of the subject land and two others are situated to the south at 924m and 947m respectively away.

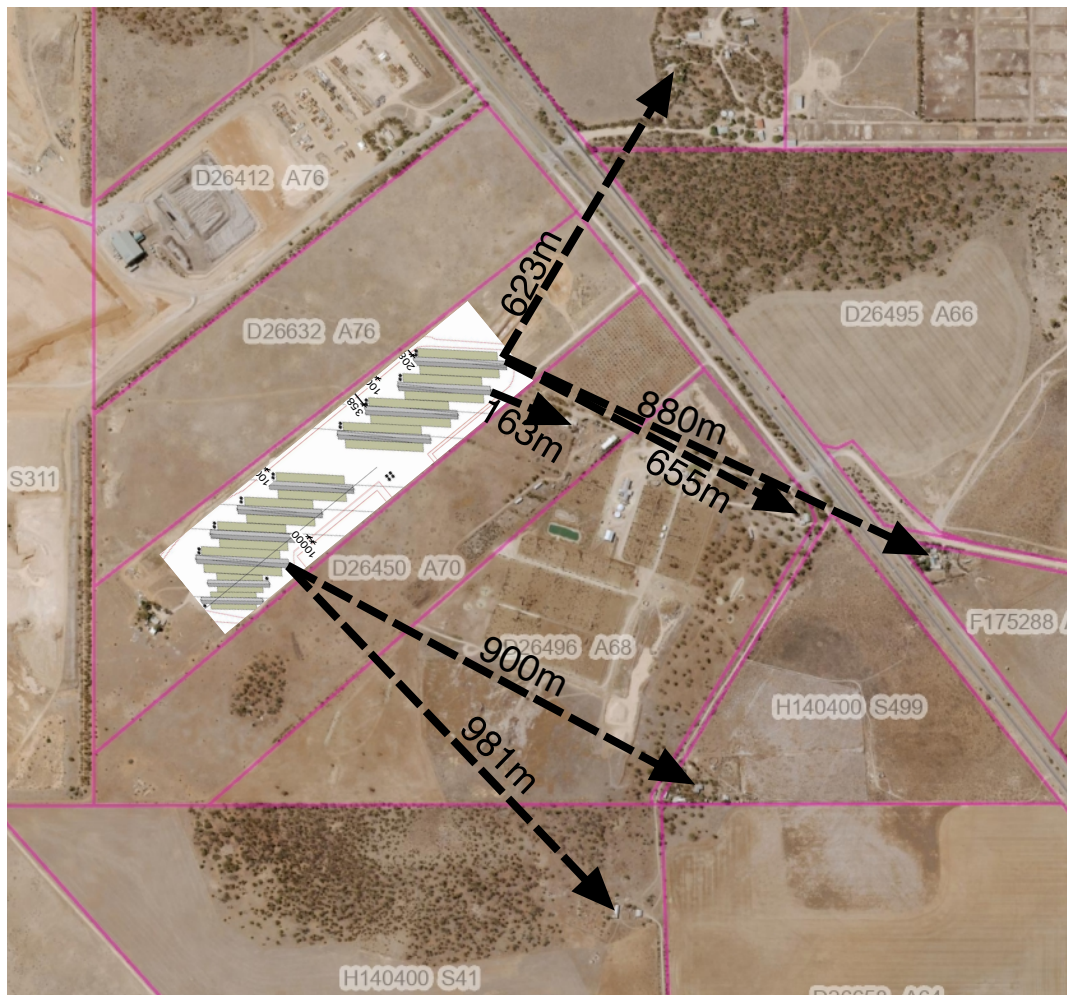


Figure 3: Nearest sensitive receptors

Evaluation distances are provided by the EPA¹ as an indicator for potential odour impacts. In this case the formula for calculating the distance is as follows:

Evaluation distance (metres)

$$D = N^{0.55} \times 30 \times S1 \times S2 \times S3 \times S4 \times S5$$

Using the relevant data for the proposed increase to ten broiler sheds derives an evaluation distance of 1,047.63m as follows:

$$27.59 \times 30 \times 0.85 \times 1 \times 1 \times 1 \times 1 = 703.5m$$

A total of three dwellings are situated with the evaluation distance including:

- A dwelling to the north on an existing cattle feedlot site with a separation distance of 623m;
- The dwelling on the adjoining property to the south with a separation distance of 163m; and
- An existing dwelling situated on a cattle feedlot to the south with a separation distance of 655m.

The locality is characterized by a number of other intensive animal husbandry operations which have been in the area for a long time. As such it is likely that residents in the existing sensitive receptors have gained a tolerance to the odours associated with the rural area. This would particularly be the case for the dwellings associated with the existing cattle feedlots to the northeast and the southeast and on the adjoining property to the south.

At the same time the proposal is for an extension to an existing use of the land and does not propose a first incursion of such activity in the area. The proposed facilities are a compact extension of the existing operation and as such comprises a reasonable extension of the existing use of the land. In view of the above the proposal would be in accord with DO 1, PO 1.1, and 1.3.

The proposal is also in accord with PO 1.2 in that it is located quite a distance from any other broiler farm operation and is thereby unlikely to transmit disease to other operations.

The proposal also complies with PO 2.1 in relation to manure and litter plus PO's 3.1 and 3.2 in relation to protection of water resources , effluent runoff and protection of groundwater.

Interface Between Land Uses

Management of the facility by removing manure with 24hours and storage of mortalities in a BioBin for removal would also mitigate adverse effects to proximate land uses. Other night-time noise effects and traffic is consistent with

¹ EPA (April 2016), Evaluation distances for effective air quality and noise management p 43

activities of the existing use of the land and is to be expected in a rural area characterized by significant intensive animal husbandry operations.

The proposal will be managed in accordance with the recommendations in the previous acoustical report as outlined in the management provisions under Noise earlier in this report.

In view of the above the proposal would be consistent with DO 1 and PO's 1.1, 1.2, 2.1, 4.1, 4.2, 5.1, 6.1, 6.2, 7.1, 8.1, 9.1, and 9.2.

Waste Treatment and Management Facilities

As indicated manure or litter will be removed from the subject land, as will mortalities and taken to a composting facility for processing and reuse as a fertilizer and will not cause pollution of soils. A mortality pit is the preferred method of managing mortalities in case of a disease outbreak elsewhere.

It is unlikely that the proposed facilities would be incompatible with the adjoining waste management facilities. Subsequently the proposal would be in accord with Objective 3 for *waste management facilities*.

In view of the above the proposal would be in accord with D 1 and PO's 1.1 and 2.1.

Conclusions

The proposal for three additional broiler sheds and associated ranging areas will bring the total number of sheds on the site up to ten including two smaller existing sheds, five more recently built sheds, and the three proposed. The total capacity of the free-range chicken farming operation will be around 416,500 birds.

Planting of locally indigenous plant species will be extended along the southern and northern boundaries to screen the proposed sheds from view of neighbouring properties.

Major upgrades to the water supply and electricity infrastructure have been undertaken previously. Additional water storage tanks will be provided and a new backup generator sufficient to cater for the additional sheds will be provided.

The closest broiler shed will be a distance of 163m from the adjoining dwelling to the south, the property has been purchased by my Client and the dwelling is to be decommissioned although it is already compromised by odour generating activities from a cattle feedlot next door, and the existing use of the subject land.

With the exception of the adjoining dwelling the proposal meets the EPA's recommended minimum separation distance of 250 m from a sensitive receptor being a rural dwelling. Although it falls short of the recommended calculated evaluation distance of 1,047.63m from a number of sensitive receptors the landowners are likely to be desensitized to livestock odours. Furthermore odour

generating land uses are regarded as an amenity by the predominant odour affecting activities in the locality.

The proposal is likely to satisfy noise generation guidelines, but my Client would be prepared to consider any reasonable requests from the EPA or Council to further minimize potential noise, and odour impacts.

The proposal would be orderly and economic as it better utilizes existing infrastructure upgraded by my Client previously. The additional broiler sheds are required to create the economies of scale necessary to increase the viability and feasibility of operation in light of the significant infrastructure investment for water and power undertaken previously.

The proposal performs relatively well against an assessment of the provisions of the Planning and Design Code although it falls short of the EPA's recommended evaluation distance. Balanced against considerations relating to the existing character of the area, the perception that odour generation is an amenity for other odour generating land use, plus the fact that it is an incremental extension to an existing use of the land, it is my view that approval is warranted.

Attachment 1: Relevant Planning and Design Code Provisions



Environment Protection Authority
GPO Box 2607 Adelaide SA 5001
211 Victoria Square Adelaide SA 5000
T (08) 8204 2004
Country areas 1800 623 445

EPA Reference: PDI - 70

12 October 2021

Mr Martin Rutt
Adelaide Plains Council
PO Box 18
MALLALA SA 5502

mrutt@apc.sa.gov.au

Dear Martin,

EPA Development Application Referral Response

Development Application Number	21013767
Applicant	Mr Mohammad Baqeri
Location	51 Lemmey Road Lower Light SA 5501 Allotment 72, DP26448 Certificate of Title Volume 5399/Folio 852, Hundred of Dublin. Adelaide Plains Council
Proposal	To construct three additional Broiler Sheds thereby increasing the on-site capacity of the existing Poultry Farm to 416,500 birds.

This application was referred to the Environment Protection Authority (EPA) by the Assessment Manager at the Adelaide Plains Council in accordance with section 122 of the *Planning, Development and Infrastructure Act 2016*. The following response is provided in accordance with section 122(5)(b)(ii) of the *Planning, Development and Infrastructure Act*.

The EPA assessment criteria are outlined in section 57 of the *Environment Protection Act 1993* and include the objects of the Environment Protection Act, the general environmental duty, relevant environment protection policies and the waste strategy for the State.

PROPOSAL

The proposal is for the expansion of an existing free-range poultry farm and involves the construction of three additional broiler sheds which would house 49,000 birds per shed. This equates to an increase of 147,000 birds, taking the total farm capacity to 416,500 birds. The EPA notes that the proposal also includes replacing an existing backup generator with a new generator with a capacity of 370 KVA.

Each of the proposed sheds would measure 180.3 metres in length by 16.2 metres in width thereby providing a total area of 2,920.86 square metres per shed. The proposed sheds would have a side wall height of 2.524 metres and would include two sets of ten fans situated at one end of each shed, with two extraction fans located at the other end of each shed.

On-site water storage would include a total of four 375 kilolitre (KL) tanks, including an additional two 375 KL tanks on top of the two 375 KL tanks already provided, plus an existing 240 KL of water storage associated with the existing sheds, thereby providing a combined total of 1.74 megalitres of on-site storage for all the sheds to be located on the land.

SITE

The site of the proposed development is located at 51 Lemmey Road Lower Light which is more particularly described as Allotment 72 in Deposited Plan 26448 Certificate of Title Volume 5399/Folio 852, Hundred of Dublin.

The subject land comprises an elongated shaped allotment with a 203 metre frontage to Lemmey Road and a total site area of approximately 30 hectares. The subject land is relatively flat with sandy loam overlaying calcareous deposits and clay. The site contains an existing caretaker's residence at the western end of the property along with seven existing broiler sheds and associated ranging areas.

The wider locality is characterised by a diverse range of land uses including the existing poultry operations on the subject land, a large cattle feedlot operation situated to the south and a large landfill operation located immediately adjacent the subject site. The EPA also notes several rural dwellings are also located within the wider area, most notably to the south and east of the subject land.

CONSIDERATION

Advice in this letter includes consideration of the location with respect to existing land uses and is aimed at protecting the environment and avoiding potential adverse impacts upon the locality.

The site has not been inspected during the EPA's consideration of this application but has been viewed using mapping information available to the EPA, including recent aerial imagery, and considered according to existing knowledge of the site and locality.

ENVIRONMENTAL ASSESSMENT

Evaluation Distances

In order to mitigate potential noise and air quality impacts from poultry farm activities, separation distances should be employed between the site and the nearby sensitive receivers.

The EPA's *Evaluation distances for effective air quality and noise management* (August 2016) (Evaluation Distance Publication) recommends a formula (contained in Appendix 2) to determine an appropriate evaluation distance for poultry farms from sensitive receivers.

The applicant has calculated an evaluation distance of 704 metres for rural dwellings based on the formula within the Evaluation Distance Publication. The evaluation distance for the existing poultry farm operations is noted as being 554 metres.

The nearest residences are noted as being located approximately:

- 623m to the north/northeast (associated with a cattle feedlot)
- 163m to the east/southeast (being purchased by the proponent - not yet finalised)
- 655m to the east/southeast (associated with a cattle feedlot)
- 880m to the east/southeast
- 900m to the south/south-southeast
- 981m to the south/south-southeast

Air quality and noise impacts are discussed in detail below.

