

# 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 in

**by electronic means**

**Public access to the meeting will be via**

<https://www.youtube.com/channel/UctMO9nfkK2HBYiFxWe4APYQ>

on

**Wednesday 4 May 2022**

**At 5:30pm**

A handwritten signature in black ink, appearing to read "David Roberts", 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 2 February 2022, be accepted as read and confirmed” **3**

**3 DECLARATION OF INTEREST**

**4 REPORTS FOR DECISION**

- 4.1 21028566 – Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling – R Romyn – Lot 61 – 31-33 Germantown Road Two Wells – CT 5387/425 **8**
- 4.2 PDI Act Delegations 2016 96

**5 REPORTS FOR INFORMATION**

**6 OTHER BUSINESS**

**7 CONFIDENTIAL ITEMS**

**8 NEXT MEETING**

Wednesday 1 June 2022 (TBC)

**9 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**

on

**Wednesday 2 February 2022  
at 5.30pm**

The Presiding Member formally declared the meeting open at 5.31pm and acknowledged the Kurna People as the Traditional Custodians of the Land.

**1. ATTENDANCE RECORD**

**1.1 Present**

Mr Nathan Cunningham	Presiding Member
Mr Ian O’Loan	Independent Member
Mr Paul Mickan	Independent Member
Mr Aaron Curtis	Independent Member

**Also in Attendance**

Assessment Manager	Mr David Roberts
Graduate Planning Officer	Miss Nikki Tran
Administration Support Officer/Minute Taker	Miss Abbey Cook
IT Officer	Mr Thomas Harris-Howson

**1.2 Apologies:**

Ms Margherita Panella	Council Member
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against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code.

- Pursuant to Section 203(4)(a) of the *Planning, Development and Infrastructure Act 2016*, that the decision being reviewed is affirmed and planning consent is refused for Development Application Number 21035574 by A Owen – Construction of a domestic outbuilding (7.6m x 10.97m x wall height 3.6m) at 21 Jean Avenue, Two Wells SA 5501 for the following reasons:

The proposed development is contrary to the following provisions of the Design Code.

**Neighbourhood Zone – (Ancillary Structures and Buildings) PO 10.1 and DTS/DPF 10.1**

Reason: *The proposed development will detract from the streetscape or appearance of buildings on the site or neighbouring properties.*

**General Development Policies – Design – DO 1**

Reason: *The proposed development is not contextual and will not positively contribute to the character of the immediate area.*

**General Development Policies – Design – (Ancillary Development) PO 13.1 and DTS/DPF 13.1**

Reason: *The proposed development will detract from the streetscape or appearance of buildings on the site or neighbouring properties.*

**AGREED**

**6. REPORTS FOR INFORMATION**

**7. OTHER BUSINESS**

**8. CONFIDENTIAL ITEMS**

Nil

**9. NEXT MEETING**

Wednesday 2 March 2022

(To be confirmed)

**10. CLOSURE**

There being no further business, the Presiding Member declared the meeting closed at 5:53pm.

Confirmed as a true record.

Presiding Member:.....

Date: \_\_\_/\_\_\_/\_\_\_

Subject to Confirmation

<b>Application Number</b>	21028566
<b>Applicant</b>	Rebecca Romyn
<b>Development Proposal</b>	Construction of kennel and puppy shelters and the keeping of up to 46 greyhounds in association with an existing dwelling
<b>Subject Land</b>	Lot 61, 31-33 Germantown Road Two Wells 5387/425
<b>Zone</b>	• Rural Living
<b>Subzone</b>	Animal Husbandry
<b>Overlays</b>	<ul style="list-style-type: none"> <li>• Defence Aviation Area</li> <li>• Environment and Food Production Area</li> <li>• Hazards (Bushfire - General)</li> <li>• Hazards (Flooding - General)</li> <li>• Native Vegetation</li> <li>• Prescribed Wells Area</li> </ul>
<b>Technical Numerical Variations (TNVs)</b>	• Minimum Site Area
<b>Nature of Development</b>	Performance Assessed
<b>Public Notification</b>	25 January 2022 – 15 February 2022
<b>Assessing Officer</b>	George Jacks – Planning Officer
<b>Recommendation</b>	Approved with conditions

## PROPOSAL:

The proposal is for the construction of a 211m<sup>2</sup> shed to be used as a kennel, six 50m long puppy runs with attached 9m<sup>2</sup> shelter and the keeping of up to 50 greyhounds.

The kennel structure will incorporate a concrete floor, kitchen area, sink, benches and walking machine. The walls and ceiling of the shed will be lined with villa board and insulation batts. The ceiling area will be lined with white 75mm polystyrene and 25mm polystyrene foam boards.

The shelters attached to the 50m long puppy runs will be made of zincalume and post, insulated with foil board and covered with fibre cement board. The length of the runs will be made of zincalume post and rail fencing.

The breeding of greyhounds will take place on site. No intensive training will take place on site, greyhounds will only be exercised on walking machines contained within the proposed kennel structure with general outdoor exercise during the day. Intensive training will be undertaken off site at approved GRSA venues.

A copy of the proposed plans is contained in Attachment 1.



**SITE AND LOCALITY:**

The subject land is formally described as Lot 61, 31-33 Germantown Road Two Wells and on Certificate of Title Volume 5387 Folio 425. There are no easements or rights of way registered on the Title.

The subject land is a rectangular-shaped allotment on the western side of Germantown Road. The allotment has an area of 2.23 hectares, double the size of most allotments within the locality and incorporates a frontage width of approximately 97m and a depth of approximately 231m. The land currently comprises a single storey detached dwelling, dependent accommodation, and domestic outbuildings.

The locality comprises a similarly sized 2ha allotment to the west that contains existing olive trees and smaller 1ha allotments throughout the rest of the locality. The majority of these allotment contain a single storey detached dwelling and domestic outbuilding structures. Within the locality there exists one kennel for the keeping of a maximum of 20 dogs directly to the north of the subject land.

Aerial imagery of the subject land is shown below:



**EXTERNAL REFERRALS**

Nil.

**INTERNAL REFERRALS**

EHO – Advised no issued with the proposal. Suggested that if a wash down area is proposed a soakage area with lint filter will for required. Applicant advised that this will be incorporated.

**PUBLIC NOTIFICATION**

The proposal exceeds DTS/DPF 1.2 of the Animal Husbandry subzone and is therefore subject to public notification. Public notification was undertaken from 25 January 2022 – 15 February 2022. 10 neighbouring properties were directly notified and a sign was also placed on the subject land. 6 representations were received through the notification process.

**SUMMARY OF REPRESENTATIONS**

The 6 valid representations received are summarised below:

Name of person making submission	Summary of Submission
Tanya Driscoll	<ul style="list-style-type: none"> <li>• Opposes the proposal</li> <li>• Concerned with the constant noise from the proposal</li> <li>• Existing kennels already generate noise</li> </ul>
Amanda Gillich	<ul style="list-style-type: none"> <li>• Opposes the proposal</li> <li>• Concerned with significant noise from the proposal</li> <li>• Existing kennels within the area already generate significant noise</li> <li>• Concern with odour and treatment of animals kept in kennels</li> </ul>
Alison Angus	<ul style="list-style-type: none"> <li>• Opposes the proposal</li> <li>• Concerned with continuous barking from dogs</li> <li>• Significant noise from barking will have a negative impact on neighbours</li> </ul>
Marjoleine Lloyd	<ul style="list-style-type: none"> <li>• Opposes the proposal</li> <li>• Believe this number of dogs on this size property is not appropriate</li> <li>• Concern with noise and odour generated</li> </ul>

	<ul style="list-style-type: none"> <li>• Believes dog breeding/racing/farming does not belong in the area</li> <li>• Concerned the proposal will have a negative impact on housing prices</li> <li>• Additional traffic from removal of waste generated from the proposal will cause congestion to Germantown Road</li> <li>• Welfare of the animals may be an issue</li> </ul>
Grant Mathieson	<ul style="list-style-type: none"> <li>• Opposes the proposal</li> <li>• Believes proposal does not fit within the current or future development of the area</li> <li>• Believes proposal does not align with desired outcome of the zone</li> <li>• Indicates the sections of the Code the proposal exceeds (floor area for kennels, maximum number of dogs on site, boundary setbacks)</li> <li>• Concern with noise from barking dogs</li> <li>• Critique of the acoustic report provided by the applicant advising it uses outdated information</li> <li>• Potential for increased traffic and dust as a result of the operation</li> </ul>
Shane Cowey	<ul style="list-style-type: none"> <li>• Opposed the proposal</li> <li>• Critiques the acoustic report advising that it is based on a small number of dogs barking at one time not the total capacity</li> <li>• Concerned with rezoning from residential to commercial.</li> <li>• Concerned with operating hours of the proposal going to 10pm in some instances</li> <li>• Acoustic report has incorrectly determined their allotment as agricultural rather than residential</li> <li>• Believes that fencing should be implemented to provide permanent screening</li> <li>• Concerned with noise generated from the number of dogs</li> <li>• Believes the proposal will detrimentally affect the amenity of the area</li> <li>• Concerned that daily truck movements will increase traffic to the site</li> </ul>

## **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:

	<ul style="list-style-type: none"> <li>• Indicates Tanya Driscoll lives too far away and would not hear the dogs</li> <li>• Advises that the area is located within the Animal Husbandry subzone where this land use is envisaged</li> <li>• While there will be a maximum of 50 dogs kept on site it is not common for all dogs to bark at the same time</li> <li>• The dogs will have their own yards which are GRSA approved</li> <li>• At their existing property that houses 40 dogs in a shed and they do not bark at night and that the proposed shed will be fully insulated to further assist with noise mitigation</li> <li>• There will not be trucks visiting the site daily, just a skip bin to remove waste as is common within the area</li> <li>• Regular visits are made by animal welfare she has not had any concerns with animal welfare at her existing operation</li> <li>• It is unlikely that there would be 50 dogs on site at one time, they are also accounting for dogs that are to be rehomed, puppies, retired dogs and temporary stays</li> <li>• There will be no additional workers on site, just the owners of the allotment</li> <li>• For proper training, dogs are taken off site, no specific training of dogs takes place on site other than the use of walking machines</li> <li>• There will be no daily waste collection occurring, waste will be removed weekly as with any other bin</li> <li>• The acoustic report has been amended and resubmitted to Council.</li> <li>• Trucks and machinery will not be entering and exiting the site at 10pm</li> <li>• There has been no request to rezone the land</li> <li>• Their dogs are not aggressive, they are largely the same as any pet dogs</li> <li>• They're property is larger than most rural living allotments and can cater for this number of dogs</li> </ul>

	<ul style="list-style-type: none"> <li>• Drainage will be implemented to ensure that it is kept clean</li> </ul>
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## **ACOUSTIC REPORT**

As the number of dogs proposed to be kept on site significantly exceeds the DTS/DPF criteria of the zone of 20, an acoustic report was requested of the applicant.

The Acoustic Report was completed by Michael Phillips Acoustics. The findings of the report are summarised below:

- Noise monitoring was undertaken at the nearest residential noise sensitive receivers by installing a noise monitor.
- Monitoring was conducted between 18<sup>th</sup> to 23<sup>rd</sup> November 2021 and background noise data was determined
- The noise is considered to comply with the noise goal if the source noise level does not exceed the background noise level plus 5 dB(A) or the source noise level does not exceed the indicative noise level for the noise source.
- Noise emissions were calculated at 1m from the boundary of all nearest sensitive receivers for day and evening time periods and at the façade of the residential dwellings for the night-time period
- Provides four recommendations which if implemented will ensure that noise complies with noise goal requirements
- Concludes that provided the treatment recommendations are followed, noise emissions from the proposed facility will be compliant with the Environment Protection (Noise Policy 2007

## **PLANNING ASSESSMENT**

### **Technical Numeric Variations (TNVs):**

- Minimum Site Area

No land division is proposed and therefore this has no role to play.

### **Overlays:**

- Defence Aviation Area

This overlay has no role to play in this proposal.

- Environment and Food Production Area

This overlay has no role to play in this proposal as no land division is occurring.

- Hazards (Bushfire - General)

PO 1.1 - The buildings are located away from any significant vegetation.

PO 2.1 - The proposed buildings do not have the potential to trap burning debris against or underneath buildings.

- Hazards (Flooding - General)

While the subject land is located within a General Flooding overlay the location of the proposed kennel and runs are outside of the indicative flooding area on the site. As a result of this no hydrological report or is required and no consideration was given to this overlay.

- Native Vegetation

No role to play – the land does not have any semblance of native vegetation on it.

- Prescribed Wells Area

No role to play.

### **Subzones:**

- Animal Husbandry

DO 1 – The subzone anticipates large-scale horse keeping and dog kennelling in association with detached dwellings on large allotments. The proposal is broadly in line with this desired outcome as it proposes large scale dog kennelling on an allotment that is larger than most rural living allotments within the locality.

PO 1.1 - The proposal is for the construction of a kennel and the keeping of up to 46 greyhounds in association with an existing dwelling. The dog kennelling will likely become the predominant land use activity that will occur in association with residential use of the land as the owners are established breeders and part of the greyhound racing community. This provision is considered met.

PO 1.2 - The performance outcome indicates:

*“The number of dogs is limited to avoid adverse impact on adjacent sensitive receivers and to maintain the rural amenity of the locality.”*

The subject land is double the size of most rural living allotments within the locality and zone. The applicant has also supplied an acoustic report which concludes that with recommended treatments implemented, the impact on adjacent sensitive receivers will be within acceptable levels. The applicant has advised they will implement all recommendations of the acoustic report. In terms of waste, the applicant has advised that solid waste generated by dogs will be collected daily and placed in a sealed skip bin to be removed weekly or as required. This will have no greater impact on the amenity than common refuse collection. The applicant confirms that no training of animals beyond the use of walking machines contained within the shed and general outside exercise during the day will take place on site. The proposal is also specifically for the keeping of greyhounds which are typically a quieter and calmer breed of dog. While the DPF/DTS criteria is exceeded the PO is largely considered to be met.

PO 1.4 - This provision discusses kennels, shelters and associated yards being sited, orientated and screened from adjoining dwellings and properties. DTS/DPF 1.4 outlines the following design guidelines:

- a) 35m setbacks
- b) Maximum 5m building height
- c) 150sqm maximum area
- d) No more than 25% of the allotment
- e) Incorporating landscaping (min. 1m wide) around the perimeter of the allotment

The kennel shed structure will be placed centrally on site and approximately 32m from the northern side boundary and 36m from the southern side boundary. The puppy yard and run will also be placed centrally on site and be setback approximately 20m from the northern side boundary, 22m from the southern side boundary and 14m from the western rear boundary.

The kennel will feature a 2.7m wall height with a pitched roof that will total 3.6m in building height. The puppy yard shelters will feature a 2.1m wall height and have flat roofs.

The kennel structure and puppy shelters combined will have a total area of 265m<sup>2</sup>. This is significantly less than 25% of the allotment

The applicant is not proposing 1m of landscaping around the perimeter of the allotment. There is existing landscaping to the southern side boundary – mostly on the neighbouring allotment.

The total area of the kennel and puppy shelters exceeds this parameter, however outbuildings of this scale are not uncommon within the locality and broader area of the zone which allows for domestic outbuildings to a maximum floor area of 200m<sup>2</sup> and the larger area will result in better management of animals.

The above provision is not entirely met however on balance, it is considered reasonably satisfied.

## **Rural Living Zone**

### • Rural Living

DO 1 - The desired outcome for the zone is considered to be adequately addressed as the proposal is an opportunity for a low-intensity rural activity and a home-based business that complements a particular lifestyle choice. While a significant number of greyhounds is proposed, considering the specific breed of dog that will be kept and that no intensive training will occur on site the activity is not considered to be highly intense.

PO 1.1 - The proposal includes the construction of a kennel and puppy yards which are anticipated uses within the zone. The proposal is considered to be a complimentary ancillary non-residential use which will not place additional demands on services and infrastructure.

PO 1.2 – The greyhounds will be kept ancillary to a permanently occupied dwelling on an allotment which is greater than 1ha in area.

PO 2.3 – DTS/DPF 2.3 provides parameters for the design of kennels but the specific animal husbandry subzone provides similar design guidelines already discussed. The subzone parameters take priority and effectively supersedes this provision.

## **General Development Policies**

### Animal Keeping

DO 1 – The animals will all be hand fed and maintained by the owner of the land ensuring that the number of animals kept is not beyond the carrying capacity of the land. With the primary concern being noise and waste management, with a supportive acoustic report and detailed waste management plan, the adverse effects on the environment, local amenity and surrounding development and considered to be manageable.

PO 1.1 and 1.2 - The number of dogs is considered to be manageable considering the appropriate noise and waste management. The management plan submitted by the applicant is also considered sufficient in terms of animal management and to minimise the potential transmission of disease.

### **Kennels**

PO 3.1 - The flooring of the kennels will be constructed with impervious material and be drained to facilitate regular cleaning.

PO 3.2 - The kennel structure and puppy shelter will include insulation and a 1.4m high solid fence will be erected around the runs attached to the puppy shelter to minimise noise. Dogs will be placed inside the kennel at night with all windows and doors of the structure closed. The separation distance of the kennel structure largely meets the setbacks specified by the animal husbandry subzone. The puppy shelter structure is closer to the side and rear boundaries but will be placed at the rear of the allotment which will be the greatest distance from sensitive receivers on adjoining allotments. While the kennel structure will not achieve a 500m separation distance from the nearest sensitive receiver most allotments within the animal husbandry subzone will not be able to achieve this. A supportive acoustic report has been provided which determines noise is considered to be appropriate with their recommendations implemented.

PO 3.3 - The management plan is considered appropriate in managing and minimising nuisance impact on adjoining sensitive receivers (i.e. dwellings) from animal behaviour. There exists a permanently occupied dwelling on the site and the owners will directly manage the kennel and dogs.

PO 4.1 - The management plan details waste management and this will be conditioned.

### Design

DO 1 – This provision is considered met as the built form is reasonably contextual, will be durable, and will also be adaptable for potential other land uses other than dog keeping.

### **Massing**

PO 15.1 - The visual mass is considered acceptable given the setbacks of the kennels and puppy shelter together with the wall heights of <3m.

### **Private Open Space**

PO 17.1 - The private open space is considered suitable and usable for the needs of the occupants.

Car parking, access and manoeuvrability



PO 19.2 - The subject land has a significant amount of space for suitable, functional and convenient driveways and parking areas.

PO 19.3 and 19.4 - Driveway location has been nominated and is appropriate.

### **Waste Storage**

PO 20.1 - Adequate storage area for bins will be available on site as well as within the kennels.

Table 1 – Private Open Space

More than 60m<sup>2</sup> being building line, min. dimension 3m. - met.

### Interface between Land Uses

PO 1.1 and 1.2 - Consideration has been given to the locality, the context of the proposal and the planning policies applicable. The proposal is considered to be reasonable given the setback of the kennel structures, the management plan submitted and the supportive acoustic report. It is considered that the proposal is compatible with the locality and is reasonably designed to minimise adverse impacts on sensitive receivers nearby.

### Transport, Access and Parking

PO 5.1 - Sufficient on-site vehicle parking is available.

## **SUMMARY**

The proposal is for the construction of a 211m<sup>2</sup> shed to be used as a kennel, six 50m long puppy runs with attached 9m<sup>2</sup> shelter and the keeping of up to 46 greyhounds.

The Rural Living zone and Animal Husbandry subzone anticipates low-intensity rural activity, and large scale dog kennelling in association with detached dwellings on large allotments. The subject land includes a permanently occupied detached dwelling on land which is double the minimum lot size for the zone. The appropriate management of the animals and supportive acoustic report will result in a low-intensity land use with manageable impacts on sensitive receivers. The applicant will implement all recommendations of the acoustic report.

While the kennel structure will have a floor area approximately 50m<sup>2</sup> larger than the subzone suggests, the additional area will result in better management of animals and outbuildings of this scale are not uncommon within the locality and Rural Living zone.

Taking all relevant factors into account, the application is felt to not contravene the provisions of The Planning and Design Code. There is valid basis for supporting the proposal as an orderly and reasonable development for the Rural Living zone. The proposal is not contrary to the zoning provisions in that it appropriately meets the zone's envisaged land uses.

No material, strategic or local planning reasons of sufficient weight have been identified which suggest that the development is inappropriate or would lead to an unsuitable development of land.

Accordingly, on balance, it is considered the proposal has merit and can be justified as representing a satisfactory planning outcome in the context of the subject land and the locality. It thereby warrants Consent being granted.

## CONDITIONS

### **Planning Consent**

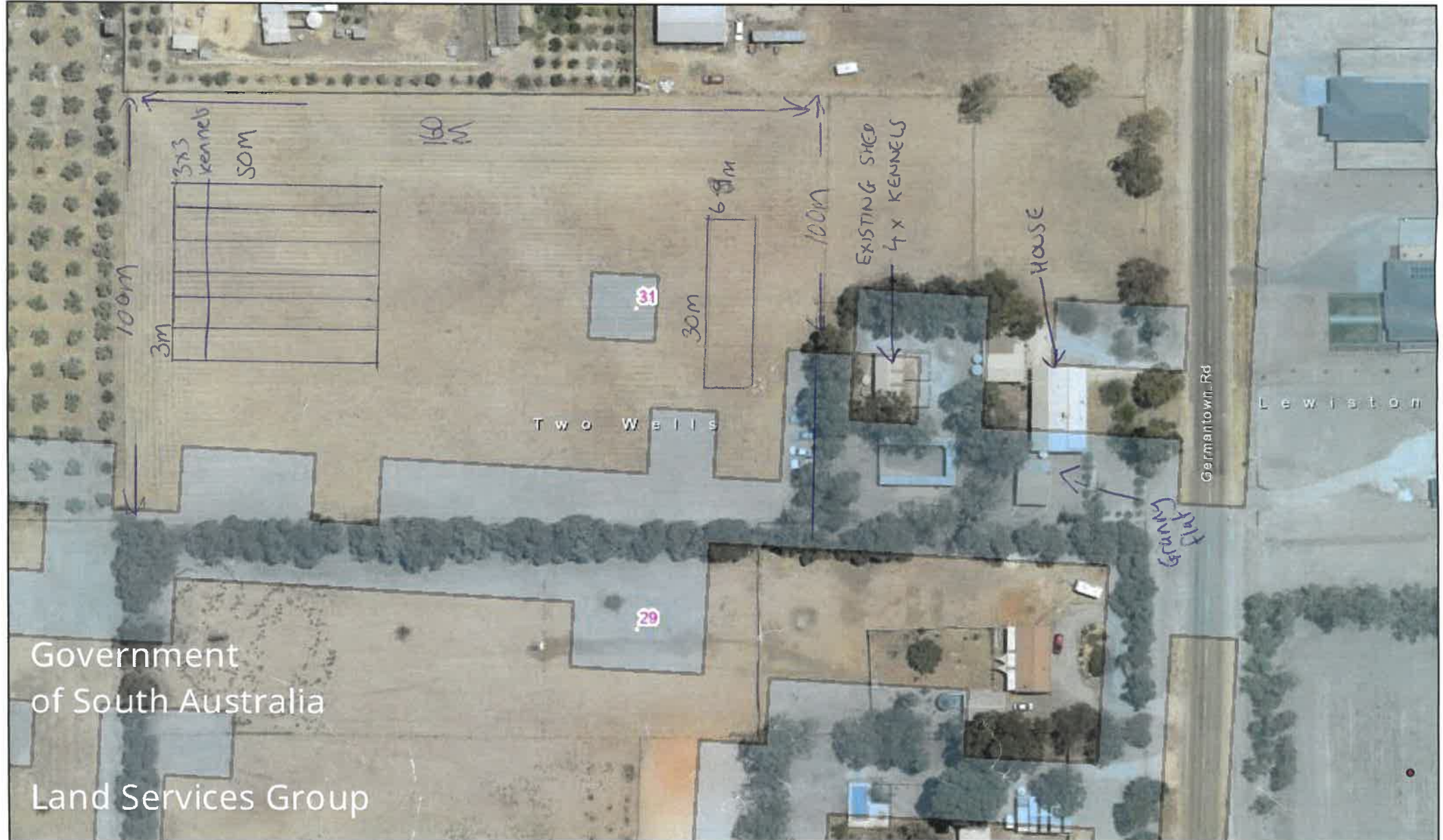
1. The development must be undertaken and completed in accordance with the details, plans, specifications and correspondence submitted with and forming part of this application, except where varied by any condition(s) below.
2. The external walls and roof of the kennels and any associated pens, yards and fencing must be maintained to an acceptable standard of appearance and condition at all times to the satisfaction of Council.
3. The greyhounds must be managed and attended to on a regular basis and be appropriately supervised to ensure noise is managed to minimise adverse impacts to owners or occupiers of land in the locality.
4. The kennelling, associated structures and yards must be cleaned regularly to prevent the accumulation of waste and the potential creation of unsanitary conditions to the reasonable satisfaction of Council's Environmental Health Officers.
5. The walls and roof of the kennel and puppy shelter must be appropriately insulated in accordance with provided "Proposed Private Greyhound Keeping Facility" plan to provide protection against extreme temperatures and to reduce noise from barking.
6. Manure and other solid waste generated by the keeping of greyhounds on the land shall be collected and removed regularly in accordance with provided "Proposed Private Greyhound Keeping Facility" plan in an appropriate manner to avoid offensive odours to adjacent or nearby sensitive receivers to the reasonable satisfaction of Council.
7. The kennel structure must include a lint filter on the drainage system to the satisfaction of Council's Environmental Health Officer
8. The feeding of any animals on the subject land must not result in offensive odours that may cause nuisance to adjacent or nearby properties to the reasonable satisfaction of Council.
9. No more than 12 grown greyhounds to be outdoors during the evening time period
10. Greyhounds are to be kept indoors during night-time period (10:00pm – 7:00am) and all doors and windows of the shed to remain closed.
11. No more than 26 grown greyhounds and 20 puppies shall be at the facility at one time.
12. A 1.4m high solid fence must be constructed around the runs associated with the puppy shelters.

