

APPLICATION ON NOTIFICATION – CATEGORY 3

Applicant:	Wayne Copley C/- Ben Green & Associates.
Development Number:	145/L038/19
Nature of Development:	Demolition of a number of existing buildings and the construction of a single-story detached dwelling, outbuildings, a fire refuge building, tourist accommodation and rainwater tanks.
Type of Development:	Non-complying.
Zone / Policy Area:	Hills Face Zone.
Subject Land:	Lot 591 Longbottom Road, Willunga South.
Contact Officer:	Malcolm Govett
Phone Number:	7109 7094
Start Date:	26 March 2020.
Close Date:	9 April 2020.
<p>During the notification period, hard copies of the application documentation can be viewed at the Department of Planning, Transport and Infrastructure, Level 5, 50 Flinders St, Adelaide, during normal business hours. Application documentation may also be viewed during normal business hours at the offices of the Onkaparinga Council, Ramsay Place, Noarlunga Centre.</p>	

Written representations must be received by 26 March 2020 and can either be posted, faxed, hand-delivered or emailed to the State Commission Assessment Panel.

Any representations received after the close date will not be considered.

Postal Address:

The Secretary
State Commission Assessment Panel
GPO Box 1815
ADELAIDE SA 5001

Street Address:

Planning & Land Use Services Division
Department of Planning, Transport and Infrastructure
Level 5, 50 Flinders St
ADELAIDE SA 5000

Email Address:

scapreps@sa.gov.au

Fax Number:

(08) 8303 0753



DEVELOPMENT ACT 1993

CATEGORY 3

NOTICE OF APPLICATION FOR CONSENT TO DEVELOPMENT

Notice is hereby given that an application has been made by Wayne Copley C/- Ben Green & Associates for consent to **demolish a number of existing buildings and to construct a single-storey detached dwelling, outbuildings, a fire refuge building, tourist accommodation and rainwater tanks:** (Development Number: **145/L038/19**).

The land is situated at **Lot 591 Longbottom Road, Willunga South**, being Certificate of Title: **CT5598/854**.

The subject land is located within the **Hills Face Zone** of the **Onkaparinga Council Development Plan**, Consolidated on **20 December 2018**.

The application may be examined during normal office hours at the office of the State Commission Assessment Panel (SCAP), Level 5, 50 Flinders Street and at the offices of the Onkaparinga Council, Ramsay Place, Noarlunga Centre. Application documentation may also be viewed on the SCAP website https://www.saplanningportal.sa.gov.au/public_notices.

Any person or body who desires to do so may make representations concerning the application by notice in writing delivered to the Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide SA 5001 **NOT LATER THAN Thursday, 9 April 2020**. Submissions may also be emailed to: scapreps@sa.gov.au

Each person or body making a representation should state the reason for the representation and whether that person or body wishes to be given the opportunity to appear before the SCAP to further explain the representation.

Submissions may be made available for public inspection.

Should you wish to discuss the application and the public notification procedure please contact **Malcolm Govett** on **7109 7094** or malcolm.govett@sa.gov.au.

Jessie Surace

SECRETARY

STATE COMMISSION ASSESSMENT PANEL

**South Australian
DEVELOPMENT ACT, 1993
REPRESENTATION ON APPLICATION – CATEGORY 3**

Applicant: Wayne Copley C/- Ben Green & Associates.
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Development Type: Non-complying.
Zone / Policy Area: Hills Face Zone.
Subject Land: Lot 591 Longbottom Road, Willunga South.
Contact Officer: Malcolm Govett
Phone Number: 7109 7094
Close Date: 9 April 2020.

My Name: _____ **My phone number:** _____

Primary method(s) of contact: **Email:** _____
Postal Address: _____ **Postcode:** _____

You may be contacted via your nominated PRIMARY METHOD(s) OF CONTACT if you indicate below that you wish to be heard by the State Commission Assessment Panel in support of your submission.

My interests are:
(please tick one)

- owner of local property
- occupier of local property
- a representative of a company/other organisation affected by the proposal
- a private citizen

The address of the property affected is: _____
_____ **Postcode** _____

My interests are:
(please tick one)

- I support the development
- I support the development with some concerns
- I oppose the development

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

I: wish to be heard in support of my submission
(please tick one) do not wish to be heard in support of my submission
(Please tick one)

By: appearing personally
(please tick one) being represented by the following person
(Please tick one)

Signature: _____

Date: _____

Why have I received this notice?

The role of the State Commission Assessment Panel (SCAP) is to independently assess and determine specified kinds of development applications in South Australia in accordance with the *Development Act 1993*.

Some types of development application require public notification. This is determined by the relevant Development Plan and Schedule 9 of the *Development Regulations 2008*. Development applications fall into one of the following categories:

- Category 1: No public notification
- Category 2: Notice of the application to be given to an owner/occupier of adjacent land to where the development is proposed. A person contacted in this way has the right to make a written representation to the SCAP. Representations from those with a right to be heard must be taken into consideration by SCAP when assessing the development application.
- Category 3: Written notice of the application to be given to an owner/occupier of adjacent land to where the development is proposed and to any owner/occupier of land which the SCAP believes would be directly affected to a significant degree if the development were to proceed. Notice by newspaper advertisement to be given to the general public.

What is a valid representation?

Your representation must be made within the public notification period as described upon the notice you have received. Pursuant to the *Development Act 1993*, this period is 10 business days from the date notice is given.

Your representation must be signed, dated, set out the reasons for the representation and include your full name and address contact details.

What can I comment on?

It is important to be mindful that your representation should avoid raising matters that are not relevant to the planning assessment of the application. A planning assessment can only have regard to the relevant provisions of the Development Plan. A representation can raise issues both in support and in opposition to a development.

You can access the relevant Development Plan here: <https://www.sa.gov.au/topics/planning-and-property/development-plans>

What happens next?

All valid representations received through either a Category 2 or Category 3 process are forwarded to the applicant for a response and taken into consideration by a Planning Officer from the Department of Planning, Transport and Infrastructure in preparing their assessment.

Pursuant to the *Freedom of Information Act 1991* and *Development Act 1993* any information provided may become part of a public document and may be published as an attachment to the Planning Officer's report.

If you have indicated that you wish to be heard you will receive an invitation to appear personally before the SCAP, or be represented by counsel, solicitor or agent. This invitation must give five (5) business days notice of the meeting but, dependent on other issues to be assessed, this meeting may not occur for an indefinite period of time after your representation is made. Unfortunately, the meeting time and date cannot be adjusted to accommodate all attendees.

If you have not indicated that you wish to be heard in support of your submission, you will not receive any further correspondence on this matter until a decision is made.

What is a SCAP meeting?

SCAP meetings are generally held on the second and fourth Thursdays of each month in the Kardi Munaintya meeting room on the ground floor at 50 Flinders Street, Adelaide.

The SCAP will be assessing the development application against the relevant Council Development Plan. To assist, an assessment report will be prepared by a Planning Officer from the Department of Planning, Transport and Infrastructure. This report is publicly available from https://www.saplanningcommission.sa.gov.au/scap/agendas_minutes on the Monday afternoon prior to the meeting. This report will include a copy of your representation.

Representors wishing to be heard will be given the opportunity to make a short (5 minute maximum) verbal presentation to the SCAP. Please note that Representors are only provided with the opportunity to make a verbal presentation at the initial hearing of an application. At this meeting, the SCAP may also hear comments from the applicant, relevant agencies, and Council.

How do I know what decision is made?

You will be able to ascertain the outcome of the SCAP's deliberation when the meeting minutes are made available on the SCAP website on the afternoon of the day after a meeting.

Once a decision is made by the SCAP, valid representors will be sent a copy of the Decision Notification Form which includes any conditions relevant to the application.

Note: Dependent on the assessment process for the application, and if no Representors indicate that they wish to be heard, a decision may be made by a Delegate of the SCAP without the application being heard at a SCAP meeting.

Appeal rights

If the proposal is a Category 3 application, then you can appeal a decision made by the SCAP if you have made a valid representation

Such an appeal must be lodged at the Environment, Resources and Development Court fifteen (15) business days from the date of decision. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0300).

Representors do not have a right of appeal in relation to Category 2 development applications.