Air Quality

Further information provided with the application confirms that the structure located in close proximity to the receptor located to the north/northeast (approximately 125m away), was previously a dwelling but has been converted to a lunchroom, amenities and office associated with the use of the existing poultry farm following a change in ownership. Consequently, this structure has not been considered as part of the EPA's assessment of this proposal.

The EPA notes that the receivers most at risk of a noticeable increase in poultry farm odour following the expansion are the dwellings identified as being located within the evaluation distance (i.e. the dwelling situated to the north/northeast and the dwelling located to the southeast, which are both associated with other intensive animal husbandry activities (cattle feedlots).

The closest receiver is the dwelling to the north/northeast which has been determined to be in the direction where the greatest increase in odour is expected. The reason for this is because wind blowing from the poultry farm to this receiver would blow across the long axis of the farm. Cumulative impacts (odour emissions from the poultry farm, neighbouring landfill, and feedlot) on the other hand are likely to be less than those experienced by receivers in other directions. The EPA also notes that whilst this receiver is associated with a cattle feedlot, feedlot odour would be experienced at different times than poultry farm odour due to it being in a different wind direction. The EPA notes that if a wind factor is

also incorporated into evaluation distance, the distance can be further reduced to 625 metres which would result in this dwelling being located outside the recommended evaluation distance.

Poultry farm odour increases may be less pronounced at the receiver to the southeast, as this is associated with wind blowing across the short axis of the poultry farm. However, there is the potential for cumulative impacts due to odour emissions from the poultry farm, neighbouring IWS landfill, and feedlot, which are all in the same direction relative to the receiver. Given the receiver's proximity to the feedlot, it is possible that the increase in poultry farm odour would be less detectable/noticeable or be masked by the feedlot odour.

The EPA understands that the existing dwelling that is located 163m to the east/south-east is currently being purchased by the proponent and is the dwelling that is most likely to notice an increase in odour. Ordinarily, any dwelling that is located on a separate title is treated by the EPA as a sensitive receiver, regardless of ownership, as the dwelling can be rented or later sold in which case it would not be associated with the poultry farm. However, this dwelling is located in a precinct of odorous activities/industries (including a cattle feedlot on the adjoining allotment, the IWS landfill, piggery, the existing broiler farm and another feedlot). In addition, a conventional assessment against Schedule 3 of the *Environment Protection (Air Quality) Policy 2016* for population-based odour criteria (as a means of determining potential odour impact at the dwelling from the additional broiler sheds) is not appropriate because of the odorous locality.

Further, it is noted from discussion with the applicant that a development application is being prepared and would soon be lodged to establish a chicken broiler farm on this allotment with the dwelling to become either a manager's residence in association with the broiler farm or used for storage. As such, whilst some increase in nuisance odour may result at this dwelling, nuisance odour is not a public health risk. Given this and given that the dwelling is located within an existing odorous precinct, the EPA considers there is a low likelihood of it being used as a residential dwelling in the future (in the event the current purchase falls through) and more reasonably likely to be associated with intensive animal keeping (as currently proposed by the applicant).

The EPA notes that of the other sensitive receivers listed above, these are located either close to or outside the recommended evaluation distance. Whilst there may be an increase in odour experienced at times, these would be minor in nature and unlikely to cause nuisance impacts at sensitive receivers when compared to odour impacts associated with other intensive animal husbandry activities currently operating within the immediate locality.

Noise

Noise emissions associated with the operation of a poultry farm can be produced from a variety of activities and sources including the operation of the ventilation system, feed silos, the delivery of feed and the delivery and collection of birds to and from the subject land.

It is noted The *Environmental Noise Assessment*, prepared by Sonus, dated March 2017 (Reference: S5212C2) provided with the application, is noted to be an older report that was previously submitted in respect to an earlier upgrade of the subject site and predicted the noise from this site would meet the

EPA's requirements. Notwithstanding, the EPA notes that this previous acoustic report did provide a range of operational constraints designed to restrict feed delivery timing and operations of cooling fans. The report prepared by Henri Mueller at Regional Planning Directions titled *A Proposal to Erect Three Additional Broiler Sheds on an Existing Free Range Chicken Farm at 51 Lemmy Road, Lower Light*, dated 6 October 2021, confirms that the operational recommendations within the *Sonus Environmental Noise Assessment* form part of this current development application and would be implemented at the site. Conditions are directed below in this regard.

Given the above and that the development already operates with seven existing poultry sheds of similar size and capacity on the subject land, the EPA considers the risk of nuisance noise impacts arising from the proposed expanded use of the subject land to be low.

Water Quality

Wastewater Management

The application documentation indicates that the proposed poultry sheds would be constructed with an impervious compacted clay base floor with a minimum permeability of less than 1×10^{-9} m/s, with the floors of the poultry sheds to be swept and not washed down. As such, no wastewater would be generated. This is acceptable to the EPA. A condition is directed below to ensure the compact clay base is constructed as proposed.

Stormwater Management

Stormwater run-off from the proposed poultry sheds and the area surrounding the sheds is often nutrient rich and cannot be reused as drinking water within the sheds due to the potential of it being a carrier for disease/infection.

It is noted that the risk for contamination of stormwater is considered low given the floors of the poultry sheds would be swept and not washed down, with no waste to be stored either outdoors or on-site. In addition, the EPA notes that the poultry sheds would be fully enclosed and a dedicated chemical storage shed. (e.g. no waste or working areas are exposed to stormwater).

This is satisfactory to the EPA.

Chemical Storage

The supporting documentation indicates that all chemicals associated with the proposal would be stored within a bunded chemical storage shed with a concrete base. Each chemical would be stored in an individual bunded container within this area. The EPA is therefore satisfied that all chemicals to be used on-site would be stored appropriately to contain any potential spills. A condition is directed below in this regard.

Waste Management

The waste streams associated with the poultry farms include deceased birds (mortalities) and litter

(spent litter/manure). The EPA understands that spent litter would be pushed inside the sheds using a loader and soft sweeping brush. The litter would then be directly removed from the sheds to a facility approved to receive the waste. There would be no stockpiling of litter on the site.

All mortalities would be removed from the sheds immediately on discovery and placed either into bio-bins or freezers. Mortalities would then be transported off-site to a facility approved to receive the waste. The EPA further notes that in the event of a disease outbreak on other farms, the use of a mortality pit is the preferred option (for biosecurity risks) where mortalities would be covered with fresh straw and dirt. Any biosecurity issues that may arise on-site would be managed through a future EPA licence.

The EPA considers the proposed waste management measures to be acceptable with satisfactory controls to be put in place to ensure unreasonable odour is not caused by mortalities. A condition is directed below to ensure that an EPA licensed waste transporter collects the waste material from the site.

Environmental Authorisation

The operation of a Poultry Farm - Broiler (growing of poultry meat only) requires an Environmental Authorisation (EPA Licence) pursuant to the Environment Protection Act where the total area of the sheds or structures used to keep the poultry is 13,500 square metres or more. A note is included below to remind the applicant of the need to obtain a licence.

CONCLUSION

Provided the proposed activity is developed in accordance with the documents submitted with the application and conditions directed below and is managed in an environmentally sensitive manner, environmental impacts from the proposal are likely to be within acceptable limits and can be managed via a future EPA licence.

DIRECTION

The relevant authority is directed to attach the following conditions to any approval:

1. Prior to operation, the flooring of each poultry shed must be constructed with an impervious compacted clay base with a minimum permeability of less than 1×10^{-9} m/sec.
2. Any substances that by their nature or amount have the potential to cause environmental harm to surface water or groundwater must be stored within a bunded area so as to contain any spillages that may occur. Note: Information on bunding is available in the EPA *Guideline Bunding and spill management (2016)* http://epa.sa.gov.au/files/47717_guide_bunding.pdf.
3. All dead birds must be removed from the sheds immediately upon discovery and frozen before being collected by EPA licensed transporter for off-site disposal.
4. Feed delivery must only occur between the hours of 7:00am and 10:00pm.
5. Cooling fans must not operate between the hours of 10:00pm and 7:00am.

The following notes provide important information in relation to the development and are requested to be included in any approval:

- The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute (including noise pollution) the environment in a way which causes or may cause environmental harm. This includes, but is not limited to truck engines being switched off during collection of birds between 10pm and 7am, and all trucks and forklifts should be fitted with broadband reverse beepers.
- An environmental authorisation (licence) is required for this development. Before commencing operation, the applicant/operator should contact the Environment Protection Authority on (08) 8204 2058 or email EPALicensing@sa.gov.au for information about the licensing application process and requirements.
- A licence application may be refused where conditions of Development Approval directed by the Environment Protection Authority have not been complied with.
- The applicant is reminded that noise from construction, demolition and site preparation is required to meet the mandatory provision of part 6 Division 1 of the *Environment Protection (Noise) Policy 2007*.
- More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

If you have any questions about this response, please contact Courtney Stollznov on (08) 8204 9402 or email courtney.stollznov@sa.gov.au .

Yours faithfully

Hayley Riggs
Delegate
ENVIRONMENT PROTECTION AUTHORITY

Application Number	21012863
Applicant	Mr Christopher Girling
Development Proposal	Additions to existing veterinary clinic including a relocated training green, a small laboratory, dog breeding facility including 12 kennels and exercise yard, consulting room, car parking and onsite accommodation for visiting medical specialists, students and kennel hands.
Subject Land	Lot 11, 168 Hayman Road, Lewiston CT 6228/472, Hundred of Port Gawler
Zone	Rural Living
Subzone	Animal Husbandry
Nature of Development	Performance Assessed
Public Notification	22 July - 12 August 2021
External Referrals	N/A
Assessing Officer	Martin Rutt – Planning Officer
Recommendation	Approve with conditions

BACKGROUND

The applicant sought preliminary advice in May 2021 to expand their existing veterinary practice to provide more specialist breeding services. Following this advice, an application was lodged in June 2021 and underwent public notification. As a result of the public notification, one representation was received supporting the proposal but raised some minor concerns which have been addressed by the applicant.

PROPOSAL

The applicant is seeking consent to expand Noah's Veterinary Clinic to include as follows:

- 288m² building comprising a consultation room, reception, laboratory, sperm bank, single bedroom accommodation and short term kennel accommodation for up to 12 dogs associated with the new specialist breeding services
- A new dog/puppy training green
- Outdoor yards to confine dogs while they exercise
- 21 car parking spaces, fencing, lighting and landscaping
- A new waste water system for the kennels

The proposed building and carpark is located behind the existing vet clinic building and will function as a specialist breeding facility. The proposed puppy and dog training green is also located behind the existing clinic.

A copy of the proposed plans and details are provided as **Attachment A**.

SUBJECT LAND AND LOCALITY

The subject land is located at Lot 11, 168 Hayman Road, Lewiston and is contained in Certificate of Title Volume 6228 Folio 472 Hundred of Port Gawler. The land is a regular shaped rectangular allotment of approximately of 1 hectare with a frontage to Hayman Road of 50m and a depth of approximately 248m. The allotment bows out slightly at the north east corner which is used as a point for vehicle access.

The subject land is relatively flat and includes the existing veterinary practice, hydrotherapy facility and associated carparking. The locality is characterised by a range of land uses including small horticultural farming properties, rural living residential properties and dog breeding kennels on land associated with occupied dwellings.

PUBLIC NOTIFICATION

Each zone contains a 'Procedural Matters – Notification' table that sets out the kinds of developments that are exempt from requiring public notification. Development applications that are determined to be minor in nature and will not unreasonably impact on the owners or occupiers of land in the locality of the site of development, are also exempt. The Rural Zone list of exempted land uses does not include intensive animal keeping.

The proposal involves a substantial increase in the size of the existing veterinary practice and is considered to be a 'change of use' under the Planning, Development and Infrastructure Act 2016 (Section 4 (d) which includes if *'there is an increase in the intensity of the use of the land which is prescribed by the Planning & Design Code a constituting a material increase for the purposes of this paragraph'*. For this reason the application could not be considered minor in nature and required public notification.

The application underwent public notification from 22 July to 12 August with only adjoining property owners notified (refer to Figure 1). A sign was placed out the front of the subject land and a copy of the plans were also made available to the public at the Mallala and Two Wells offices.