### ADVISORY NOTES

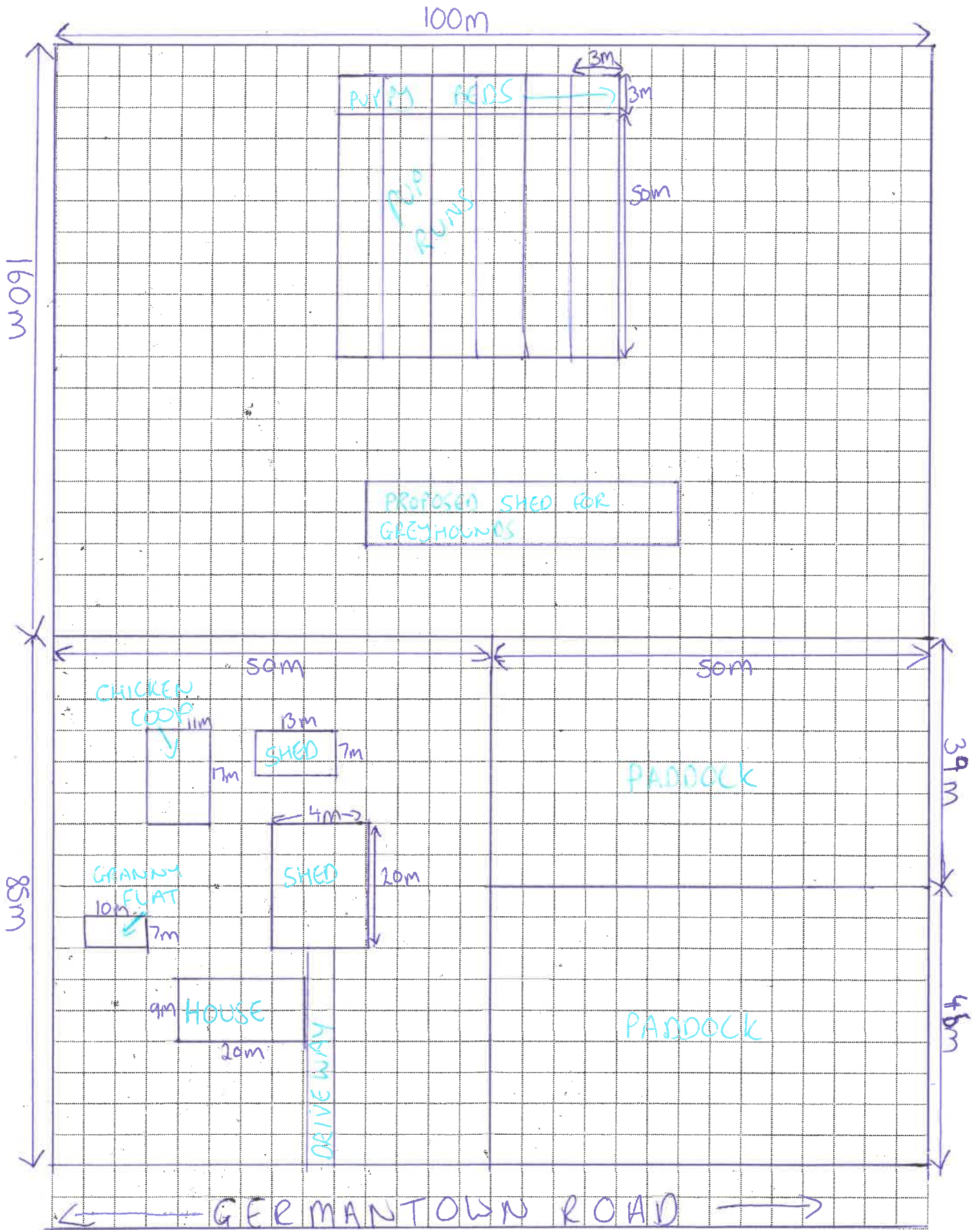
#### **General Notes**

1. No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.
2. Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.

3. This consent or approval will lapse at the expiration of 2 years from its operative date, subject to the below or subject to an extension having been granted by the relevant authority.
4. Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
5. A decision of the Commission in respect of a development classified as restricted development in respect of which representations have been made under section 110 of the Act does not operate—
  - a. until the time within which any person who made any such representation may appeal against a decision to grant the development authorisation has expired; or
  - b. if an appeal is commenced—
    - i. until the appeal is dismissed, struck out or withdrawn; or
    - ii. until the questions raised by the appeal have been finally determined (other than any question as to costs).

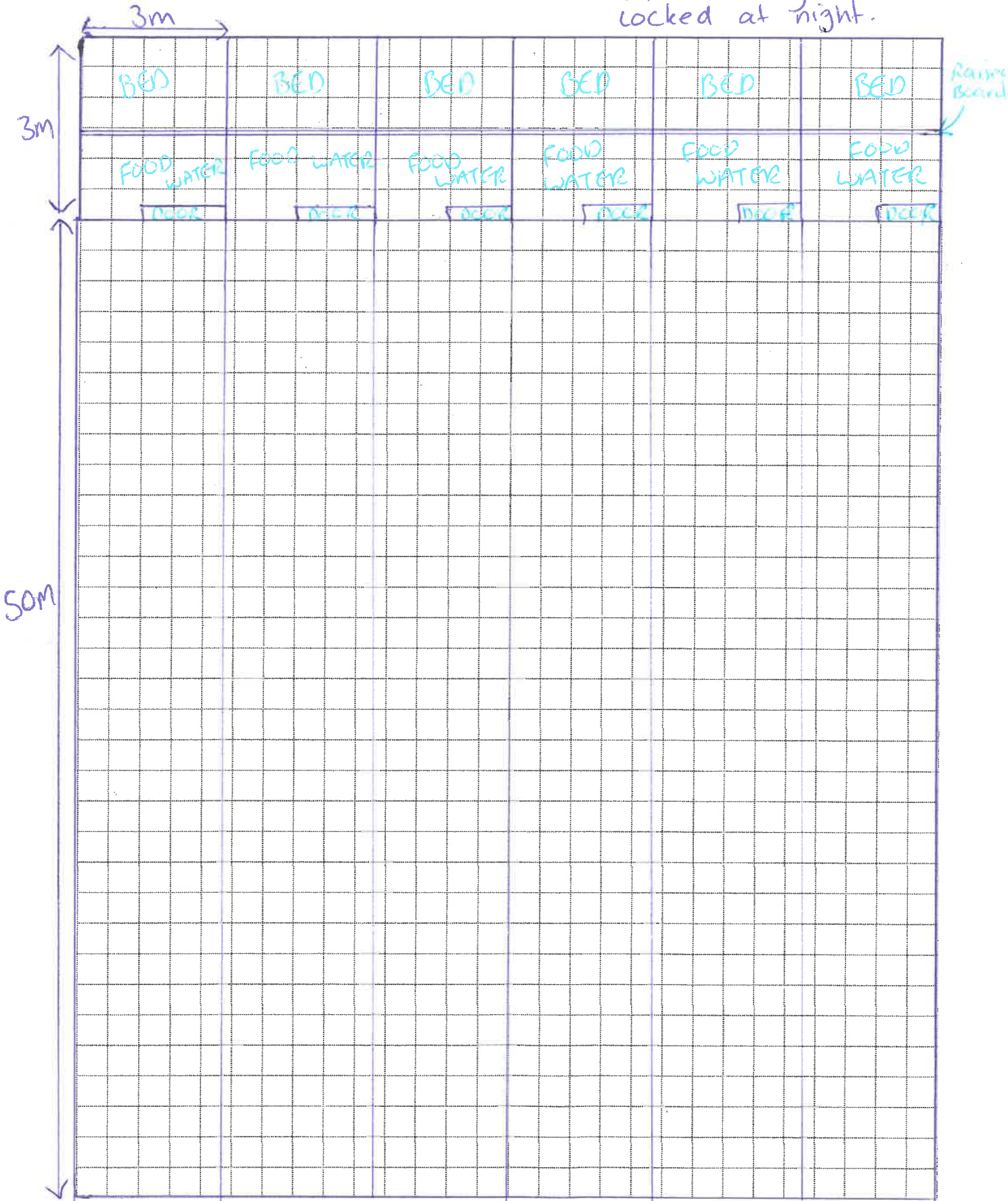


**Disclaimer:** The information provided above, is not represented to be accurate, current or complete at the time of printing this report. The Government of South Australia accepts no liability for the use of this data, or any reliance placed on it.



# PUP RUNS

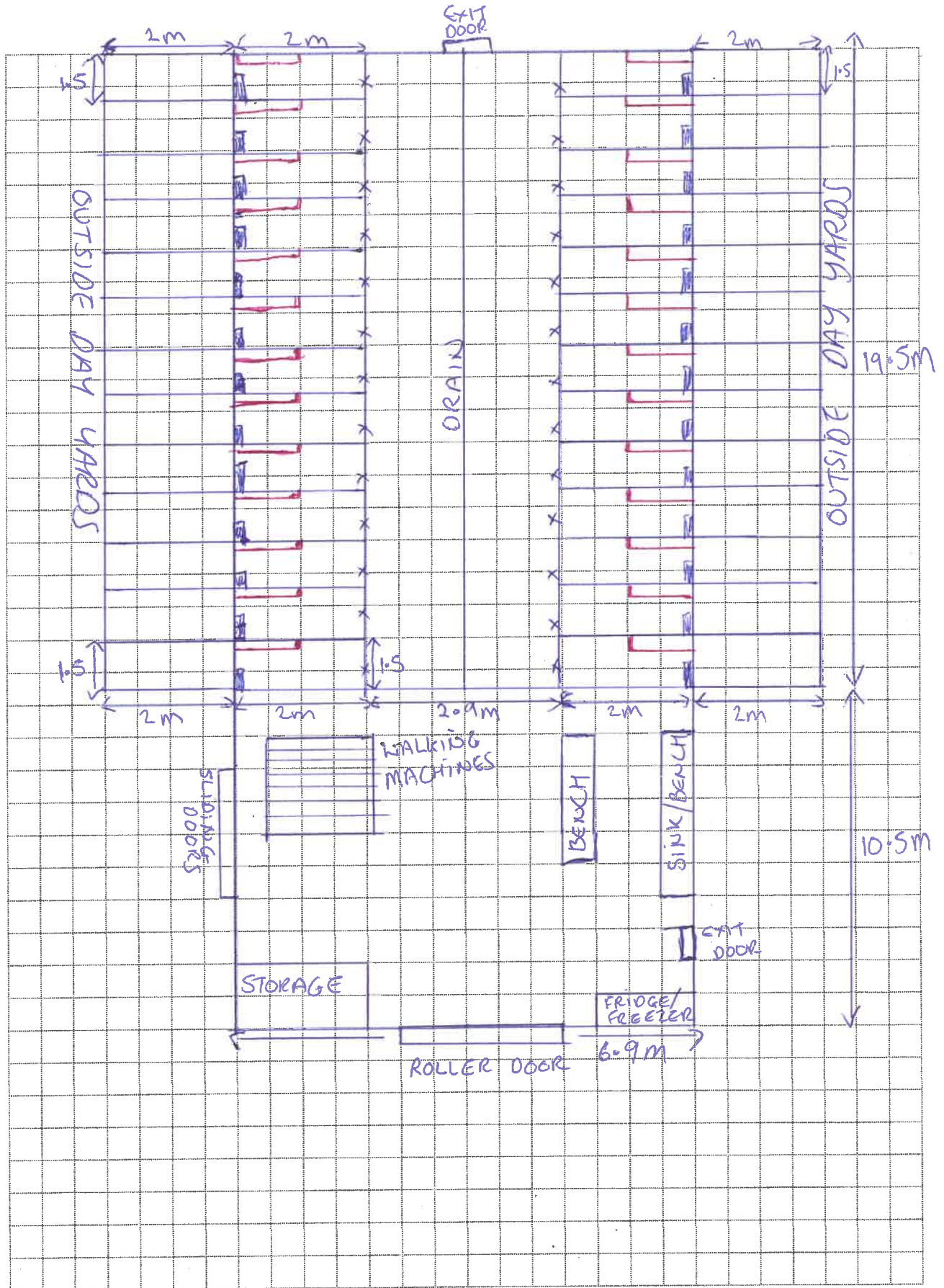
The beds will have a 15cm raised board across & will have bags of rags in each one for sleeping. The 3x3 areas will be fully enclosed & locked at night.



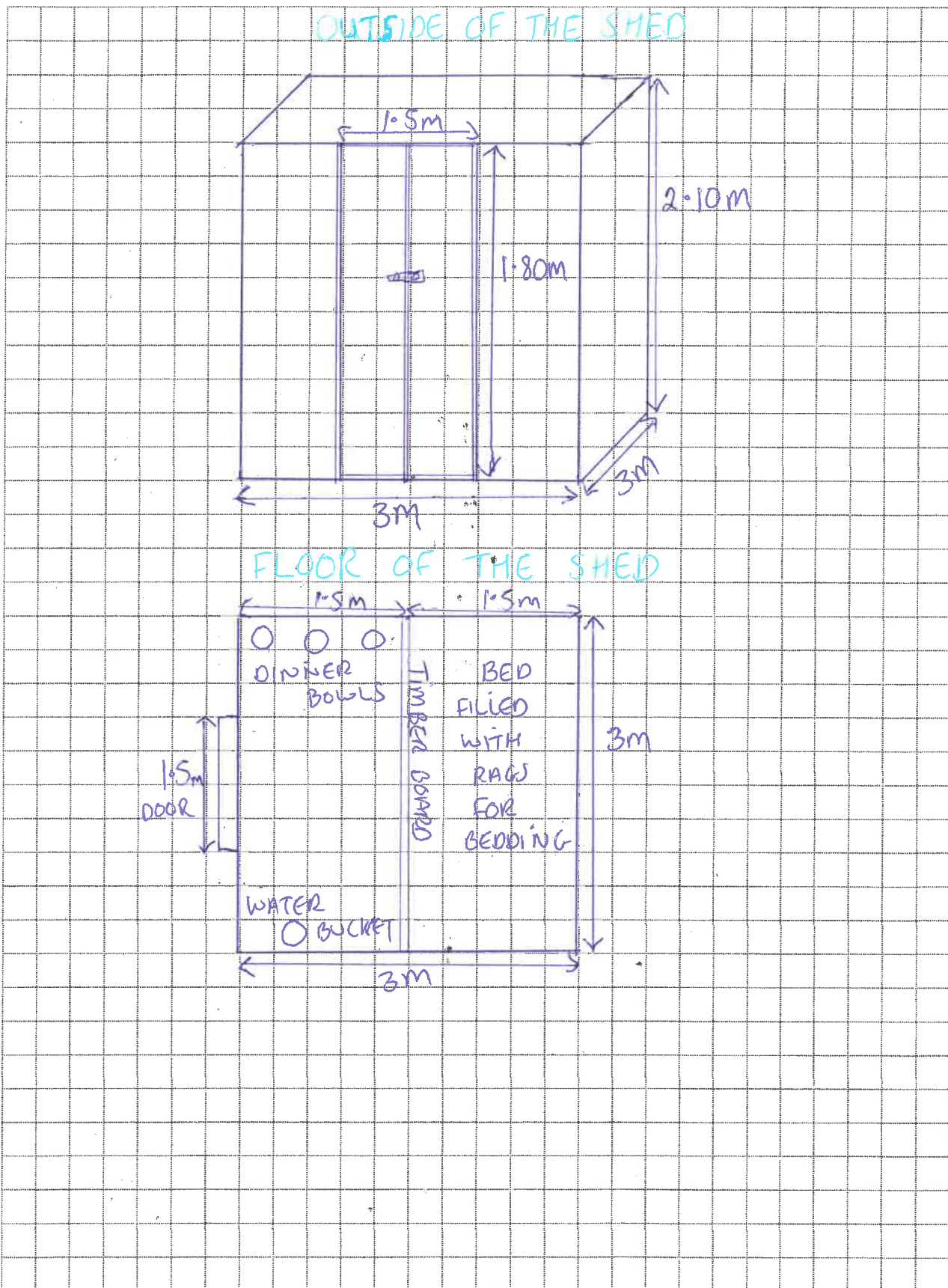
┃ - DOOR  
X - GATE

┌ - BED

# INSIDE OF THE SHED LAYOUT

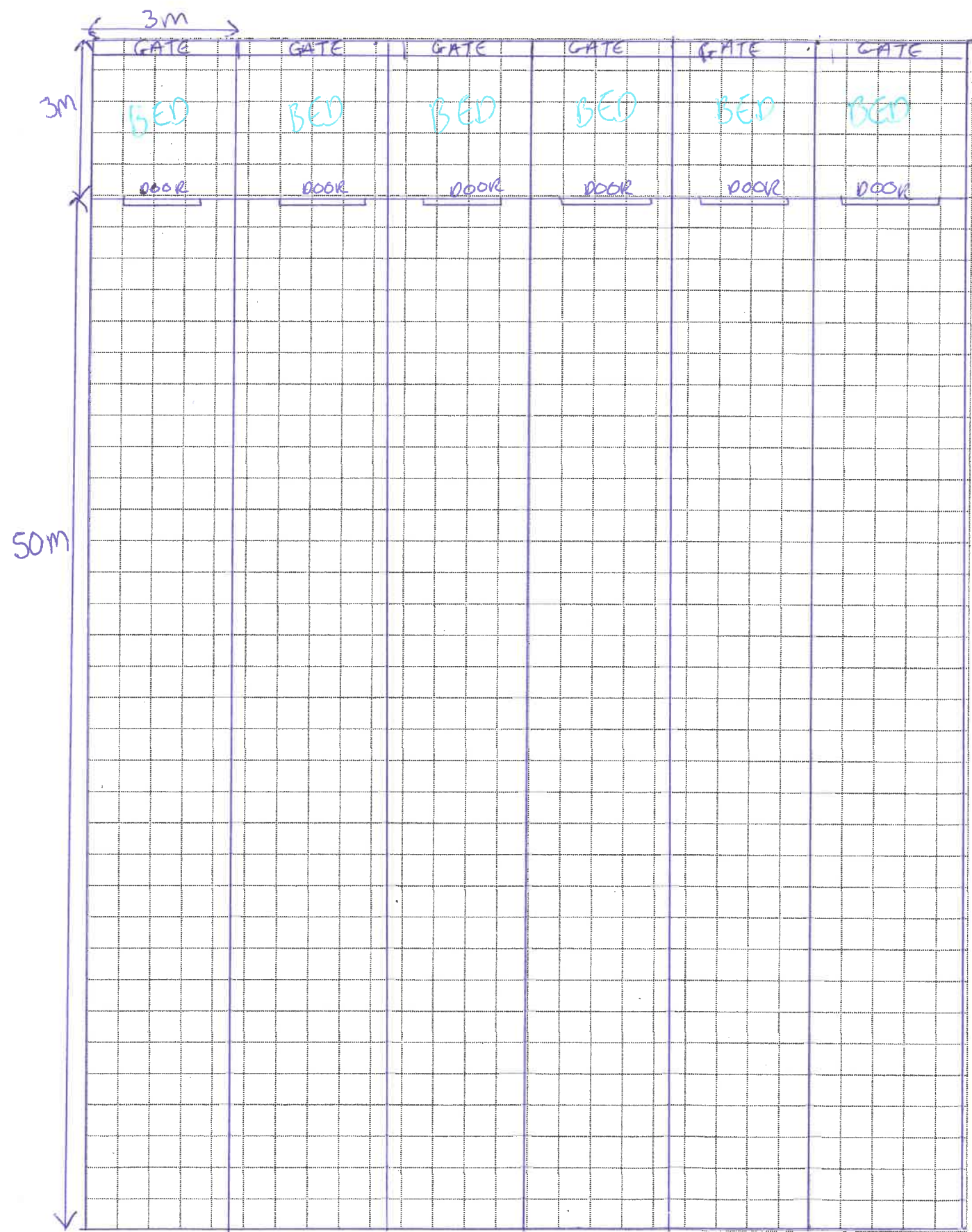


These sheds measure  $W 3 \times D 3 \times H 2.10m$ . The door wall height is  $1.80$  with  $1.50m$  hinged double doors. The shed is made from steel.





The pup runs will be made with 120mm round timber fencing posts & 15x15cm farm fencing wire. This is GRSA animal welfare approved size. The height of the runs will be 150m.



Calendar By: [WaterproofPaper.com](http://WaterproofPaper.com) More Free Printables: [Calendars](#) [Maps](#) [Graph Paper](#) [Targets](#)



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PLEASE CHECK THAT ALL ORDER DETAILS ARE CORRECT.  
YOUR ORDER IS NOW BEING PROCESSED BASED ON THE FOLLOWING DETAILS.

#### JOB DETAILS

DESIGN NUMBER: SQ246695  
SALES PERSON: Mr Craig Cox

#### CUSTOMER DETAILS

CLIENT NAME: Ms. Bec Romyn  
PHONE NUMBER: 0431237030  
ACCOUNT CODE: \*PPC

#### DELIVERY DETAILS

DELIVERY INSTRUCTIONS: 31 Germantown Road  
Two Wells

5501

#### ADDITIONAL INSTRUCTIONS:

TOTAL WEIGHT 3601.587 KG

#### Opening Details

Glass Sliding Windows (725h x 1075w) 4  
Roller Doors 1  
Single Larnec Door 1

#### Dimensions (Outside Frames)

Height 2700mm  
Length 30523mm  
Roof Pitch 15°  
Width 6913mm

#### Site Details

Wind Speed 33 (N2)

#### Roof Details

Roof Sheet CGI Premium Double Sided

#### Wall Details

Bottom Sheet Extra 25mm No  
Wall Sheet Superdek Premium Double Sided

#### Roof Purlins

Eave Purlin Section GHS Purlin/Girt 1.20 75  
Roof Purlin Section GHS Purlin/Girt 1.20 75

#### Wall Girts

End Wall Girt Section GHS Purlin/Girt 1.20 75  
Side Wall Girt Section GHS Purlin/Girt 1.20 75

#### Gable End Columns

Gable End Column Section GHS End Column 1.5 150

#### Portal Frames

End Portal Column Reinforcing Section N/A: Not Applicable  
End Portal Column Section GHS Portal Column 1.9 150  
End Portal Rafters Section GHS Rafters 1.9 150  
Mid Portal Column Reinforcing Section N/A: Not Applicable  
Mid Portal Column Section GHS Portal Column 1.9 150  
Mid Portal Rafters Section GHS Rafters 1.9 150

#### Footing Details

Concrete Slab Yes  
End Column Embedment 500mm  
Footing Type Fixed (In Ground)  
Mid Column Embedment 500mm

#### Colours

Barge Cap Gun Metal Grey  
Corner Flashing Gun Metal Grey  
Downpipe Gun Metal Grey  
Glass Window Gun Metal Grey  
Gutter Gun Metal Grey  
PA Door Gun Metal Grey  
Ridge Cap Gun Metal Grey  
Roller Door Gun Metal Grey  
Roller Door Flashings Gun Metal Grey  
Roof Sheet Gun Metal Grey  
Wall Sheet Gun Metal Grey

#### Drainage Details

Box Gutter None  
Downpipe Type Downpipe 100x50 PVC  
Gutter Type Quad Gutter 115

All Dimensions shown are measured from outside of frame (including purlins and girts).  
Dimensions shown are for illustrative purposes only and should not be used for assembly.  
Please refer to the relevant installation guides or detailed drawings provided for site preparation, portal frame layout and slab dimensions.

Please refer to current Stratco Gable Homeshed certification referenced 50098 by FYFE Pty Ltd for 15° Homeshed range or certification referenced 2011-628 by RSA for 10° Homeshed range. Certifications are applicable to standard shed designs only.

CUSTOMER SIGNATURE:

DATE: 15/09/2021



**Site Plan**

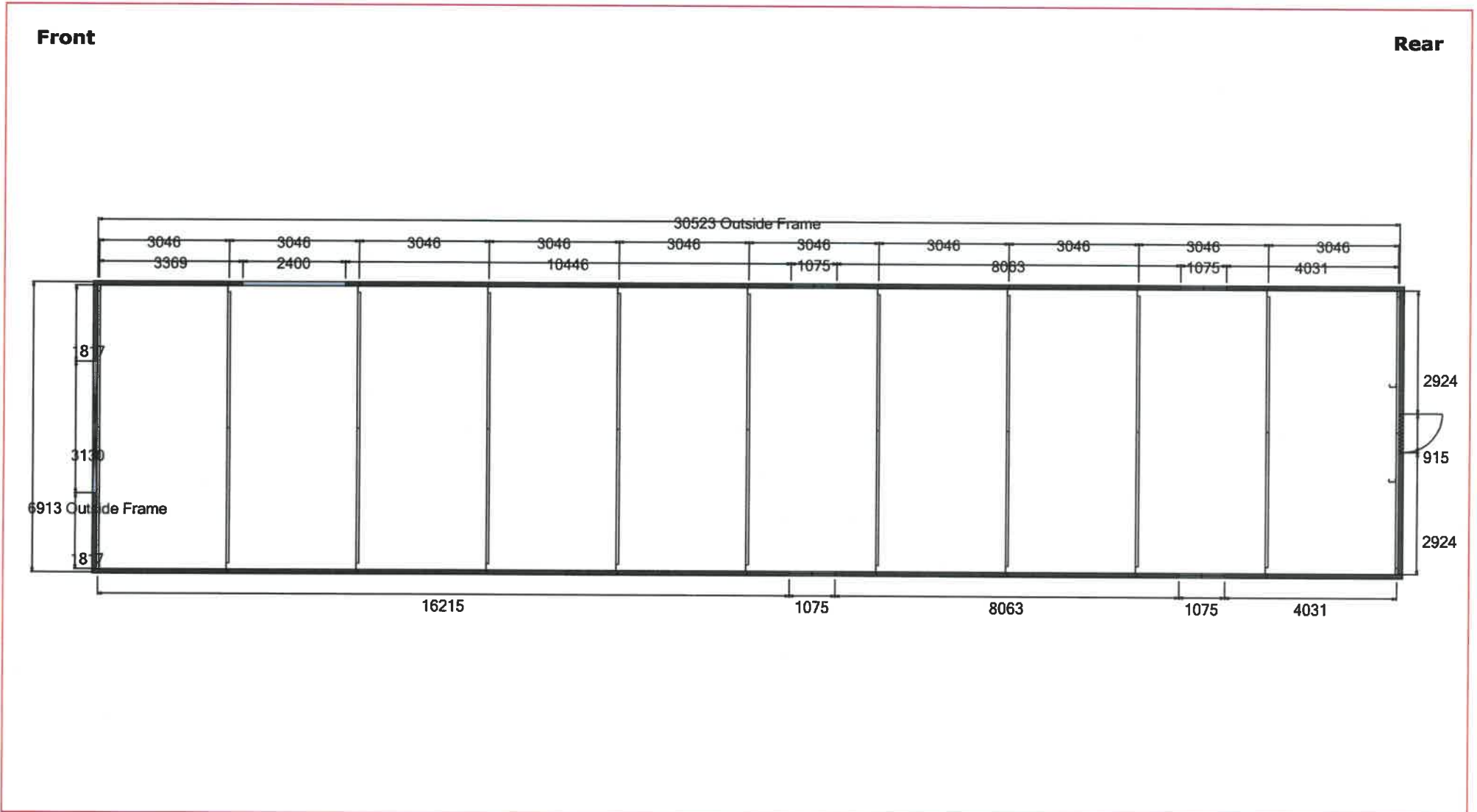
Job Reference  
Sales Person  
Client Name

Mr Craig Cox  
Ms. Bec Romyn

Site Address  
**31 Germantown Road  
Two Wells**

Design Number  
Date  
SQ246695  
15/09/2021

Customer Signature



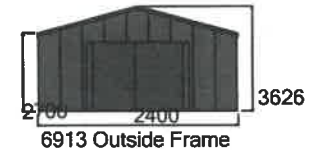
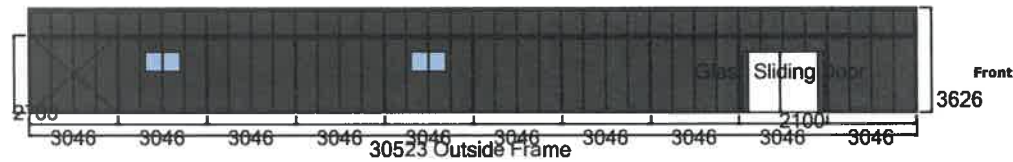


**Elevations**

Job Reference	Mr Craig Cox	Site Address	31 Germantown Road	Design Number	SQ246695	Customer Signature
Sales Person	Ms. Bec Romyn		Two Wells	Date	15/09/2021	
Client Name						