For more information

Contact the SCAP Secretariat on:

Telephone: 1800 752 664 (Select Option 4)

Direct: 7109 7061

E-mail: scapadmin@sa.gov.au

Postal: GPO Box 1815, Adelaide SA 5001

Street: Level 5, 50 Flinders Street, Adelaide SA 5000

Website: <https://www.saplanningcommission.sa.gov.au/scap>

DEVELOPMENT APPLICATION FORM

COUNCIL: City of Onkaparinga

APPLICANT: Mr Wayne Copley

Postal Address: 307 Giles Street

ADELAIDE SA 5000

OWNER: As Above

Postal Address:

BUILDER: TBA

Email Address:

Licence No:

CONTACT PERSON FOR FURTHER INFORMATION

Ben Green & Associates

Att: Mr Ben Green

PO Box 392

BRIGHTON SA 5048

0410 147 541

bengreen@bengreen.com.au

EXISTING USE: Rural Hobby Farm

FOR OFFICE USE

Development No:

Previous Development No:

Assessment No:

<input type="checkbox"/> Complying <input type="checkbox"/> Non complying <input type="checkbox"/> Notification Cat 2 <input type="checkbox"/> Notification Cat 3 <input type="checkbox"/> Referrals/Concurrences <input type="checkbox"/> DA Commission	Application forwarded to DA Commission/Council on: Decision: Type: Date:
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	Decision required	Fees	Receipt No	Date
Planning:	X			
Building:				
Land Division:				
Additional:				
Development Approval:				

DESCRIPTION OF PROPOSED DEVELOPMENT: SINGLE STOREY DETACHED DWELLING, OUTBUILDINGS, REFUGE BUILDING AND TOURIST ACCOMMODATION

LOCATION OF PROPOSED DEVELOPMENT:

House No: Section No: 591 Street: Longbottom Road Town/Suburb: Willunga South

Deposited Plan No: Hundred: Willunga Volume: 5598 Folio: 854

Section No (full/part): Hundred: Volume: Folio:

LAND DIVISION

Site Area (m²) Reserve Area (m²) No of existing allotments:

Number of additional allotments (excluding road and reserve): Lease YES NO

BUILDING RULES CLASSIFICATION SOUGHT: 1 Presentation classification:

If Class 5, 6, 7, 8 or 9 classification is sought, state the proposed number of employees: Male: Female:

If Class 9a classification is sought, state the number of persons for whom accommodation is provided:

If Class 9b classification is sought, state the proposed number of occupants of the various spaces at the premises:

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 1993 APPLY? NO

HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993 LEVY BEEN PAID: NO

DEVELOPMENT COST (do not include any fit - out costs): \$450,000

I acknowledge that copies of this application and supporting documentation may be provided to interested persons in accordance with the Development Regulations 1993

SIGNATURE:

Dated: 8 / 11 / 19

REAL PROPERTY ACT, 1986



South Australia

The Registrar-General certifies that this Title Register Search displays the records maintained in the Register Book and other notations at the time of searching.



Certificate of Title - Volume 5598 Folio 854

Parent Title(s) CT 3278/146
Creating Dealing(s) CONVERTED TITLE
Title Issued 24/11/1998 Edition 6 Edition Issued 29/07/2019

Estate Type

FEE SIMPLE

Registered Proprietor

WAYNE MARTIN COPLEY
KANYARAT COPLEY
OF 307 GILLES STREET ADELAIDE SA 5000
AS JOINT TENANTS

Description of Land

SECTION 591
HUNDRED OF WILLUNGA
IN THE AREA NAMED WILLUNGA SOUTH

Easements

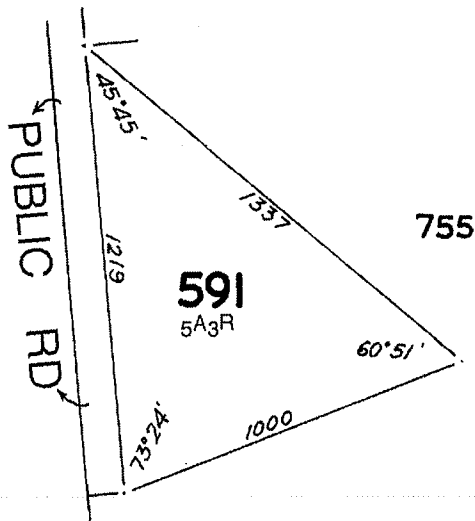
NIL

Schedule of Dealings

Dealing Number	Description
13144448	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA (ACN: 123 123 124)

Notations

Dealings Affecting Title	NIL
Priority Notices	NIL
Notations on Plan	NIL
Registrar-General's Notes	NIL
Administrative Interests	NIL



FOR METRIC CONVERSION	
1 LINK	= 0.201168 METRES
1 CHAIN	= 100 LINKS
1 ACRE	= 0.404686 HECTARES
1 ROOD	= 1011.7 m ²
1 PERCH	= 25.29 m ²

DEVELOPMENT REGULATIONS 1993

Form of Declaration
(Schedule 5 clause 2A)

To: City of Onkaparinga

From: Mr Wayne Copley

Ph: 0401 890 504

Date of Application: November 2019

Location of Proposed Development:

House No: Section No: 591 Street: Longbottom Road

Town/Suburb: Willunga South

Deposited Plan No (full/part): Hundred: WILLUNGA SOUTH

Volume: 5598 Folio: 854

Nature of Proposed Development: **SINGLE STOREY DETACHED DWELLING,
OUTBUILDINGS, REFUGE BUILDING AND TOURIST ACCOMMODATION**

I Wayne Copley being the applicant for the development described above declare that the proposed development will involve the construction of a building which would, if constructed in accordance with the plans submitted, not be contrary to the regulations prescribed for the purposes of section 86 of the *Electricity Act 1996*. I make this declaration under clause 2A(1) of Schedule 5 of the *Development Regulations 1993*.

Date:

8 NOV 2019

Signed:



Note 1

This declaration is only relevant to those development applications seeking authorisation for a form of development that involves the construction of a building (there is a definition of 'building' contained in section 4(1) of the *Development Act 1993*), other than where the development is limited to –

- a) an internal alteration of a building; or
- b) an alteration to the walls of a building but not so as to alter the shape of the building.

Note 2

The requirements of section 86 of the *Electricity Act 1996* do not apply in relation to:

- a) a fence that is less than 2.0 m in height; or

- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

Section 86 of the *Electricity Act 1996* refers to the erection of buildings in proximity to powerlines. The regulations under this Act prescribe minimum safe clearance distances that must be complied with.

Note 4

The majority of applications will not have any powerline issues, as normal residential setbacks often cause the building to comply with the prescribed powerline clearance distances. Buildings/renovations located far away from powerlines, for example towards the back of properties, will usually also comply.

Particular care needs to be taken where high voltage powerlines exist; where the development:

- is on a major road;
- commercial/industrial in nature; or
- built to the property boundary.

Note 5

Information brochures 'Powerline Clearance Declaration Guide' and 'Building Safely Near Powerlines' have been prepared by the Technical Regulator to assist applicants and other interested persons. Copies of these brochures are available from council and the Office of the Technical Regulator. The brochures and other relevant information can also be found at www.technicalregulator.sa.gov.au

Note 6

In cases where applicants have obtained a written approval from the Technical Regulator to build the development specified above in its current form within the prescribed clearance distances, the applicant is able to sign the form.

07 November 2019

State Commission Assessment Panel
Attn: Mr Ben Williams, *Planning Officer*
Level 5, 50 Flinders Street
ADELAIDE SA 5001

By email – scapadmin@sa.gov.au

Dear Ben

STATEMENT OF SUPPORT
NON-COMPLYING
SINGLE STOREY DETACHED DWELLING, OUTBUILDINGS, REFUGE
BUILDING & TOURIST ACCOMMODATION
ALLOTMENT 519 LONGBOTTOM ROAD, WILLUNGA SOUTH

1.0 INTRODUCTION

Ben Green & Associates has been requested by the applicant, Mr Wayne Copley to prepare a Statement of Support for the proposed development to assist in outlining the merits of the proposal in order for the State Commission Assessment Panel (SCAP) to progress assessment of the non-complying Development Application.