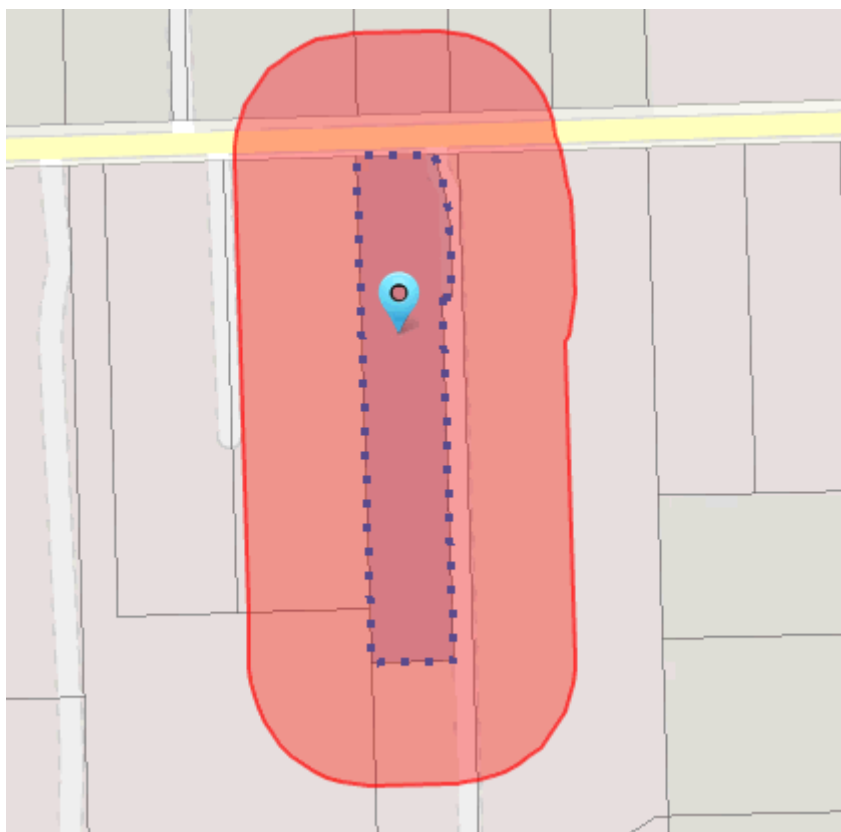


Figure 1: Subject land (blue pin) and 6 adjoining properties that were notified.

SUMMARY OF REPRESENTATIONS

As a result of the public notification, 1 submission was received from an adjoining property owner. The representor supports the proposal with some concerns. The key issues raised in the submission is outlined below.

A copy of the representation and the applicants response is contained in **Attachment B**.

Name of Representor	Summary of Submission
Tanya Chapman (located at 170 Hayman on eastern side of allotment)	<ul style="list-style-type: none"> • Consider moving the lawned area to easterly direction towards existing driveway so the new car park could be accessed from the western side of the site, negating the need for an extra gate and using existing driveway access exit points. • Could new building be reoriented towards existing buildings so building faces north and kennels face south to reduce potential noise to property. • Staff are parking their cars down private access way to dwelling located behind the clinic. If this is to continue could consideration be given to extending existing colorbond fencing. Existing fence has helped screen noise and light impacts. • Ensure carpark lighting is not kept on all night.

INTERNAL REFERRALS

The application was referred to Council's Environmental Health Officer for comment. The applicant has been advised they are required to lodge a waste water application (separate approval process).

EXTERNAL REFERRALS

Nil

ASSESSMENT

With the recent introduction of the Planning & Design Code (the Code) on 19 March 2021, the assessment section of this report is structured in a way that reflects the new hierarchy of policies in the Code. In general, the hierarchy of policies flows in descending order (highest to lowest) as follows - Overlay, Sub Zone (if applicable), Zone and General Development Policies.

The Code is set out with a policy library and structure that is a substantial departure from the old structure in Development Plans. Each specific Overlay, Sub-Zone (if applicable), Zone and General section include 1 or more Desired Outcome (DO) policies. The DO policies set the higher level strategic goals. They similar to Desired Character Statements in Development Plan zones but are very brief (1-2 sentences) and are found in every section.

The specific policies in each section are referred to as Performance Outcome (PO) policies. These policies are similar to the broad Objectives found in Development Plans. With each PO policy comes a corresponding set of 'Deemed to Satisfy' (DTS) criteria which help guide the assessment of proposals and assist in providing some quantitative guidance. This is similar to Principles of Development Control found in Development Plans.

Overlays**Defence Aviation Area**

This overlay seeks to limit building heights so they do not impact on the operational and safety requirements of defence aviation areas. The proposed building is single storey so will have no impact on the operational objectives of the overlay.

Environment and Food Production Area Overlay

The Environment and Food Production Area (EFPA) Overlay seeks to protect valuable rural food production areas from urban encroachment (PO 1). The proposed expansion of the existing land use is considered acceptable and will not impact on the successful operation of farms or food production facilities in the locality. The application does not include a proposal to divide the land (PO1.1).

Hazards (Bushfire – General Risk) Overlay

The Hazards (Bushfire – General Risk) Overlay is a low bushfire risk area that covers the Rural Living Zone. The overlay seeks to ensure buildings and structures are located away from areas that pose an unacceptable bushfire risk (PO 1.1). The overlay requires (PO 2.1) that buildings and structures be designed and configured to reduce the impact of bushfire by using designs that reduce the potential for trapping burning debris. The proposed building is located on a concrete slab and is well separated from existing buildings so that debris cannot be trapped underneath or between buildings.

Hazards (Flooding – General) Overlay

This overlay adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential food risk through the appropriate siting and design of development (DO 1). The State Government's SAPPA mapping system identifies that the land is likely to be inundated in a 1 in 100 year flood event. An image of the subject land with the location of the indicative flood risk locations are located below.



Figure 2: Extract of flood mapping (allotment highlighted with blue pin)

The applicant originally proposed to construct their new building at the same finished floor level (FFL) as the existing practice but without up to date information regarding potential flood depths, a hydrological report and site drainage plan (survey) was requested. The hydrological report noted the flood depths in the area are up to 250mm above natural ground level. The report recommends a FFL of at least 19.55m AHD which is approximately 550mm above the surrounding natural ground level (19.00m AHD). The proposed FFL takes the P&D Code requirements for buildings to be sited with a FFL at least 300mm above the anticipated 1% AEP flood level. As a result of the nominated FFL, the proposal is considered to comply with DO 1, PO 1.1 and PO 2.1 of the overlay.

A copy of the hydrological report including the site survey is provided as **Attachment C**.

Native Vegetation Overlay

The subject land is located in the Native Vegetation Overlay however the location of the proposed development will not require the removal of any remnant native vegetation.

Prescribed Wells Area

The applicants are not proposing to draw any water from prescribed wells in the Lewiston area.

Animal Husbandry Subzone

The subject land is located in the Animal Husbandry Subzone which seeks large scale dog kenneling in association with detached dwellings on large allotments (DO 1). Whilst the existing veterinary practice is not a residential use, the land also falls in the Rural Living Zone (discussed below) which does anticipate a range of low intensity rural based activities. Given the subzone seeks large-scale dog and horse breeding and keeping, a veterinary business is considered an acceptable low intensity rural based land-use activity.

The subzone supports the breeding and kenneling of dogs (PO 1.1) in association with residential use of the land. In this instance, a staff member or visiting vet will occupy the single bedroom (as part of the new building) to care for the dogs after hours.

The subzone includes a Deemed to Satisfy (DTS) criteria anticipating around 20 dogs per allotment (DTS 1.2). The proposal satisfies this DTS as there are 12 kennels proposed to accommodate a maximum of 12 dogs onsite for short-term breeding purposes.

To ensure the dogs are kept quiet and comfortable, the kennels are air conditioned and insulated. Dogs will not be able to see each other in the outdoor component of their kennels and the outside areas are oriented away from the existing practice to further reduce potential disturbance to the dogs. The proposed car park access road surrounds the new building but is separated from the kennels by fenced off play areas to further minimise disturbance to the dogs and avoid barking.

The new P&D Code introduced a new DTS setback standard for kennels to be located a minimum of 35m from all boundaries (DTS 1.4 (a)). The DTS standard is unachievable on most 1 hectare allotments in the Animal Husbandry Subzone as most allotments are only 50m wide, including the subject land. The kennel component of the development is under 150m² meeting DTS 1.2 (c). The new building/kennel structure will not comprise 25% of the allotment area (DTS 1.4 (d)). Landscaping of at least 1m in width is proposed along the western boundary of the carpark to screen the proposed development (DTS 1.4 (e)). There is an existing unsealed road to a rear allotment (also owned by the applicant) adjacent the eastern boundary. The road separates the subject land from the immediately adjoining allotment at 170 Hayman Road. The adjoining property (no. 170) has extensive landscaping along the western boundary which assists in screening the proposed building and structures on the subject land. Following the public consultation, the applicant has agreed to plant additional landscaping along the eastern property boundary to provide additional screening to the property at 170 Hayman Road.

Rural Living Zone

The subject land is contained in the Rural Living Zone which seeks to provide ‘a spacious and secluded residential lifestyle with semi-rural and semi-natural environments, providing a range of low intensity rural activities and home based business activities’ (DO 1). The veterinary clinic has been in operation on the subject land for many years and is considered to be an acceptable land use in the zone.

The proposed expansion of the existing clinic to provide larger facilities for reproductive purposes is considered reasonable in terms of the intensity of the land use and the proposed location and orientation of the expansion behind the existing clinic to minimise impact on adjoining residential properties (PO 1.1). The proposed consulting rooms and appropriately scaled dog keeping/kenneling are anticipated in the zone (and subzone in particular) and considered to adequately satisfy (DTS 1.1 (d)) and PO 1.2.

Zone DTS 1.4 (a) (i) does seek to limit consulting room space to 50m² gross leasable area. The proposed development includes a small additional consulting space (in addition to staff quarters and laboratory space) of around 10m² which falls under the 50m² DTS standard, but the combined consulting spaces of the existing practice and proposed development will likely exceed this standard. The small consulting space will operate only to serve the defined activities in the proposed building. This consulting function is moving from the existing building to the new building and is considered acceptable in the context of the whole development. Overall, the non-residential nature of the development has been sited and designed to complement the semi-natural residential character and amenity of the locality (PO 1.5).

The proposed building is sufficiently separated from the site boundaries and is of a scale that does not cause unreasonable impacts on the semi-rural character of the locality (PO 2.1). The building is located at least 10m from side boundaries and is located behind the main building and is considered to meet DTS 2.1. Further, the zone seeks to ensure non-residential buildings are designed and sited to minimise their visual impact by having substantial setbacks from boundaries and public roads to their visual impact, which the proposal satisfies (PO 2.2). The proposed building is 288m² and thus exceeds the 100m² DTS 2.2 (a) but the area is considered acceptable in the proposed location behind the existing operations. DTS 2.2 (b) requires a 25m setback from all boundaries but this is not possible given the allotment is only 50m wide (as is the case with most 1 hectare lots in the zone). The building is only single level and does not have a wall height over 3m, therefore meets DTS 2.2 (d) and (e).

The proposed building and associated facilities designed for the short term keeping of animals (kennels) are sited, designed and of a scale and appearance that reinforced the rural character of the locality (PO 2.3). The DTS 2.4 setback standard of 25m is difficult to meet for any structure proposed in the zone. The proposed development has been thoughtfully arranged in a way that will not cause unreasonable impacts on the adjoining neighbours and therefore meets the spirit of the PO and DTS standards.

General Development Policies

Animal Keeping

The proposed short term kenneling of up to 12 dogs is considered to be at an appropriate density that will not exceed the carrying capacity of the land and in a manner that minimizes their adverse impacts on the locality and therefore, satisfies DO 1 and PO 1.1. The veterinary practice is well equipped to manage any disease outbreaks through regular cleaning and sanitation and satisfies PO 1.2

The kennels will be regularly cleaned and hosed down with drainage channeled to a new waste water system to avoid any pollution of land and water (PO 2.1). The kennel flooring will form part of the impervious concrete footing for the building to facilitate easy cleaning (PO 3.1). The proposed kennels and exercise area is located an acceptable distance from the adjoining sensitive receiver at 170 Hayman Road, Lewiston. Whilst they are oriented towards this property, the outside area of the kennels are screened with solid material so the dogs can't see another other which makes them less likely to bark. The inside section of the kennels are insulated and lined to keep any noises to a minimum. Noisy dogs can be kept inside if required to avoid upsetting other dogs. Additionally, the outside areas of the kennels are located adjacent the fenced exercise areas which will further assist with reducing potential barking so the proposal is considered to satisfy PO 3.2.

It is not possible for the vast majority of properties in the Animal Husbandry Subzone to meet DTS 3.2 that requires kennels to be sited more than 500m from the nearest sensitive receiver so this DTS is considered to

be of little relevance to the proposed development. A staff member will always be onsite to ensure short stay dogs are well looked after and are not generating unreasonable noise (PO 3.3). Corresponding DTS criteria 3.3 requires a permanent dwelling on the site for kenneling or breeding to ensure good management of such facilities so this proposal is considered to meet the spirit of the DTS.

Waste matter will be dealt with in the same way existing waste is managed for the practice and therefore satisfies PO 4.1 and 4.2.