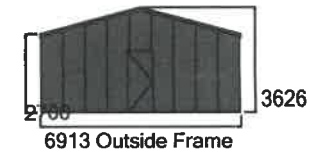
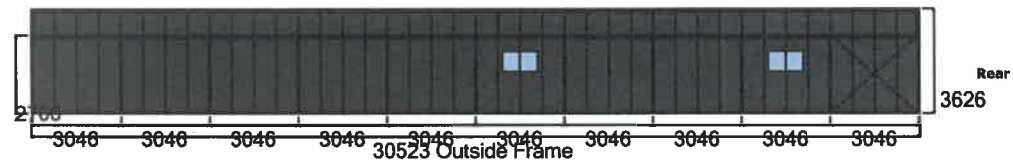
Left Elevation

Front External Elevation



Right Elevation

Rear External Elevation



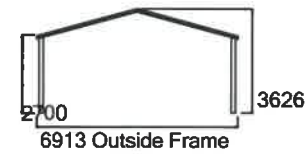
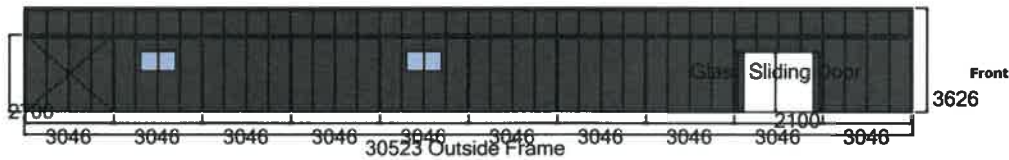


**Elevations**

<b>Job Reference</b>		<b>Site Address</b>	31 Germantown Road	<b>Design Number</b>	SQ246695	<b>Customer Signature</b>	
<b>Sales Person</b>	Mr Craig Cox		Two Wells	<b>Date</b>	15/09/2021		
<b>Client Name</b>	Ms. Bec Romyn						

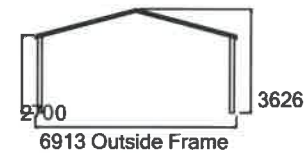
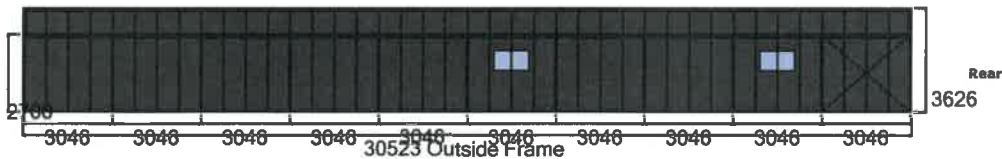
Left Elevation

Front Internal Elevation - 1



Right Elevation

Rear Internal Elevation - 1





## Elevations

Job Reference  
Sales Person  
Client Name

Mr Craig Cox  
Ms. Bec Romyn

Site Address

31 Germantown Road  
Two Wells

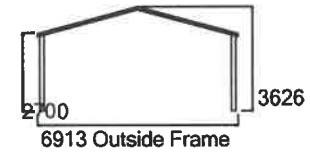
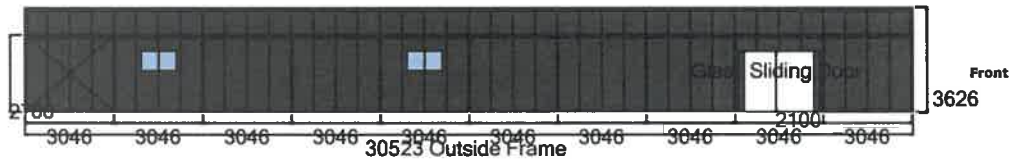
Design Number  
Date

SQ246695  
15/09/2021

Customer Signature

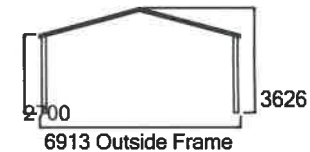
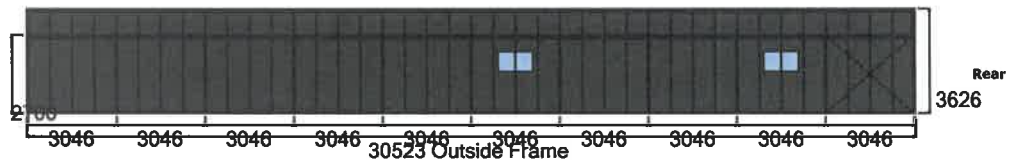
Left Elevation

Front Internal Elevation - 2



Right Elevation

Rear Internal Elevation - 2



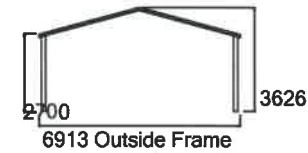
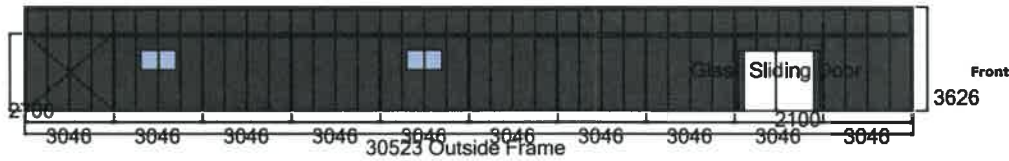


**Elevations**

<b>Job Reference</b>		<b>Site Address</b>	31 Germantown Road	<b>Design Number</b>	SQ246695	<b>Customer Signature</b>	
<b>Sales Person</b>	Mr Craig Cox		Two Wells	<b>Date</b>	15/09/2021		
<b>Client Name</b>	Ms. Bec Romyn						

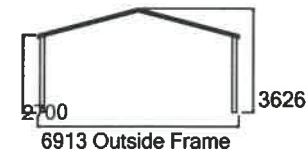
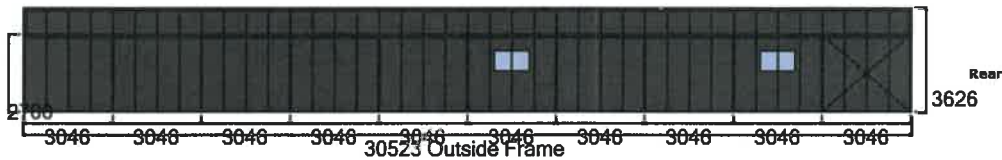
Left Elevation

Front Internal Elevation - 3



Right Elevation

Rear Internal Elevation - 3





### Elevations

Job Reference  
Sales Person  
Client Name

Mr Craig Cox  
Ms. Bec Romyn

Site Address

31 Germantown Road  
Two Wells

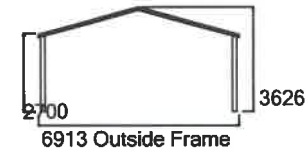
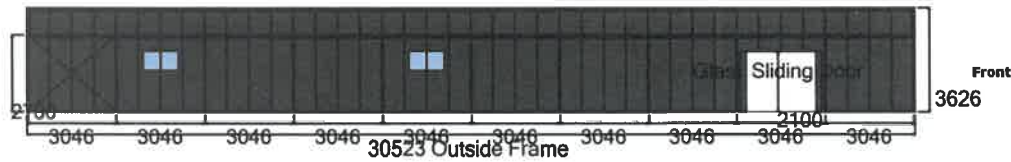
Design Number  
Date

SQ246695  
15/09/2021

Customer Signature

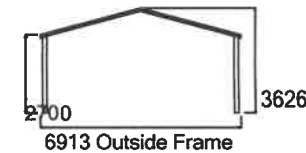
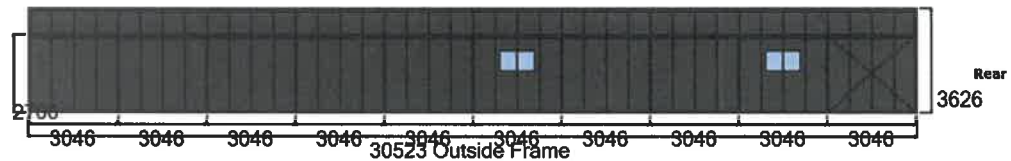
Left Elevation

Front Internal Elevation - 4



Right Elevation

Rear Internal Elevation - 4







**Elevations**

Job Reference  
Sales Person  
Client Name

Mr Craig Cox  
Ms. Bec Romyn

Site Address

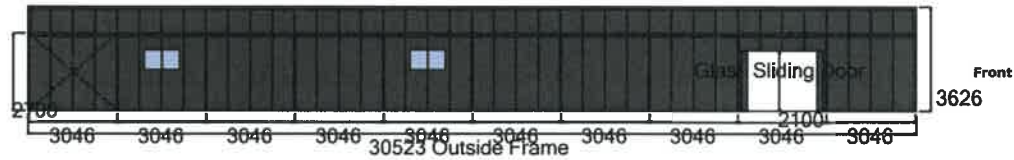
31 Germantown Road  
Two Wells

Design Number  
Date

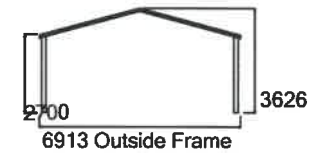
SQ246695  
15/09/2021

Customer Signature

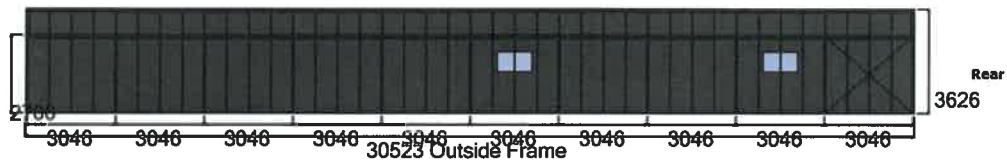
Left Elevation



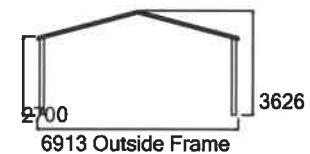
Front Internal Elevation - 5



Right Elevation



Rear Internal Elevation - 5



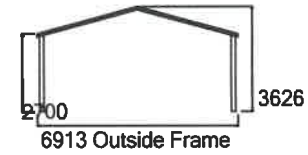
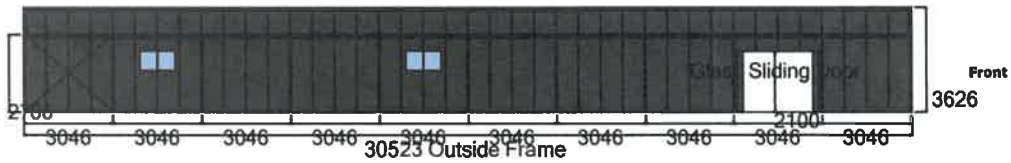


**Elevations**

<b>Job Reference</b>	<b>Mr Craig Cox</b>	<b>Site Address</b>	<b>31 Germantown Road</b>	<b>Design Number</b>	<b>SQ246695</b>	<b>Customer Signature</b>
<b>Sales Person</b>	<b>Ms. Bec Romyn</b>		<b>Two Wells</b>	<b>Date</b>	<b>15/09/2021</b>	
<b>Client Name</b>						

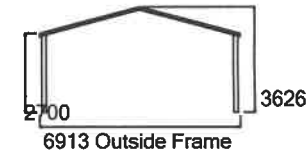
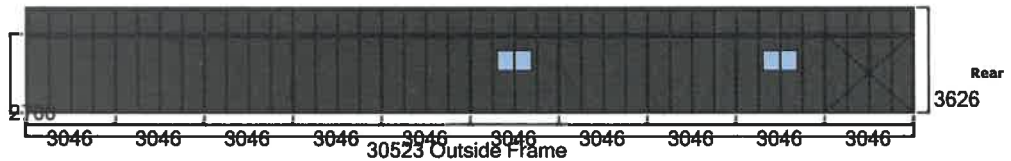
Left Elevation

Front Internal Elevation - 6



Right Elevation

Rear Internal Elevation - 6



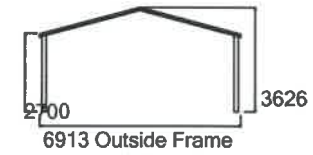
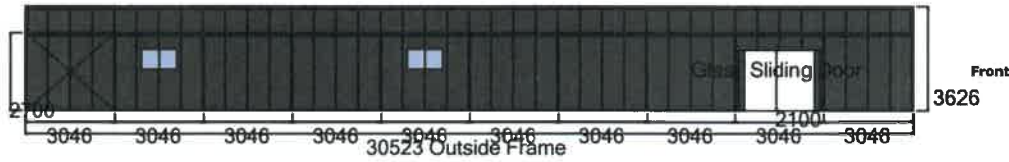


**Elevations**

<b>Job Reference</b>		<b>Site Address</b>	<b>31 Germantown Road</b>	<b>Design Number</b>	<b>SQ246695</b>	<b>Customer Signature</b>
<b>Sales Person</b>	<b>Mr Craig Cox</b>		<b>Two Wells</b>	<b>Date</b>	<b>15/09/2021</b>	
<b>Client Name</b>	<b>Ms. Bec Romyn</b>					

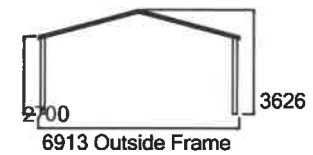
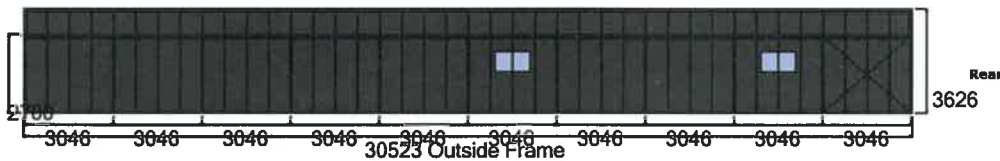
Left Elevation

Front Internal Elevation - 7



Right Elevation

Rear Internal Elevation - 7



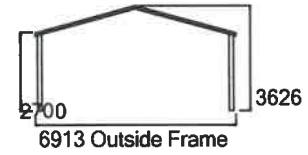
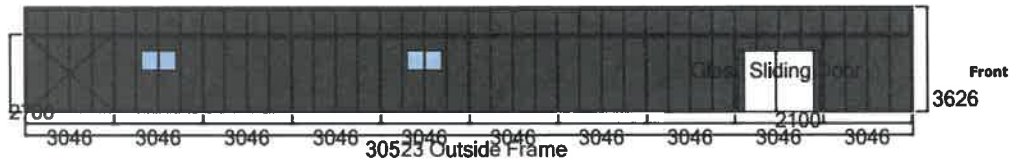


**Elevations**

<b>Job Reference</b>	<b>Site Address</b>	<b>Design Number</b>	<b>Customer Signature</b>
<b>Sales Person</b>	<b>31 Germantown Road</b>	<b>SQ246695</b>	
<b>Client Name</b>	<b>Two Wells</b>	<b>Date</b>	<b>15/09/2021</b>
	<b>Mr Craig Cox</b>		
	<b>Ms. Bec Romyn</b>		

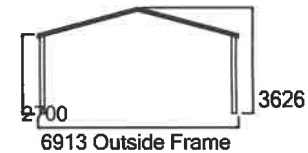
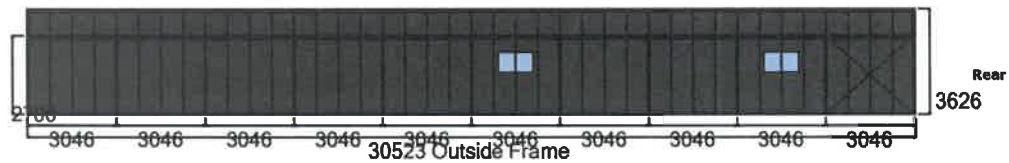
Left Elevation

Front Internal Elevation - 8



Right Elevation

Rear Internal Elevation - 8



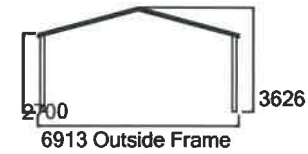
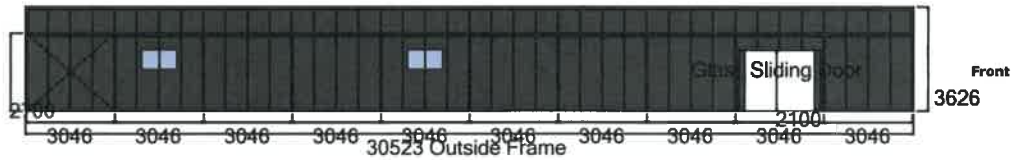


**Elevations**

<b>Job Reference</b>	<b>Mr Craig Cox</b>	<b>Site Address</b>	<b>31 Germantown Road</b>	<b>Design Number</b>	<b>SQ246695</b>	<b>Customer Signature</b>
<b>Sales Person</b>	<b>Ms. Bec Romyn</b>		<b>Two Wells</b>	<b>Date</b>	<b>15/09/2021</b>	
<b>Client Name</b>						

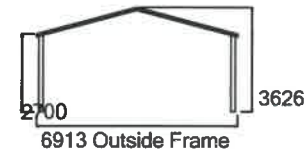
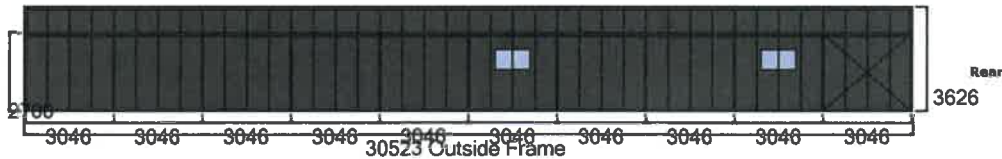
Left Elevation

Front Internal Elevation - 9



Right Elevation

Rear Internal Elevation - 9



Our Ref: 50098-6

21 November 2018

Stratco (Australia) Pty Ltd  
PO Box 307  
ENFIELD PLAZA, SA 5085

**RE: STRATCO 15° GABLE ROOF SHED SPAN TABLES**

We, FYFE Pty. Ltd., practising structural engineers, confirm that we have checked the designs prepared by Stratco (Australia) Pty. Ltd., for the 15° Gable Roof Sheds, as shown in the following document:

**STRATCO 15° GABLE ROOF SHED SPAN TABLES INCLUDING ENCLOSED GARAGE WITH OR WITHOUT GARAPORT, AND OPEN SIDED CARPORT (NOVEMBER 2018)**

We hereby certify that the calculations, materials, forms of construction and systems to which the designs relate will, if installed in accordance with the designs, conform to the structural requirements of the Building Code of Australia 2016 – Volume Two, Section 2, Part 2.1, and the following Australian Standards:-

AS/NZS 1170.0	Structural Design Actions – Part 0: General Principles
AS/NZS 1170.1	Structural Design Actions – Part 1: Permanent, Imposed and Other Actions
AS/NZS 1170.2	Structural Design Actions – Part 2: Wind Actions
AS/NZS 4600	Cold-Formed Steel Structures
AS 3600	Concrete Structures
AS 4100	Steel Structures

In the preparation of this certification, we have relied on the load test reports, product data sheets and specifications provided by Stratco (Australia) Pty. Ltd., and other relevant proprietary product specifications



TREVOR JOHN F.I.E. Aust.  
Chartered Professional Engineer  
NER 106278  
QLD Reg. No. 3664  
NT Reg. No. 12178ES  
VIC Reg. No. EC-1618  
TAS Reg. No. CC-4375F

50098-6\_CERT\_REV0.DOCX



**FYFE**

ENVIRONMENT  
DEVELOPMENT  
RESOURCES

Level 1, 124 South Terrace  
Adelaide SA 5000

GPO Box 2450  
Adelaide SA 5001  
Telephone 61 8 8201 9600  
Facsimile 61 8 8201 9650  
www.fyfe.com.au

FYFE PTY LTD  
ABN 57 008 116 130



**35**  
**YEARS**  
DEVELOPING  
CAREERS & PROJECTS

# Details of Representations

## Application Summary

Application ID	21028566
Proposal	Partial change in use of land for the keeping of up to 50 dogs for breeding, training and rehoming plus construction of kennels and associated yards
Location	31-33 GERMANTOWN RD TWO WELLS SA 5501

## Representations

### Representor 1 - Tanya Driscoll

Name	Tanya Driscoll
Address	23 Dunlop Bvd LEWISTON SA, 5501 Australia
Phone Number	0430300284
Email Address	tanoconnell@yahoo.com.au
Submission Date	01/02/2022 04:25 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	I am not in favour of this development as although we are a few streets away we will still be able to hear the constant noise that these developments come with, there are already a couple of kennels down the road from us at the same distance if not further away and we can hear the constant barking from them clearly, adding another one in the mix is not ideal. I feel for the need to have these facilities but with all the new developments (directly across the road and surrounds) a 50 dog kennel is just going to be to much.

## Attached Documents

## Representations

### Representor 2 - Amanda Gillich

Name	Amanda Gillich
Address	25 Germantown Road TWO WELLS SA, 5501 Australia
Phone Number	0407639454
Email Address	Speckofgoldqh@gmail.com
Submission Date	02/02/2022 12:50 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	<p>I have lived in my house for over 20 years and I have seen people come and go. I moved here for the peace and quiet and the space. Over the past few years I have seen so much development in our area, none of which we were advised or consulted about. No additional works have been carried out to support the extra development either. To hear on the grape vine, not from my local council, that someone is trying to get approval for 50 dog kennels, a mere 3 doors down from me, is down right dirty. NO I DON'T want 50 dogs kennels in my street. The dogs down the street drive me crazy with their barking all hours of the day and night as it is, then multiply that by 50, The noise and the smell. NO THANKS. The poor animals, being locked up in a kennel all day and night.</p>

## Attached Documents



## Representations

### Representor 3 - Alison Angus

Name	Alison Angus
Address	PO Box 947 TWO WELLS SA, 5501 Australia
Phone Number	0417830020
Email Address	aliangus21@gmail.com
Submission Date	05/02/2022 08:57 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	Having 50 dog kennels isn't fair on the close neighbours who have just built on Germantown Road or those who have spent years renovating their house & yard as they intend to live the rest of their lives there. Noone would want to live near 50 kennels that will create continuous barking that will affect & annoy not only neighbours, but also people living closeby. Barking could be day or night, which will affect people's sleep & performances of those who have to work, which may in the long run affect their mental health too, if not their relationships aswell.

## Attached Documents

## Representations

### Representor 4 - Marjoleine Lloyd

Name	Marjoleine Lloyd
Address	48 Dawkins Road TWO WELLS SA, 5501 Australia
Phone Number	0438015474
Email Address	floost08@gmail.com
Submission Date	07/02/2022 10:45 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	<p>I believe this development should be refused based on the following: 1. Up to 50 dogs on a small property is utterly ridiculous. The noise and odour from intensive animal keeping travels much further than a 100 metres from a property. I live around the corner, I can guarantee you that it will make a big difference. 2. Having a commercial intensive dog breeding/farming/racing enterprise does NOT belong in a residential hobby farm area 3. There is a lot of subdivision in this area happening. People who like to move and settle in a quiet country area, who spent a lot of money on building their new properties, having a safe and quiet area for the children to grow up in now get a sudden surprise that someone wants to have an intensive dog keeping business next door or across the road. 4. I believe this development will severely impact house pricing in a negative way in this area. This will affect Adelaide Plains Council's revenue too as they benefit from the high council rates they are currently charging. 5. Germantown Road is a busy road already. Children (and adults) use this road to ride their bikes, horse riders hope to ride their horses safely along the roads, walkers use it daily. The fact that daily trucks will have to access the property to remove waste etc is an added danger to a road that is already high risk with the amount of traffic on it, the usage for illegal burnouts and high speed limit of 80km. 6. Animal welfare could be a major issue.</p>

## Attached Documents

## Representations

### Representor 5 - Grant Mathieson

Name	Grant Mathieson
Address	27 Germantown Rd TWO WELLS SA, 5501 Australia
Phone Number	0403303648
Email Address	grantmathieson@gmail.com
Submission Date	07/02/2022 03:58 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	No
My position is	I oppose the development
Reasons	

### Attached Documents

Application\_ID\_21028566\_-\_31-33\_Germantown\_Road\_Two\_Wells\_-\_opposition\_to\_application.pdf

The below map shows houses within 175m Buffer of the proposed development – EPA guideline recommend 500m from the activity boundary



Reasons for Opposition to both the proposed development, and the change in zoning.

Although I appreciate the intention of the submission, I do not believe that it fits within the current or future development of the area. Currently most properties are occupied with families, as semi-rural residential addresses. It also does not align with the desired outcome of the zoning. A spacious and secluded residential lifestyle within semi-rural or semi-natural environments, providing opportunities for a range of low-intensity rural activities and home-based business activities that complement that lifestyle choice.

There are specific zoned areas created for such activities, and as the applicant is willing to travel as far as Murray Bridge to use the training track, it would seem reasonable, that if this is the facility they wanted, to build it in a zoning area that aligns.

- Building dimensions do not fall within Zoning requirements (Max 100m<sup>2</sup>) Planned shed size 207m<sup>2</sup>
- The building would not fit in with the surrounding buildings, and atmosphere of the area. Being the vast majority privately owned non-commercial residences.
- I work from home, with my home office facing north, I believe that having up to 50 dogs and puppies outside all day, within 100m of my office would impact my peace and harmony.
- Number of Animals does not fall within Subzone guidelines (max 20 dogs) Submission requests 50 dogs
- Although no scale given the Puppy yards do not appear to be the required 25m from the rear boundary
- Noise assessment submitted is using significantly outdated map information (at least 2 years old) and not inline with the EPA guidelines, 'Evaluation distances for effective air quality and noise management', which states an evaluation distance of 500m
  - Approximate 175m radius impacts 22 to 25 residences – not the 4 outlined in the submission
  - Report refers to recommendations in section 6, there are no recommendations outlined.
  - It does not seem credible that there was less than an expected 5db change from a recording station less than 10 meters from barking dogs.
  - Predictions in the report are inaccurate, only assessing 10 dogs barking of a possible 32 that would be outside. The report states half this number.
  - There appears to be no science behind this report, and no indication or evidence as to how they have made their conclusion.
- Dogs will be let out 7am each morning, I believe this would persistently interfere with my peace and harmony.
- The nuisance of continual barking throughout the day has not been assessed
- Not feed until 9am, to make them "content". Meaning that there will be barking dogs outside consistently between 7am and 9am.
- I do not believe there are adequate controls in place to address minimising the dogs barking.

- The submitted SOP's do not outline any contingency if the procedure is not followed, they are just method statements. I believe this shows that the systems and operations do not have a genuine intent to mitigate the impact on neighbours.
- Commercial operation will lead to increased traffic including, trips to and from training facilities as these are not on site, staff traveling to and from property, daily heavy vehicle waste collection as outlined in the submission.
- The development would devalue my property, given its proximity, and the value of properties around it. Given the development of new housing estates, directly opposite and several within the local area, placing a 50-dog kennel I believe would impact resale value.
- Excess dust generated from dogs in their external yards.
- Concern that on future sale of the property, a new owner may not adhere to the current owner's SOP's and timeframes.
- Potential escape of animals from the facility impacting other domestic pets and livestock, the property is boarded by other properties that have sheep, horses etc.
- There are other dog boarding facilities and kennels within 500m of the active boundary, which will increase the likelihood of dog barks triggering other dogs to bark.

I would also like it noted that my property is inside the 60m notification requirement. I have received no written notification of the development, as I believe is required. Also, the QR code posted on the fence directs to the general notifications page, not the specific application. This does not make me confident that the applicant intends to follow any requirements they set.