In undertaking an assessment of the application, I have both reviewed and assisted in the preparation of the proposed plans whilst reviewing the most pertinent provisions of the Onkaparinga Council Development Plan. I have also inspected the subject land and its locality and previously discussed the application with Council planning staff and the Country Fire Service regarding the merits of the proposed development.

I provide this Statement of Support, pursuant to Regulation 17(1) of the *Development Regulations 2008* that briefly outlines my opinions and views on the proposal to accompany a non-complying development application.

2.0 SUBJECT LAND & LOCALITY

The subject land is known as Section 591 that is contained in Certificate of Title Volume 5598 Folio 854 and is commonly known as 591 Longbottom Road, Willunga South.

The subject land contains a frontage of 245 metres to Longbottom Road, although in reality the public road stops at the north-western section of the subject land (driveway entrance) with the balance of the road reserve consisting of native vegetation and a section of the Willunga Creek.



The subject land is triangular in shape and has a total site area of approximately 2.43 hectares.

Located approximately 500 metres south-west of the township of Willunga, the subject land contains a number of storage buildings, toilet block, common area and internal gravel driveway. Mature vegetation is contained within the majority of the subject land with cleared areas around the existing built form and driveway areas.

The Willunga Creek traverses through the subject land running east to west, with the most established areas of vegetation found along the creek bed. The subject land slopes up and away from the creek on both sides with the north western boundary being some 20 metres higher than the creek line and the south-eastern boundary being some 40 metres.

The land is not currently utilised for any particular land use, other than the active rehabilitation and revegetation of the site. The current and previous land owners have spent in excess of 10 years and considerable resources to remove pest plant species and revegetate the land with locally indigenous plants. This has created an environment that feels well removed from urban areas and maximises its scenic qualities.

There are no encumbrances or land management agreements that apply over the subject land.

The locality is generally rural in nature with scattered dwellings located throughout the region and typically found on each allotment. Rural allotments in the locality are generally larger in size than the subject land, except for the row of allotments fronting onto St Johns Terrace and Bangor Road that are found within closer proximity to the Willunga township and function more as rural living sized allotments.

3.0 THE PROPOSAL

The proposed development involves the demolition of a number of the older storage buildings and construction of a single storey detached dwelling, 2 tourist accommodation units in the form of upmarket tents – or ‘glamping’, garage and a bushfire refuge container. The proposed dwelling, garage and tourist accommodation will be accessed via an existing internal driveway to Longbottom Road.

The single storey detached dwelling is to contain 3 bedrooms, dining/living room, kitchen, bathroom, laundry and outdoor deck.

The dwelling is proposed to be sited on an existing benched flatter portion of the subject land, some 130 metres from the Longbottom Road frontage and 14.5 metres from the eastern boundary. The siting of the dwelling is accessible from the existing gravel internal driveway with setbacks far greater than 25 metres from the Willunga Creek.

Adequate areas are provided to enable the proposed waste water disposal system (and associated irrigation area) to be located in the most environmentally sensitive location, all of which are to be sited greater than 50 metres from the Willunga Creek via a concurrent waste control application to be lodged by an environmental engineer.

Immediately to the north west of the proposed dwelling, a freestanding garage and carport is proposed. The 6.2 metre x 8.5 metre garage and 6.2 metre x 4.0 metre garage will provide undercover parking for 2 vehicles and general domestic storage area.

The dwelling will be connected to rainwater tanks for usage by future occupants with a dedicated 22,000 rainwater tank to be used solely for fire fighting purposes. A small fire tank pump room,



CFS booster (adjoining the proposed gravel hardstand area), bushfire refuge building and CFS vehicular turnaround are also proposed.

The 2 proposed 'glamping tents' are to be erected a distance of 25 metres and 40 metres from the Longbottom Road entrance with a separation of 12 metres between the two tents.

Each tent consists of a single large room containing a bed and couch, with a deck overlooking the valley, en-suite bathroom and small kitchen. Each tent is to accommodate a maximum of 2 people.

The accommodation will be staffed by the landowners and occupants of the proposed single storey detached dwelling proposed as part of this application.

The proposed tourist accommodation is targeting visitors to the McLaren Vale wine district and offering a distinctly different accommodation choice. It is anticipated that full occupancy for 75-85 nights per year and partial occupancy for 20-30 nights a year.

Three visitor car parks are to be provided for the proposed tourist accommodation and will be sited immediately adjoining the internal driveway with no additional access required to be constructed.

4.0 PLANNING ASSESSMENT

Pursuant to Schedule 10 (3) of the Development Regulations the State Commission Assessment Panel (SCAP) are the relevant authority –

3—Metropolitan Hills Face Zone

(1) Those classes of development to which this clause applies in those parts of the areas of the following councils defined in the relevant Development Plan as Hills Face Zone, or Metropolitan Open Space System (Hills Face) Zone:

(a) the Municipalities of Burnside, Campbelltown, Marion, Mitcham, Onkaparinga, Playford, Salisbury and Tea Tree Gully; and

(b) the Adelaide Hills Council.

(2) This clause applies to—

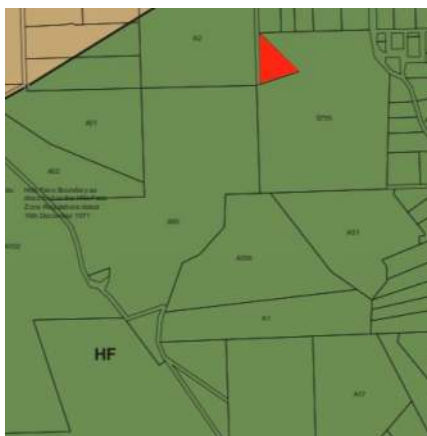
(a) the construction of a dwelling that is not a detached dwelling;

(c) the division of an allotment or allotments, other than where, in the case of division by deposit of a plan of division in the Lands Titles Registration Office, the number of allotments to result from the division is equal to or less than the number of existing allotments;

(d) the construction (but not alteration) of a tourism development (including tourist accommodation), entertainment complex, cinema, hospital, shop, office, motel, hotel, petrol filling station or building to be used for an industrial purpose.



The subject land is located within the Hills Face Zone as depicted on Maps Onka/107 of the Onkaparinga Council Development Plan as consolidated on 20 December 2018.



The subject land is also located within a High Bushfire Risk Area as depicted on the Onkaparinga Council Bushfire Protection Area Map Onka/16.

4.1 Nature and Form of Development

It is proposed to create a single storey detached dwelling and associated garaging along with tourist accommodation on the subject land.

The Procedural Matters section of the Hills Face Zone outlines various forms of development as non-complying apart from the listed exceptions. The zone does not list Tourist Accommodation as a non-complying form of development, whereas a dwelling is non-complying except where it achieves all of the following criteria:

- (a) it will not result in more than one dwelling on an allotment and:**
 - (i) no other dwelling exists on the allotment**
 - (ii) no valid development authorisation to erect a dwelling on that allotment exists**
 - (iii) no other development application has been made for a dwelling on that allotment and has yet to be determined.**
- (b) the scale and design is such that:**
 - (i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall is less than 3 metres, other than gable ends of the dwelling where the distance is less than 5 metres**
 - (ii) there is no floor level directly above another floor level, except where the upper floor level is located wholly at or below finished ground level**
 - (iii) the depth of excavation and/or height of filling of land is less than 1.5 metres**
 - (iv) access to a new dwelling is provided by a private vehicular access track that is less than 30 metres in length and which has a gradient of less than 16 degrees (1-in-3.5) at any point**
 - (v) it does not involve the clearance of native vegetation comprising trees and/or shrubs.**



Of particular interest is part (b)(iv) that speaks to private access tracks that are less than 30 metres in length. Although the access track to the proposed dwelling is existing, the provisions do not provide any flexibility between 'new' and 'existing' access tracks. As such, it is acknowledged that SCAP may consider the proposed development as a non-complying form of development.

I note that the *Development Act 1993* and *Development Regulations 2008* sets out an assessment process for non-complying kinds of development. Although non-complying developments are not generally considered appropriate in a particular zone, there are numerous circumstances where non-complying kinds of developments can be appropriate. Non-complying kinds of development can be approved but need to go through a more rigorous assessment process.