Design

The proposed development is well integrated into the layout of the existing veterinary practice in a way that will not detrimentally impact on the neighbouring properties. Additional landscaping is proposed along a section of the eastern and western boundaries adjacent the proposed building to assist in screening the development from the neighbouring allotments. The proposed single storey building and other components of the development are located behind the existing veterinary practice and will not be highly visible from Hayman Road.

The buildings are oriented to ensure that light can access the outdoor section of the kennels (facing east) and office/lab/consulting rooms (facing west). New vehicle parking for staff and visitors will be located around the proposed building and the building entrance has clear access and site lines from the carpark. The carpark design and layout meets the relevant Australian Standards (AS). The screening landscaping along the eastern and western boundaries (adjacent the proposed building) will assist in screening the subject land from adjoining properties.

The proposal generally accords with DO 1 and PO's 1.1, 1.4 (a-c), 1.5, 2.1, 2.3, 2.5, 3.1 (a-e), 3.2, 4.1, 4.2, 4.3, 5.1, 7.2, 7.6, 7.7, 8.1, 19.1 to 19.6, 24.2, 25.1, 25.2, and 31.2.

Interface Between Land Uses

The proposed development has been designed in a way that will minimise the impacts on adjoining sensitive receivers (dwellings) and is considered to comply with DO 1 and PO 1.1. No changes are proposed to the hours of operation so PO 2.1 is of limited relevance to this proposal.

The proposed development has been designed in a way that minimises impacts on adjoining sensitive receivers and is generally considered to be consistent with PO 1.2, 2.1, 3.1, 3.2, 3.3, 4.1, 4.4, 6.1, and 6.2.

Transport, Access and Parking

The proposed access and carpark arrangements are designed in a manner that is considered to provide safe and convenient movement around the subject site and to provide sufficient onsite parking to meet client requirements. The proposed access arrangements link into the existing carpark and the access/egress arrangements at the front of the veterinary practice so the proposal is considered to be consistent with DO 1 and PO 1.1, 1.4, 2.1, 2.2, 3.1, 3.4, 3.5, 3.9, 4.1, 5.1 and 6.2 to 6.7.

SUMMARY

The proposed expansion of the veterinary clinic has been thoughtfully designed and incorporates a reasonable expansion of an existing land use to enable the practice to provide additional specialist breeding services to local dog breeding community, particularly in the Lewiston area where a high concentration of breeders

currently operate. The incorporation of extensive landscaping along eastern and western boundaries (adjacent the proposed building/kennels) will further assist in screening the visual impact of the new building/kennels. The scale of the temporary kenneling component of the operation is considered acceptable and in line with the DTS requirements in the Animal Husbandry Subzone.

The proposed development is not considered to be seriously at variance with the provisions of the Planning & Design Code. Accordingly, on balance, the proposal is considered to have sufficient merit and warrants approval with appropriate conditions and notes.

RECOMMENDATION

It is recommended that the Council Assessment Panel resolves that:

1. Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
2. Development Application Number 21012863 by Mr Chris Girling for Additions to existing veterinary clinic including a relocated training green, small laboratory, dog breeding facility including 12 kennels and exercise yard, consulting room, car parking and onsite accommodation for visiting medical specialists, students and kennel hands at Lot 11, 168 Hayman Road, Lewiston, Hundred of Port Gawler is GRANTED Planning Consent, pursuant to Section 102(a)(i) of the Planning, Development and Infrastructure Act 2016, and subject to the following conditions and advisory notes:

Conditions

1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.

Reason: To ensure the proposal is developed in accordance with the plans and documentation.

2. All stormwater design and construction shall be in accordance with Australian Standards and recognised engineering practices to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason: To ensure adequate provision is made for the collection and dispersal of stormwater.

3. The development and development site must be kept in a neat, tidy and sanitary condition at all times, to the reasonable satisfaction of Council.

Reason: to ensure the subject land is well managed and does not become unsightly or insanitary.

4. Management of the property must be undertaken in such a manner as to prevent denudation, erosion or pollution of the environment.

Reason: to ensure the site is maintained in good condition at all times.

5. All vehicles must enter and leave the site in a forward direction.

Reason: To ensure safe access and egress to and from the subject land.

6. The landscaping shall be substantially established within 3 months of occupation of the development and must be kept in good condition at all times with any sick or diseased plants and trees replaced as necessary.

Reason: To ensure the impacts of the proposed development are minimised on adjoining property owners.

Notes

Once development approval is granted, the development must be:

- a) Substantially commenced within twenty four (24) months from the date of the decision of this Consent or Approval, otherwise this Consent or Approval will lapse at the expiration of twenty four (24) months from this date (unless Council extends this period), and a new development application shall be required;
- b) Fully completed within three (3) years from the date of the decision of this Approval, otherwise this Approval will lapse at the expiration of three (3) years from this date (unless Council extends this period), and a new development application shall be required; and
- c) Any request for an extension of time must be lodged through the Plan SA portal prior to the expiry of the above-mentioned periods.

Pursuant to Section 202 of the *Planning, Development and Infrastructure Act 2016*, you have the right of appeal to the Environment, Resources and Development Court against either (1) a refusal of consent or (2) any condition(s) which have been imposed on a consent. Any such appeal must be lodged with the Court within two (2) months from the day on which you receive this notification or such longer period allowed by the Court.

The Environment, Resources and Development Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide SA 5000 (GPO Box 2465, Adelaide SA 5001 (Ph. 8204 0289).

Mark Senior Architect
10 Cooper Street
Eden Hills
SA 5050

31 May 2021

Planner
Planning Department
Adelaide Plains Council
Mallala SA 5502

Dear Madam/Sir,

**RE: Proposed Veterinarian Consulting Room/Lab./Accommodation and Kennels
168 Hayman Road Lewiston SA 5501**

I forward Planning Application set for above named project.

The proposal is for the following:

- A.** A new 288 square metre building comprising a consultation room, reception, a laboratory, a sperm bank, a single bedroom accommodation and 12 dog kennels.
- B.** A new dog training green
- C.** Outdoor yards to confine dogs while they exercise
- D.** New car parking spaces, fencing and landscaping

The new building shall be located to the south and rear of an existing veterinarian clinic and will function as one of the State's premier dog breeding facilities.

The building shall be a slab on ground, precast concrete structure. Due to the flood plain characteristic of this flat site it shall have a floor level to match the existing building adjacent on site which was given development approval in the past 10 years.

The following is a response to questions raised by the Adelaide Plains Council planner Josh Banks after he examined the pre-application set of drawings in early May 2021.

Flood Plain

We are aware that the land is situated on a flood plain and we seek permission to use the previous hydrological report that was produced for the build on site adjoining 30m from the proposed new building. The land is flat

and we intend to set the proposed new building floor level to match the adjoining building level.

If you require a new hydrological report please advise.

Ring Road

The ring road that circles the proposed new building and runs through the proposed new car park shall be sealed with recycled bitumen as the existing private roads are.

Landscaping

A landscaping plan has been provided. The proposal calls for a variety of drought tolerant ground covers, shrubs and small to medium sized trees. The selection of plant types will offer shade, attract birds and insects and provide smells and a variety colour and foliage types for staff and visitors.

Lighting

New external lighting shall take the form of directional and adjustable flood lighting wall mounted to the existing building and 2No. car park street lamps, each at 6.5m high, with a directional design so not to affect neighbours.

Waste Water

Existing septic and soakage areas locations have been defined on the drawings. The new septic and soakage areas locations and the kennel soakage area location have also be defined on the drawings.

If you require a design and report from a waste water system engineer please advise.

Waste Management

The client currently use the waste removalists Signal Waste & Recycling and intend to continue to use their services for the existing and proposed building. General waste is removed fortnightly and recycled waste removal is carried out monthly using commercial bins for both. Collections are only done during business hours.

Hours of Operation

The proposed kennels will operate under the current approved opening hours.

The Living Quarters (Accommodation)

The living quarters will be used by the following people:

- Vets
- Vet nurses
- Vet students
- Kennel hand

The accommodation is vital to allow the management of hospitalised and boarding patients on site. Having these people on site will be hugely

advantageous in ensuring the health outcomes for the patients as well as maintaining a site presence and site noise reduction for neighbours.

Acoustics

This planning zone is an animal husbandry subzone and accommodates a number of dog and horse breeding and animal health facilities. The design and materials proposed for this building, together with fencing size and selection and landscaping design, takes into consideration the need to reduce the noise from patients as much as possible.

For the building, the dense precast concrete envelope together with sufficient acoustic insulation to wall cavities and ceiling/roof spaces will assist in noise reduction.

The proposed dog training green is simply an area for puppy training (pups 8-16 weeks old) and will be used during normal clinic opening hours.

The puppy preschool is already an integral part of the existing clinic business and this new patch of lawn will be an improvement to the current facility and will not cause any additional noise.

If you require an acoustic report please advise.

We trust this information is sufficient to assist in the planning assessment process.

Regards

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Mark Senior
Mark Senior Architects



NOAHS CROSSING VETERINARY CLINIC
168 HAYMAN ROAD, LEWISTON SA 5501
PH: 08 8524 2260 FAX: 08 8524 2269
ABN 72 089 711 277

1st July, 2021

To Adelaide Plains Council

Animal Management plan for the additional development application for the clinic

The kennels associated with the new section will be used to house bitches which are required to board at the clinic whilst undergoing blood testing to time their breeding program (interstate or distanced owners)

The boarding dogs will be locked within the kennels from closing time at 6pm until 7.30am when kennel staff arrive. This is both for security reasons and to limit any noise. Also bear in mind most barking results from dogs being reactive to other dogs within the kennels and that the kennels have been designed with solid walls between kennels such that there is never any face to face to contact. The dogs will be let into their outside area and shut out to allow washing down and cleaning of inside areas with a hospital grade disinfectant. All solids will be bagged to go into commercial waste bins (we use signal waste) for collection. Once the kennels are dry, dogs will be brought back inside and locked inside to allow similar cleaning process to occur in outside runs. Twice daily, any kennelled dogs will be rotated through the grassed exercise yards (as indicated on plans) with any solids picked up immediately prior to the next dog entering the yard. Any noisy or reactive dogs will be outside with no other dogs in the adjoining exercise yard. Wash down areas will be plumbed to either a drainage pit or septic as required by council. Any barking or noise should be mitigated by appropriate planting of screens as indicated in the vegetation plan

Feeding times will be at 9 am and 4pm daily allowing plenty of time to ensure all dogs have clean kennels and adequate time to empty out prior to being closed in for the evening

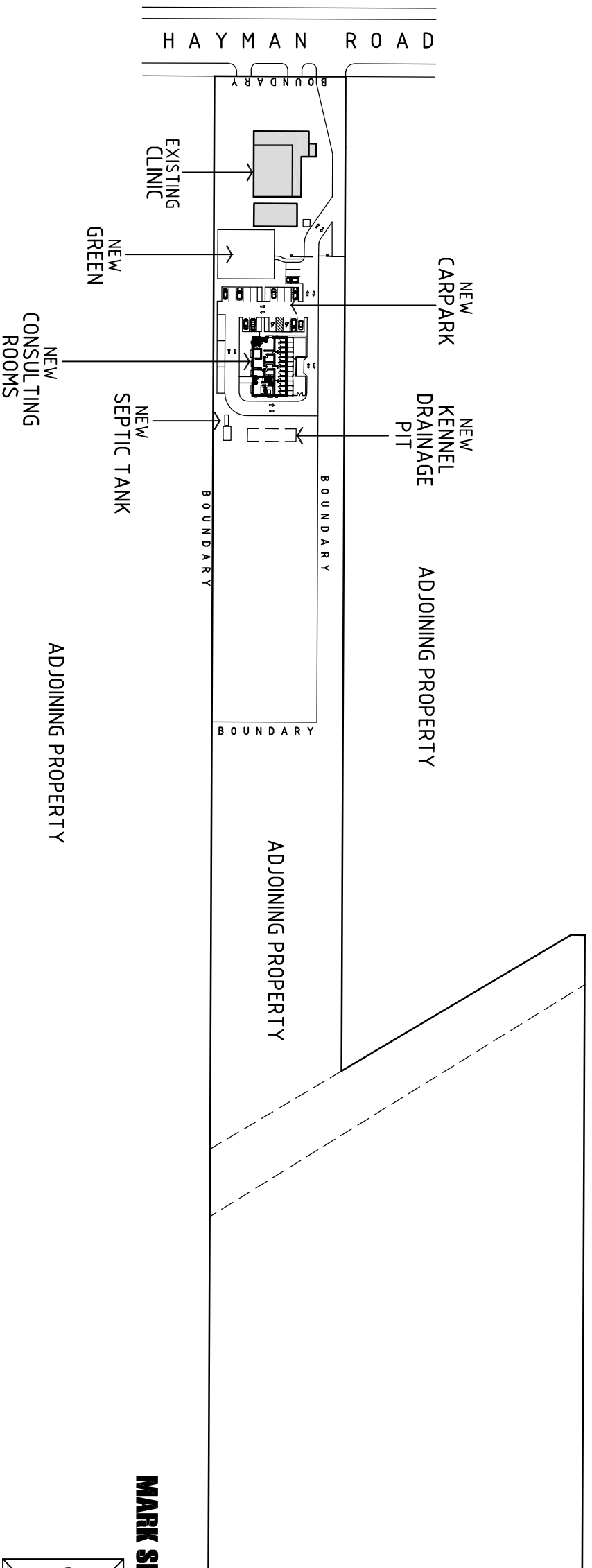
Any unwell dogs will be examined by a vet onsite and if required relocated to the clinic. Any deceased dogs are stored in the body freezer and collected by animal welfare league which are scheduled twice weekly