Proposed development site with 60m buffer



## Representations

### Representor 6 - Shane Cowey

Name	Shane Cowey
Address	29 Germantown Road TWO WELLS SA, 5501 Australia
Phone Number	0422484043
Email Address	shanecowey@yahoo.com.au
Submission Date	09/02/2022 02:11 PM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development
Reasons	please see my attached reasons for why I believe the planning consent should be refused.

### Attached Documents

Representation\_on\_Application\_-\_Performance\_Assessed\_Development.pdf

# REPRESENTATION ON APPLICATION – PERFORMANCE ASSESSED DEVELOPMENT

*Planning, Development and Infrastructure Act 2016*

<b>Applicant:</b>	Rebecca Romyn <i>[applicant name]</i>
<b>Development Number:</b>	21028566 <i>[development application number]</i>
<b>Nature of Development:</b>	Partial change in use of land for the keeping of up to 50 dogs for breeding, training and rehoming plus construction of kennels and associated yards <i>[development description of performance assessed elements]</i>
<b>Zone/Sub-zone/Overlay:</b>	Animal keeping, other – commercial/industrial, change of use <i>[zone/sub-zone/overlay of subject land]</i>
<b>Subject Land:</b>	31-33 Germantown Road, Two Wells, SA, 5501 <i>[street number, street name, suburb, postcode]</i> <i>[lot number, plan number, certificate of title number, volume &amp; folio]</i>
<b>Contact Officer:</b>	George Jacks <i>[relevant authority name]</i>
<b>Phone Number:</b>	8527 0200 <i>[authority phone]</i>
<b>Close Date:</b>	15/02/2022 <i>[closing date for submissions]</i>

My name*: Shane Cowey/Anthony Kober	My phone number: 0422484043
My postal address*: 29 Germantown Road, Two Wells, SA, 5501	My email: shanecowey@yahoo.com.au

\* Indicates mandatory information

My position is:	<input type="checkbox"/> I support the development <input type="checkbox"/> I support the development with some concerns (detail below) <input checked="" type="checkbox"/> I oppose the development
-----------------	--



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

1 - The noise emission assessment is based on only a small number of dogs barking at one time, I believe it needs to be based on all 50 (total capacity). I also believe it needs to be future proofed and based on any breed of dog as there is always potential of the property being sold and bought as a dog breeding facility due to the rezoning and facilities built. Although the planning states greyhounds, I am concerned that once built – any noisy breed of dog could potentially be there in the future.

2 - I am concerned with the rezoning from residential to commercial/industrial. Residential in the animal husbandry zone allows up to 9 dogs and requires the owner to live on the premises. Changing it to commercial/industrial would not require anyone to live at the premises meaning that no one would be monitoring any noise (barking) that occurs during all hours of the night either now or in the future.

3 - Noise restrictions are required for residential premises from 7pm daily – I am concerned with the yards/machinery being used until 10pm each night as stated in the plan. As two workers who work long hours, one of us whom is required to be up at 3:30am each weekday morning, this will have a huge affect on our health and wellbeing.

4 - Changing the zoning from residential to commercial/industrial in my opinion will open up scope for future issues with noise and visual pollution.

5 - My property has been zoned by the noise assessors as agricultural which is not correct. Our whole block should be classed as residential – we should always have the right to build a dwelling on our property without being restricted by the new facility at 31-33. The noise monitoring needs to be done for our whole block. We would like to build a new house on our block and our now concerned that this would put us even closer to the dogs and puppies if this proposal was to go ahead. I worry that the peaceful and open atmosphere at the back of our block will be majorly disrupted by this build/rezone.

6 - Council requirements for Dog Keeping at Adelaide Plains Council are to have a 'permanent screening along property boundaries of views of buildings and structures from adjoining properties'. I do not believe that the trees on my property should be classed as permanent structures, nor should we be restricted with what we can do with our trees (for example we wouldn't be able to cut them down if needed as the structure would be removed). I believe the planning applicant should be required to build this permanent structure as part of the requirement for building these facilities through way of a fence along the North and South boundaries – which includes my property (South).

7 – I am majorly concerned about the noise of 26 adult greyhounds and 18 puppies residing on the property.

8 - I do not believe that the noise assessment completed is accurate as not all neighbouring properties were assessed (using the information included in the pack). The map used is outdated and is missing many close properties. At least 5 houses were not assessed. This doesn't even include the tests that should have been done within the 500m (EPA requirements). See attached maps below:

**Current map (2/2/22)**

5 houses not assessed

Proposed kennel/yards  
31-33 Germantown

Not agricultural  
29 Germantown



**Map used for noise emission assessment in application pack:**

For details refer to Figure 1 below.

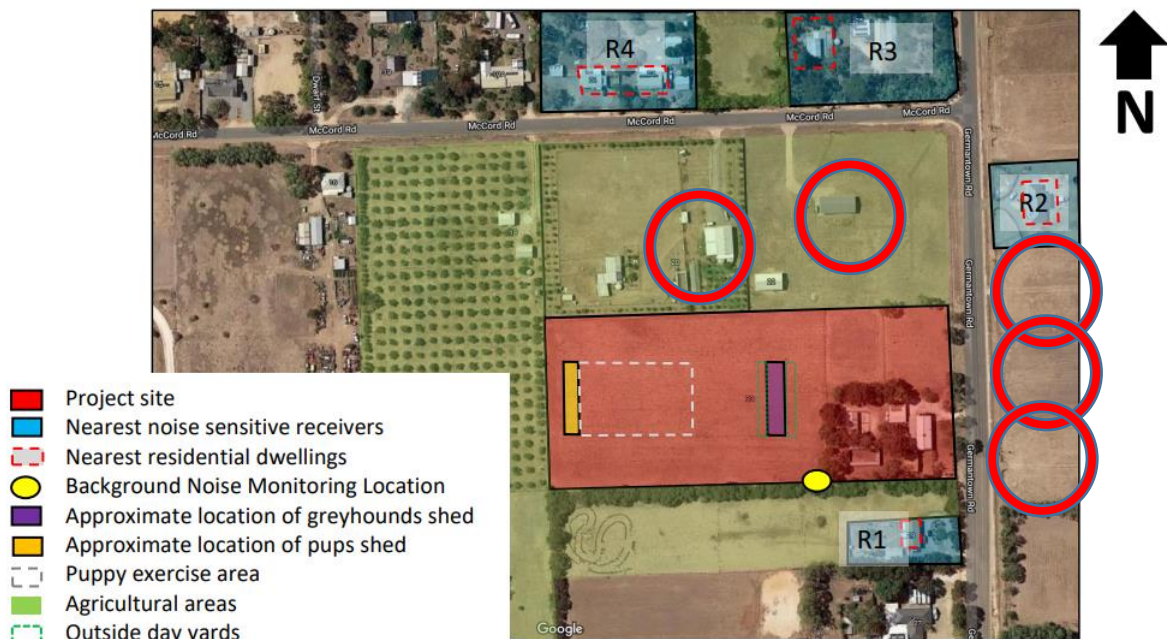


Figure 1 – Aerial Photo of the site, nearest noise sensitive receivers and noise monitoring location (Resourced from Google Maps)

9 - The EPA of South Australia (Environmental Protection Authority) document titled 'Evaluation distances for effective air quality and noise management' states that for Dog Kennels (including dog refuges, shelters and commercial dog kennels – boarding or breeding) an evaluation distance of 500 metres needs to occur. The reports included in the application do not cover this area for either noise or odour (air quality).

10 - Due to our property mainly being classed as agricultural I believe our property hasn't been assessed correctly for noise emissions.

11- Page 6 of the noise report says that the findings are all based on the assumption that the recommendations will be implemented. What assurances are put in place to make sure that they are implemented and will continue to be kept that way.

12 - I strongly believe that 31-33 being rezoned Commercial/Industrial will inevitably increase the value of their property whilst simultaneously dropping the desirability and therefore value of my property due to people not wanting to live next to this sort of facility – myself included.

13 - We moved to this area to enjoy the quiet comfort of the rural residential environment, I firmly believe rezoning 31-33 will ruin the peaceful nature of this area for all of the neighbouring properties.

14 - To comply with current legislation for Dog Keeping in the Adelaide Plains Council it states that 'Exercise yards attached to kennel buildings should face away from allotment boundaries to minimise potential noise nuisance to neighbours'. The proposed plans have them facing neighbours both North and South.

15 - I am concerned about the proposed pup yards and the noise associated with 18 puppies.

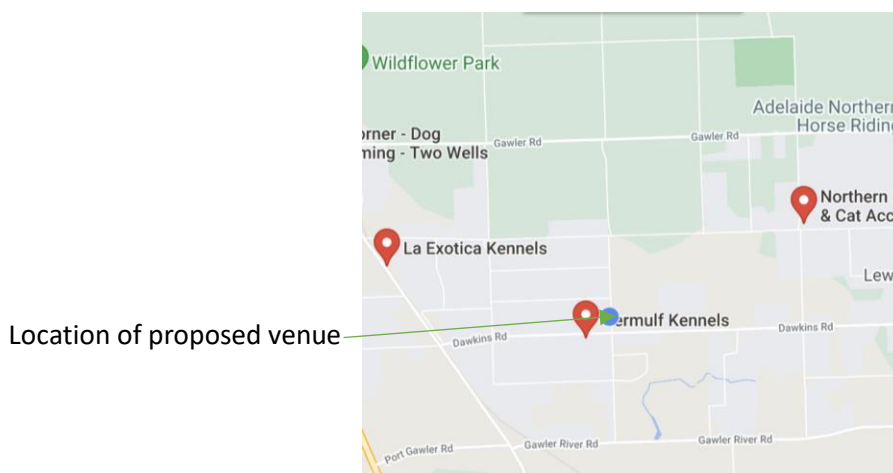
16 - I believe that the spoon drain referred to on page 11 for the hose down shed and for the Solid Waste management will create an odour if not hosed correctly. I believe this should be underground to avoid smells to neighbouring properties. On the proposal this drain runs towards my property.

17 - The reference to 'Noise History and Current (sic)' on page 15 "The number of greyhounds may be considered to have a great potential for noise impact, currently, where we live now with over 120 greyhounds (two separate trainers with 60 greyhounds each) has not stimulated a noise or odor complaint" is not relevant – their facility at 437 Germantown Road has no neighbours and is a completely different setting to the location at 31-33 Germantown Road. The location of the pup yards being located at the end of the property will not stop noise travelling, we can already hear dogs from kilometres away.

18 - I heard that the current owners were wanting to subdivide the property after purchase however due to council rules this is not allowed. Does changing the zoning to commercial/industrial fill a loophole and allow this to happen at a later date?

19 – I am concerned with the increased traffic that will be visiting this site – the daily truck to remove waste and the greyhound owners bringing their dogs to the site.

20 – I am concerned with the fact that there are already three breeders/kennels in this area and this new one would be extremely close to the others and the dogs barking would set each other off.



I would like to conclude by stating that I oppose the rezoning of this land from Rural Residential to commercial/industrial and to the proposed development due to the noise and to some degree the odour to neighbouring properties. This is a quiet rural residential area and I firmly believe that the Animal Husbandry rules of allowing up to 9 dogs is sufficient in keeping a cap on potential discomfort to residents in and around their homes. This is an area that over the past 6 years has grown quite a lot and it is great to see family houses being built on a decent size piece of land. I believe changing one of these blocks to commercial/industrial and building such a facility will ruin the peace and sight of this area.

*[attach additional pages as needed]*

Note: In order for this submission to be valid, it must:

- be in writing; and
- include the name and address of the person (or persons) who are making the representation; and
- set out the particular reasons why planning consent should be granted or refused; and
- comment only on the performance-based elements of the proposal, which does not include the:
  - I do not accept any of the proposed development *[list any accepted or deemed-to-satisfy elements of the development]*.

I:  wish to be heard in support of my submission\*  
 do not wish to be heard in support of my submission

By:  appearing personally  
 being represented by the following person: [Click here to enter text.](#)

*\*You may be contacted if you indicate that you wish to be heard by the relevant authority in support of your submission*

Signature:

Date: 2<sup>nd</sup> of February 2022

Return Address: [Click here to enter text.](#) *[relevant authority postal address]* or

Email: shanecowey@yahoo.com.au *[relevant authority email address]* or

Complete online submission: [planninganddesigncode.plan.sa.gov.au/haveyoursay/](http://planninganddesigncode.plan.sa.gov.au/haveyoursay/)

## George Jacks

---

**From:** Bec Romyn <becromyn81@gmail.com>  
**Sent:** Thursday, 17 March 2022 2:33 PM  
**To:** George Jacks  
**Subject:** My Response

**\*\*CAUTION:** This email is from a person outside of Adelaide Plains Council. **Do not click on links or open attachments** - unless you recognise the sender and know the content is safe\*\*

My response to the opposing objections to my application.

Representor 1- Tanya Driscoll

Lives too far away to be concerned. You wouldn't hear the dogs.

Representor 2- Amanda Gillich

If peace & quiet is what you're after, maybe don't live in an animal husbandry zone. The prior developments have nothing to do with us. With a 50 dog license, it doesn't mean 50 dogs barking at the same time. The dogs have their own day yards, which is GRSA approved. The size of their yards will be big enough to be comfortable but not too big to be running up & down. The dogs are locked up safe at night in an insulated shed.

Representor 3- Alison Angus

'As above'. Also I will add that at our property now, we have 40 dogs in the shed & they do not bark at night. That shed is not insulated as this one would be. They have a radio on in the shed to help block outside noise. They are content animals.

Representor 4- Marjoleine Lloyd

'As above' regarding the noise.

Also, why would we have trucks coming in & out of the property? We don't now. That wouldn't change. Obviously while the shed is being constructed, that would be it. We would have a skip bin on the property to dispose of our rubbish, as does a few people on the street. How is that different to them?

We also have children & we walk to the school bus stop. The road is busy but that's not on us.

There's a lot of developments going on in our street. Our property would not change the property market.

We have regular visits from animal welfare & not once have we had a complaint from them. Our dogs are highly regarded to us & are in the best of care.

Representor 5- Grant Mathieson

We can apply to have a 20 dog license & an additional 9 retired dogs. We have asked for a 50 dog license as this would be the maximum. It is highly unlikely that we would have 50 dogs on the property at any one time. We are accounting for dogs that are ready to be rehomed, pups before they go to their new homes, retired dogs that we keep, dogs that we look after until their owners take them home.

Your peace & harmony won't change, especially if you hear all the traffic as early as 5am. Germantown road constant use for traffic, including trucks & motorbikes. It's definitely not a peaceful street as what you're saying. They're won't be constant barking from 7-9am as stated. We will be out there with the dogs & they'll

be happy getting their let out & exercise on the walking machines. Then they will be fed & content for the day. Greyhounds like routine & are happy with that. So what if we drive to a track or training facility? You drive to work or the shops? That's no different. We don't have workers, it's just us.

There is no daily heavy vehicle waste collection.. we manually pick up the waste with a scoop & put it in the skip bin. The bin would be picked up weekly as yours is & many other people on the street.

There won't be any more dust than what there already is. We can put fake grass in their yards.

It would be hard for a greyhound to get loose. They are in a shed which is in a back paddock. Even if that happened, they're not aggressive animals. We have a little dog & she comes with me to see the greyhounds. They are around small children & small dogs a lot.

The council has seen the plans. I can easily change the dimensions if that's required from them.

The acoustic noise report has been changed & resubmitted to the council.

We did not put the signage out the front, the council did. If there was an issue, you should direct that with them.

Representor 6- Shane Cowey

The acoustic noise report has been resubmitted.

We used a reputable company & paid good money for this. They would know what they're doing.

We can have our own boundary, we don't need yours, although you shouldn't be cutting down trees anyway.

It is unlikely we would 50 dogs at any one time.

I'm not sure why people have said trucks coming in & out at 10pm?? This would not be happening.

We don't have trucks & there is no need for them to be coming in our property.

I didn't asked for rezoning, just a 50 dog license.

Our skip bin will be emptied a maximum of once a week, not daily as someone mentioned.

To clarify, the dog waste will be picked up manually daily & put in the bin.

There won't be 50 dogs running around. They have their own yards, no training, (besides walking machines) will be done on the property.

Greyhounds are not aggressive & do not 'kill' other animals. It's the same as your pet dogs. We keep ours safe & locked up at night. Our property is large enough to cater for what we have asked. Our kennels are clean & don't smell anymore than a normal kennel house. We have the proper drainage to keep it clean.

I hope this is ok. Please let me know if there's anything else in need to do.

Thanks, Bec



# 31-33 GERMANTOWN ROAD, TWO WELLS

## NOISE EMISSION ASSESSMENT

DECEMBER 17, 2021

Michael Phillips Acoustics  
1300 617 439  
michael@mpacoustics.com.au  
ABN 19 465 981 722

## Project Information

Details	
Report Title:	NOISE EMISSION ASSESSMENT
Project:	31-33 GERMANTOWN ROAD, TWO WELLS
Site Address:	
Client:	
Attention:	

## Document Control

Reference	Issue Date	Details	Revision	Prepared	Reviewed	Authorised
20211217	17/12/2021			EC	MP	MP
20211217.1	17/02/2022		1	EC	EC	EC

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## 1 INTRODUCTION

Michael Phillips Acoustics has been engaged by Rebecca Romyn to conduct a noise emission assessment for the proposed Dog Kennel facility at 31-33 Germantown Road, Two Wells.

This document presents a noise investigation of noise emissions from the proposed dog kennel development to all nearest noise sensitive receptors to ensure compliance with the noise emission criteria of Adelaide Plains Council Development Control Plans (DCP) 2016 and Environmental Protection (Noise) Policy 2007.

## 2 SITE AND PROJECT DESCRIPTION

The proposed dog kennel facility will be located at 31-33 Germantown Road, Two Wells SA. The proposal includes the erection of a shed to house 26 racing greyhounds and an additional shed on the western side of the site to house 20 puppies.

Noise sources associated with the proposed development will most likely be associated with dogs barking and from the use of the dog walking machines. A site investigation has been undertaken to locate the nearest noise sensitive receivers, which are summarised below and presented in Figure 1.

- R1 – A single storey residential dwelling to the south of the subject site at 29 Germantown Road, Two Wells.
- R2 – A single storey residential dwelling to the north-east of the site, opposite Germantown Road.
- R3 – A single storey residential dwelling to the north of the site at 25 McCord Road.
- R4 – Two single storey residential dwellings to the north of the site at 21-23 McCord Road.

For details refer to Figure 1 below.



Figure 1 – Aerial Photo of the site, nearest noise sensitive receivers and noise monitoring location  
 (Resourced from Google Maps)

- Project site
- Nearest noise sensitive receivers
- Nearest residential dwellings
- Background Noise Monitoring Location
- Approximate location of greyhounds shed
- Approximate location of pups shed
- Puppy exercise area
- Outside day yards

### 3 EXISTING AMBIENT NOISE LEVELS

#### 3.1 Unattended Noise Monitoring

Long term unattended noise monitoring was undertaken at the nearest residential noise sensitive receivers by installing a noise monitor. Noise monitoring was conducted between Thursday 18<sup>th</sup> to Tuesday 23<sup>rd</sup> November 2021 with an Acoustics Research Laboratory Type 1 environmental noise logger set on A-weighted fast response mode and recording in 15-minute intervals. The noise logger was placed at the eastern boundary of the site attached to residential receiver R3 with the microphone placed 1.5m above ground. For location refer to Figure 1.

The measured background noise levels were corrected for meteorological conditions (such as wind and rain) as required by Section 3.4 of the EPA Industrial Noise Policy for Industry (NPfI).

For detailed background noise data refer to the following table.

*Table 1 – Background Noise Monitoring Data – Rating Background Noise Levels (RBL)*

Date	Day (7am – 6:00pm)	Evening (6:00pm – 10:00pm)	Night (10:00pm – 7:00am)
Thursday, 18 <sup>th</sup> November 2021	41	37	33
Friday, 19 <sup>th</sup> November 2021	41	36	30
Saturday, 20 <sup>th</sup> November 2021	40	35	34
Sunday, 21 <sup>st</sup> November 2021	- *	33	29
Monday, 22 <sup>nd</sup> November 2021	39	34	29
Tuesday, 23 <sup>rd</sup> November 2021	38	34	27
<b>Median</b>	<b>40</b>	<b>35</b>	<b>30</b>

\*Noise level affected by weather.

## 4 NOISE EMISSION CRITERIA

In absence of any specific noise emission requirements by Adelaide Plains Council Development Control Plan (DCP) for dog kennel developments, noise emission criteria will be drawn by Environment Protection (Noise) Policy 2007. This section presents the criteria for this project based on these documents.

### 4.1 Noise Criteria

#### 4.1.1 Environment Protection (Noise) Authority 2007

Part 4 of the EPA provides general noise control provisions.

#### **18 – Compliance with noise goals satisfies general environmental duty**

- (1) The general environmental duty under section 25 of the Act is satisfied in relation to noise from a noise source, insofar as the noise affects particular noise-affected premises, if the noise complies with the noise goals.
- (2) The noise complies with the noise goals if measured taken in relation to the noise source and the noise-affected premises show that-
  - a. The source noise level (continuous) does not exceed the background noise level plus 5 dB(A); or
  - b. The source noise level (continuous) does not exceed the indicative noise level for the noise source.

*Table 2 – Noise Emission Project Criteria*

Measured Noise Levels and Criteria		
Time of Day	Measured Background Noise Level dB(A) L <sub>90</sub>	Noise Emission Criteria Background +5dB L <sub>Aeq</sub> (15min)
Day-time period (7:00am – 6:00pm)	40	45
Evening-time period (6:00pm – 10:00pm)	35	40
Night-time period (10:00pm – 7:00am)	30	35

## 5 NOISE EMISSION ASSESSMENT

This section presents an analysis of noise emissions associated with the use of the proposed Dog Kennel facility to all nearest noise sensitive receivers. Predicted noise levels are presented in this section.

### 5.1 Noise Predictions to Nearest Noise Sensitive Receivers

Noise emissions to the nearest noise sensitive receivers were predicted to ensure compliance with the noise criteria as presented in Section 4.

Predictions were made based on the following information.

- The sound power level of a dog barking is 85dB(A).
- The sound power level of all 26 dogs collectively is 99.5dB(A).
- The proposed 4 dog walking machine is a motorised Val Ward. This office was not able to find noise data available for this kind of machine, however, based on our experience, the sound power level of a motor is generally lower than the sound power level of a dog barking. Given that the noise predictions were made based on the worst-case scenario in which all dogs bark at the same time, the noise from the walking machine is assumed to be masked by the barking noise. In the case of achieving compliance with the noise emission criteria in the worst-case scenario of all dogs barking at the same time will assume compliance with noise emissions from the walking machine. It is also noted that the walking machines will not be used at night-time period.
- The grown dog's shed will be made of Stratco Superdek roofing and wall system.
- The dimensions of the grown dogs' shed are 7m x 30m x 3m.
- The total area of the puppy shed is 54m<sup>2</sup>.
- Noise predictions were made based on the assumption that the recommendations in Section 6 will be implemented.

Predictions were made based on the following worst-case scenarios:

#### For day time period

- In a peak 15-minute period 1/2 of the 26 dogs training outdoors will bark at the same time and half of the puppies (refer to Figure 1 for location of outside day yards and puppy training area).

#### For evening-time period

- Up to 12 of the grown dogs will be allowed outdoors in the evening-time period (6:00pm – 10:00pm).
- In a peak 15-minute period, half of the 12 grown dogs will bark at the same time and half of the puppies.

#### For night-time period

- In a peak 15-minute period, all 26 grown dogs and 20 puppies will bark at the same time while they are indoors and all doors and windows of the sheds will be closed.

Noise emissions were calculated at 1m from the boundary of all nearest noise sensitive receivers for day and evening time periods and at the façade of the residential dwellings for night-time period. Predicted noise levels to all nearest noise sensitive receivers are presented in the following tables.

*Table 3 – Predicted Noise Levels at all Nearest Noise Sensitive Receivers (Day Time Period)*

Receiver	Predicted Noise Level	Criteria <i>Background</i> <i>+5dB L<sub>Aeq</sub></i> <i>(15min)</i>	Compliance?
R1 (refer to Figure 1)	<43	45	Yes
R2 (refer to Figure 1)	<43	45	Yes
R3 (refer to Figure 1)	<43	45	Yes
R4 (refer to Figure 1)	<43	45	Yes
R5 (refer to Figure 1)	<43	45	Yes
R6 (refer to Figure 1)	<43	45	Yes
R7 (refer to Figure 1)	<43	45	Yes
R8 (refer to Figure 1)	<43	45	Yes
R9 (refer to Figure 1)	<43	45	Yes
R10 (refer to Figure 1)	43	45	Yes
R11 (refer to Figure 1)	<43	45	Yes

Table 4 – Predicted Noise Levels at all Nearest Noise Sensitive Receivers (Evening Time Period)

Receiver	Predicted Noise Level	Criteria <i>Background</i> <i>+5dB L<sub>Aeq</sub></i> <i>(15min)</i>	Compliance?
R1 (refer to Figure 1)	<40	40	Yes
R2 (refer to Figure 1)	<40	40	Yes
R3 (refer to Figure 1)	<40	40	Yes
R4 (refer to Figure 1)	<40	40	Yes
R5 (refer to Figure 1)	<40	40	Yes
R6 (refer to Figure 1)	<40	40	Yes
R7 (refer to Figure 1)	<40	40	Yes
R8 (refer to Figure 1)	<40	40	Yes
R9 (refer to Figure 1)	<40	40	Yes
R10 (refer to Figure 1)	40	40	Yes
R11 (refer to Figure 1)	<40	40	Yes



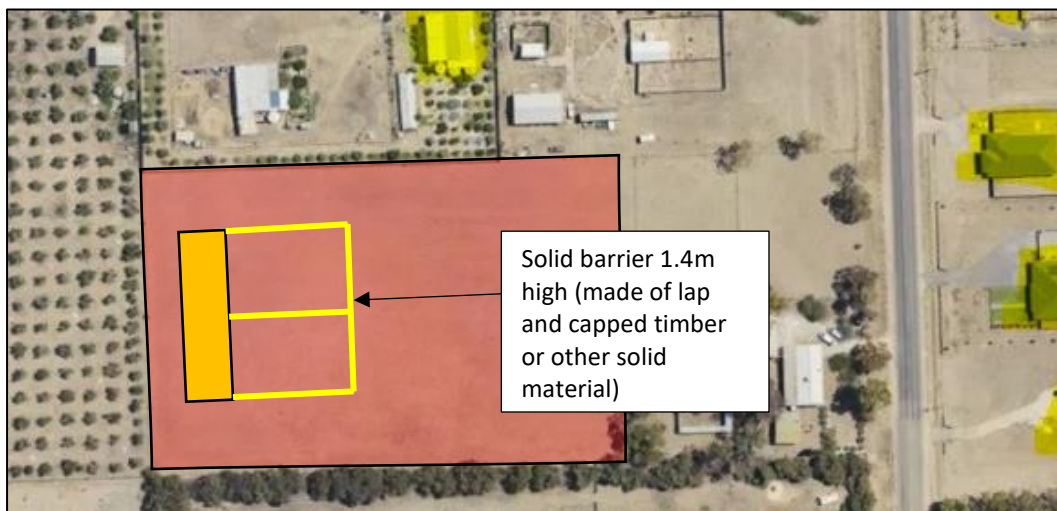
Table 5 – Predicted Noise Levels at all Nearest Noise Sensitive Receivers (Night Time Period)

Receiver	Predicted Noise Level	Criteria Background +5dB L <sub>Aeq</sub> (15min)	Compliance?
R1 (refer to Figure 1)	<35	35	Yes
R2 (refer to Figure 1)	<35	35	Yes
R3 (refer to Figure 1)	<35	35	Yes
R4 (refer to Figure 1)	<35	35	Yes
R5 (refer to Figure 1)	<35	35	Yes
R6 (refer to Figure 1)	<35	35	Yes
R7 (refer to Figure 1)	<35	35	Yes
R8 (refer to Figure 1)	<35	35	Yes
R9 (refer to Figure 1)	<35	35	Yes
R10 (refer to Figure 1)	<35	35	Yes
R11 (refer to Figure 1)	<35	35	Yes

## 6 Discussion/ Recommendations

In order to ensure ongoing compliance with the noise emission requirements, we recommend the following.