Despite being a 'non-complying' form of development for assessment purposes, in my view, the proposed development is acceptable when balanced against all the relevant provisions of the Development Plan, the overall intent of the Zone and the existing uses prevalent in the locality.

In my view, the proposal clearly displays sufficient merit in order to warrant a full and proper assessment through provision of a detailed Statement of Effect.

4.2 Development Plan Assessment

The Hills Face Zone seeks to ensure that the 'natural character' of the area is preserved, enhanced or established, and to provide a natural backdrop to the Adelaide Plains. The 'natural character' is defined as being the natural topography, native vegetation and natural colours of the landscape. Land uses considered appropriate in the Zone include low intensity agriculture, private use of open space, a detached single storey dwelling (and outbuildings) on individual allotments and small scale and unobtrusive tourist accommodation.

While it is acknowledged that development listed as non-complying is generally considered inappropriate, the Hills Face Zone anticipates single storey detached dwellings (subject to criteria) and small-scale tourism accommodation that are designed and sited to be compatible with the local environment to be of low scale and sited unobtrusively.

The proposed single storey detached dwelling, outbuildings and small-scale tourist accommodation are constructed of a low profile and contemporary design that seeks to achieve the relevant provisions of the Development Plan for dwellings and structures in the Hills Face Zone.

Disruption to the existing land contours has been minimised by choosing areas considered to be in the flattest sections on the subject land where the least cut and fill is required. As the driveway to the proposed dwelling and tourist accommodation exists, there is no impact caused by the need for constructing an all weather track and the dwelling is effectively replacing existing buildings.

Careful consideration has been given to designing the proposed development to be in accordance with the Ministers Code for Undertaking Development in Bushfire Protection Areas. A dedicated fire fighting rain water tank, pump room, CFS booster, refuge building and CFS vehicular turning area has been incorporated into the design. The CFS has been consulted during the drafting stage of this proposal to ensure that their requirements are suitably achieved as well as the environmental engineer to ensure the waste control system can meet relevant Development Plan and Environmental Health requirements.

It is also considered that the siting of the dwelling and tourist accommodation will not detract from the ability for adjoining allotments to the south, west and east to continue operating its primary production activities due to its substantial distance from the allotment boundaries or adjoining land use activities and will simply not be visible given the extent of vegetation on the property.

Furthermore, the proposal will not detract from the rural character within the locality as both the dwelling and tourist accommodation is substantially screened from the matured vegetation that is



found throughout the subject land. The nearest adjoining dwelling is sited approximately 200 metres to the north west and is elevated far higher than the subject land. Extensive areas of mature vegetation screen any views to the subject land.

The location of the subject land and its extensive areas of matured vegetation also ensure that there is minimal intrusion of the proposed development, particularly when viewed from Longbottom Road. The subject land is also not visible from the Adelaide Plains.

It is considered that the proposed development will not impact on the ability of the land to continue operating in its current manner. Consistent with the intent of the Hills Face Zone, the land is used for private open spaced activities – in the form of the ongoing revegetation and rehabilitation of the natural environment. This will continue to occur and will be an integral part of the attraction for visitors and stay at the location of pristine natural character.

The proposal is also considered to be in accordance with the Character Preservation District provisions as it protects the scenic and rural character and contributes to tourism within the region.

Wastewater disposal can be reasonably managed via a proposed on-site waste water management system. An expert wastewater management consultant has been engaged that has confirmed that the subject land and siting of the development can adequately cater for a system without any adverse impacts upon the adjoining waterway. The proposed system will be undertaken with consent of Council.

Pursuant to the relevant provisions of the *Development Regulations 2008* and Hills Face Zone, the proposed development is a Category 3 form of development. Although the proposal is listed as a non-complying kind of development and requires Category 3 form of notification, it is my view that the proposal is acceptable when balanced against all the relevant provisions of the Development Plan and the overall intent of the zone.



5.1 SOCIAL ECONOMIC AND ENVIRONMENTAL IMPACTS

There are considered to be no adverse affects of any consequence stemming from the proposal.

5.1.1 Social

- The proposal will not result in any detrimental effect on the living conditions of residents within the rural locality.
- The function and intensity of use on the land will not be significantly altered and the proposal will not detrimentally affect the amenity of the locality.
- As a non-complying development this application will be publicly advertised, which permits the opportunity for the local community to comment.

5.1.2 Economic

- Additional tourist accommodation within the region will assist in providing a suitable range and choice of accommodation types to increase the opportunities for visitors to stay overnight.
- The provision of additional accommodation will also assist in providing an economic benefit to local businesses due to the potential for increased retail and entertainment expenditure.

5.1.3 Environmental

- There are no environmental impacts associated with the proposal as there will be minimal vegetation removed and access to the site is provided along the existing driveway.
- Wastewater disposal can be reasonably managed via a proposed on-site waste water management system. An expert wastewater management consultant has been engaged that has confirmed that the subject land and siting of the development can adequately cater for a system without impacts upon the adjoining waterway. The proposed system will be undertaken with consent of Council.



6.0 CONCLUSION

After careful consideration of the proposed development in relation to the subject zoning and locality, it is our view that the application is not 'seriously at variance' with the provisions of the Development Plan.

On balance, the proposal represents an appropriate form of development in the context and intent of the Hills Face Zone along with the other relevant Objectives and Principles of Development Control within the Onkaparinga Council Development Plan.

The proposed dwelling will be sited in an area screened by existing natural vegetation and utilise existing road access. The balance of the land will continue to function as currently occurs and it is considered that this will not have a detrimental impact upon the natural rural character of the locality.

The proposed tourist accommodation is considered an appropriate form of development that is small scale and is designed and sited to be compatible with the natural rural character.

I am therefore of the opinion that the proposed development has sufficient merit to proceed and warrants further assessment pursuant to the *Development Act 1993*.

Should you require further information or clarification of any aspect of the information provided, please do not hesitate contacting me on 0410 147 541.

Yours faithfully

Ben Green & Associates

Ben Green, CPP MPIA

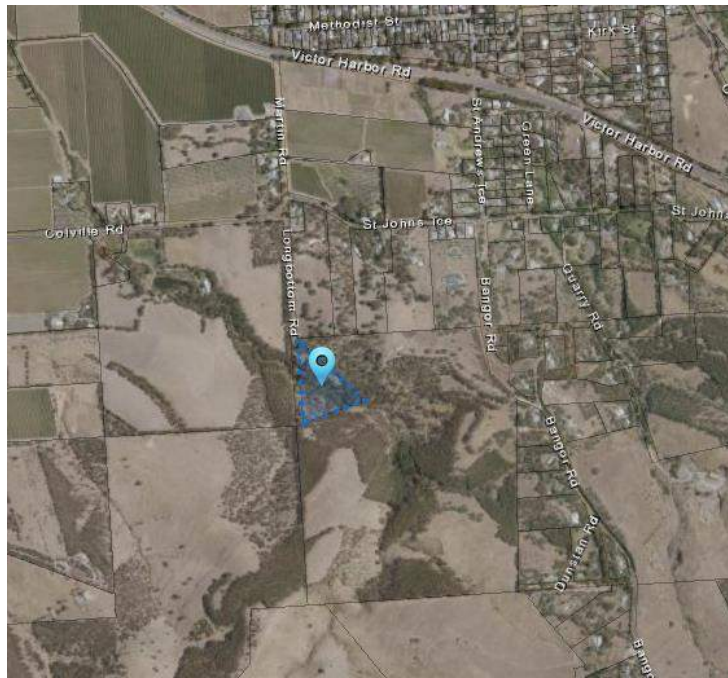
bengreen@bengreen.com.au

enc

cc Wayne Copley



LOCALITY PLAN – ALLOTMENT 519 LONGBOTTOM ROAD, WILLUNGA SOUTH



Source: SAPPA

SUBJECT LAND – ALLOTMENT 519 LONGBOTTOM ROAD, WILLUNGA SOUTH



Source: SAPPA

**DEMOLITION OF EXISTING BUILDINGS & CONSTRUCTION OF A
SINGLE STOREY DETACHED DWELLING, OUTBUILDINGS, A
REFUGE BUILDING, TOURIST ACCOMMODATION AND
RAINWATER TANKS**

DA 145/L038/19

**ALLOTMENT 519 LONGBOTTOM ROAD,
WILLINGA SOUTH**

PREPARED FOR –

MR WAYNE COPLEY

PREPARED BY –

BEN GREEN & ASSOCIATES

STATEMENT OF EFFECT

22 FEBRUARY 2020



1.0 INTRODUCTION

This report has been prepared in respect of the proposed demolition of existing buildings and construction of a single storey detached dwelling, outbuildings, a refuge building, tourist accommodation and rainwater tanks by Mr Wayne Copley, the applicant at Lot 519 Longbottom Road, Willunga South.