Any breeding activity is by artificial insemination and will occur inside the building. We will not be whelping bitches but will perform caesarean sections within the veterinary clinic. Any boarding dogs are short term

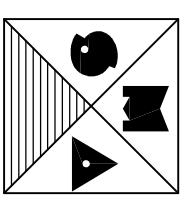
All dogs which board are identified by microchip

Yours Sincerely

Dr Chris Girling (BVSc)



MARK SENIOR ARCHITECT

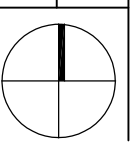


tel: 0416 297 457
 markofadelatide@yahoo.com.au
 10 Cooper St Eden Hills SA 5050

FOR INFORMATION

PROJECT
 PROPOSED CONSULTING ROOMS
 NOAH'S CROSSING VET CLINIC
 168 HAYMAN ROAD, LEWISTON
 FOR C GIRLING

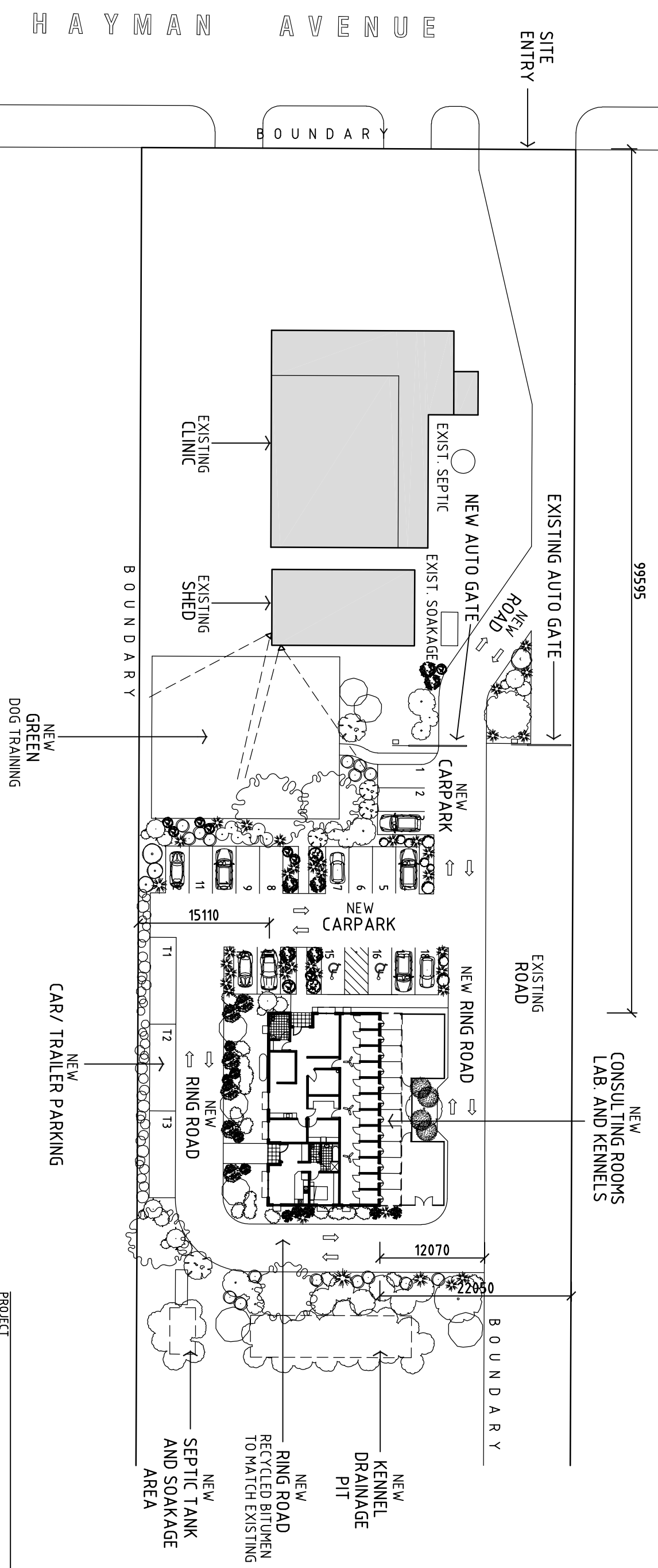
DRAWING		
LOCATION PLAN		
SCALE		
1:2000		
DATE	DRAWN	CHECKED
MAY 2021	MDS	
CAD REF.	DRAWING NUMBER	REVISION
	SK01	D



LOCATION PLAN
 1:2000

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS.

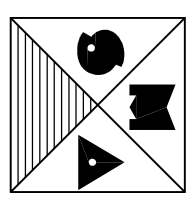
AREAS	
NEW BUILDING	288m ²
EXTERNAL YARDS	53m ²
COMMON EXTERNAL YARD	80m ²



LOCATION PLAN
1:500

FOR INFORMATION

MARK SENIOR ARCHITECT

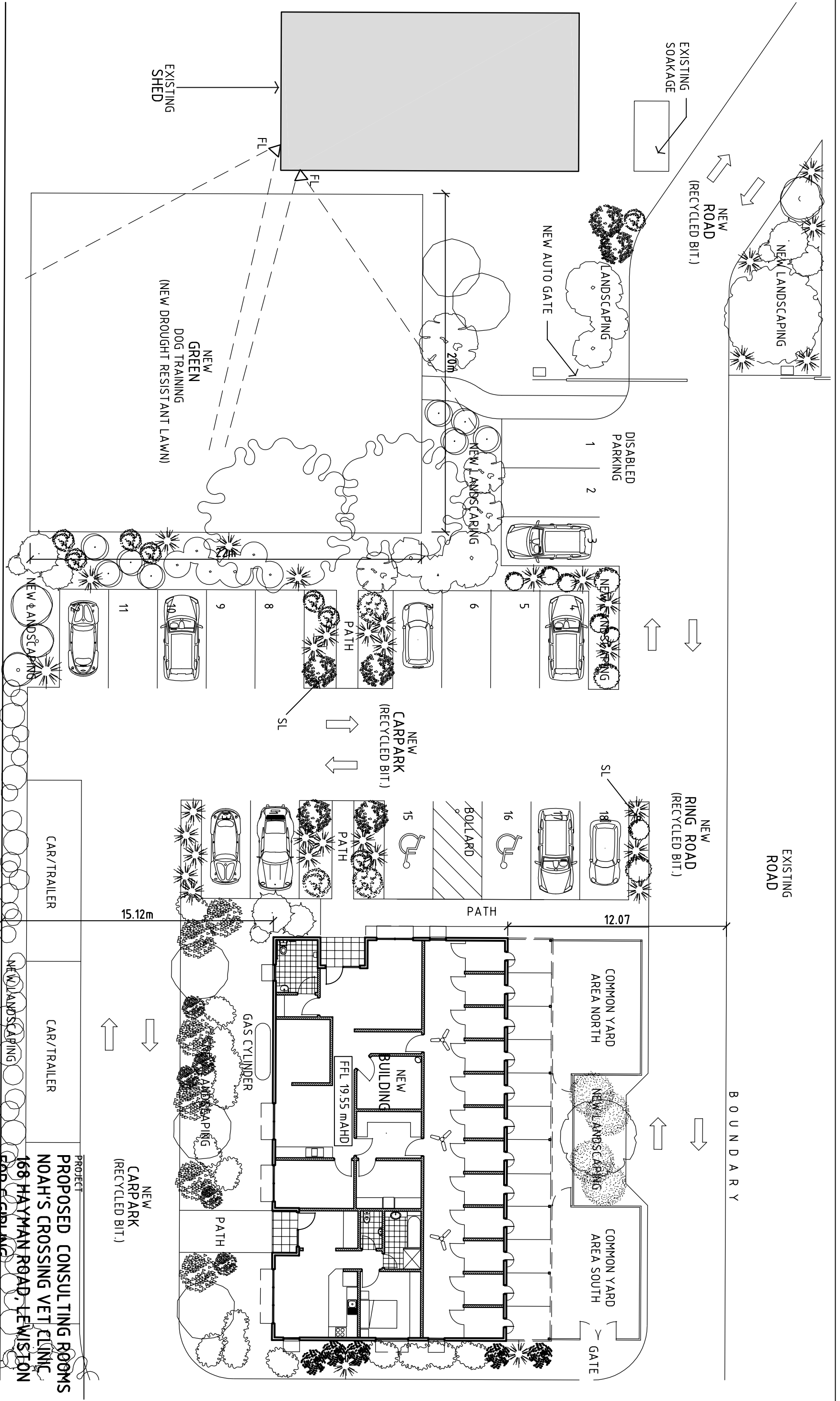


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PROJECT
PROPOSED CONSULTING ROOMS
NOAH'S CROSSING VET CLINIC
168 HAYMAN ROAD, LEWISTON
FOR C GIRLING

DRAWING		CHECKED	
LOCATION PLAN			
SCALE	1:500	DRAWN	MDS
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THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS

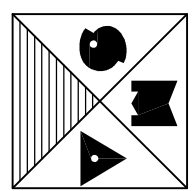


SITE PLAN

1:200

LEGEND	
FL	WALL MOUNTED FLOOD LIGHT (ADJUSTABLE)
SL	STREET LIGHT ON POLE (6.5m HIGH)

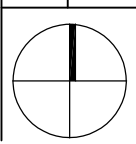
FOR INFORMATION



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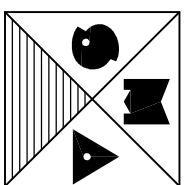
PROJECT
 PROPOSED CONSULTING ROOMS
 NOAH'S CROSSING VET CLINIC
 168 HAYMAN ROAD, LEWISTON
 FOR GIRLING

DRAWING
 SITE PLAN
 SCALE 1:200
 DATE MAY 2021
 CAD REF. SK03



DRAWN MDS
CHECKED MDS
REVISION E

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS

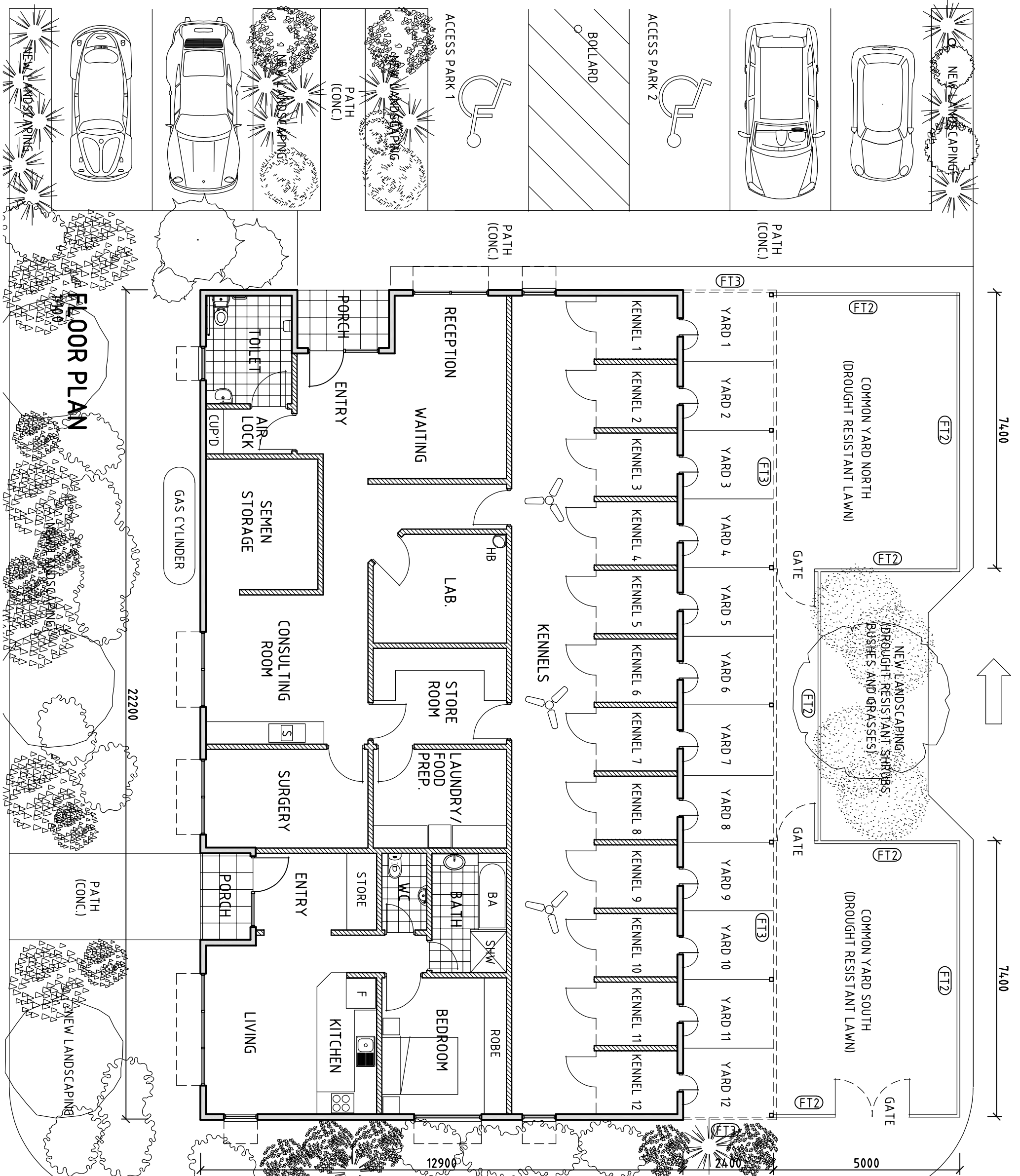
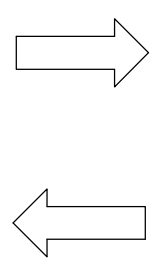