- Maximum of 12 grown dogs to be training outdoors at evening time period.
- Dogs to be indoors during night-time period (10:00pm – 7:00am) and all doors and windows of the shed to remain closed.
- There will be up to 26 grown dogs and 20 puppies in the facility.
- Build a minimum 1.4m high solid fence as shown below.



## 7 CONCLUSION

A noise emission assessment for noise associated with the proposed dog kennels facility at 31-33 Germantown Road, Two Wells has been conducted. Given that treatment recommendations in Section 6 are followed, noise emissions from the proposed facility will be compliant with the requirements of Adelaide Plains Council Development Control Plan (DCP) and the Environment Protection (Noise) Policy 2007.

Please contact us if you have any further queries.

Sincerely,

**Eleni Chrysafis**

Senior Acoustic Engineer Consultant  
M.A.A.S.  
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P 0456 630 743

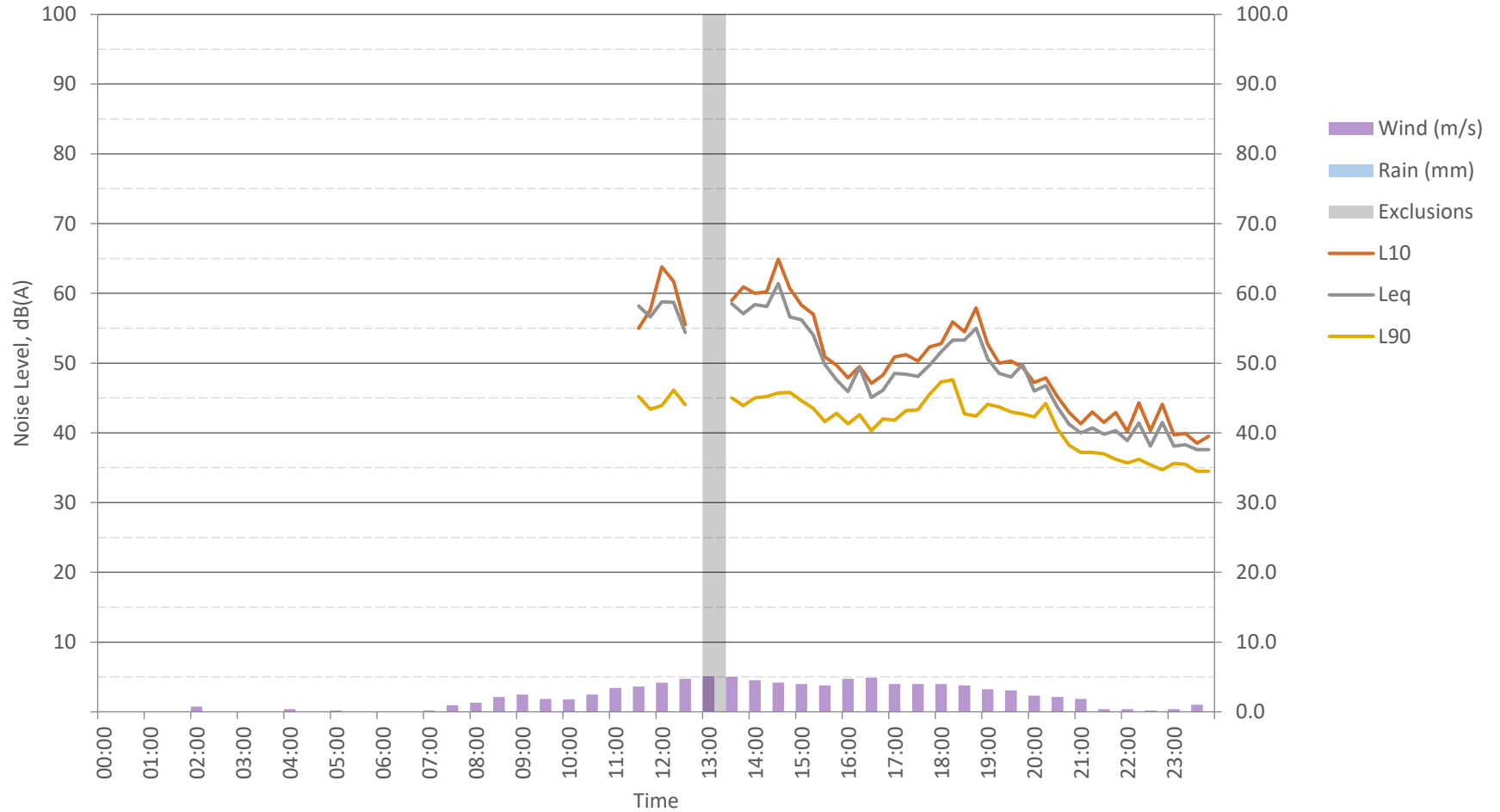
E [eleni@mpacoustics.com.au](mailto:eleni@mpacoustics.com.au)

W [www.mpacoustics.com.au](http://www.mpacoustics.com.au)

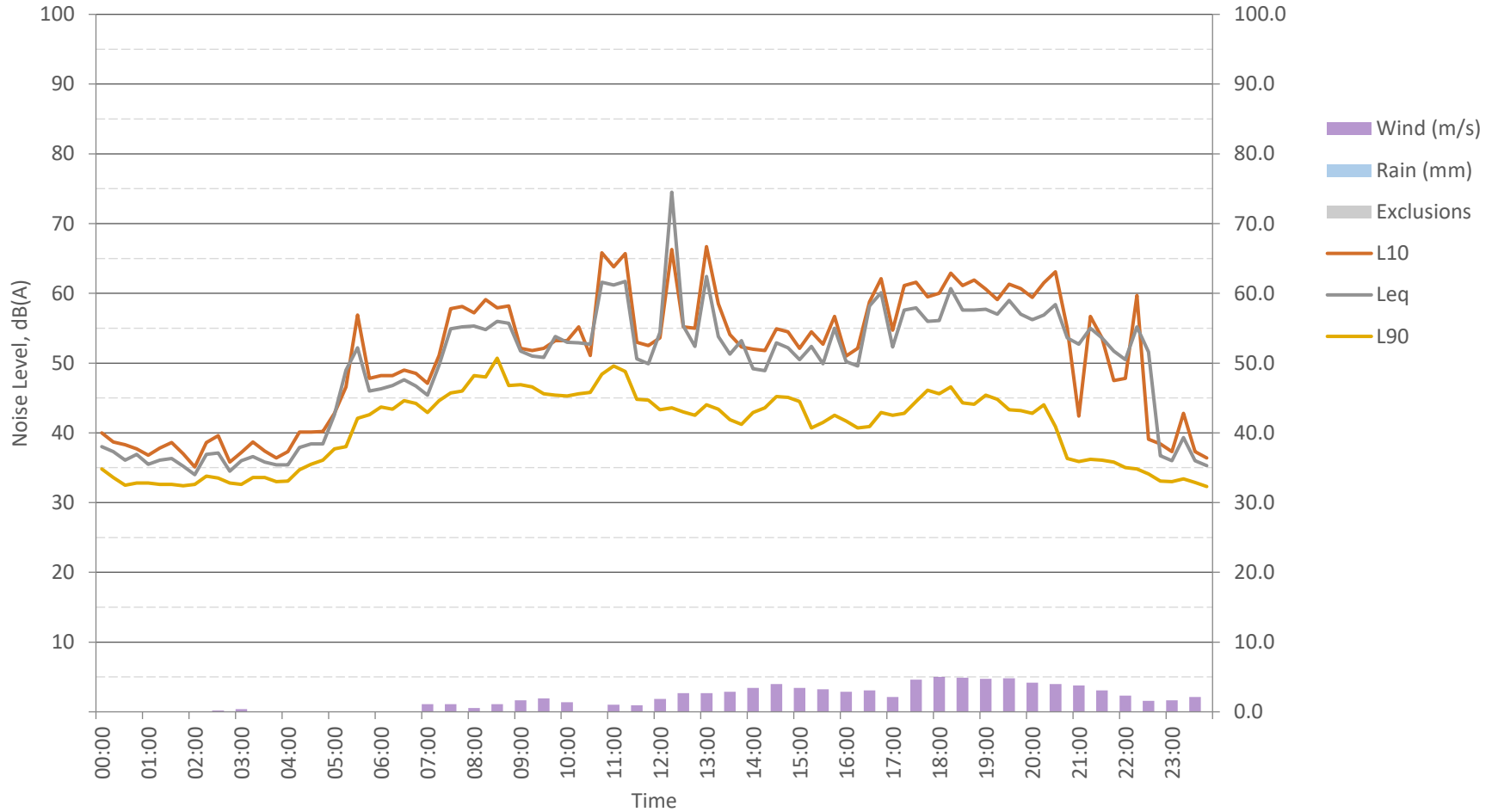
**michael  
phillipsacoustics** 

## Appendix 1 – Background Noise Monitoring Data

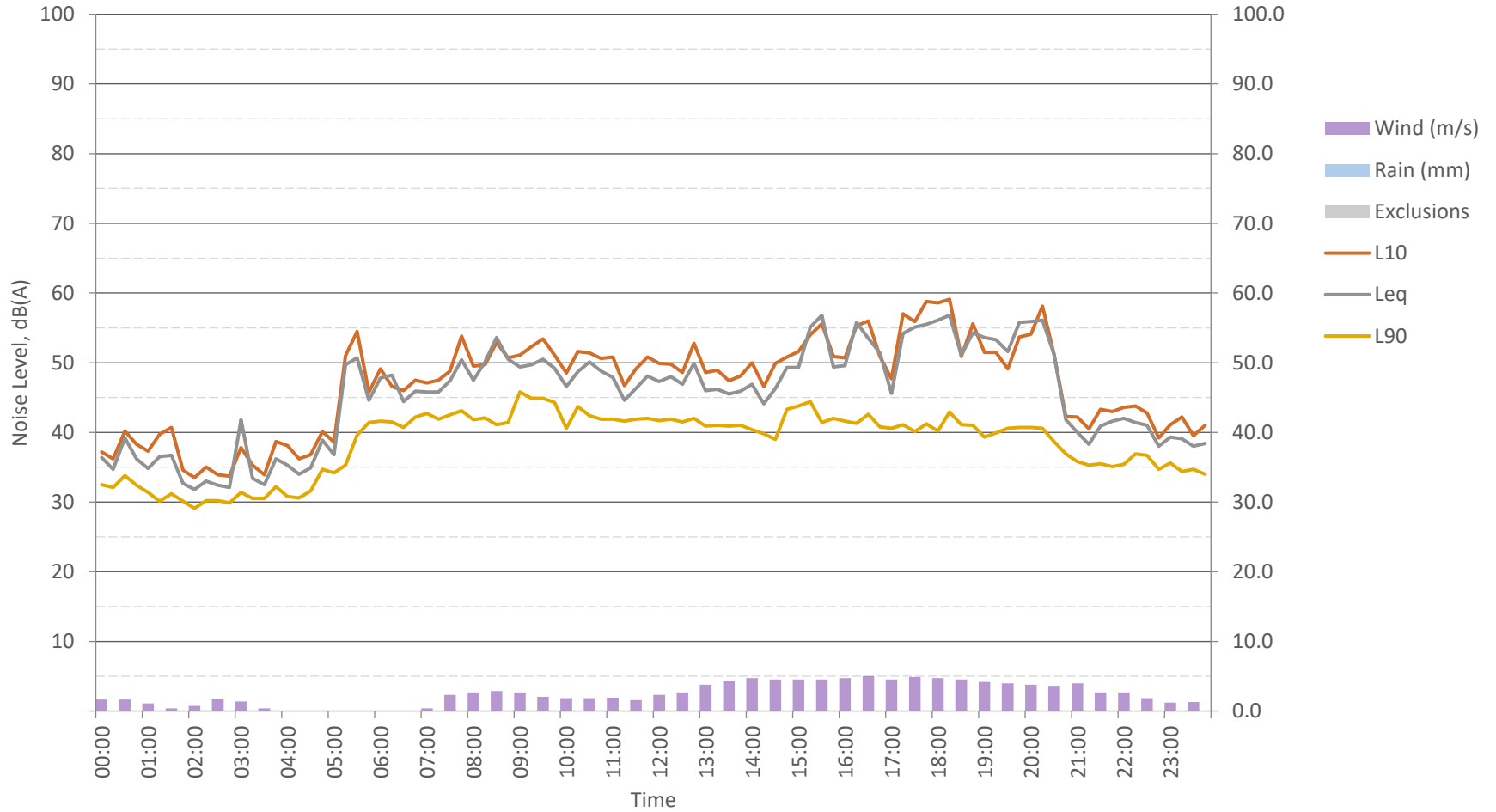
Environmental Noise Logging  
31-33 Germantown Road, Two Wells  
Thursday, 18 November 2021



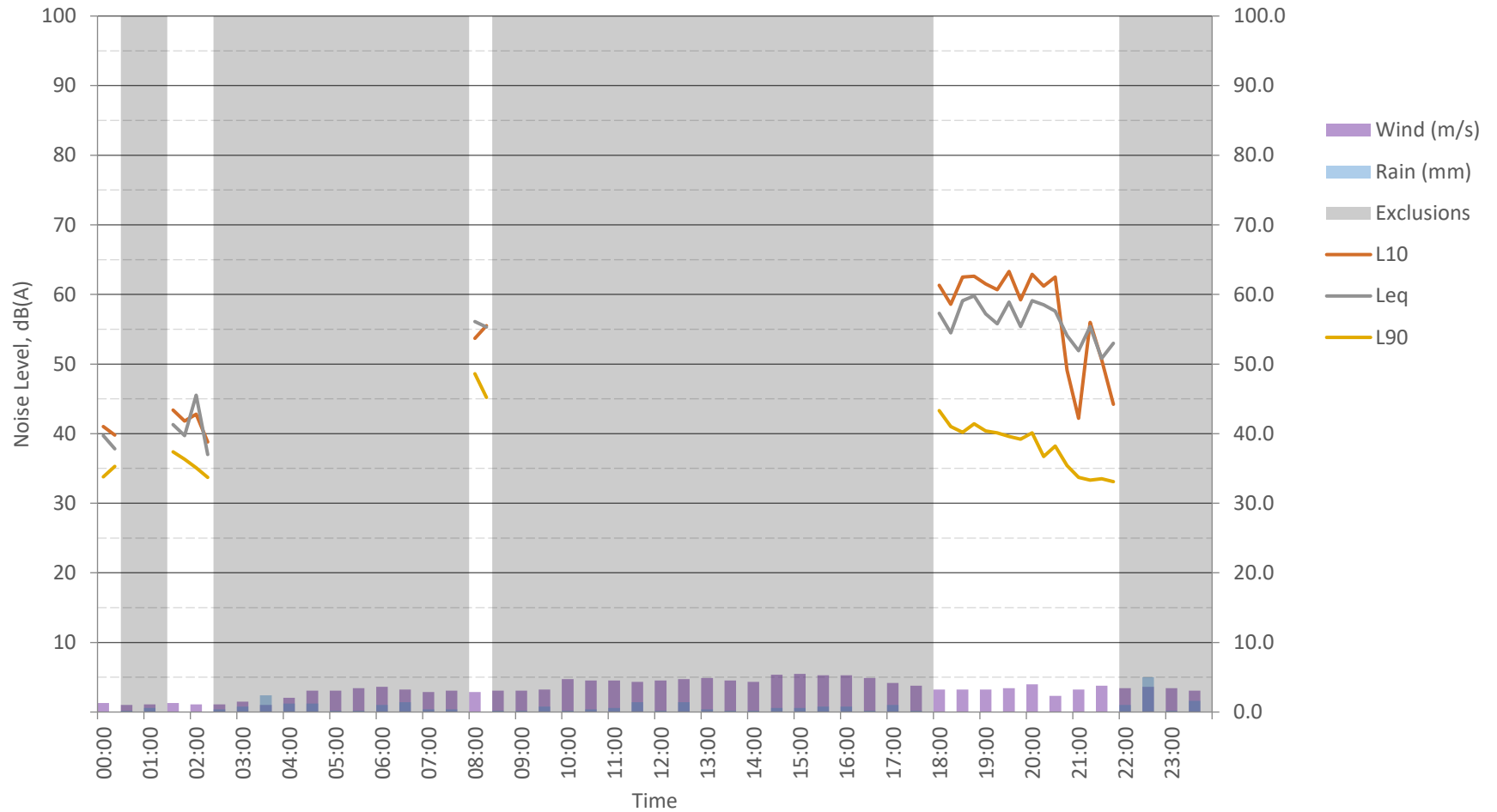
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 31-33 Germantown Road, Two Wells  
 Friday, 19 November 2021



Environmental Noise Logging  
 31-33 Germantown Road, Two Wells  
 Saturday, 20 November 2021

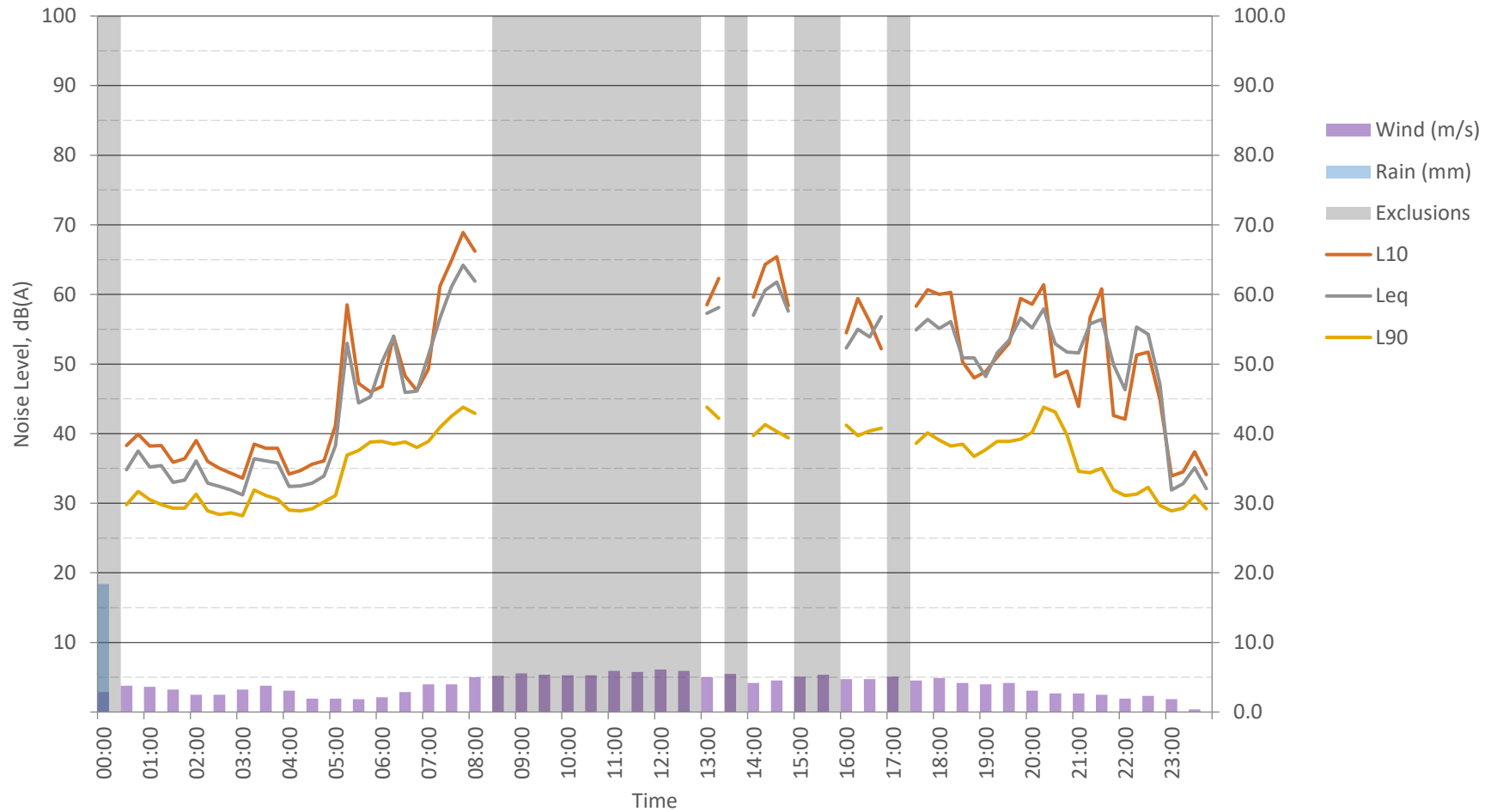


Environmental Noise Logging  
 31-33 Germantown Road, Two Wells  
 Sunday, 21 November 2021

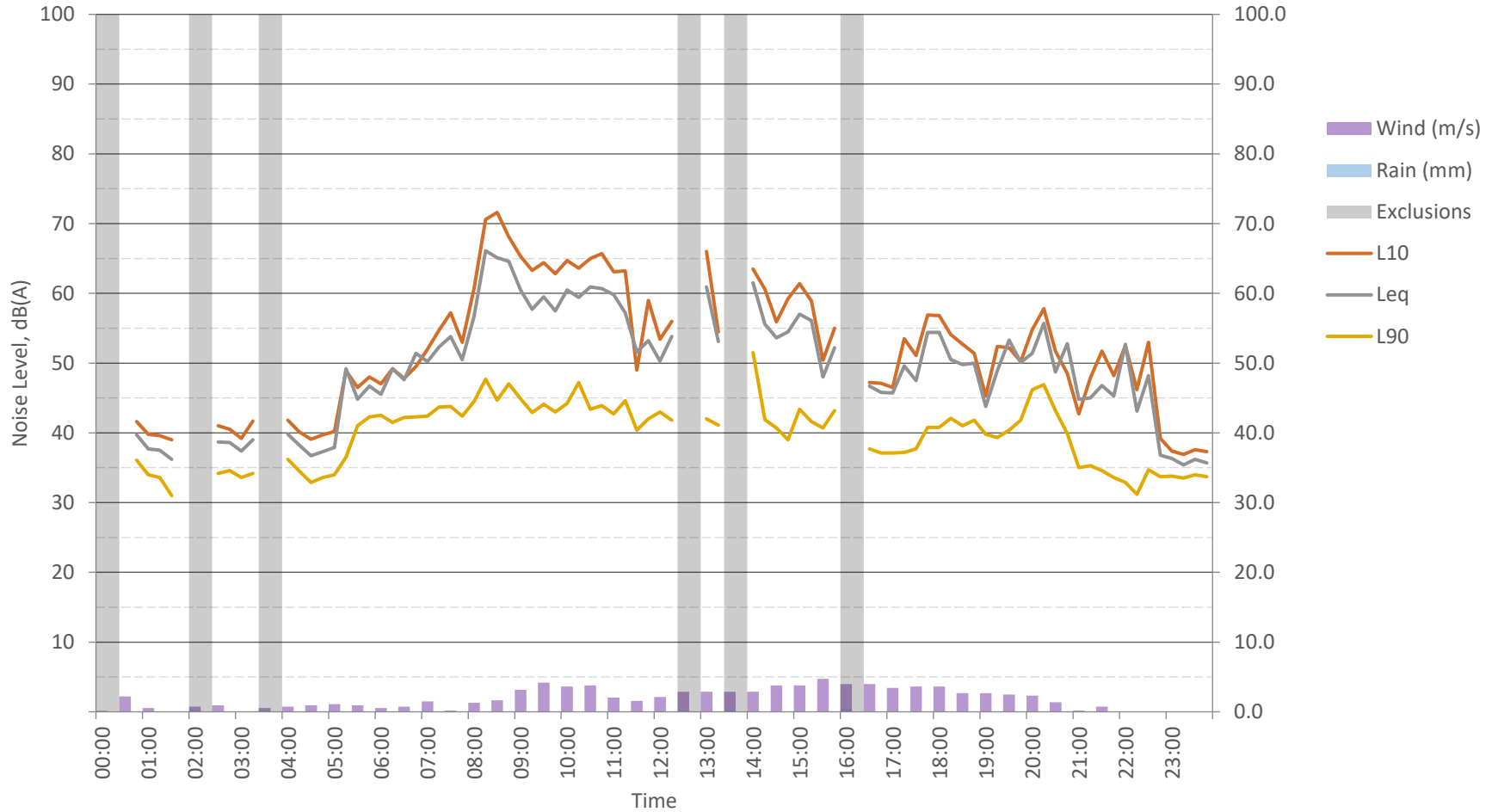




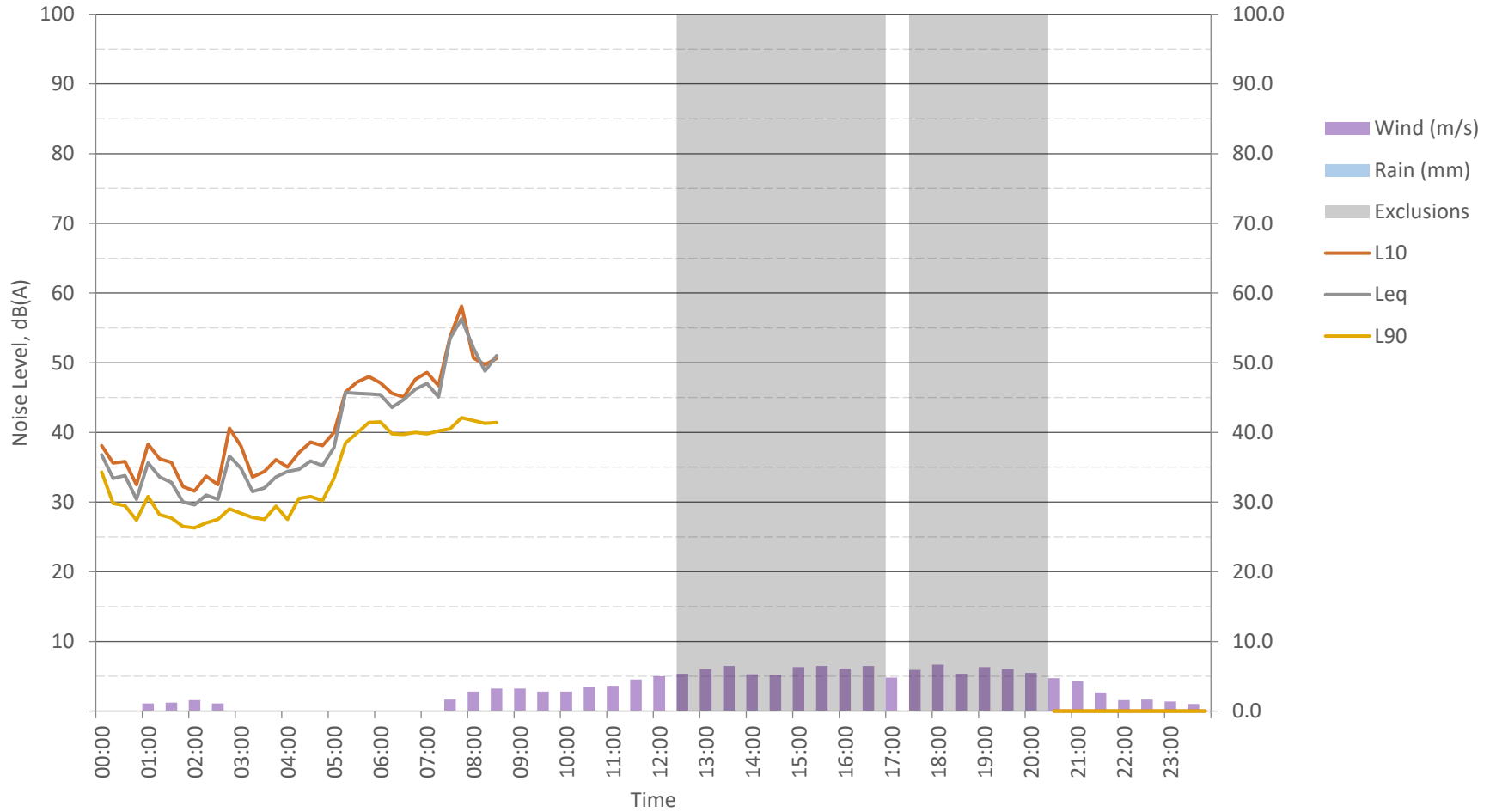
Environmental Noise Logging  
 31-33 Germantown Road, Two Wells  
 Monday, 22 November 2021



Environmental Noise Logging  
 31-33 Germantown Road, Two Wells  
 Tuesday, 23 November 2021



Environmental Noise Logging  
 31-33 Germantown Road, Two Wells  
 Wednesday, 24 November 2021



# Proposed Private Greyhound Keeping Facility

DEVELOPMENT PLAN  
REBECCA ROMYN

# Introduction

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This statement presents a proposal by Rebecca Romyn, of 437 Germantown Road, Two Wells, South Australia, for the development application for the keeping of 50 greyhounds and appropriate shedding, located at 31 Germantown Road, Two Wells in the ANIMAL HUSBANDRY ZONE of the Adelaide Plains Council. We have purchased this property and the settlement is on the 26th October 2021.