The land subject of this application is situated within the Hills Face Zone of the Onkaparinga Council Development Plan.

Within the subject Hills Face Zone, the use of an existing private vehicle access track associated with a dwelling where the track is greater than 30 metres in length is a non-complying form of development. As required in these matters, this report sets out the nature of the subject land and its locality, along with an assessment of the proposal against the relevant provisions of the Development Plan.

The social, economic and environmental consequences of the proposal are also considered in accordance with the requirements of a Statement of Effect, as prescribed under the *Development Regulations 2008*.

This Statement, which sets out the professional opinions and considerations of the writer, has been prepared in accordance with Section 39(2)(d) of the *Development Act 1993* and Regulation 17(5) of the *Development Regulations 2008*.

2.0 BACKGROUND

Pursuant to Regulation 17 of the *Development Regulations 2008*, the State Commission Assessment Panel (SCAP) confirmed via email dated 13 January 2020 that the proposal has sufficient merit to proceed to further assessment and public notification.

SCAP has not required any additional matters, other than that prescribed in Regulation 17(5) of the *Development Regulations 2008*, to be provided in this Statement.

3.0 SUBJECT LAND AND LOCALITY

The subject land is known as Section 591 that is contained in Certificate of Title Volume 5598 Folio 854 and is commonly known as 591 Longbottom Road, Willunga South.

The subject land contains a frontage of 245 metres to Longbottom Road, although in reality the public road stops at the north-western section of the subject land (driveway entrance) with the balance of the road reserve consisting of native vegetation and a section of the Willunga Creek.

The subject land is triangular in shape and has a total site area of approximately 2.43 hectares.

Located approximately 500 metres south-west of the township of Willunga, the subject land contains a number of storage buildings, toilet block, common area and internal gravel driveway. Mature vegetation is contained within the majority of the subject land with cleared areas around the existing built form and driveway areas.

The Willunga Creek traverses through the subject land running east to west, with the most established areas of vegetation found along the creek bed. The subject land slopes up and away from the creek on both sides with the north western boundary being some 20 metres higher than the creek line and the south-eastern boundary being some 40 metres.



Subject Land – Lot 519 Longbottom Road, Willunga South

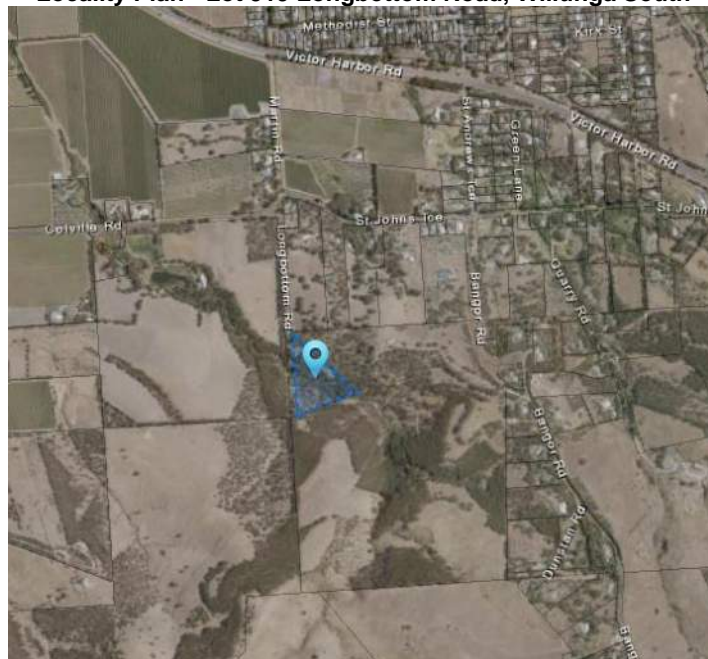


Source: SAPPA

The land is not currently utilised for any particular land use, other than the active rehabilitation and revegetation of the site. The current and previous land owners have spent in excess of 10 years and considerable resources to remove pest plant species and revegetate the land with locally indigenous plants. This has created an environment that feels well removed from urban areas and maximises its scenic qualities. There are no encumbrances or land management agreements that apply over the subject land.

The locality is generally rural in nature with scattered dwellings located throughout the region and typically found on each allotment. Rural allotments in the locality are general larger in size than the subject land, except for the row of allotments fronting onto St Johns Terrace and Bangor Road that are found within closer proximity to the Willunga township and function more as rural living sized allotments.

Locality Plan - Lot 519 Longbottom Road, Willunga South



Source: SAPPA



4.0 THE PROPOSAL

The proposed development involves the demolition of a number of the older storage buildings and construction of a single storey detached dwelling, 2 tourist accommodation units in the form of upmarket tents – or ‘glamping tents’, garage and a bushfire refuge container. The proposed dwelling, garage and tourist accommodation will be accessed via an existing internal driveway to Longbottom Road.

The single storey detached dwelling is to contain 3 bedrooms, dining/living room, kitchen, bathroom, laundry and outdoor deck.

The dwelling is proposed to be sited on an existing benched flatter portion of the subject land, some 130 metres from the Longbottom Road frontage and 14.5 metres from the eastern boundary. The site of the dwelling is accessible from the existing gravel internal driveway with setbacks far greater than 25 metres from the Willunga Creek.

Adequate areas are provided to enable the proposed waste water disposal system (and associated irrigation area) to be located in the most environmentally sensitive location, all of which are to be sited greater than 50 metres from the Willunga Creek via a concurrent waste control application to be lodged by an environmental engineer.

Immediately to the north west of the proposed dwelling, a freestanding garage and carport is proposed. The 6.2 metre x 8.68 metre garage and 6.2 metre x 4.0 metre garage will provide undercover parking for 2 vehicles and general domestic storage area.

The dwelling will be connected to rainwater tanks for usage by future occupants with a dedicated 22,000 rainwater tank to be used solely for firefighting purposes. A small fire tank pump room, CFS booster (adjoining the proposed gravel hardstand area), bushfire refuge building and CFS vehicular turnaround are also proposed.

The 2 proposed ‘glamping tents’ are to be erected a distance of 25 metres and 40 metres from the Longbottom Road entrance with a separation of 12 metres between the two tents.

Each tent consists of a single large room containing a bed and couch, with a deck overlooking the valley, en-suite bathroom and small kitchen. Each tent is to accommodate a maximum of 2 people.

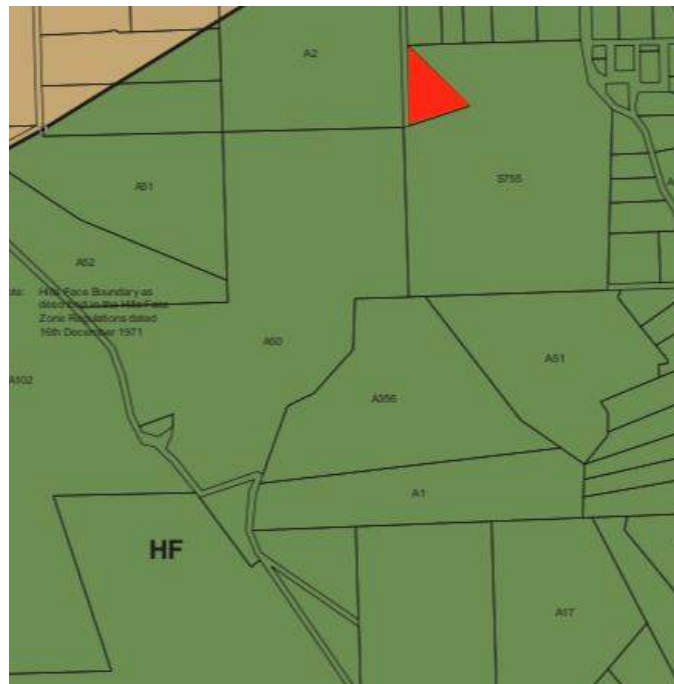
The accommodation will be staffed by the landowners and occupants of the proposed single storey detached dwelling proposed as part of this application.