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FOR INFORMATION

LEGEND

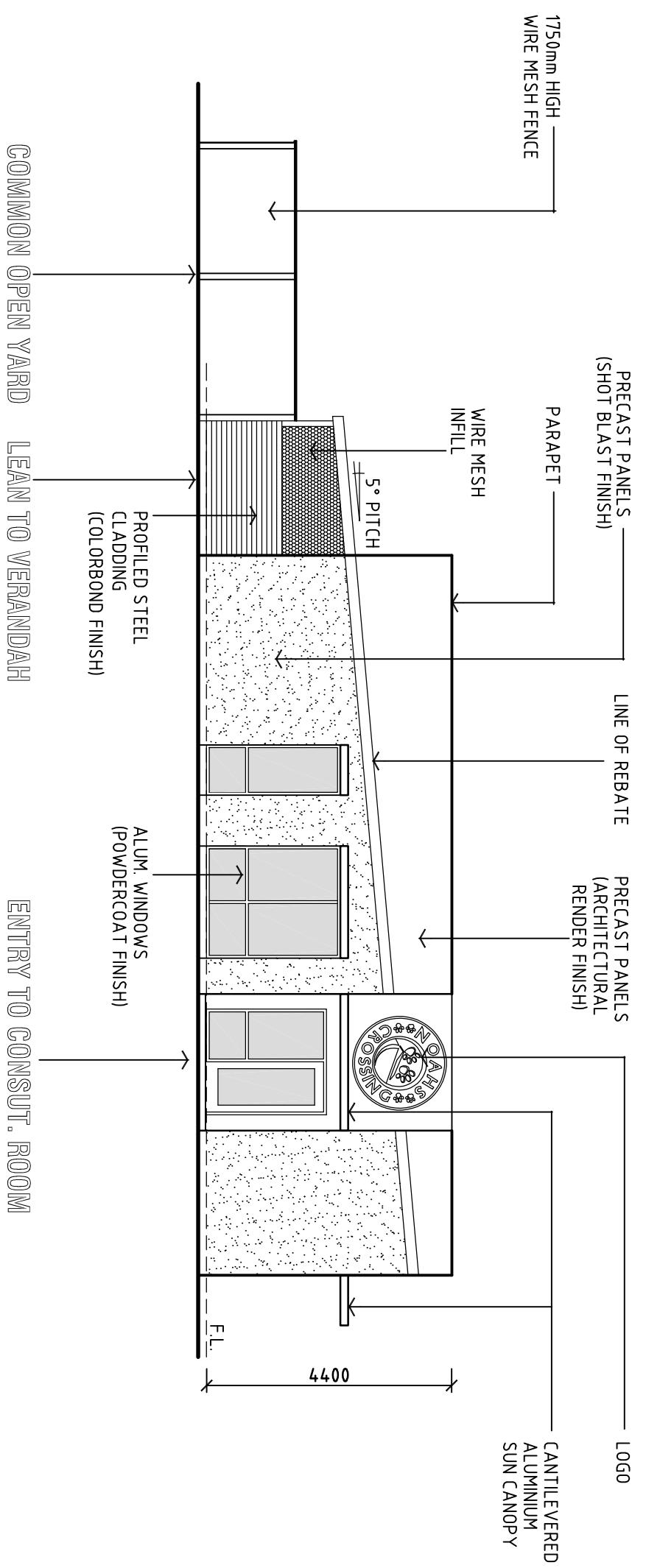
- (ET1) FENCE TYPE 1
RURAL STYLE
TIMBER FENCE
- (ET2) FENCE TYPE 2
CSR HEBEL
POWERFENCE
- (ET3) FENCE TYPE 3
1500mm PROFILED
STEEL CLADDING
WITH WIRE MESH
INFILL OVER



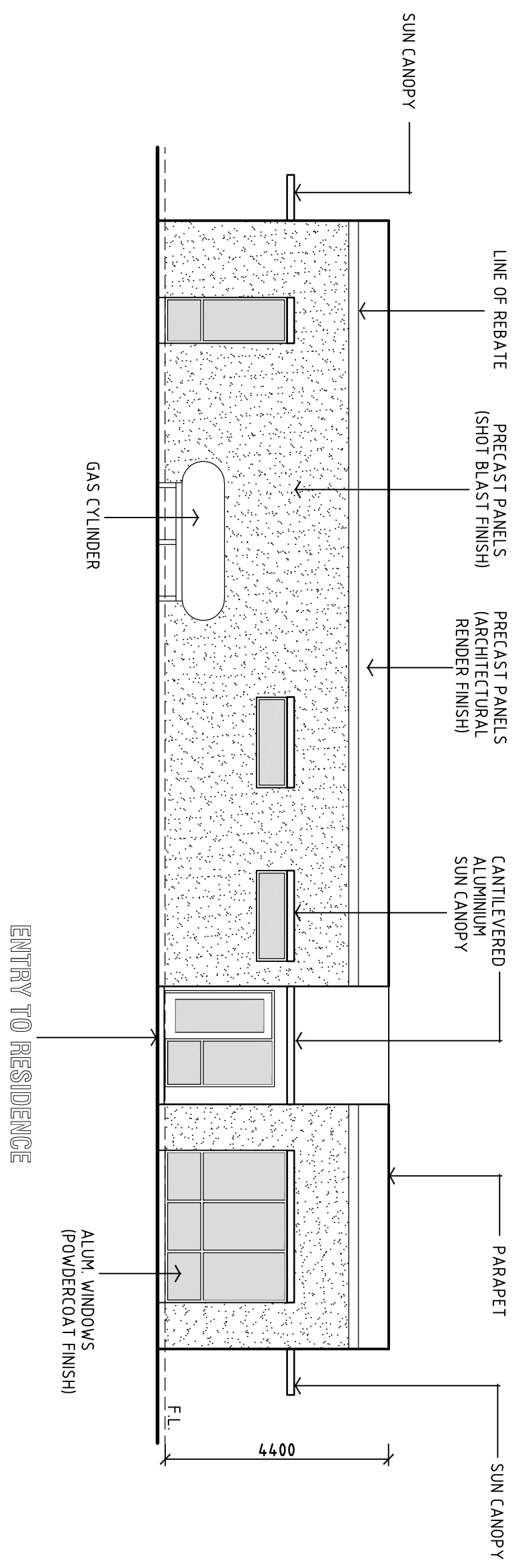
PROJECT
 PROPOSED CONSULTING ROOMS
 NOAH'S CROSSING VET CLINIC
 168 HAYMAN ROAD, LEWISTON
 FOR C GIRLING

DRAWING
 FLOOR PLAN
 SCALE
 1:100

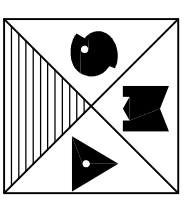
DATE	MAY 2021	DRAWN	MDS	CHECKED
CAD REF.		DRAWING NUMBER	SK04	REVISION
				E



NORTH ELEVATION
1:100



WEST ELEVATION
1:100



MARK SENIOR ARCHITECT

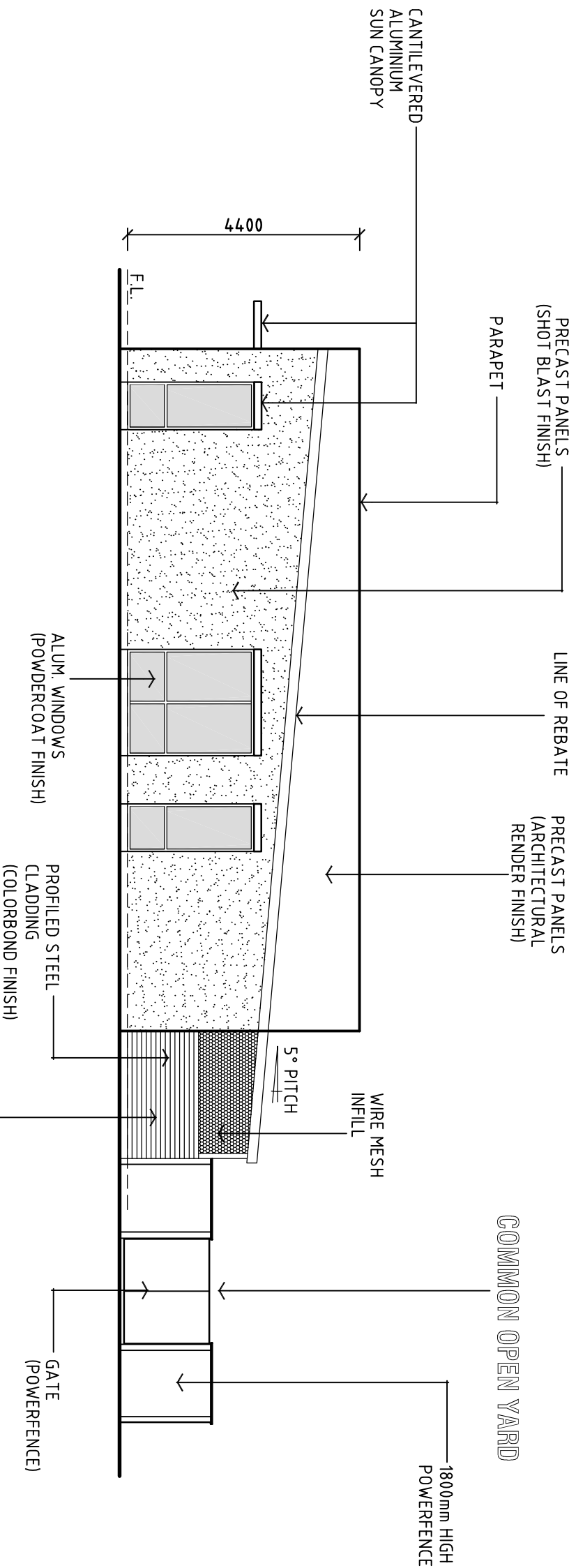
tel: 0416 297 457
markofadelatide@yahoo.com.au
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FOR INFORMATION