## Location

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The proposed development is located at

**Ward:** Lewiston Ward

**Address:** 31 Germantown Road, Two Wells, South Australia 5501

**Zone:** Rural, Rural living and Animal Husbandry Zone

**Allotment details:** The size of the block is 2.24 hectares, 165 sqm

**Flood Zone:** The property is not located within the flood zone.  
(Communication with Adelaide Plain Environmental Officer )

I, Rebecca Romyn is a registered Public Trainer, Owner, and Breeder with Greyhound Racing South Australia Pty Ltd. I have held a public trainers licence since 2008 and have been involved with greyhounds for many years before that.

## Need for the Development Application: 50 dog keeping license

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The objective of the proposal is to provide the proprietor and greyhounds upgraded facilities, to enable to breed approximately ten greyhounds per year, to approximately pre-train and train 20 greyhounds per year, and to rehome approximately 10 greyhounds per year and keep approximately 10 greyhounds as breeding stock per year. However, depending on circumstances, we have not bred yearly in the past.

The proposed development is required to:

- Move to our new the location, and remain connected to the community and lifestyle
- Maintain genetic pool of the breed, and current population of dogs
- Improve Cleaning Efficiency of the property and kennels
- Upgrade wastewater treatment
- Upgrade storm water collection and usage
- Maintain Solid waste disposal
- Improve outlook to surrounds

The idea is to create distinct four sections to provide full lifecycle management of the greyhounds and to comply with the new South Australian Standards for Breeding and Trading Companion Animals 2016 applicable to large private facilities in which kennel dogs are bred or traded, Dog and Cat Management Board and the Greyhound Racing South Australia Pty Ltd Racing Rules and Animal Welfare policy such as 1. Rearing and Pre-training Greyhounds quarters, 2. Racing Greyhounds quarters, 3. Breeding Greyhounds quarters and 4. Isolation Greyhound quarters

Provide fostering and foster care for the Greyhound Racing South Australian Pty Ltd, Greyhound Adoption Program

To continue to contribute to support local business of the Two Wells community from the Breeding, Training, Racing and rehoming of greyhounds.

The facility to produce quality greyhounds fit for purpose to race at the highest level in South Australia. Since moving here 14 months ago from Victoria, I have achieved great success in racing greyhounds. I have

had approximately 150 winners and have two track records. I have not had any positive swabs in my time of training.

## The Proposed New Canine Facility

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### Contents of the Proposed Canine Facility

- Proposed Shed (30m long, 6.9m wide, 3m high) this shed will house 26 greyhounds (at most) in kennels 2m long 1.5 wide which comply with GRSA Animal Welfare Policy. The sleeping area will be a platform 1m wide and 1.2m long, elevated off the concrete floor by non-porous plastic feet. A barrier will be draped from the bed platform up to the height of the kennel of 1.8m, to provide privacy. The barrier will have acoustic properties.
- It will have a concrete floor, a kitchen, sink, benches, walking machines, day yards. All food will be stored and prepared from this shed in fridges and freezers.
- Proposed Let Out Yards
- Proposed Day/ Spelling Yards
- Proposed Pup Yards (6 x 50m long 3m wide)
- Proposed Isolation Kennels (Existing shed will be transformed with 4 enclosed kennels on concrete)

**Walls and Ceiling:** The shed walls will be lined with villa board and insulation batts from floor to ceiling. The corresponding ceiling area will be lined with white 75mm polystyrene. The ceiling will be lined with 25mm polystyrene foam board.

**Lighting :** Internal lighting, four fluorescent lights positioned along the center of the ceiling gable. External lighting. Flood lights pointing down, located above the sliding door, above the personal assistance door on the east wall, above the window on the west wall.

**Air-Ventilation** : Window on the west wall, personal assistance door on the east wall, and sliding door on the south wall and a reverse cycle air conditioner (Seally Breezair).

**Security:** Security cameras will be installed inside and outside of the shed, and an intercom system linking the shed to the house.

**Water:** The wastewater will be connected to the septic system by a spoon drain and silt trap gravity system; Stormwater point will be located in the East Wall and be connected to water tanks.

### **Treatment Area and Storage Area**

**Treatment Area Purpose:** The treatment area to be used for wellness check is an open area,

**Treatment Area Size and Location:** 3m by 3m, along the north wall of the shed, dividing the two kennel sections and containing a personal assistance door to exit the building.

**Storage Area Purpose:** The storage area to be used for accessories for the greyhounds leads, muzzles, rugs and bedding.

**Storage Area Size and Location:** The Storage area is opposite the treatment area on the south wall, dividing the two kennel sections and containing a personal assistance door to exit the building.



## Proposed Pup Yards

**Purpose:** Existing approved gallop paddock divided into 6 exercise yards and long term housing of young greyhounds. To provide a long term large exercise yard area for rearing of greyhounds.

**Number of Greyhounds:** To house a maximum of 18 greyhounds at any one time, however typically only two greyhounds at one time, depending on their age and size in each yard.

**Size of Each Yard:** 3 wide and 50m Long

**Size of Shelter:** 1.5m by 1.5m, and roof 1.5 m by 2m.

**Shelter:** Shelter will be made of zincalume and post (600mm in ground, secured with concrete), insulated with foil board and covered with fiber cement board.

**Floor of Kennel:** Concrete, Interior bed suspended and made of pine timber

**Floor of Yard:** Grass

**Surrounding Fence:** The 50m long length is made of zincalume post and rail fence, with each fence post concreted into the ground 600mm. The rail is C3-75mm rail and the zincalume sheet will be 1.5m high. The bottom fence of 40m long is made of 6ft treated pine post, 15mm wide, concrete into the ground 600mm deep. The bottom of the post will have 3m length of zincalume placed longitudinal and are nailed to the timber post, above the zincalume a row of 3 ft deer wire, nailed to the timber posts and wired to the bottom row of tin. 21 olive trees line the fence, planted alternatively, to provide shelter and reduce the view, and mitigate noise. The fence at the opposite end will have 6ft deer wire if zincalume placed in longitudinal length nailed to the treated pine timber post.

# Environmental Assessment

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## Introduction

**Location:** Animal Husbandry Zone

**Designed:** Full Lifecycle Management of Greyhounds, Noise and Odor abatement, independent Solid and Liquid Waste Management.

**Managed Properly:** Proven record in caring and managing current population of greyhound,(Supporting Document, , Adelaide Plains Veterinary Clinic Letter) Registered Breeders, Owners and Public Trainers with Greyhound Racing South Australia Pty Ltd, comply with Greyhound Racing South Australia Pty Ltd – Animal Welfare Policy

## Draft Standard Conditions

1. The number of dogs not to exceed 50 dogs
2. WasteWater Management Independent to StormWater Management –spoon drains to collect water and drain into Silt Traps, Gravity fed to Soakage trench and tree lines.
3. StormWater Management Independent of Waste Water Management- Water Tanks and silt traps, gravity fed underground pipe to tree line or gravity fed to soakage trench.
4. Solid Waste Management -Veolia Bin. Cleaned daily during daylight hours.
5. Facility inspected daily by owners for mortalities, complete wellness checks and comply with Standards for “Standard applicable to large private facilities in which kennel dogs are bred or traded, South Australian Standards and Guidelines for Breeding and Trading Companion Animals 2016”; and Greyhound Racing South Australia Pty Ltd – Animal Welfare Policy.
6. It is important to have a clean happy environment for the greyhounds, to ensure the greyhounds are happy and healthy to perform at their best and to enjoy the freedoms of life.
7. Let Out Yards be lined and filled with Red Arena Sand 100mm to protect clay soil and provide a quick drying surface for greyhounds, and improve air quality.

## Daily Cleaning Routine of Property and the Movement of the Greyhounds at the facility.

Solid waste will be cleaned 3 times a day, during daylight hours. Liquid Wastes within kennels will be cleaned immediately and at all let out times within sheds.

1. Greyhounds will be let out from their kennels in the morning and transferred into Let Out Yards, 26 yards in total and four day/spelling yards, pending availability.
2. Pups and Pre-trainers are removed from their kennels in the morning and are transferred to Day/Spelling Yards (4 yards) and/or Pup Yards (6 yards).
3. Greyhounds kennels to be cleaned while empty, as per SOP.
4. After 15 minutes Racing Greyhounds are removed from Let Out yards and placed onto treadmills for 15-20 min.
5. Greyhounds are removed from treadmills and are placed back into Let Out Yards for 15 minutes.
6. Greyhound Yards to be cleaned prior to the next greyhound entering the yards, as per the SOP.
7. Greyhounds are returned to their kennels. The greyhounds which remain on the property are provided breakfast and those going to be exercised/galoped are placed into the vehicle/trailer and transferred to the venue, once they return, they are placed into let out yards, for 5 minutes and returned to their kennel where they are provided breakfast.
8. Mid-Morning the greyhounds are fed dinner which will keep them content for the day. They will be removed from kennels and placed into Let Out Yards for 15 minutes, pending weather and other responsibilities can be up to 30 minutes and returned back to their kennels.
9. In the afternoon greyhounds with evening commitments are placed into the vehicle/trailer.
10. In the evening greyhounds are removed from their kennels and are placed into let out yards for 15 minutes, then returned to their kennels. Greyhounds are given a small bedtime treat. Lights are turned off and the shed is locked.

## Potential Pollutants from Kennels

- Solid Waste Management, dog feces management and cleaning addressed in Standard Operation Procedures.
- Liquid Waste Management, urination cleaning, hose down water and storm water addressed.
- Veterinary Products and Food Additives: These items are locked in cupboards, in the Shed, as per the rules of Greyhound Racing South Australia Pty Ltd-Animal Welfare policy
- Disinfectants – Detergent, Lime, Vinegar, Biocarb and appropriate disinfectants are the only products used to clean kennels.

## Waste Water Management and Water Usage

### Water Usage

Mains water demand will be offset from the use of storm water being plumbed to the shed for hose down, instead of the use of mains water.

### Storm Water Collection

Silt traps to be cleaned weekly. Silt and debris collected in traps to be placed into feces collection bins.

Precipitation falling outside the kennel area, will be directed away from Let Out Yards area and the kennel effluent system.

### Main Residence WasteWater Collection

The existing above ground pump, purchased with the house, attached to the septic system, to be changed to an automatic submersible pump.

### **Independent storm water collection from the roof of the shed**

Storm Water from the roof of the Shed, to be collected in two large water tanks. Store storm water to be used for hose down the concrete floor of the Shed.

### **Independent StormWater and WasteWater collection from Concrete Let Out Yards.**

Wastewater and storm water collected on the concrete floor, will be collected in a spoon drain. The spoon drain spans the length of the concrete let out yards (15m), where stormwater and wastewater collects and gravity drains into a independent silt trap from the Shed. Water collected to be gravity drained into an underground pipe, connected to the soakage trench (approximately 9.15m from the silt trap to the breather pipe).

## Hose Down Shed Waste Water

1. The shed to be hosed from north to south and collected by a spoon drain. The spoon drain is located at the bottom of the ramp from the shed, sloping along the current fence. The wastewater is gravity drained into a silt trap, connected to underground perforated pipe to trees.
2. The Kitchen, connected to pipework, will be drained into a Septic Tank. The Septic Tank connected to an automatic pump and waste water pumped to soakage trenches located on the north boundary.

## Solid Waste Management

### Introduction

AS part of the Animal Management Plan for the property, the following Standard Operating Procedures have been developed, to ensure effective waste management to minimize the potential for odour nuisance.

### Standard Operating Procedures

#### *Standard Operating Procedure Cleaning Solid Animal Waste from sheds.*

1. Remove greyhound from kennel and transfer to Let Out Yards
2. Check bedding and water for contamination, refer to SOP for Bedding and Water Bucket Cleaning.
3. Check if the kennels beside the contaminated kennel have not been soiled.
4. Collect and scrape feces off concrete with a metal scoop
5. Dispense feces from a metal scoop into a feces collection bin. The feces collection bin is lined with a plastic bag (garbage bag or dog kibble bag), and is a non-porous lidded bin.
6. Feces Collection Bins are located in front of Let Out Yards, Day/Spelling Yards, Pup Runs.
7. Return to the kennel and use designated feces mop and bucket, Mop and scrub concrete to remove remaining feces from concrete. Wash mop in bucket.

8. Pour a small amount of water on the area, to mop detergent and feces.
9. Sprinkle Lime over area and wash the area with the dedicated Lime Bucket and Mop
10. Use a hose connected to stormwater, to wash down the contaminated kennel
11. Wash contaminated kennel area down into spoon, drain and do not contaminate clean kennels alongside.
12. If the remaining kennel is to be washed down refer to Standard Operation Procedure for Hose down kennels.  
Return Greyhound to the kennel, complete a wellness check on the greyhound

*Standard Operation Procedure Removing Solid waste from Let out Yards, Day/Spelling Yards, Pup Yards, Shed A- Let Out Yard.*

1. Scrape feces off surface of yard, using metal scooper, scrape a little extra earth, to remove any residual feces.
2. Dispense solid waste into Feces Collection Bin
3. Collect bones or food not consumed from previous day and dispense into feces collection bin
4. Clean Let Out Yards, at every daylight let out time
5. Clean Pups Yards once a day when convenient.
6. When Feces collection bin is half full, refer to Standard Operation Procedure of Feces removal from property.

*Standard Operation Procedure: Feces Removal from Property.*

1. When the feces collection bin is half full of solid waste, remove the plastic garbage bag from the bin containing contents.
2. Tie Plastic Bag, to prevent spillage during transport and in commercial Veolia Bin.
3. Carry plastic bag to the front of the main residence where the Veolia Bin is located
4. Lift lid of Veolia Bin and place bag into the bin, to ensure bag does not break or spill into bin
5. Once Veolia Bin in full contact Veolia on 13 29 55, and request the next available pick up of the front lift service, quote account number ( ).

6. Service to Two Wells is usually a Thursday Morning.

### *Standard Operation Procedure of Cleaning of Soiled Bedding.*

1. Remove soiled bedding to outside of the shed, near water
2. Use vanish detergent to soak bedding
3. Use a brush to scrub soiled bedding
4. Wash off with water and allow to dry on cloth line, if the bed remains soiled, and smelly, disposed off into Veolia Bin
5. Wash remaining area of bed frame with detergent, to remove solid waste or debris, rinse with water
6. Wash the bed frame with lime, wash, used dedicated lime mop and bucket

### *Standard Operation Procedure: Cleaning Bedding of Day/Spelling Yards, Pup Yards*

- 1. Wear a dust mask before proceeding with this task**
2. Remove shredded paper bedding from the kennel with a rake into a plastic bag.
3. Sweep remaining bedding into bag
4. Tie bag and dispense into Veolia Bin
5. Wash concrete with detergent, followed by clean water
6. Wash area with lime wash, and allow area to dry
7. Once the concrete is dry, place new shredded paper.
8. Ensure the kennel curtain (jute bag) is appropriate and functional, replace the kennel curtain if not torn or hanging off.

### *Standard Operation Procedure of Hose Down of shed.*

1. Remove hose from the holding station called TANK WATER and lay flat along the center of the shed.
2. Check hose for kinks and flat to allow the water to flow freely
3. Check hose is connected to water point
4. Turn Tank Water on and turn hose nozzle onto fine spray until in position to use nozzle as jet spray to wash kennel floor down.
5. Hose kennel underneath raised bed, ensuring bedding is not wetted by water and all dust and debris is washed down away from kennel, to the centerline of the shed where the spoon drain is located.
6. Once all kennels have been washed, return to the start of spoon drain and rinse and wash the drain.
7. Ensure all washed debris is hosed through spoon drain into a silt trap.



### *Standard Operation Procedure: Cleaning Food waste from Shed and greyhound feed time.*

1. Place dish under kennel door to provide dinner
2. Allow greyhound to consume their dinner in private
3. Monitor animals consuming their dinner, ensure good social behaviour and food is consumed in a timely manner.
4. Removes dish from kennel and command the greyhound, Good Boy or Good Girl
5. Report and record if any food remains after five minutes.
6. Any remaining food to be scrapped into the Feces Collection Bin, or Food Waste Bin located in the freezer.

### *Standard Operation Procedure: Cleaning feces or Urine Contaminated Water Bucket (10L) cleaning.*

1. Remove water from kennel, and proceed to wash bucket in Wash Sink
2. Wash bucket using mains water, a non scratch scourer sponge, and Dishwash Liquid (grey water and septic safe), at the Wash Sink.
3. Remove all dirt from inside and outside the bucket with Dishwash Liquid and scourer sponge.
4. Rinse all detergent from inside and outside the bucket with mains water.
5. Fill bucket with mains water, up to 5cm from the top of the bucket
6. Return Bucket and place it on the wire with a clip, half way along the kennel.'

### *Standard Operating Procedure Cleaning Water Bucket*

1. Mains water is used to provide drinking water for greyhounds.
2. Every second day drinking water for the greyhounds contained in stainless steel 10 Litre buckets are to be changed.
3. If contaminated with feces or urine, refer to SOP of Cleaning Feces or Urine Contaminated Water Bucket(10L)
4. Tip water bucket onto concrete floor
5. Wash water bucket with soft scourer, rinse bucket with water
6. Proceed to fill bucket up to 5cm of the rim of the 10L stainless steel bucket

### *Standard Operation Procedure of Cleaning Feces Mop Bucket*

1. Collect bucket labeled Feces Mop

2. Drain bucket of residual wash solution into silt trap
3. Fill the bucket with water and rinse the bucket and mop of residual solution and dispense into a silt trap.
4. Fill bucket to 10L line and add 50mL of Dishwash Detergent.
5. Swish mop and water, to create suds solution.
6. Once concrete has been cleaned with a mop and bucket, pour bucket content into the silt trap.
7. Add fresh water to the bucket and rinse mop, pour bucket contents into the silt trap, and repeat for a second time.
8. Squeeze Mop of remaining water, and place mop in stand to drain into bucket.
9. Wash the water bucket with detergent and fill with fresh mains water.

## Noise

### Noise History and Current

The number of greyhounds may be considered to have a great potential for noise impact, currently, where we live now with over 120 greyhounds (two separate trainers with 60 greyhounds each) has not stimulated a noise or odor complaint.

### Noise Mitigation and Abatement At the Facility

1. Shed - insulated with polystyrene and fiber cement board and ply board.
2. Noise battens/curtains to hang from the ceiling and position on walls
3. Air gaps to be sealed with an elastic sealant to prevent the escape of sound waves through gaps
4. Personal Assistance doors to be used, to reduce the space for the escape of sound waves.
5. The main usage and access doors to the Shed, are facing our house, away from the neighbours.
6. Greyhounds will be fed before lunch time as this will satisfy them and they know the routine and are happy and content for the day.

Pup Yards, Let Out Yards and Concrete Let Out Yards are surrounded by solid fencing, shedding, foliage and trees. Greyhounds can only see each other and not other animals from neighboring properties.

Mature olive trees will line the end of the pups yards  
The pup yards will be located at the far end of our property where there are no adjoining houses.

## Air Quality

- 1.The shed to be fitted with evaporative air-conditioners with fan options, to flush the shed daily.
- 2.The shed also will be fitted with A Midea Reverse Cycle Golden Fin Air-conditioner to provide air purification.
- 3.Personal assistance doors on every length, to provide non-mechanical ventilation.
- 4.Sliding windows on both walls, to provide non-mechanical ventilation.
- 5.Yards to be cleaned daily of wastes, and odors to be compartmentalized into feces collections bins, transferred into Veolia Bins. Bucket water to be dispensed into silt traps.
- 6.Concrete Let Out Yard to be hosed daily and waste mitigated into silt trap and gravity fed underground into pipe along tree line.
- 7.Grass/vegetation to grow in pup yards and Day/Spelling Yards. Yards to be spread with lime, to help with the decomposition of any remaining wastes, and decontamination of disease particles.
- 8.Red Arena sand places in let out yards, to provide a quick drying surface and reduce smell and to protect the clay based soil.

## Mortalities

The day a mortality occurs, if occurs, the body of the animal will be placed into a plastic bag and transferred to the allocated Veterinarian. The allocated Vet Clinic during business hours is Adelaide Plains Veterinary Clinic and after hours clinic is Noah's Crossing Veterinary Clinic. As registered greyhound Breeders, Owners and Trainers with Greyhound Racing South Australia, our obligations are as follows:

### **R106 Proper care (welfare) of greyhounds**

**(1)** A registered person must ensure that greyhounds, which are in the person's care or custody, are provided at all times with-

1. (a) proper and sufficient food, drink and protective apparel;
2. (b) proper exercise;
3. (c) kennels constructed and of a standard approved by the Controlling Body which are

adequate in size and which are kept in a clean and sanitary condition; and

(d) veterinary attention when necessary.

2. **(2)** A registered person must exercise such reasonable care and supervision as may be necessary to prevent greyhounds pursuant to the person's care or custody from being subjected to unnecessary pain or suffering.
3. **(3)** At any time after the notification of the result of service pursuant to Rule 136, the last registered owner of the greyhound at the relevant time, shall notify the Controlling Body by lodging the prescribed form:
  1. (a) within ten working days, if that greyhound has transferred ownership, been retired as a pet or a breeding greyhound, been transferred to an adoption program, exported or surrendered to another agency;
  2. (b) within two working days if that greyhound has been humanely euthanized by a veterinary surgeon or deceased.

(amended – 01.09.15)

4. **(4)** It shall be a requirement to include a veterinary certificate of euthanasia when lodging the appropriate form for any greyhound that has been euthanased by that veterinary surgeon.
5. **(5)** An owner or person responsible at the relevant time who fails to comply with any provision of this rule shall be guilty of an offence and liable to a penalty in accordance with Rule 95. (amended 01.01.11)

## Revenue

Currently all of the greyhound's located at 437 Germantown Road are trained by both myself and my daughter Ashlee Griffiths. Greyhound pups are not sold from every litter born, and if sold there is a policy where

the greyhound must be tested for Greyhound Adoption Program, or returned to the property after use to be accessed and or fostered for the Greyhound Adoption Program. We have rehomed all greyhounds sold to date. We do limited training for other owners and limited selling of pups from our litters. These greyhounds are considered our family and deserve the best we can give them. We do not operate a business or have an Australian Business Number (ABN) to operate a business.

### **Contribution to the local community**

We purchase most of our dry food, and milk powder from local fodder stores. We buy all of our meat fresh from local family businesses and all veterinary work completed with local veterinarians clinics. (supporting Documents provided)

## **Conclusion**

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Thankyou for considering my application, I hope the design and number progress to maintain full lifecycle management of our breed and family; and to achieve the high standards of the Dog and Cat Management Board -Standards Applicable To Large Private Facilities In Which Kennel Dogs are Bred or Traded is below and Greyhound Racing South Australia Pty Ltd.



## The training of greyhounds on our property

We don't train our greyhounds on the property, (besides the walking machine). We use GRSA approved off site venues, such as Gawler trial track, Virginia slipping track, Angle Park trial track and Murray Bridge trial track.

Our schedule would be as follows,

7am- Open the shed doors so the greyhounds can go into their individual yards and clean out. Each greyhound has their own kennel, bed and yard.

7:30am- Start putting the greyhounds on the walking machines. These are in the shed and make minimal noise. This takes around 1.5 hours. Each greyhound will go on for approx. 12-15min. During this time, we clean any mess made inside by the greyhounds. We splash disinfectant down and hose the kennels and check each water bucket. We clean the outside day yards and dispose of any feces appropriately.

We prepare the dinners for the greyhounds.

During this time, one of us will go feed the younger greyhounds in the pup runs. Check their water and make sure everyone is happy.

We check the pups regularly during the day and make sure they all have water, especially in the warmer weather.


9am- We start feeding the greyhounds. We feed early so that they are content for the day. If we have one racing, they still have a small meal to keep them in routine and satisfied.

We're usually finished between 10-11am, depending on meat delivery and stocking the fridge and freezers of dog food. The race meetings are usually daytime, so there isn't much disturbance.

6pm- We check the pups and lock them up in their beds for the night.

6-6:30pm- We put the greyhounds in the shed to bed. We lock their doors and put muesli bars on their beds as a treat. We have a radio on for background noise which relaxes the greyhounds.

At the moment we have a shed of 60 kennels, with less than half of these being used. Greyhounds in general are peaceful and relaxed animals and once fed will be content for the day.

 <b>Adelaide Plains Council</b>	<b>4.2</b>	<b>PDI Act 2016 Delegations</b>
	<b>Department:</b> <b>Report Author:</b>	<b>Development and Community</b> <b>Assessment Manager</b>
<b>Date:</b> <b>4 May 2022</b>	<b>Document Ref:</b>	<b>D22/17068</b>

## **EXECUTIVE SUMMARY**

A key element of the *Planning, Development and Infrastructure Act 2016* ("PDI Act") is the establishment of the Planning and Design Code. The Planning and Design Code ("the Code") replaced the Mallala Development Plan (and all other Development Plans in the State), on the 19 March 2021.