The proposed tourist accommodation is targeting visitors to the McLaren Vale wine district and offering a distinctly different accommodation choice.

Three visitor car parks are to be provided for the proposed tourist accommodation and will be sited immediately adjoining the internal driveway with no additional access required to be constructed. One existing tree is to be removed to accommodate the car parks, however this is neither a regulated or significant tree.

5.0 PLANNING ASSESSMENT

The subject land is located within the Hills Face Zone as depicted on Map Onka/107 of the Onkaparinga Council Development Plan as consolidated on 20 December 2018.



The subject land is also located within a High Bushfire Risk Area as depicted on the Onkaparinga Council Bushfire Protection Area Map Onka/16 and the Character Preservation District as depicted on Map Onka/107.

5.1 Nature of development

It is proposed to create a single storey detached dwelling and associated garaging along with tourist accommodation on the subject land.

The Procedural Matters section of the Hills Face Zone outlines various forms of development as non-complying apart from the listed exceptions. The zone does not list Tourist Accommodation as a non-complying form of development, whereas a dwelling is non-complying except where it achieves all of the following criteria:

- (a) *it will not result in more than one dwelling on an allotment and:*
 - (i) *no other dwelling exists on the allotment*
 - (ii) *no valid development authorisation to erect a dwelling on that allotment exists*
 - (iii) *no other development application has been made for a dwelling on that allotment and has yet to be determined.*

- (b) *the scale and design is such that:*
 - (i) *the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall is less than 3 metres, other than gable ends of the dwelling where the distance is less than 5 metres*
 - (ii) *there is no floor level directly above another floor level, except where the upper floor level is located wholly at or below finished ground level*
 - (iii) *the depth of excavation and/or height of filling of land is less than 1.5 metres*
 - (iv) *access to a new dwelling is provided by a private vehicular access track that is less than 30 metres in length and which has a gradient of less than 16 degrees*



(1-in-3.5) at any point
 (v) it does not involve the clearance of native vegetation comprising trees and/or shrubs.

Of particular interest is part (b)(iv) that speaks to private access tracks that are less than 30 metres in length. Although the access track to the proposed dwelling is existing, the provisions do not provide any flexibility between 'new' and 'existing' access tracks. As such, SCAP has determined the proposal to be a non-complying form of development for assessment purposes.

I note that the *Development Act 1993* and *Development Regulations 2008* set out an assessment process for non-complying development applications. Although non-complying proposals are not generally considered appropriate in a particular zone, there are numerous circumstances where non-complying forms of developments can be appropriate. Non-complying forms of development can be approved but need to go through a more rigorous assessment process.

Despite being a 'non-complying' form of development for assessment purposes, in my view, the proposed development is acceptable when balanced against all the relevant provisions of the Development Plan, the overall intent of the Zone and the existing uses prevalent in the locality.

5.2 Development Plan Context

The following Development Plan provisions are considered to be the most relevant in the assessment of this proposal:

General Section	
<p><i>Design and Appearance</i></p> <p>Objectives: 1, 2 Principles: 1, 5, 6, 15, 16, 17, 21, 22, 23, 24</p>	<p><i>Energy Efficiency</i></p> <p>Objectives: 1 Principles: 1, 2, 3</p>
<p><i>Hazards</i></p> <p>Objectives: 1, 2, 4, 5, 6 Principles: 1, 2, 3, 5, 6, 7, 8, 9, 10, 11, 12, 13, 26, 28</p>	<p><i>Infrastructure</i></p> <p>Objectives: 1 Principle: 1, 2, 7, 10</p>
<p><i>Interface Between Land Uses</i></p> <p>Objectives: 1 Principles: 1, 2</p>	<p><i>Landscaping, Fences and Walls</i></p> <p>Objectives: 1, 2 Principles: 1, 2, 4</p>
<p><i>Natural Resources</i></p> <p>Objectives: 1, 5, 6, 8, 10, 13 Principles: 1, 2, 3, 5, 7, 10, 11, 14, 17, 18, 19, 22, 27, 30, 34, 37, 38, 39, 40</p>	<p><i>Orderly and Sustainable Development</i></p> <p>Objectives: 1, 3, 4 Principles: 1, 2, 3</p>
<p><i>Residential Development</i></p> <p>Objectives: 1, 2 Principles: 1, 6, 8, 9, 10, 11, 12, 15, 24</p>	<p><i>Siting and Visibility</i></p> <p>Objectives: 1 Principles: 1, 2, 3, 4, 5, 7, 8, 9</p>
<p><i>Sloping Land</i></p> <p>Objectives: 1 Principles: 1, 2, 3, 4, 5, 6, 7</p>	<p><i>Tourism Development</i></p> <p>Objectives: 1, 2, 3, 4, 5, 6, 7, 8 Principles: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 14</p>



<p><i>Transportation and Access</i></p> <p><i>Objectives:</i> 2 <i>Principles:</i> 4, 22, 23, 29, 32, 33, 34, 37, 41</p>	<p><i>Waste</i></p> <p><i>Objectives:</i> 2 <i>Principles:</i> 2, 3, 4, 10, 11, 13, 14</p>
<p><i>Character Preservation District Overlay</i></p> <p><i>Objectives:</i> 1, 2 <i>Principles:</i> 1</p>	
<p>Zone Section</p>	
<p><i>Hills Face Zone</i></p> <p><i>Objectives:</i> 1, 2, 3 <i>Principles:</i> 1, 2, 3, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 27, 28, 29</p>	

An assessment of the proposed development against the relevant provisions of the Development Plan has been undertaken and is summarised under the headings below.

5.2.1 Intent of the Zone

The Hills Face Zone seeks to ensure that the ‘natural character’ of the area is preserved, enhanced or established, and to provide a natural backdrop to the Adelaide Plains. The ‘natural character’ is defined as being the natural topography, native vegetation and natural colours of the landscape. Land uses considered appropriate in the Zone include low intensity agriculture, private use of open space, a detached single storey dwelling (and outbuildings) on individual allotments and small scale and unobtrusive tourist accommodation.

While it is acknowledged that development listed as non-complying is generally considered inappropriate, the Hills Face Zone anticipates single storey detached dwellings (subject to criteria) and small-scale tourism accommodation that are designed and sited to be compatible with the local environment, be of a low scale and sited unobtrusively. Furthermore, several Principles of Development Control along with the non-complying criteria prescribe a range of minimum standards to achieve for the construction of a dwelling.

This is reinforced by the Character Preservation District provisions that seek to protect the scenic and rural landscape character and contributes to tourism within this region.

The proposed single storey detached dwelling, outbuildings and small-scale tourist accommodation are constructed of a low profile and contemporary design that seeks to achieve consistency with Objectives 1, 2 and 3 and Principle of Development Control of the Hills Face Zone by retaining the natural character of the area, being directly related to the rural area and sited in an unobtrusive location. The majority of the subject land will continue to be utilised as a heavily landscaping area with native vegetation retained and enhanced.

Disruption to the existing land contours has been minimised by choosing areas considered to be in the flattest sections on the subject land where the least cut and fill is required. As the driveway to the proposed dwelling and tourist accommodation already exists, there is no impact caused by the need for constructing an all-weather track and the dwelling is effectively replacing existing buildings.

The siting of the proposed development has been carefully considered to ensure the least impact upon the rural landscape and adjoining land owners. In particular, the proposal is to be sited on one the flatter locations on the subject land that in not located near or on top of the allotment’s ridge line.



The proposal also provides generous setbacks from all allotment boundaries and is not highly visible from surrounding dwellings.

As it is envisaged that the proposed dwelling will involve some 'cut' into the slope of the terrain, the overall height of the structure, when viewed from adjoining areas will be reduced. While the depth of excavation and height of filling of the land is less than 1.5 metres, it is considered that this minimal cut/fill will further assist in minimising its visual impact.