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NOAH'S CROSSING VET CLINIC
168 HAYMAN ROAD, LEWISTON
FOR C GIRLING

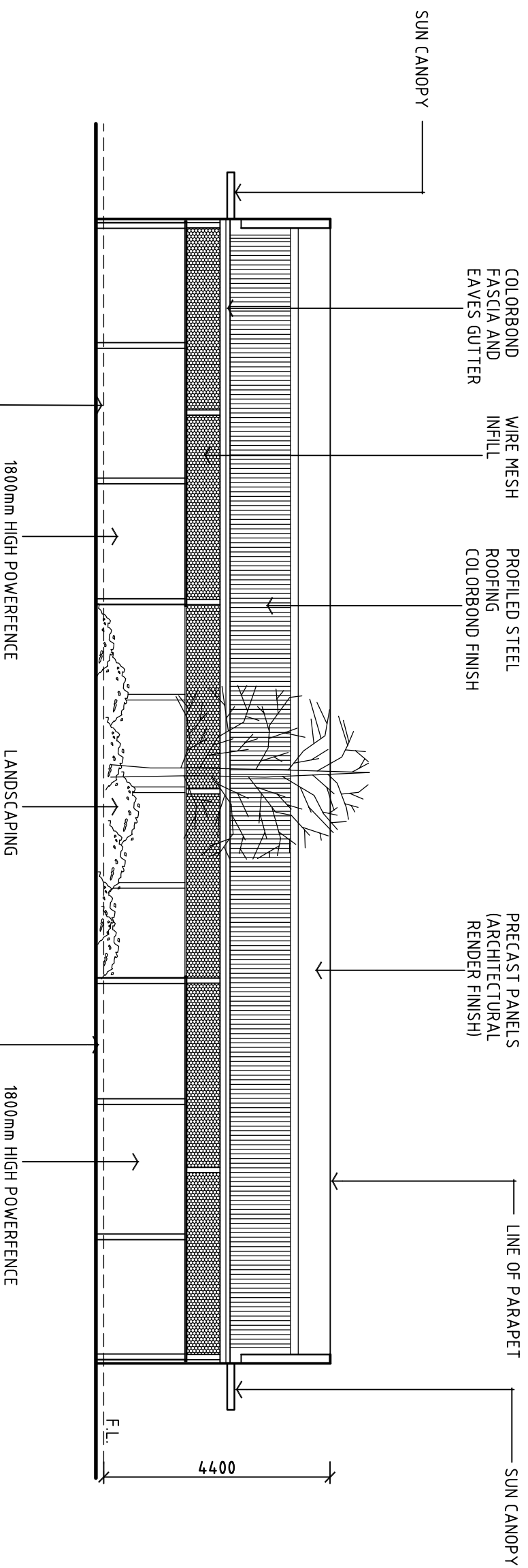
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ELEVATIONS			
SCALE			
1:500			
DATE	DRAWN	DATE	CHECKED
MAY 2021	MDS		
CAD REF.	DRAWING NUMBER	REVISION	
	SK05	D	

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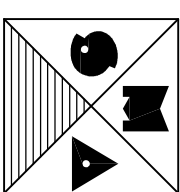


SOUTH ELEVATION
1:100

LEAN TO VERANDAH



EAST ELEVATION
1:100



MARK SENIOR ARCHITECT

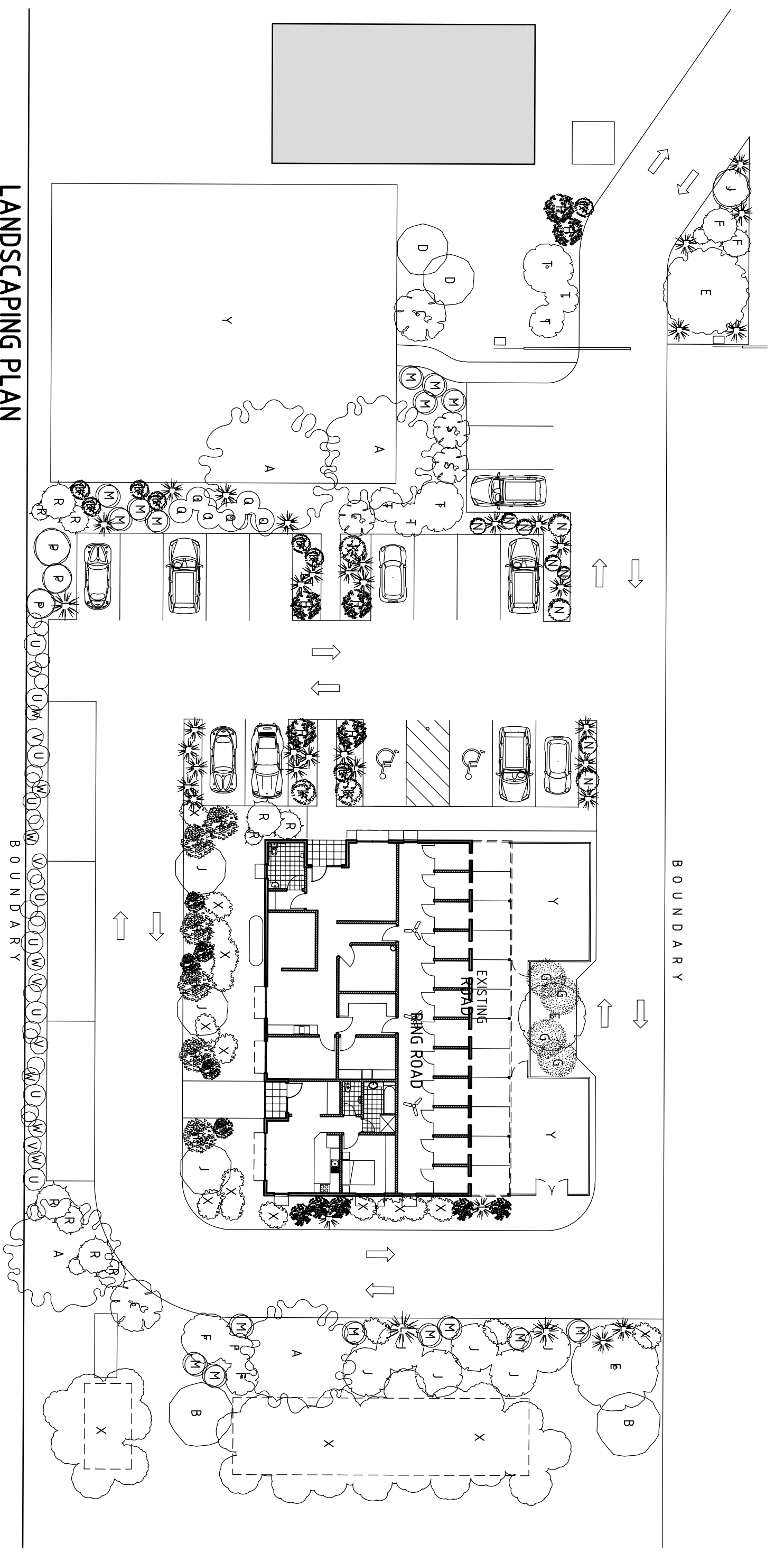
tel: 0416 297 457
markofadelatide@yahoo.com.au
10 Cooper St Eden Hills SA 5050

FOR INFORMATION

PROJECT
PROPOSED CONSULTING ROOMS
NOAH'S CROSSING VET CLINIC
168 HAYMAN ROAD, LEWISTON
FOR C GIRLING

DRAWING ELEVATIONS		CHECKED
SCALE	1:500	
DATE	MAY 2021	REVISION
CAD REF.	SK06	

THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS, SPECIFICATIONS



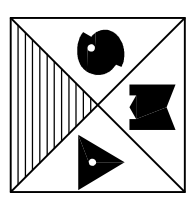
LANDSCAPING PLAN

1:250

LEGEND	
TREES	
A	CUPANIOPSIS ANACARDIODES (TUCKEROO)
B	CERCIS SILIQUASTRUM (JUDAS TREE)
C	ACACIA DEALBATA (SILVER WATTLE)
D	ACER CAMPESTRE (QUEEN ELIZABETH)
E	EUCALYPTUS KINGSMILLII (KINGSMILL'S MALLEE)
F	AGONIS JUNIPERINA (JUNIPER MYRTLE)
SHRUBS	
G	BUDDLEJA CRISPA (HIMALAYAN BUTTERFLY BUSH)
H	ADEMANTHOS CUNEATUS (JUG FLOWER)
J	CEANOTHUS PAPILLOSUS VAR. ROWEANUS (PACIFIC BLUE)
K	MELALEUCA URCEOLARIS
L	LEUCADENDRON (WILDFIRE)
GROUND COVER	
M	GREVILLEA (COCONUT ICE)
N	ALYOGYNE (SHELBY ANNE)
P	TEMPLETONIA RESTUSA (COCKY'S TONGUE)
Q	ACACIA COGNATA (GREEN MIST)
R	ACROTRICHE SERRULATA (HONEY POT)
S	GREVILLEA SYNAPHEAE
T	CALYTRIX GLUTINOSA
TREES	
M	GREVILLEA (COCONUT ICE)
N	ALYOGYNE (SHELBY ANNE)
P	TEMPLETONIA RESTUSA (COCKY'S TONGUE)
Q	ACACIA COGNATA (GREEN MIST)
R	ACROTRICHE SERRULATA (HONEY POT)
S	GREVILLEA SYNAPHEAE
T	CALYTRIX GLUTINOSA
SHRUBS	
U	EUTAXIA MICROPHYLLA
V	HAKEA MYRTIODES
W	AJUGA REPTANS (CARPET BUGLE)
X	JUNIPER HORIZONTALIS (WILTONII)
Y	COUCH (SANTA ANA)

FOR INFORMATION

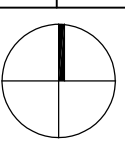
MARK SENIOR ARCHITECT



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PROJECT
PROPOSED CONSULTING ROOMS
NOAH'S CROSSING VET CLINIC
168 HAYMAN ROAD, LEWISTON
FOR C GIRLING

DRAWING	LANDSCAPING PLAN
SCALE	1:250
DATE	MAY 2021
CAD REF.	DRAWING NUMBER
	SK07
	REVISION
	D



THIS DRAWING SHOULD BE READ IN CONJUNCTION WITH ALL RELEVANT CONTRACTS SPECIFICATIONS

211435L001Rev0

25 October 2021

Noah's Crossing Veterinary Clinic
168 Hayman Road
Lewiston SA 5501

Attention: Chris Girling

Dear Chris

FLOOD ADVICE FOR 168 HAYMAN ROAD, LEWISTON

As requested, we have undertaken an assessment of flooding for the property at the above address.

Background

We understand that you are proposing to undertake development of the veterinary clinic at 168 Hayman Road, Lewiston. Adelaide Plains Council has identified that the location of the proposed development is within the floodplain of the Gawler River. Council has requested that an assessment of flooding be undertaken to determine a suitable finished floor level (FFL) for the development so that it is not subject to inundation from floodwaters during a 1% annual exceedance probability (AEP) event. This report summarises our findings.

Requirements for Flooding

As defined within the South Australian Planning and Design Code (the Code), the site is subject to the following flood resilience criteria:

- Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished ground floor level not less than 300 mm above the height of a 1% AEP flood event.

Floodplain Mapping Assessment

Floodplain mapping of the Gawler River has been previously developed by Australian Water Environments¹. Review of the flood mapping (attached) confirms that the site is subject to inundation from flooding of the Gawler River during the 1% AEP event. The proposed development is located within the northern portion of the site. The mapping shows that the 1% AEP flood depths within this area are up to 250 mm above the existing natural ground surface elevation.

Finished Floor Level

Site survey has been prepared by Henning & Co Pty Ltd (attached). The survey shows that the existing ground surface elevation where the development works are proposed is approximately 19.0 mAHD. As such, a FFL of at least 19.55 mAHD will be required for any new buildings to ensure that a freeboard allowance of 300 mm can be provided above the 1% AEP flood level.

¹Australian Water Environments (2015), *Gawler River Floodplain Mapping Report - Final*

Flood Impact Assessment

While the site is subject to inundation in the 1% AEP event, it is located on the periphery of a very wide floodplain. Furthermore, flood depths in the area in which the development is proposed are shallow, which means that any loss of capacity due to obstruction of flood waters by the development will be negligible. As such, construction of the proposed buildings within the site is not expected to increase the risk of flooding for other properties.

Nevertheless, site filling should only be placed within the areas in which construction of buildings is proposed, with any filling battered down outside of the proposed building footprints to ensure that existing overland flow paths can be maintained. As far as is practicable, carparking and manoeuvring areas should be designed to be as close to existing ground levels as possible.

Summary

Based on our investigation we have determined that:

- The South Australian Planning and Design Code requires finished floor levels be set at least 300 mm above the 1% AEP flood level.
- The 1% AEP flood depth at the proposed development is approximately 250 mm above the natural ground elevation.
- The natural ground elevation at the proposed development is approximately 19.0 mAHD.
- A finished floor level of 19.55 mAHD for new buildings will satisfy the requirements of the Code.
- Filling for construction of the proposed development should be limited as far as is practicable for creation of pads for construction of the proposed buildings.

If you have any queries relating to this advice, please contact Michael McEvoy on 08 8132 7564.