With the introduction of the Planning and Design Code within Adelaide Plains Council, the Council Assessment Panel (CAP) became a relevant authority in its own right and as such at its meeting in March 2021 adopted a series of delegations, policies and procedures as a relevant authority and issued delegations to the Assessment Manager.

The CAP is the relevant authority for the assessment of development applications under the following circumstances:

- Planning Consent; where the development is classified as performance assessed development under Section 107 of the PDI Act and where notice of the application must be given under Section 107(3),
- Building Consent; all development applications seeking building consent (unless the building rules assessment is referred to the Council),
- Land Division Consent; where the development is classified as performance assessed development under Section 107 of the PDI Act and where notice of the application must be given under Section 107(3).

The purpose of this report is to update the delegations to the Assessment Manager in light of amendments to the PDI Act and Regulations and Practice Directions issued by the State Planning Commission. In particular Practice Direction 14 Site Contamination

The link to that document is

[https://plan.sa.gov.au/\\_data/assets/pdf\\_file/0010/796996/Practice\\_Direction\\_14\\_-\\_Site\\_Contamination\\_Assessment\\_-\\_Version\\_1\\_19\\_March\\_2021.pdf](https://plan.sa.gov.au/_data/assets/pdf_file/0010/796996/Practice_Direction_14_-_Site_Contamination_Assessment_-_Version_1_19_March_2021.pdf)

## **REPORT DETAIL**



Instrument C – Powers of an Assessment Panel has been updated having regard to changes to regulations and statutory instruments which have been amended and impact the delegation instruments.

The proposed new changes to the instrument of delegation are shown in the attached document and are highlighted in RED, with 'deleted' provisions ~~struck through~~. The changes have been prepared in accordance with the advice of Norman Waterhouse Lawyers and the Local Government Association of SA.

Council administration will prepare separate sub-delegations for staff.

It is recommended by staff that (as reflected in the updated Instrument of delegation attached) that the CAP delegates the power to grant planning consent in these-circumstances.

## **RECOMMENDATION**

That the Council Assessment Panel:

1. In exercise of the power contained in Section 100 of the Planning, Development and Infrastructure Act 2016 the powers and functions under the Planning, Development and Infrastructure Act 2016 and statutory instruments made thereunder contained in the proposed Instrument of Delegation (annexed to the Report dated 4 May 2022 and entitled [INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL] are hereby delegated this 4 of May 2022 to the position of Assessment Manager subject to the conditions and/or limitations, if any, specified herein or in the Schedule of Conditions in the proposed Instrument of Delegation.
2. The delegated powers and functions may be exercised individually by each delegate in respect of any particular matter where the delegate is required or proposing to act in the course of their duties.
3. Such powers and functions may be further delegated by the Assessment Manager in accordance with Section 100(2) (c) of the Planning, Development and Infrastructure Act 2016 as the Assessment Manager sees fit, unless otherwise indicated herein or in the Schedule of Conditions contained in the proposed Instrument of Delegation.

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## **Attachments**

1. INSTRUMENT C, INSTRUMENT OF DELEGATION UNDER THE PLANNING, DEVELOPMENT AND INFRASTRUCTURE ACT 2016, REGULATIONS, PLANNING AND DESIGN CODE AND PRACTICE DIRECTIONS OF POWERS OF AN ASSESSMENT PANEL

**INSTRUMENT C****INSTRUMENT OF DELEGATION UNDER THE  
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1. Conditions or Limitations: conditions or limitations may apply to the delegations contained in this Instrument. Refer to the Schedule of Conditions at the back of this document.
2. Refer to the relevant Assessment Panel decision to identify when these delegations were made, reviewed and or amended.

**POWERS AND FUNCTIONS DELEGATED IN THIS INSTRUMENT**

<b>1. Environment and Food Production Areas – Greater Adelaide</b>	<b>Delegate</b>
1.1 The power pursuant to Section 7(5)(a) of the Planning, Development and Infrastructure Act 2016 ( <b>the PDI Act</b> ), in relation to a proposed development in an environment and food production area that involves a division of land that would create 1 or more additional allotments to seek the concurrence of the Commission in the granting of the development authorisation to the development.	Assessment Manager
1.2 The power pursuant to Section 7(5)(d) of the PDI Act in relation to a proposed development in an environment and food production area that involves a division of land that would create one or more additional allotments, to, if the proposed development will create additional allotments to be used for residential development, refuse to grant development authorisation in relation to the proposed development.	Assessment Manager
<b>2. Appointment of Additional Members</b>	
2.1 The power pursuant to Section 85(1) of the PDI Act to appoint 1 or 2 members to act as additional members of the assessment panel for the purposes of dealing with a matter that the assessment panel must assess as a relevant authority under the PDI Act.	Assessment Manager
<b>3. Relevant Authority – Commission</b>	
3.1 The power pursuant to Section 94(3)(a) of the PDI Act, if the Minister acts under Section 94(1)(h) of the PDI Act to, at the request of the Commission, provide the Commission with a report relating to any application for development authorisation that has been under consideration by the relevant authority.	Assessment Manager
<b>4. Relevant Provisions</b>	

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4.1	The power pursuant to Section 99(1) of the PDI Act, if a proposed development involves the performance of building work to determine to act under Section 99(1) of the PDI Act to:	Assessment Manager
4.1.1	refer the assessment of the development in respect of the Building Rules to the council for the area in which the proposed development is to be undertaken; or	Assessment Manager
4.1.2	require that the assessment of the development in respect of the Building Rules be undertaken by a building certifier.	Assessment Manager
<b>5.</b>	<b>Matters Against Which Development Must Be Assessed</b>	
5.1	The power pursuant to Section 102(1) of the PDI Act to assess a development against, and grant or refuse a consent in respect of, each of the following matters (insofar as they are relevant to the particular development):	Assessment Manager
5.1.1	-	
5.1.2.1	the relevant provisions of the Planning Rules; and	Assessment Manager
5.1.2.2	to the extent provided by Part 7 Division 2 of the PDI Act – the impacts of the development,  <b>(planning consent);</b>	Assessment Manager
5.1.3	the relevant provisions of the Building Rules ( <b>building consent</b> );	Assessment Manager
5.1.4	in relation to a proposed division of land (otherwise than under the Community Titles Act 1996 or the Strata Titles Act 1988) - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):	Assessment Manager
5.1.4.1	requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;	Assessment Manager
5.1.4.2	any relevant requirements set out in a design standard has been satisfied;	Assessment Manager
5.1.4.3	the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of	Assessment Manager

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	water supply and sewerage services are satisfied;	
5.1.4.4	where land is to be vested in a council or other authority - the council or authority consents to the vesting;	Assessment Manager
5.1.4.5	requirements set out in regulations made for the purposes of Section 102(1)(c) of the PDI Act are satisfied;	Assessment Manager
5.1.5	in relation to a division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 - the requirement that the following conditions be satisfied (or will be satisfied by the imposition of conditions under the PDI Act):	Assessment Manager
5.1.5.1	requirements set out in the Planning and Design Code made for the purposes of this provision are satisfied;	Assessment Manager
5.1.5.2	any relevant requirements set out in a design standard has been satisfied;	Assessment Manager
5.1.5.3	any encroachment of a lot or unit over other land is acceptable having regard to any provision made by the Planning and Design Code or a design standard;	Assessment Manager
5.1.5.4	where land is to be vested in a council or other authority - the council or authority consents to the vesting;	Assessment Manager
5.1.5.5	a building or item intended to establish a boundary (or part of a boundary) of a lot or lots or a unit or units is appropriate for that purpose;	Assessment Manager
5.1.5.6	the division of land under the Community Titles Act 1996 or the Strata Titles Act 1988 is appropriate having regard to the nature and extent of the common property that would be established by the relevant scheme;	Assessment Manager
5.1.5.7	the requirements of a water industry entity under the Water Industry Act 2012 identified under the regulations relating to the provision of water supply and sewerage services are	Assessment Manager

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	satisfied;	
5.1.5.8	any building situated on the land complies with the Building Rules;	Assessment Manager
5.1.5.9	requirements set out in the regulations made for the purposes of Section 102(d) of the PDI Act are satisfied;	Assessment Manager
5.1.6	any encroachment of a building over, under, across or on a public place (and not otherwise dealt with above) is acceptable having regard to any provision made by the Planning and Design Code or a design standard;	Assessment Manager
5.1.7	if relevant - requirements applying under Part 15 Division 2 of the PDI Act are satisfied;	Assessment Manager
5.1.8	such other matters as may be prescribed.	Assessment Manager
5.2	The power pursuant to Section 102(3) of the PDI Act to, in relation to granting a planning consent, on the delegate's own initiative or on application, reserve the delegate's decision on a specified matter or reserve the delegate's decision to grant a planning consent:	Assessment Manager
5.2.1	until further assessment of the relevant development under the PDI Act; or	Assessment Manager
5.2.2	until further assessment or consideration of the proposed development under another Act; or	Assessment Manager
5.2.3	until a licence, permission, consent, approval, authorisation, certificate or other authority is granted, or not granted (by the decision of another authority), under another Act.	Assessment Manager
5.3	The power pursuant to Section 102(4) of the PDI Act to allow any matter specified by the Planning and Design Code for the purposes of Section 102(4) of the PDI Act to be reserved on the application of the applicant.	Assessment Manager
<b>6.</b>	<b>Performance Assessed Development</b>	
6.1	The power pursuant to Section 107(2)(c) of the PDI Act to form the opinion that the development is seriously at variance with the Planning and Design Code (disregarding minor variations).	Assessment Manager

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6.2	The power pursuant to Section 107(3) of the PDI Act, if a proposed development is to be assessed under Section 107 of the PDI Act to make a decision in accordance with a practice direction.	Assessment Manager
6.3	The power pursuant to Section 107(4) of the PDI Act to limit the matters that the delegate will take into account to what should be the decision of the relevant authority as to planning consent in relation to the performance based elements of the development as assessed on its merits.	Assessment Manager
<b>7.</b>	<b>Building Consent</b>	
7.1	The power pursuant to Section 118(1) of the PDI Act, if the Regulations provide that a form of building work complies with the Building Rules, to grant any such building work a building consent (subject to such conditions or exceptions as may be prescribed by the regulations).	Assessment Manager
7.2	The power pursuant to Section 118(2)(a) of the PDI Act to seek the concurrence of the Commission to grant a building consent in respect of a development that is at variance with the performance requirements of the Building Code or a Ministerial building standard.	Assessment Manager
7.3	The power pursuant to Section 118(2) of the PDI Act, subject to Section 118(6) of the PDI Act, to grant a building consent to a development that is at variance with the Building Rules if:	Assessment Manager
7.3.1	the variance is with a part of the Building Rules other than the Building Code or a Ministerial building standard and the delegate determines that it is appropriate to grant the consent despite the variance on the basis that the delegate is satisfied:	Assessment Manager
7.3.1.1	that:	
	(a) the provisions of the Building Rules are inappropriate to the particular building or building work, or the proposed building work fails to conform with the Building Rules only in minor respects; and	Assessment Manager
	(b) the variance is justifiable having regard to the objects of the Planning and Design Code or the performance requirements of the Building Code or a Ministerial building standard (as the case may be) and would	Assessment Manager

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	achieve the objects of this Act as effectively, or more effectively, than if the variance were not to be allowed; or	
7.3.1.2	in a case where the consent is being sought after the development has occurred - that the variance is justifiable in the circumstances of the particular case.	Assessment Manager
7.4	The power pursuant to Section 118(4) of the PDI Act, to at the request or with the agreement of the applicant, refer proposed building work to the Commission for an opinion on whether or not it complies with the performance requirements of the Building Code or a Ministerial building standard.	Assessment Manager
7.5	The power pursuant to Section 118(6) of the PDI Act if an inconsistency exists between the Building Rules and the Planning Rules in relation to a State heritage place or a local heritage place, to, in determining an application for building consent, ensure, so far as is reasonably practicable, that standards of building soundness, occupant safety and amenity are achieved in respect of the development that are as good as can reasonably be achieved in the circumstances.	Assessment Manager
7.6	The power pursuant to Section 118(7) of the PDI Act to seek and consider the advice of the Commission before imposing or agreeing to a requirement under Section 18(6) of the PDI Act that would be at variance with the performance requirements of the Building Code or a Ministerial building standard.	Assessment Manager
7.7	The power pursuant to Section 118(8) of the PDI Act, to, subject to the PDI Act, accept that proposed building work complies with the Building Rules to the extent that:	Assessment Manager
7.7.1	such compliance is certified by the provision of technical details, particulars, plans, drawings or specifications prepared and certified in accordance with the regulations; or	Assessment Manager
7.7.2	such compliance is certified by a building certifier.	
7.8	The power pursuant to Section 118(10) of the PDI Act to refuse to grant a consent in relation to any development if, as a result of that development, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of the Building Rules for a building of that	Assessment Manager

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	classification	
7.9	The power pursuant to Section 118(11) of the PDI Act, if a relevant authority decides to grant building consent in relation to a development that is at variance with the Building Rules, to, subject to the regulations, in giving notice of the relevant authority's decision on the application for that consent, specify (in the notice or in an accompanying document):	Assessment Manager
7.9.1	the variance; and	Assessment Manager
7.9.2	the grounds on which the decision is being made.	Assessment Manager
<b>8.</b>	<b>Application and Provision of Information</b>	
8.1	The power pursuant to Section 119(1)(b) of the PDI Act to require an application to the relevant authority for the purposes of Part 7 of the PDI Act, to include any information as the delegate may reasonably require.	Assessment Manager
8.2	The power pursuant to Section 119(3) of the PDI Act to request an applicant:	Assessment Manager
8.2.1	to provide such additional documents, assessments or information (including calculations and technical details) as the delegate may reasonably require to assess the application;	Assessment Manager
8.2.2	to remedy any defect or deficiency in any application or accompanying document or information required by or under the PDI Act;	Assessment Manager
8.2.3	to consult with an authority or body prescribed by the regulations;	Assessment Manager
8.2.4	to comply with any other requirement prescribed by the regulations.	Assessment Manager
8.3	The power pursuant to Section 119(6) of the PDI Act if a request is made under Section 119(3) of the PDI Act, and the request is not complied with within the time specified by the regulations, to	Assessment Manager
8.3.1	subject to Section 119(6)(b)(ii) of the PDI Act, refuse the application; and	Assessment Manager
8.3.2	refuse the application in prescribed circumstances	Assessment



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	(including, if the regulations so provide, in a case involving development that is deemed-to-satisfy development).	Manager
8.4	The power pursuant to Section 119(7) of the PDI Act to, in dealing with an application that relates to a regulated tree, consider that special circumstances apply.	Assessment Manager
8.5	The power pursuant to Section 119(9) of the PDI Act to:	Assessment Manager
8.5.1	permit an applicant:	Assessment Manager
8.5.1.1	to vary an application;	Assessment Manager
8.5.1.2	to vary any plans, drawings, specifications or other documents that accompanied an application,	Assessment Manager
	(provided that the essential nature of the proposed development is not changed);	Assessment Manager
8.5.2	permit an applicant to lodge an application without the provision of any information or document required by the regulations;	Assessment Manager
8.5.3	to the extent that the fee is payable to the relevant authority waive payment of whole or part of the application fee, or refund an application fee (in whole or in part);	Assessment Manager
8.5.4	if there is an inconsistency between any documents lodged with the relevant authority for the purposes of Part 7 of the PDI Act (whether by an applicant or any other person), or between any such document and a development authorisation that has already been given that is relevant in the circumstances, return or forward any document to the applicant or to any other person and determine not to finalise the matter until any specified matter is resolved, rectified or addressed.	Assessment Manager
8.6	The power pursuant to Section 119(10) of the PDI Act to grant a permission under Section 119(9) of the PDI Act unconditionally or subject to such conditions as the delegate thinks fit.	Assessment Manager
8.7	The power pursuant to Section 119(12) of the PDI Act to, in a consent, provide for, or envisage, the undertaking of development in stages, with separate consents or approvals for the various	Assessment Manager

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	stages.	
8.8	The power pursuant to Section 119(14) of the PDI Act to if an applicant withdraws an application to determine to refund the application fee.	Assessment Manager
<b>9.</b>	<b>Outline Consent</b>	
9.1	The power pursuant to Section 120(1) of the PDI Act and subject to Section 120 of the PDI Act, to on application, grant a consent in the nature of an outline consent.	Assessment Manager
9.2	The power pursuant to Section 120(3) of the PDI Act if an outline consent is granted and a subsequent application is made with respect to the same development (subject to any variations allowed by a practice direction) to:	Assessment Manager
9.2.1	grant any consent contemplated by the outline consent; and	Assessment Manager
9.2.2	not impose a requirement that is inconsistent with the outline consent.	Assessment Manager
<b>10.</b>	<b>Design Review</b>	
10.1	The power pursuant to Section 121(7) of the PDI Act, to in acting under the PDI Act, take into account any advice provided by a design panel (insofar as may be relevant to the assessment of proposed development by the delegate).	Assessment Manager
<b>11.</b>	<b>Referrals to Other Authorities or Agencies</b>	
11.1	The power pursuant to Section 122(1) of the PDI Act, where an application for consent to, or approval of, a proposed development of a prescribed class is to be assessed by a relevant authority, to:	Assessment Manager
11.1.1	refer the application, together with a copy of any relevant information provided by the applicant, to a body prescribed by the regulations (including, if so prescribed, the Commission); and	Assessment Manager
11.1.2	not make a decision until the relevant authority has received a response from that prescribed body in relation to the matter or matters for which the referral was made	Assessment Manager
	where the regulations so provide, subject to Section 122 of the PDI	Assessment Manager

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Act.	
11.2	The power pursuant to Section 122(5)(b) of the PDI Act, acting by direction of a prescribed body:
11.2.1	to refuse the application; or
11.2.2	consent to or approve the development and impose such conditions as the prescribed body thinks fit, (subject to any specific limitation under another Act as to the conditions that may be imposed by the prescribed body)
	where the regulations so provide.
11.3	The power pursuant to Section 122(7) of the PDI Act, if the relevant authority is directed by a prescribed body to refuse an application and the refusal is the subject of an appeal under the PDI Act, to apply for the relevant authority to be joined as a party to the proceedings.
11.4	The power pursuant to Section 122(10) of the PDI Act to, if requested by an applicant, defer a referral under Section 122 of the PDI Act to a particular stage in the process of assessment.
<b>12.</b>	<b>Preliminary Advice and Agreement</b>
12.1	The power pursuant to Section 123(2) of the PDI Act, if:
12.1.1	a proposed development is referred to a prescribed body under Section 123(1) of the PDI Act; and
12.1.2	the prescribed body agrees to consider the matter under Section 123 of the PDI Act after taking into account any matter prescribed by the regulations; and
12.1.3	the prescribed body agrees, in the manner prescribed by the regulations, that the development meets the requirements (if any) of the prescribed body (including on the basis of the imposition of conditions),
	to, subject to Section 123(4) of the PDI Act if an application for planning consent with respect to the development is lodged with the relevant authority within the prescribed period after the prescribed body has indicated its agreement under Section 123(2)(c) of the PDI Act, form the opinion and be satisfied that the application accords with the agreement indicated by the prescribed

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	body (taking into account the terms or elements of that agreement and any relevant plans and other documentation).	
12.2	The power pursuant to Section 123(4) of the PDI Act to determine an agreement under Section 123 of the PDI Act is no longer appropriate due to the operation of Section 132 of the PDI Act.	Assessment Manager
<b>13.</b>	<b>Proposed Development Involving Creation of Fortifications</b>	
13.1	The power pursuant to Section 124(1) of the PDI Act, if the delegate has reason to believe that a proposed development may involve the creation of fortifications, to refer the application for consent to, or approval of, the proposed development to the Commissioner of Police (the Commissioner).	Assessment Manager
13.2	The power pursuant to Section 124(5) of the PDI Act, if the Commissioner determines that the proposed development involves the creation of fortification, to:	Assessment Manager
13.2.1	if the proposed development consists only of the creation fortifications - refuse the application; or	Assessment Manager
13.2.2	in any other case - impose conditions in respect of any consent to or approval of the proposed development prohibiting the creation of the fortifications	Assessment Manager
13.3	The power pursuant to Section 124(6) of the PDI Act, if the relevant authority acting on the basis of a determination of the Commissioner under Section 124(2) of the PDI Act refuses an application or imposes conditions in respect of a development authorisation, to notify the applicant that the application was refused, or the conditions imposed, on the basis of a determination of the Commissioner under Section 124 of the PDI Act.	Assessment Manager
13.4	The power pursuant to Section 124(7) of the PDI Act, if a refusal or condition referred to in Section 124(5) of the PDI Act is the subject of an appeal under the PDI Act to apply to the Court to be joined as a party to the appeal.	Assessment Manager
<b>14.</b>	<b>Time Within Which Decision Must be Made</b>	
14.1	The power pursuant to Section 125(6) of the PDI Act to form the opinion and consider that the relevant application for planning consent should have been refused and apply to the Court for an order quashing the consent.	Assessment Manager
14.2	The power pursuant to Section 125(7) of the Act to apply to the	Assessment

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	Court for an extension of time to make an application under Section 125(6) of the Act.	Manager
<b>15.</b>	<b>Determination of Application</b>	
15.1	The power pursuant to Section 126(1) of the PDI Act to, on making a decision on an application under Part 7 of the PDI Act, give notice of the decision in accordance with the regulations (and, in the case of a refusal, to include in the notice the reasons for the refusal and any appeal rights that exist under the PDI Act).	Assessment Manager
15.2	The power pursuant to Section 126(3) of the PDI Act to, on the delegate's own initiative or on the application of a person who has the benefit of any relevant development authorisation, extend a period prescribed under Section 126(2) of the PDI Act.	Assessment Manager
<b>16.</b>	<b>Conditions</b>	
16.1	The power pursuant to Section 127(1) of the PDI Act to make a decision subject to such conditions (if any) as the delegate thinks fit to impose in relation to the development.	Assessment Manager
16.2	The power pursuant to Section 127(2)(c) of the PDI Act to vary or revoke a condition in accordance with an application under Part 7 of the PDI Act.	Assessment Manager
16.3	The power pursuant to Section 127(4) of the PDI Act, subject to Sections 127(6) and (8) of the PDI Act, if a development authorisation provides for the killing, destruction or removal of a regulated tree or a significant tree, to apply the principle that the development authorisation be subject to a condition that the prescribed number of trees (of a kind determined by the delegate) must be planted and maintained to replace the tree (with the cost of planting to be the responsibility of the applicant or any person who acquires the benefit of the consent and the cost of maintenance to be the responsibility of the owner of the land).	Assessment Manager
16.4	The power pursuant to Section 127(6) of the PDI Act to, on the application of the applicant, determine that a payment of an amount calculated in accordance with the regulations be made into the relevant fund in lieu of planting 1 or more replacement trees under Section 127(4) of the PDI Act.	Assessment Manager
16.5	The power pursuant to Section 127(8)(b) of the PDI Act to:	Assessment Manager
16.5.1	determine that it is appropriate to grant an exemption	Assessment

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	under Section 127(8)(b) of the PDI Act in a particular case after taking into account any criteria prescribed by the regulations and provided the Minister concurs in the granting of the exemption;	Manager
16.5.2	to seek the Minister's concurrence to grant an exemption under Section 127(8)(b) of the PDI Act.	Assessment Manager
<b>17.</b>	<b>Variation of Authorisation</b>	
17.1	The power pursuant to Section 128(2)(d) of the PDI Act to approve an application for a variation to a development authorisation previously given under the PDI Act, which seeks to extend the period for which the relevant authorisation remains operative.	Assessment Manager
<b>18.</b>	<b>Requirement to Up-grade</b>	
18.1	The power pursuant to Section 134(1) of the PDI Act to form the opinion that the building is unsafe, structurally unsound or in an unhealthy condition.	Assessment Manager
18.2	The power pursuant to Section 134(1) of the PDI Act, if:	Assessment Manager
18.2.1	an application for a building consent relates to:	Assessment Manager
18.2.1.1	building work in the nature of an alteration to a building constructed before the date prescribed by regulation for the purposes of Section 134(1) of the PDI Act; or	Assessment Manager
18.2.1.2	a change of classification of a building; and	Assessment Manager
18.2.2	the building is, in the opinion of the delegate, unsafe, structurally unsound or in an unhealthy condition,	Assessment Manager
	to require that building work that conforms with the requirements of the Building Rules be carried out to the extent reasonably necessary to ensure that the building is safe and conforms to proper structural and health standards.	Assessment Manager
18.3	The power pursuant to Section 134(2) of the PDI Act, when imposing a requirement under Section 134(1) of the PDI Act, to specify (in reasonable detail) the matters under Section 134(1)(b) of the PDI Act that must, in the opinion of the delegate, be addressed.	Assessment Manager

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18.4	The power pursuant to Section 134(3) of the PDI Act to impose a requirement under Section 134(1) of the PDI Act:	Assessment Manager
18.4.1	subject to Section 134(3)(b) of the PDI Act - on the basis that the relevant matters must be addressed as part of the application before the relevant authority will grant building consent; and	Assessment Manager
18.4.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed	Assessment Manager
18.5	The power pursuant to Section 134(4) of the PDI Act if:	Assessment Manager
18.5.1	an application is made for building consent for building work in the nature of an alteration of a class prescribed by the regulations; and	Assessment Manager
18.5.2	the delegate is of the opinion that the affected part of the building does not comply with the performance requirements of the Building Code or a Ministerial building standard in relation to access to buildings, and facilities and services within buildings, for people with disabilities,	Assessment Manager
	to require that building work or other measures be carried out to the extent necessary to ensure that the affected part of the building will comply with those performance requirements of the Building Code or the Ministerial building standard (as the case may be).	Assessment Manager
18.6	The power pursuant to Section 134(5) of the PDI Act to impose a requirement under Section 134(4) of the PDI Act:	Assessment Manager
18.6.1	subject to Section 134(5)(b) of the PDI Act - on the basis that the building work or other measures to achieve compliance with the relevant performance requirements must be addressed before the relevant authority will grant building consent; and	Assessment Manager
18.6.2	in cases prescribed by the regulations - as a condition of the building consent that must be complied with within a prescribed period after the building work to which the application for consent relates is completed.	Assessment Manager
<b>19.</b>	<b>Urgent Building Work</b>	

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19.1	The power pursuant to Section 135(2)(d) of the PDI Act to issue any direction.	Assessment Manager
<b>20.</b>	<b>Cancellation of Development Authorisation</b>	
20.1	The power pursuant to Section 143(1) of the PDI Act to, on the application of a person who has the benefit of the authorisation, cancel a development authorisation previously given by the relevant authority.	Assessment Manager
20.2	The power pursuant to Section 143(2) of the PDI Act to make a cancellation under Section 143(1) of the PDI Act subject to such conditions (if any) as the delegate thinks fit to impose.	Assessment Manager
<b>21.</b>	<b>Professional Advice to be Obtained in Relation to Certain Matters</b>	
21.1	The power pursuant to Section 235(1) of the PDI Act, to, in the exercise of a prescribed function, rely on a certificate of a person with prescribed qualifications.	Assessment Manager
21.2	The power pursuant to Section 235(2) of the PDI Act to seek and consider the advice of a person with prescribed qualifications, or a person approved by the Minister for that purpose, in relation to a matter arising under the PDI Act that is declared by regulation to be a matter on which such advice should be sought.	Assessment Manager
<b>22.</b>	<b>General Transitional Schemes for Panels</b>	
22.1	The power pursuant to Clause 12(7) of Schedule 8 of the PDI Act, to	Assessment Manager
22.1.1	adopt any findings or determinations of a council development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and	Assessment Manager
22.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and	Assessment Manager
22.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and	Assessment Manager
22.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application made before	Assessment Manager