The Hills Face Zone seeks the retention of native vegetation to assist in the preservation of its natural character and assist in the screening of development, both existing and proposed. The siting of the proposed dwelling, tourist accommodation and other structures will not result in the removal of any significant areas of existing vegetation. The majority of the area chosen for the development is devoid of vegetation (already contains structures) and will not result in any notable degradation of the landscape.

It is considered that the existing clusters of mature native vegetation along the Longbottom Road frontage will provide adequate screening for the proposed development, and minimise its potential to be viewed from passing traffic or adjoining land owners.

As such, it is the combination of the existing matured vegetation will, in my opinion, ensure that the proposed development will not have any impact upon the adjoining land owners or be visually intrusive, particularly when viewed from Longbottom Road.

As the proposed single storey detached dwelling, tourist accommodation and associated structures is located on a site used predominantly for rural purposes (conservation of existing natural landforms and vegetation); and the proposal is sited in an unobtrusive location and does not result in the loss of existing native vegetation, it is my opinion, that the proposal is consistent with the following provisions of the Hills Face Zone and other related provisions within the Development Plan:

- Hills Face Zone – Objectives 1, 2 and 3
 - Principles of Development Control 1, 3, 12, 14, 15, 16, 20, 21
- Design & Appearance – Objectives 1
 - Principles of Development Control 1
- Sloping Land – Objectives 1
 - Principles of Development Control 1, 2, 3, 7
- Tourist Development – Objectives 1, 2, 3, 4, 5, 7, 8
 - Principles of Development Control 1, 2, 3, 4, 5, 7, 8, 9, 10, 14, 17

5.2.2 Form of Development

The proposed single storey detached dwelling and tourist accommodation is orderly in so far that it is consistent with a number of Development Plan provisions as it provides an appropriate relationship with the surrounding land and existing buildings within the locality. The proposed does not require the removal of any extensive areas of native vegetation and utilises the existing access from Longbottom Road.

It is envisaged that the proposed development will not create any new impacts or conflict with primary production or rural activities in the immediate or extended locality as the location of the dwelling and tourist accommodation is clustered with existing buildings and utilises an existing all-weather rubble driveway.

It is also considered that the siting of the dwelling and tourist accommodation will not detract from the ability for adjoining allotments to the south, west and east to continue operating its primary



production activities due to its substantial distance from the allotment boundaries or adjoining land use activities and will simply not be visible given the extent of native vegetation on the property.

The nearest adjoining dwelling is sited approximately 200 metres to the north-west and is elevated far higher than the subject land. Extensive areas of mature vegetation screen any views to the subject land.

The location of the subject land and its extensive areas of matured vegetation also ensure that there is minimal intrusion of the proposed development, particularly when viewed from Longbottom Road. The subject land is also not visible from the Adelaide Plains.

It is considered that the proposed development will not impact on the ability of the land to continue operating in its current manner. Consistent with the intent of the Hills Face Zone, the land is used for private open spaced activities – in the form of the ongoing revegetation and rehabilitation of the natural environment. This will continue to occur and will be an integral part of the attraction for visitors and stay at the location of pristine natural character.

The proposal is also considered to be in accordance with the Character Preservation District provisions as it protects the scenic and rural landscape character and contributes to tourism within this region.

5.2.3 Appearance of Land and Buildings

The proposed single storey detached dwelling has been designed to incorporate scale, height, colours, materials and finishes of a high architectural standard that will complement existing built form within this rural environment and satisfy the various design criteria of the Development Plan.

It is proposed that the materials to be used for the dwelling will be as follows:

Walls	Colorbond True Oak – Eco Corro wall cladding – Galvanised Cemintel Commercial ExpressPanel wall cladding – painted finish
Roof	Colorbond True Oak – Eco Corro roofing – ‘Surfmist’ colour

The profile of the proposed dwelling, including its minimal 2.7 metre floor to ceiling wall height and 10-degree roof slope, assist in minimising its visual impact. Combined with its siting well below the ridgelines on the allotment, assists in reducing the mass and scale of the dwelling and ensuring consistency with the intent of Principle of Development Control 15 of the Hills Face Zone and various Siting and Visibility general provisions.

The extent of cut and fill is less than the encouraged maximum 1.5 metres as prescribed by Principle of Development Control 3 of the Hills Face Zone and this seeks to assist in reducing the visual impact of the building. The cut and fill associated with the development also satisfies Objective 2 and Principle of Development Control 12, 14 and 15.

The dwelling will not be constructed of highly reflective materials or bright and colourful inappropriate colours but complementary colours and materials to other built form within the locality. Specific attention has been given to the articulation and fenestration on all elevations of the dwelling to avoid long blank/bland walls. The inclusion of low profile roof has added to the overall aesthetic of dwelling that is, in my view, in-keeping with the intent of the Development Plan. The dwelling will not be visible from public land with existing vegetation used to screen and soften its overall appearance.

The proposed garage and carport that adjoins the dwelling will be sited in a location where an existing large rainwater tank is found. The area is already cleared of vegetation and contains part of the compacted area that forms part of the existing driveway. Using similar materials and colours to the proposed dwelling, both the garage and carport will complement the overall design theme. The roof



area of both the garage and carport will contain solar panel arrays to provide renewable energy to the occupants of the dwelling.

The proposed tourist accommodation will consist of two, fixed tents that consist of a single room containing a bed and couch, ensuite bathroom, small kitchenette and deck overlooking the valley. The overall design of these accommodation units is consistent with large tents, other than being slightly elevated off the natural ground level. Separated approximately 12 metres from each other, both are orientated towards the adjoining gully to maximise views over the natural setting.

A small walkway is to be constructed that joins both tents to three proposed car parks to the east. These car parks will be constructed in an area directly adjoining the existing all-weather gravel car park and will result in the removal of one existing mature tree – this however is neither listed as a regulated or significant tree.

The scale and massing of the proposed tourist accommodation is in my opinion, sensitively designed to complement the surrounding natural setting. Each accommodation unit are minimal in height and overall size and constructed on materials that are suitable for the rural setting. It is considered that this is an appropriate form of development within this locality and has been designed to best embrace its natural setting and offer a distinctly different accommodation choice that is limited in the region.

The varying ancillary structures proposed as part of this proposed are primarily focussed towards bushfire prevention and refuge. A key building of consideration is the proposed refuse building that is to be sited directly adjoining the existing common area building and painted in a matte black finish. The low scale of the building and existing vegetation that surrounds the area will ensure that its visual impact is reduced.

It is acknowledged that any built form on the land could change the current rural aesthetics given the land is currently vacant of any established land use. However, the siting of the proposed structures is such that the existing matured landscaping established throughout the site will ensure that any built form is highly screened with the existing levels of amenity enjoyed by those on adjoining allotments or the wider locality will be maintained.

It is my opinion, that the proposal is consistent with the following provisions of the Hills Face Zone and other related provisions within the Development Plan:

- Hills Face Zone – Objectives 1, 2 and 3
 - Principles of Development Control 1, 3, 12, 14, 15, 20, 21
- Design & Appearance – Objective 1
 - Principle of Development Control 1
- Siting and Visibility – Objective 1
 - Principles of Development Control 1, 2, 3, 4, 5, 8, 9
- Sloping Land – Objective 1
 - Principles of Development Control 1, 2, 3, 7
- Tourist Development – Objectives 1, 3, 5, 7
 - Principles of Development Control 1, 2, 3, 4, 7, 8, 9, 10, 14, 17

5.2.4 Access and Traffic

As previously indicated, the all-weather gravel driveway and access onto Longbottom Road already exists on the subject land.



It is however proposed to make a number of small alterations to increase on-site car parking and improve the internal configuration and accommodate the necessary Country Fire Service (CFS) requirements. The key area of change incorporates the construction of three car parks immediately adjoining the proposed tourist accommodation and existing driveway. This will be undertaken in accordance with the necessary Australia Standards and satisfies the car parking requirement specified by Principle of Development Control 8 of the Tourism Development general provisions.

In addition, a 7m x 3m gravel hardstand area is proposed along with a CFS vehicle turnabout area closer towards the proposed carport and garage. This vehicle turning area will enable CFS vehicles to adequately manoeuvre within the site and exit in a forward motion.

The subject land provides sufficient off-street car parking for both the proposed dwelling and tourist accommodation along with suitable area for vehicles to manoeuvre within the site to ensure vehicles enter and exit the site in a forward direction.