Yours sincerely,

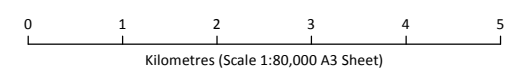
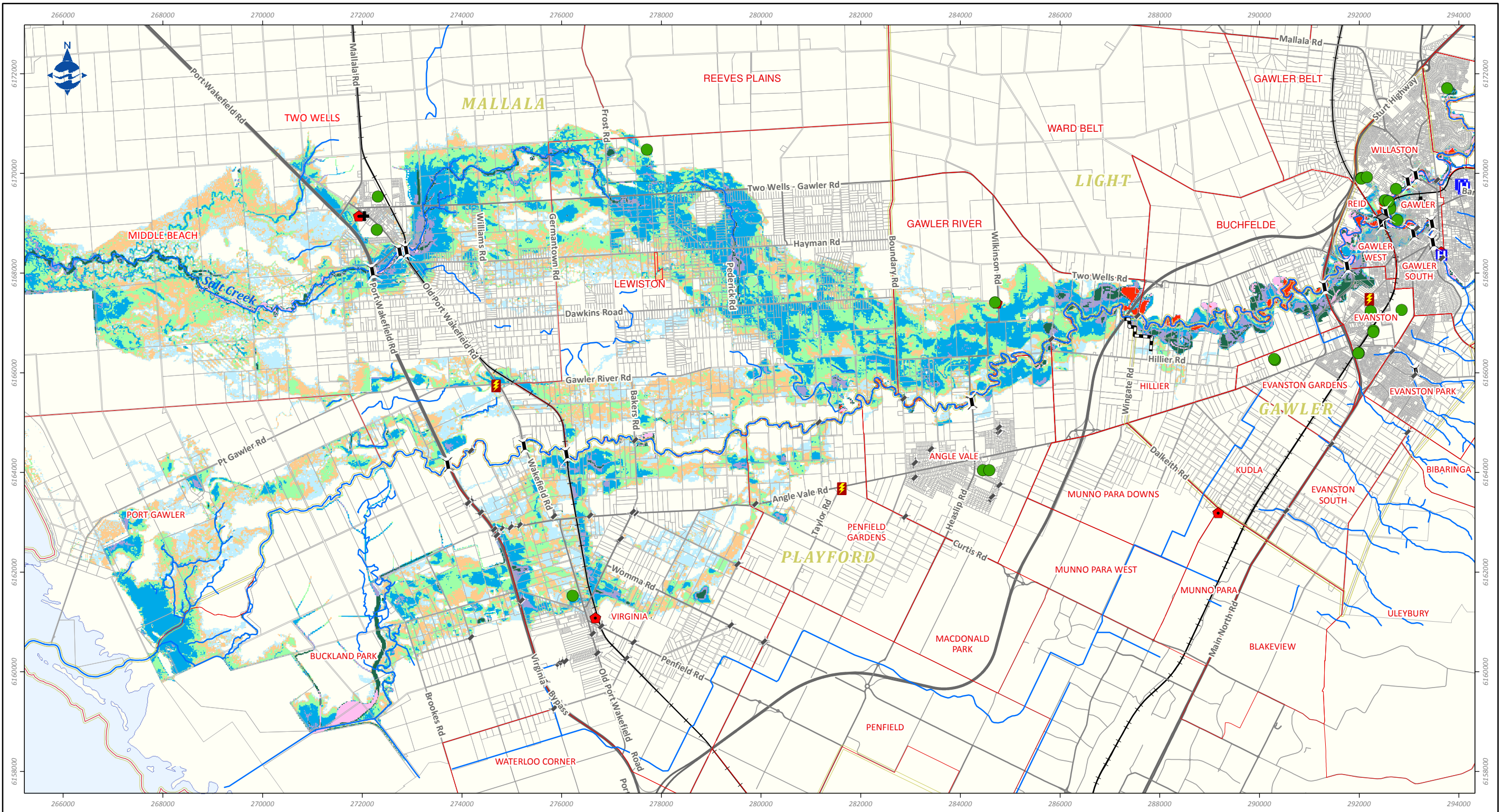


Ken Schalk

Principal Engineer

Tonkin

Enc. Gawler River 1% AEP floodplain mapping
Site survey



Legend

	Sports Ground		Major		0.001 - 0.10
	CFS / MFS		Intermediate		0.11 - 0.25
	Hospital / Ambulance		Minor		0.26 - 0.50
	Police Station		Levee		0.51 - 1.00
	ETSA Substation		Watercourse		1.01 - 1.50
	bridge		Cadastral Parcels		1.51 - 2.50
	ford		Local Government Boundary		2.51 - 5.00
	weir		Suburb Boundary		Greater than 5.00
	Railway				

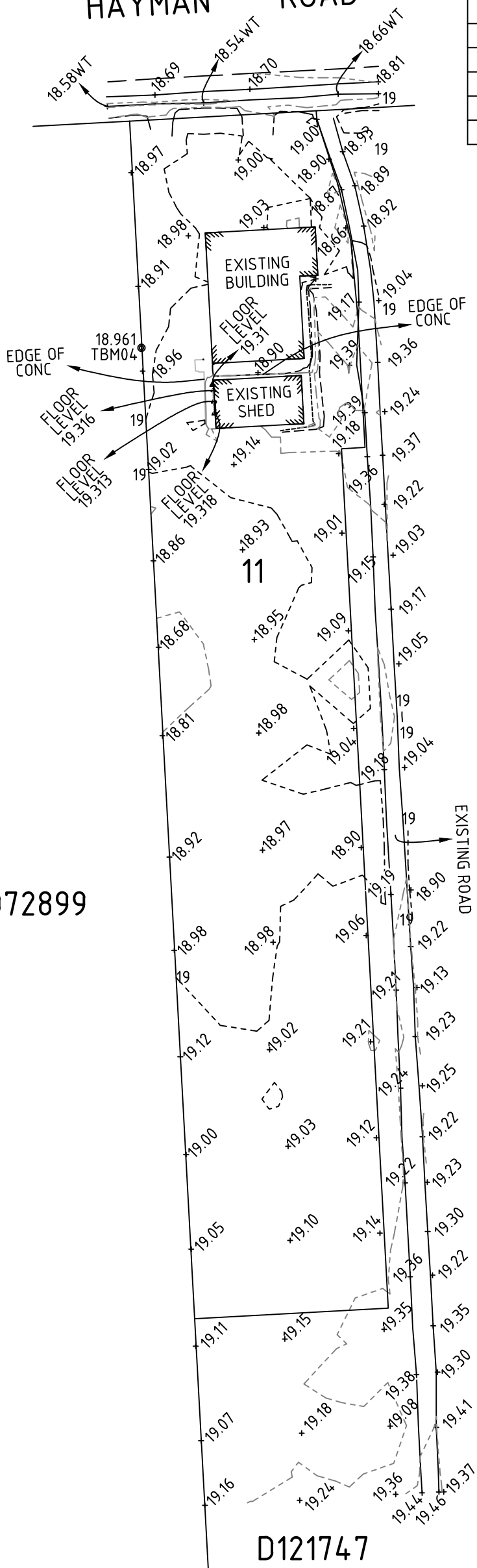


A Findings Report for the
 Gawler River Flood Mitigation Scheme
 Current Conditions
1 in 100 ARI Flood Inundation

HAYMAN ROAD

SURVEY MARKS USED

Reference	East	North	Elevation	Description
6628/2712	278178.844	6168431.120	19.598	PSM
6628/25985	277577.353	6168417.285	18.026	PSM
6628/25986	278148.379	6168428.983	18.938	PSM
6628/25987	278167.030	6168426.183	19.299	PSM
TBM04	277865.164	6168368.492	18.961	TBM



D72899

D53847

D121747



HENNIG & CO PTY LTD
 LICENSED SURVEYORS
Sub Division Experts!
 275 Marion Road, North Plympton S.A. 5037
 Ph: (08)82970883 Fax: (08)82971170
 Email: hennig@hennig.com.au

Parcel Information
 CONTOUR SURVEY
 ALLOTMENT 11 IN D121747
 AREA OF: LEWISTON
 CT 6228/472

Survey Information
 BEARING DATUM: MGA
 ELEVATION DATUM: AHD
 ORIGIN OF LEVELS:
 PSM 6628/25985
 RL=18.026m
 CONTOUR INTERVAL: 0.20m

Job Number
18508
 Date of Plan
 04-10-21
 Surveyor
 SJH

Survey Type
 IDENTIFICATION
 CONTOUR
 SET OUT
 DAP
 Draftsperson
 JMV
 Revision
 Rev A

South Australia Planning, Development and Infrastructure ACT 2016

Representation on Application

First name:

Tanya

Last name:

Chapman

Daytime Phone:

0432 994 524

Would you like to present your submission in person at a hearing?

- I wish to be heard in support of my representation
- I do not wish to be heard in support of my representation

My position is:

- I support the development
- I support the development with some concerns (detail below)
- I oppose the development

The specific reasons I believe that planning consent should be granted/refused are:

Please see supporting document.

I support the development, with some concerns.

Attached Documents

File

Public Notice Reply - 168 Hayman Road Lewiston - CHAPMAN

Re Public Notification No. 21012863 – Application for Extension of Veterinary Clinic & Kennels

I am the adjoining property owner residing at 170 Hayman Road, Lewiston.

I have met with Council's Planning Officer, Martin, in relation to the proposed plans and he advised that Mr Girling is open to discussion regarding the proposal.

Firstly, I will agree with the development, but would like to raise some concerns and options that may or may not have not been explored. These options will not just benefit me, they will benefit the Clinic and also the westerly adjoining property with any future development planned.

Lawn Area & Carpark Entrance

- Has the possibility been explored of moving the lawn area to a easterly direction towards the existing driveway?

This would then have the ring road back through the proposed new carpark and back out the existing driveway infrastructure, negating the need for an extra gate (and expense) in the existing private driveway by having no extra gate required and using existing driveway entry and exit points through the existing clinic?

New Building Envelope, Landscaping & Noise Buffer, Lighting

- Is there any possibility that the new building could be swivelled with the entrance facing the existing swimming pool building? (ie having the entrances facing north and the kennels facing towards the back of the block, and not direct easterly towards my property boundary?)

This would be beneficial to having the waste trench adjacent the kennels, and having potential dog noise to an open area at the back of the block and thus not receiving direct sound to a residential dwelling and future dwellings on the westerly side of the proposal.

- Currently staff are parking their cars down the private access driveway to the property behind the clinic. If the proposed existing carparking is of benefit to clinic customers only and not staff, can the consideration please be given to extend the existing colorbond fencing to encompass the new trafficable areas? (ie to the end of the newly proposed development?)

With the previous extension to the clinic a colorbond fence was added along the property boundary. This has been extremely beneficial as a noise, lighting and security buffer from the Clinic traffic.

The existing driveway is very busy and now will increase with two driveways with the new proposal. I have commenced planting additional tress/shrubs along my boundary, but these will take years to grow to a substantial buffer. If this is extended, this will alleviate having no landscaping buffer between the properties, during construction, settling and completion of the proposal.

- Can we please make sure the carpark lighting is not left on all night as we are located in a Rural Living Zone. I am aware the design proposed will not impede in light overflow to my property. The proposed fence extension will also further eliminate light overspill.

I am happy to discuss any of these items noted and would sincerely wish these to be considered as part of the approval.

Kind regards
Tanya Chapman

[Council Assessment Panel Meeting](#)

APPLICANTS RESPONSE

From: Noah's Crossing Veterinary Clinic [<mailto:noahsvetclinic@hotmail.com>]
Sent: Monday, 23 August 2021 7:00 PM
To: Martin Rutt <MRutt@apc.sa.gov.au>
Cc: Mark Senior <markofadelaide@yahoo.com.au>; tanyachapman2016@outlook.com
Subject: Re: Application 21012863: Lot 11 - 168 Hayman Road, Lewiston - Public Consultation Outcome

Hi Martin

I have cc'd both Mark Senior (architect) and Tanya Chapman (neighbour)
I was able to speak to Tanya on Wednesday evening 18th August at 7.30 pm and discussed her proposed changes to the plan. Notably

- 1) use existing gate rather than new infrastructure - ie planned the property has been subdivided and as such the existing driveway is a separate property hence the need for a new gate. As the access is via the common access, the new gate must be where indicated and as such the extended green area needs to remain where indicated
- 2) rotate building 90 degrees - advised not possible as narrow block and require ring road around the building to allow for dog trailers.
- 3) I advised the structure cannot be rotated 180 degrees and face the kennels towards the other neighbour at 166 Hayman Rd as the rental house has no existing screening and is directly opposite the proposed new structure (50m line of sight) as opposed to Tanya's house which cannot be visualised from the new site due to screening and her house being built at the front of her property (150m line of sight)
- 4) the new structure and car park will provide ample parking for staff that will remove the need for parking on the existing driveway
- 5) I advised Tanya that lights at the vet clinic laundry area should not be left on overnight and I will address this with staff. Any new lighting at the proposed structure would be sensorised and directed down to avoid any spill over to neighbours
- 6) besides screening already depicted in plan, I am prepared to add additional planting on the existing driveway of lot 12 for further privacy and sound reduction. I advised Tanya that as per the application, dogs at the kennels will be locked in from 6pm - 8am and this will eliminate nuisance noise. Further, the on-site accommodation will aid in reducing any issues.

I hope this answers all queries