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	the relevant day under the repealed Act; and	
22.1.5	deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.	Assessment Manager
<b><u>(Only applicable to assessment panels appointed by a council or a joint planning board)</u></b>		
<b>23. Regional Assessment Panels</b>		
23.1	The power pursuant to Clause 13(5) of Schedule 8 of the PDI Act to:	Assessment Manager
23.1.1	adopt any findings or determinations of a council development assessment panel or a regional development assessment panel under the repealed Act that may be relevant to an application made before the relevant day under the repealed Act; and	Assessment Manager
23.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application made before the relevant day under the repealed Act; and	Assessment Manager
23.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the relevant day; and	Assessment Manager
23.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act; and	Assessment Manager
23.1.5	deal with any requirement or grant any variation imposed or proposed in connection with an application made before the relevant day under the repealed Act.	Assessment Manager
<b><u>(Relevant to regional assessment panels only)</u></b>		
<b>24. Continuation of Processes</b>		
24.1	The power pursuant to Clause 18(2) of Schedule 8 of the PDI Act, to:	Assessment Manager
24.1.1	adopt any findings or determinations of a relevant authority under the repealed Act that may be relevant to an application to which Clause 18(1) of Schedule 8 of the	Assessment Manager

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	PDI Act applies; and	
24.1.2	adopt or make any decision (including a decision in the nature of a determination), direction or order in relation to an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and	Assessment Manager
24.1.3	deal with any matter that is subject to a reserved decision under the repealed Act before the designated day; and	Assessment Manager
24.1.4	deal with any requirement or grant any variation imposed or proposed in connection with an application to which Clause 18(1) of Schedule 8 of the PDI Act applies; and	Assessment Manager
24.1.5	take any other step or make any other determination authorised by the regulations, or that is reasonably necessary to promote or ensure a smooth transition on account of the transfer of functions, powers or duties under Clause 18 of Schedule 8 of the PDI Act.	Assessment Manager

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<b>25. Interpretation</b>		
25.1	The power pursuant to Regulation 3(6)(b) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to require that a statement of site suitability provided to a relevant authority in connection with an application for development authorisation be issued by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	Assessment Manager
<b>26. Accredited Professionals</b>		<b>Delegate</b>
26.1	The power pursuant to Regulation 25(7)(c) of the Planning, Development and Infrastructure (General) Regulations 2017 (the General Regulations) to form the opinion and be satisfied, on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or other relevant registration or accreditation authority, that a person has engineering or other qualifications that qualify the person to act as a technical expert under Regulation 25 of the	Assessment Manager

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General Regulations.		
<b>27. Verification of Application</b>		
27.1	The power pursuant to Regulation 31(1) of the General Regulations, on the receipt of an application under Section 119 of the PDI Act, and in addition to any other requirement under the General Regulations, to, in order to ensure that an application has been correctly lodged and can be assessed in accordance with the PDI Act:	Assessment Manager
27.1.1	determine the nature of the development; and	Assessment Manager
27.1.2	if the application is for planning consent - determine:	Assessment Manager
27.1.2.1	whether the development involves 2 or more elements and, if so, identify each of those elements for the purposes of assessment against the provisions of the Planning and Design Code; and	Assessment Manager
27.1.2.2	the category or categories of development that apply for the purposes of development assessment; and	Assessment Manager
27.1.3	determine whether the relevant authority is the correct entity to assess the application under the PDI Act; and	Assessment Manager
27.1.4	if the relevant authority is the correct entity to assess the application (or any part of the application):	Assessment Manager
27.1.4.1	check that the appropriate documents and information have been lodged with the application; and	Assessment Manager
27.1.4.2	confirm the fees required to be paid at that point under the <i>Planning, Development and Infrastructure (Fees, Charges and Contributions) Regulations 2019</i> ; and	Assessment Manager
27.1.4.3	provide an appropriate notice via the SA planning portal; and	Assessment Manager
27.1.5	if the relevant authority is not the correct entity to assess the application (or any part of the application):	Assessment Manager

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27.1.5.1	provide the application (or any relevant part of the application), and any relevant plans, drawings, specifications and other documents and information in its possession, to the entity that the delegate considers to be the correct relevant authority in accordance with any practice direction; and	Assessment Manager
27.1.5.2	provide an appropriate notice via the SA planning portal.	Assessment Manager
<b>28. Site Contamination – Detailed Site Investigation Report</b>		

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28.1 The power pursuant to Regulation 32A(1) of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act in relation to an application to which Schedule 8 clause 2A applies, request the applicant to provide a detailed site investigation report if:	Assessment Manager
28.1.1 the preliminary site investigation report indicates that site contamination is present, or is likely to be present, at the site of the proposed development; and	Assessment Manager
28.1.2 the delegate considers that there is insufficient information to determine that the site is suitable for its intended use, having regard to	Assessment Manager
28.1.2.1 site contamination; and	Assessment Manager
28.1.2.2 if remediation is required, the extent of that remediation; and	Assessment Manager
28.1.3 the application is not required to be referred to the Environment Protection Authority under Item 9A or 9AB of the table in Schedule 9 clause 3.	Assessment Manager
<b>Site Contamination – Detailed Site Investigation Report</b>	Assessment Manager
28.2 The power pursuant to Regulation 32A(2) of the General Regulations to require that a detailed site investigation report be prepared by a site contamination auditor if the Environment Protection Authority directs the relevant authority to do so in relation to a particular application.	Assessment Manager
<b>29. SITE CONTAMINATION – STATEMENT OF SUITABILITY</b>	
29.1 The power pursuant to Regulation 32B of the General Regulations to, for the purposes of Section 119(3)(d) of the PDI Act, in relation to an application to which Schedule 8 clause 2A applies, require the applicant to provide a statement of site suitability that confirms that the site is suitable for its intended use before the relevant authority issues a planning consent in relation to the application.	Assessment Manager
<b>30. APPLICATION AND FURTHER INFORMATION</b>	
30.1 The power pursuant to Regulation 33(4) of the General Regulations to seek clarification about any document or information that has been provided by the applicant.	Assessment Manager
<b>31. Amended Applications</b>	

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31.1	The power pursuant to Regulation 35(3) of the General Regulations if an application is varied following referral under Division 2 or giving of notice under Division 3, to, if the variations are not substantial, consider the application without the need to repeat an action otherwise required under Division 2 or Division 3.	Assessment Manager
31.2	The power pursuant to Regulation 35(4) of the General Regulations if a variation would change the essential nature of a proposed development (as referred to in Section 119(9)(a) of the PDI Act), to agree with the applicant to proceed with the variation on the basis that the application (as so varied) will be treated as a new application under the General Regulations.	Assessment Manager
<b>32.</b>	<b>Withdrawing/Lapsing Applications</b>	
32.1	The power pursuant to Regulation 38(1) of the General Regulations if an application is withdrawn by the applicant under Section 119(14) of the PDI Act, to notify:	Assessment Manager
32.1.1	any agency to which the application has been referred under Division 2 of the General Regulations; and	Assessment Manager
32.1.2	any person who has made a representation in relation to the application under Division 3 of the General Regulations,	Assessment Manager
	of the withdrawal.	Assessment Manager
32.2	The power pursuant to Regulation 38(2) of the General Regulations to lapse an application for a development authorisation under Part 7 of the PDI Act if at least one year has passed since the date on which the application was lodged with the relevant authority.	Assessment Manager
32.3	The power pursuant to Regulation 38(3) of the General Regulations before taking action to lapse an application under Regulation 38(2) of the General Regulations, to:	Assessment Manager
32.3.1	take reasonable steps to notify the applicant of the action under consideration; and	Assessment Manager
32.3.2	allow the applicant a reasonable opportunity to make submissions to the delegate (in a manner and form determined by the delegate) about the proposed course of action.	Assessment Manager

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<b>33. Court Proceedings</b>	
33.1 The power pursuant to Regulation 40 of the General Regulations to, subject to Section 214(14) of the PDI Act, by notice in writing to the applicant, decline to deal with the application until any proceedings under the PDI Act have been concluded.	Assessment Manager
<b>34. Additional Information or Amended Plans</b>	
34.1 The power pursuant to Regulation 42(1) of the General Regulations if a delegate has referred an application to a prescribed body under Division 1 of the General Regulations and the relevant authority subsequently receives additional information, or an amended plan, drawing or specification, which is materially relevant to the referral, or to any report obtained as part of the referral process, to repeat the referral process.	Assessment Manager
<b>35. Building Matters</b>	
35.1 The power pursuant to Regulation 45(1) of the General Regulations to, if in assessing an application for building consent, the delegate considers that:	Assessment Manager
35.1.1 a proposed performance solution within the meaning of the Building Code requires assessment against a performance requirement of the Building Code which provides for the intervention of a fire authority; or	Assessment Manager
35.1.2 the proposed development is at variance with a performance requirement of the Building Code which provides for the intervention of a fire authority; or	Assessment Manager
35.1.3 special problems for fire fighting could arise due to hazardous conditions of a kind described in Section E of the Building Code,	Assessment Manager
refer the application to the relevant fire authority for comment and report unless the fire authority indicates to the delegate that a referral is not required.	Assessment Manager
35.2 The power pursuant to Regulation 45(2) of the General Regulations, if a report is not received from the fire authority on a referral under Regulation 45(1) of the General Regulations within 20 business days, to presume that the fire authority does not desire to make a report.	Assessment Manager
35.3 The power pursuant to Regulation 45(3) of the General	Assessment

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	Regulations to have regard to any report received from a fire authority under Regulation 45 of the General Regulations.	Manager
35.4	The power pursuant to Regulation 45(4) of the General Regulations, if, in respect of an application referred to a fire authority under Regulation 45 of the General Regulations, the fire authority:	Assessment Manager
35.4.1	recommends against the granting of building consent; or	Assessment Manager
35.4.2	concurs in the granting of consent on conditions specified in its report,	Assessment Manager
	but the delegate:	Assessment Manager
35.4.3	proposes to grant building consent despite a recommendation referred to in Regulation 45(4)(a) of the General Regulations; or	Assessment Manager
35.4.4	does not propose to impose the conditions referred to in Regulation 45(b) of the General Regulations, or proposes to impose the conditions in varied form, on the grant of consent,	Assessment Manager
	to:	
35.4.5	refer the application to the Commission; and	Assessment Manager
35.4.6	not grant consent unless the Commission concurs in the granting of the consent.	Assessment Manager
35.5	The power pursuant to Regulation 45(5) of the General Regulations to provide to the Commission a copy of any report received from a fire authority under Regulation 45(1) of the General Regulations that relates to an application that is referred to the Commission under the PDI Act.	Assessment Manager
<b>36.</b>	<b>Preliminary Advice and Agreement (Section 123)</b>	
36.1	The power pursuant to Regulation 46(6) of the General Regulations, if:	Assessment Manager
36.1.1	the delegate permits an applicant to vary an application under Section 119(9) of the PDI Act; and	Assessment Manager
36.1.2	the delegate determines that the application no longer	Assessment



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	accords with the agreement indicated by the prescribed body,	Manager
	to refer the application (unless withdrawn) to the prescribed body:	Assessment Manager
36.1.3	to obtain a variation to the agreement under Section 123 of the PDI Act; or	Assessment Manager
36.1.4	to obtain a response from the prescribed body for the purposes of Section 122 of the PDI Act.	Assessment Manager
36.2	The power pursuant to Regulation 46(7) of the General Regulations if:	Assessment Manager
36.2.1	an application is withdrawn by the applicant; and	Assessment Manager
36.2.2	the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,	Assessment Manager
	to notify relevant prescribed body of the withdrawal.	Assessment Manager
36.3	The power pursuant to Regulation 46(8) of the General Regulations, if:	Assessment Manager
36.3.1	an application is lapsed by a relevant authority under Regulation 38 of the General Regulations; and	Assessment Manager
36.3.2	the applicant sought to rely on an agreement under Section 123 of the PDI Act in connection with the application,	Assessment Manager
	to notify the relevant prescribed body of the lapsing.	Assessment Manager
36.4	The power pursuant to Regulation 46(9) of the General Regulations, if:	Assessment Manager
36.4.1	an applicant seeks to rely on an agreement under Section 123 of the PDI Act in connection with the application; and	Assessment Manager
36.4.2	a notice of a decision on the application is issued by the delegate under Regulation 57 of the General Regulations,	Assessment Manager
	to provide a copy of the notice to the prescribed body within 5 business days after the notice is given to the applicant under	Assessment Manager

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Regulation 57 of the General Regulations.		
<b>37. Notification of Application of Tree-damaging Activity to Owner of Land</b>		
37.1	The power pursuant to Regulation 48 of the General Regulations, if an owner of land to which an application for a tree-damaging activity in relation to a regulated tree relates is not a party to the application, to:	Assessment Manager
37.1.1	give the owner notice of the application within 5 business days after the application is made; and	Assessment Manager
37.1.2	give due consideration in the delegate's assessment of the application to any submission made by the owner within 10 business days after the giving of notice under Regulation 48 of the General Regulations.	Assessment Manager
<b>38. Public Inspection of Applications</b>		
38.1	The power pursuant to Regulation 49(3) of the General Regulations to request a person verify information in such manner as the delegate thinks fit.	Assessment Manager
<b>39. Representations</b>		
39.1	The power pursuant to Regulation 50(5) of the General Regulations to, if the delegate considers that it would assist the delegate in making a decision on the application, allow a person:	Assessment Manager
39.1.1	who has made a representation under Regulation 50(1) of the General Regulations in relation to development being assessed under Section 107 of the PDI Act; and	Assessment Manager
39.1.2	who has indicated an interest in appearing before the delegate,	Assessment Manager
	an opportunity (at a time determined by the delegate) to appear personally or by representative before the delegate to be heard in support of the representation that has been made under Regulation 50(1) of the General Regulations.	Assessment Manager
<b>40. Response by Applicant</b>		
40.1	The power pursuant to Regulation 51(1) of the General Regulations to allow a response to a representation by the applicant to be made within such longer period as the delegate	Assessment Manager

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	may allow.	
<b>41.</b>	<b>Notice of Decision (Section 126(1))</b>	
41.1	The power pursuant to Regulation 57(4)(a) of the General Regulations to endorse a set of any approved plans and other relevant documentation with an appropriate form of authentication.	Assessment Manager
<b>42.</b>	<b>Consideration of Other Development Authorisations</b>	
42.1	The power pursuant to Regulation 60 of the General Regulations, to, in deciding whether to grant a development authorisation, take into account any prior development authorisation that relates to the same proposed development under the PDI Act, and any conditions that apply in relation to that prior development authorisation.	Assessment Manager
<b>43.</b>	<b>Certificate of Independent Technical Expert in Certain Cases</b>	
43.1	The power pursuant to Regulation 61(4)(c) of the General Regulations to form the opinion and be satisfied on the basis of advice received from the accreditation authority under the Planning, Development and Infrastructure (Accredited Professionals) Regulations 2019, a relevant professional association, or another relevant registration or accreditation authority, that a person has engineering or other qualifications, qualify the person to act as a technical expert under this regulation.	Assessment Manager
<b>44.</b>	<b>Urgent Work</b>	
44.1	The power pursuant to Regulation 63(1) of the General Regulations to,	Assessment Manager
44.1.1	determine a telephone number determined for the purposes of Regulation 63(1)(a) of the General Regulations; and	Assessment Manager
44.1.2	determine the email address for the purposes of Regulation 63(1)(b) of the General Regulations.	Assessment Manager
44.2	The power pursuant to Regulation 63(2) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI Act, allow a longer period.	Assessment Manager
44.3	The power pursuant to Regulation 63(3) of the General Regulations to, for the purposes of Section 135(2)(c) of the PDI	Assessment Manager

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	Act, allow a longer period.	
<b>45.</b>	<b>Variation of Authorisation (Section 128)</b>	
45.1	The power pursuant to Regulation 65(1)(a) of the General Regulations to, for the purposes of Section 128(2)(b) of the PDI Act, if a person requests the variation of a development authorisation previously given under the Act (including by seeking the variation of a condition imposed with respect to the development authorisation) to form the opinion and be satisfied that the variation is minor in nature, and approve the variation.	Assessment Manager
<b>46.</b>	<b>Advice from Commission</b>	
46.1	The power pursuant to Regulation 76(2) of the General Regulations, if a report is not received from the Commission within 20 business days from the day on which the application is lodged under Regulation 29 of the General Regulations or within such longer period as the Commission may require by notice to the relevant authority, to presume that the Commission does not desire to make a report.	Assessment Manager
<b>47.</b>	<b>Underground Mains Area</b>	
47.1	The power pursuant to Regulation 78(3) of the General Regulations, if an application relates to a proposed development that involves the division of land within, or partly within, an underground mains area (even if the area is declared as such after the application is lodged with the relevant authority), to require, as a condition on its decision on the application, that any electricity mains be placed underground.	Assessment Manager
<b>48.</b>	<b>Construction Industry Training Fund</b>	
48.1	The power pursuant to Regulation 99(4) of the General Regulations, if after assessing a proposed development against the building rules the delegate is yet to be satisfied that the appropriate levy has been paid under the <i>Construction Industry Training Fund Act 1993</i> or is not payable, to notify the applicant that the delegate cannot issue a building consent until the delegate is satisfied that the levy has been paid or is not payable.	Assessment Manager
48.2	The power pursuant to Regulation 99(5) of the General Regulations, if a notification is given under Regulation 99(4) of the General Regulations, if satisfactory evidence is not provided to the delegate within 20 business days after the date of the notification, to, if the delegate thinks fit, determine that the application has	Assessment Manager

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lapsed.		
<b>49. Plans for Residential Alterations, Additions and New Dwellings</b>		
49.1	The power pursuant to Clause <del>2(d)(ii)(B) of Schedule 8</del> <b>2(1)(b) of Schedule 6B</b> the General Regulations to form the belief that the allotment is, or may have been, subject to site contamination as a result of a previous use of the land or a previous activity on the land or in the vicinity of the land, <b>other than a previous use or activity that was for residential purposes,</b>	Assessment Manager
<del>49.2</del>	<del>The power pursuant to Clause 2(d)(ii)(D) of Schedule 8 of the General Regulations to be satisfied a site contamination audit report (within the meaning of the Environment Protection Act 1993) is not required.</del>	Assessment Manager
<b>50. Plans for Building Work</b>		
50.1	The power pursuant to Clause 4(3) of Schedule 8 of the General Regulations, in relation to an application for building consent for development consisting of or involving an alteration to a building, if:	Assessment Manager
50.1.1	the applicant is applying for a change in the classification of the building to a classification other than Class 10 under the Building Code; or	Assessment Manager
50.1.2	the building was erected before 1 January 1974 and the applicant is applying for a classification other than Class 10 under the Building Code to be assigned to the building,	Assessment Manager
	to require the application to be accompanied by such details, particulars, plans, drawings, specifications and other documents (in addition to the other documents required to accompany the application) as the delegate reasonably requires to show that the entire building will, on completion of the building work, comply with the requirements of the PDI Act and the General Regulations for a building of the classification applied for or with so many of those requirements as will ensure that the building is safe and conforms to a proper structural standard.	Assessment Manager

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<b>51. Calculation or Assessment of Fees</b>	
51.1 The power pursuant to Regulation 5(1) of the PDI (Fees, Charges and Contributions) Regulations 2019 ( <b>the Fees Regulations</b> ) in relation to an application which is duly lodged with the council under a related set of regulations (including via the SA planning portal):	Assessment Manager
51.1.1 to require the applicant to provide such information as the delegate may reasonably require to calculate any fee payable under the Fees Regulations or a related set of regulations; and	Assessment Manager
51.1.2 to make any other determination for the purposes of the Fees Regulations or a related set of regulations (even if the assessment panel is not a relevant authority).	Assessment Manager
51.2 The power pursuant to Regulation 5(2) of the Fees Regulations, if the delegate is acting under Regulation 5(1) of the Fees Regulations, or as the delegate of a relevant authority, believes that any information provided by an applicant is incomplete or inaccurate, to calculate any fee on the basis of estimates made by the delegate.	Assessment Manager
51.3 The power pursuant to Regulation 5(3) of the Fees Regulations to, at any time, and despite an earlier calculation or acceptance of an amount in respect of the fee, reassess a fee payable under the Fees Regulations or a related set of regulations.	Assessment Manager

**PLANNING AND DESIGN CODE**

<b>52. Procedural Matter</b>	
52.1 The power pursuant to and in accordance with the Planning and Design Code ( <b>the PD Code</b> ) to form the opinion development is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development and therefore is excluded from the operation of Sections 107(3) and (4) of the PDI Act.	Assessment Manager
<b>53. Procedural Referrals</b>	
53.1 The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature and would not warrant a referral when considering the purpose of the referral.	Assessment Manager

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53.2	The power pursuant to and in accordance with the PD Code to form the opinion and deem:	Assessment Manager
53.2.1	alteration to an existing access or public road junction;	Assessment Manager
53.2.2	development that changes the nature of vehicular movements or increases the number or frequency of movements through an existing access,	Assessment Manager
	to be minor.	Assessment Manager
53.3	The power pursuant to and in accordance with the PD Code to form the opinion an alteration or extension of an existing dwelling is minor.	Assessment Manager
53.4	The power pursuant to and in accordance with the PD Code to form the opinion development is minor in nature or like for like maintenance and would not warrant a referral when considering the purpose of the referral.	Assessment Manager
<b>54.</b>	<b>Referral Body: Minister Responsible for the Administration of the Aquaculture Act 2001</b>	
54.1	The power pursuant to and in accordance with Part 9.4 of the PD Code to form the opinion that aquaculture development which involves an alteration to an existing or approved development is minor in nature.	Assessment Manager

**STATE PLANNING COMMISSION PRACTICE DIRECTION 3 (NOTIFICATION OF PERFORMANCE ASSESSED DEVELOPMENT APPLICATIONS) 2019**

<b>55.</b>	<b>Responsibility to Undertake Notification</b>	
55.1	The power pursuant to clause 6(4) of the State Planning Commission Practice Direction 3 (Notification of Performance Assessed Development Applications) 2019 ( <b>PD3</b> ), should the applicant request the relevant authority to place the notice on the land and pay the relevant fee, to (either personally or by engagement of a contractor) give notice of the application to members of the public by notice placed on the relevant land in accordance with Section 107(3)(a)(ii) of the PDI Act.	Assessment Manager
<b>56.</b>	<b>Preparing for Notification</b>	
56.1	The power pursuant to clause 8 of PD3, if the applicant has confirmed they accept responsibility to place a notice on the land	Assessment Manager

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	as per clause 6(3)(a) of PD3, to, at least 4 business days prior to the commencement of the notification period:	
56.1.1	give notice of the anticipated commencement date and of the notification period to the applicant; and	Assessment Manager
56.1.2	provide the applicant with a copy of the content of the notice to be placed on the relevant land in PDF format; and	Assessment Manager
56.1.3	advise the applicant of the position and number of notice(s) to be erected on the land in accordance with clause 10 of PD3.	Assessment Manager
<b>57. Notice on Land</b>		
57.1	The power pursuant to clause 10(2) of PD3, in relation to clause 10(2) of PD3, to determine the most appropriate position for the notice on the land in order to provide for maximum visibility from a public road, and in cases where the relevant land has more than 1 frontage to a public road, to determine that more than 1 notice must be erected on each of the public road frontages to ensure that notice of the development is reasonably apparent to members of the public.	Assessment Manager

**STATE PLANNING COMMISSION PRACTICE DIRECTION (APPOINTMENT OF ADDITIONAL MEMBERS TO ASSESSMENT PANEL) 2019**

<b>58. Qualifications and Experience of Additional members</b>		
58.1	The power pursuant to clause 4(6) of the State Planning Commission Practice Direction (Appointment of Additional Members to Assessment Panel) 2019 ( <b>PD5</b> ) where the delegate forms the view that additional expert advice is required for an application which requires assessment of a matter listed in Column 1 of PD5, to engage an additional assessment panel member provided that person maintains both the minimum experience detailed in Column 2 of PD5, as well as the minimum qualification listed in Column 3 of PD5.	Assessment Manager
58.2	The power pursuant to clause 4(7) of PD5 to be satisfied of the minimum experience and qualifications of an additional assessment panel member.	Assessment Manager

**STATE PLANNING COMMISSION PRACTICE DIRECTION (SCHEME TO**



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**AVOID CONFLICTING REGIMENS) 2019**

<b>59. Scheme Provisions</b>	
59.1 The power pursuant to clause 5(1) of the State Planning Commission Practice Direction (Scheme to Avoid Conflicting Regimens) 2019 ( <b>PD6</b> ), to in undertaking a planning assessment or imposing controls, including through the imposition of conditions of planning consent, ensure that such assessment or controls do not conflict or duplicate matters dealt with or addressed under licencing or regulatory regimens under another Act.	Assessment Manager
59.2 The power pursuant to clause 5(3) of PD6 to, where the delegate is uncertain whether a matter conflicts with, or duplicates a matter dealt with under a licencing or regulatory regime under another Act, to seek the advice of that authority or agency.	Assessment Manager

**STATE PLANNING COMMISSION PRACTICE DIRECTION 14 SITE  
 CONTAMINATION ASSESSMENT 2021**

<b>60. Change of Use Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</b>	
60.1 The power pursuant to clause 12 of the State Planning Commission Practice Direction (Site Contamination Assessment) 2021 (PD14) to be satisfied that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out, subject to Condition A, B or C in PD14 as relevant	Assessment Manager
<b>61. Land Division Where Remediation is Required After the Issue of Planning Consent – Section 127(1)(b) of Act</b>	
61.1 The power pursuant to clause 13 of PD14 to be satisfied in relation to proposed land division that a site is suitable for its intended use subject to remediation being undertaken and to issue a planning consent without the remediation work having been carried out subject to the consent being subject to the following condition:  A land division certificate under Section 138 of the Planning, Development and Infrastructure Act 2016 must not be issued until a statement of site suitability is issued certifying that the required remediation has been undertaken and the land is suitable for the proposed use.	Assessment Manager

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**SCHEDULE OF CONDITIONS**

**CONDITIONS OR LIMITATIONS  
APPLICABLE TO DELEGATIONS  
CONTAINED IN THIS INSTRUMENT**

Paragraph(s) in instrument to which conditions/limitations apply	Conditions / Limitations
5.1.1.1	<p>The delegation of the power to grant or refuse planning consent pursuant to Section 102(1)(a) of the Act is limited to applications in relation to which:</p> <ol style="list-style-type: none"><li data-bbox="646 898 1487 1062">1. the statutory timeframe within which the CAP must determine the application pursuant to Regulation 53 of the Planning, Development and Infrastructure (General) Regulations 2017 will expire before the next meeting of the CAP is scheduled to occur; or</li><li data-bbox="646 1100 1487 1163">2. a deemed consent notice has been served on the CAP under Section 125(2) of the Act.</li></ol>