The proposed development will result in minimal increase in traffic visiting the site or locality and, in my opinion, will not interfere with the free flow of traffic on the existing road network.

It is my opinion, that the proposal is consistent with the following provisions of the Hills Face Zone and other related provisions within the Development Plan:

Hills Face Zone – Principles of Development Control 12, 17, 27

Siting and Visibility – Objective 1
– Principle of Development Control 8

Sloping Land – Objective 1
– Principles of Development Control 1, 2, 3

Tourist Development – Principle of Development Control 8

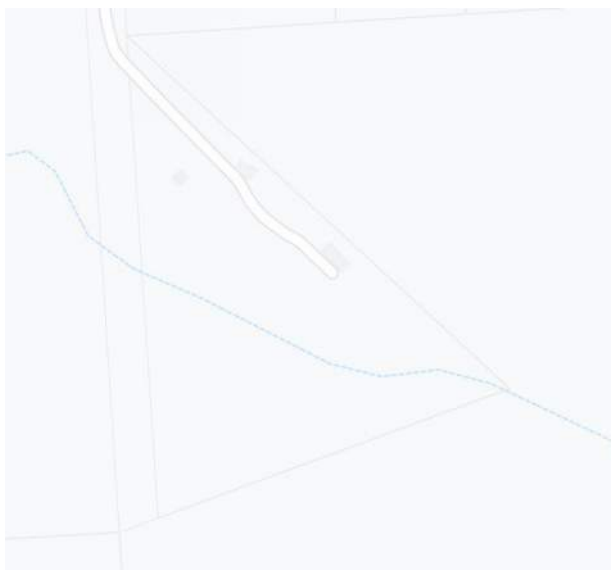
Transportation and Access – Objective 2
– Principles of Development Control 4, 22, 23, 29, 33, 34, 40

5.2.5 Infrastructure and adjoining watercourse

The Development Plan provisions relating to infrastructure are directed at ensuring adequate water, stormwater, power and waste management services are provided in a timely fashion for all development where such services are reasonably demanded and to ensure those demands can be met in an orderly and cost effective manner.

All infrastructure associated with the proposed development can be provided by the applicant with minimal cost.

The site is serviced by an existing electrical connection with waste water to be managed via an on-site treatment system. An expert wastewater management consultant has been engaged that has confirmed that the subject land and siting of the development can adequately cater for a system without any adverse impacts upon the adjoining Willunga Creek.



Willunga Creek. Source: Google maps

The irrigation area is to be located on suitable soil and located close to the proposed dwelling. The applicants will seek approval from Council's Environmental Health Officers to ensure that the proposed system meets the relevant health standards and satisfies a minimum 50 metres from the watercourse.

Rainwater falling on the proposed structures will be harvested and stored in rainwater tanks for use by the occupants of the dwelling. Any overflow from the proposed rainwater tanks will be directed away from the adjoining watercourse.

As such, it is considered that appropriate infrastructure is either provided or can be provided to cater for the proposed development and it will not detrimentally affect the amenity in respect to stormwater or wastewater disposal.

5.2.6 Conservation/Hazards/Bushfire Protection

The Hills Face Zone and other related provisions within the Development Plan while encouraging economic development seek to ensure the enhancement of the existing rural character that incorporates the protection of native vegetation, water resources and not be susceptible to natural disasters.

The proposal does not involve the removal of any significant areas of vegetation, native or otherwise, but rather seeks to retain and improve the existing vegetation on the site. The land and the proposed site of the development is also not subject to flooding or landslip.

The subject land is located within an area of High Bushfire Risk. Careful consideration has been given to designing the proposed development to ensure the requirements of the Ministers Code for Undertaking Development in Bushfire Protection Areas are satisfied. A dedicated firefighting rain water tank (22,000 litre), fire tank pump room, CFS booster, refuge building and CFS vehicular turning area has been incorporated into the design. The CFS has been consulted during the drafting stage of this proposal to ensure that their requirements are suitable achieved.

Since the initial discussions with the CFS, the applicant has increased the size of the refuge building to ensure that it can suitably cater for occupants of both the tourist accommodation and dwelling in the event of a fire. This provides additional protection above and beyond the minimum requirements specified by the CFS.



The applicants recognise that there is an expectation that a Bushfire Survival Plan is prepared for future visitors. The Plan will provide clear directions to visitors what they will need to undertake to protect lives during a bushfire event.

In addition to the above, the access to the site and ability to vacate the site in an orderly manner in the event of a bushfire is such that the proposal is considered acceptable in an area of High Bushfire Risk.

6.0 SOCIAL, ECONOMIC AND ENVIRONMENTAL IMPACTS

There are considered to be no adverse impacts of any consequence stemming from the proposal.

6.1 Social

- The proposal will not result in any detrimental effect on the living conditions of residents within the rural locality.
- The function and intensity of use on the land will not be significantly altered and the proposal will not detrimentally affect the amenity of the locality.
- As a non-complying development this application will be publicly advertised, which permits the opportunity for the local community to comment.

6.2 Economic

- Additional tourist accommodation within the region will assist in providing a suitable range and choice of accommodation types to increase the opportunities for visitors to stay overnight.
- There are no extra public services or connection points required with the proposal. As such, all costs associated with the proposal will be borne by the applicant, with no addition cost to the community.
- The provision of additional accommodation will also assist in providing an economic benefit to local businesses due to the potential for increased retail and entertainment expenditure.

6.3 Environmental

- There are no environmental impacts associated with the proposal as there will be minimal vegetation removed and access to the site is provided along the existing driveway.
- Wastewater disposal can be reasonably managed via a proposed on-site waste water management system. An expert wastewater management consultant has been engaged that has confirmed that the subject land and siting of the development can adequately cater for a system without impacts upon the adjoining waterway. The proposed system will be undertaken with consent of Council.



7.0 CONCLUSION

It is my opinion that the proposed single storey detached dwelling, tourist accommodation and refuge building represents an appropriate form of development in the context and intent of the Hills Face Zone, along with other relevant objectives and principles of development control within the Onkaparinga Council Development Plan.

While the Hills Face Zone clearly anticipates single storey detached dwellings that are designed and sited to be compatible with the local environment, this proposal is only deemed to be non-complying on the basis that it fails to satisfy the maximum length of the driveway. This in itself is not sufficient to rule out the development proposal as it has been designed and sited in a manner which complements and enhances the rural character and nature of the locality. The proposed dwelling, tourist accommodation and associated structures will be sited in areas that is to be cut into the slope of the land (dwelling only), screened by existing natural vegetation, and utilise existing infrastructure and road access. The balance of the land will continue to function for active rehabilitation and revegetation purposes and it is considered that this will not have a detrimental impact upon the rural character of the locality.

It is my opinion that the proposal is a logical and orderly development that generally satisfies the intent of the Development Plan. For the above reasons, I conclude:

- the proposal is an orderly and economic form of development;
- the proposal is well screened from Longbottom Road and adjoining dwellings;
- the proposal is in accordance with various principles that ensures the retention of the rural character, amenity, landscape and scenic quality of the locality;
- the proposal is in accordance with the Character Preservation District provisions as it maintains the rural landscape and character and contributes to tourism in the region;
- the proposal does not require the removal of extensive areas of native vegetation; and
- the proposal does not threaten the attainment of the objectives and principles of the Hills Face Zone and does not prejudice the rural character of the locality.

As such, the proposal suitably accords with, and is not seriously at variance with, the overall intent of the Onkaparinga Council Development Plan, and therefore this application merits, in my view, Development Plan Consent pursuant to Section 33 (1)(a) of the *Development Act 1993*.

Should you wish to discuss any matters herein, please do not hesitate contacting me on 0410 147 541.

Yours faithfully

Ben Green & Associates

Ben Green, CPP MPiA
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cc: *Wayne Copley*

New Dwelling & Glamping Accomodation W & M Copley

591, Longbottom Road, Willunga South

REF	DRAWING TITLE	CURRENT REVISION
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REV ID	DESCRIPTION	DATE	APPROVED
01	Conceptual Design Issue	25/07/2019	BL
02	Conceptual Design Revision	13/10/2019	BL
03	Development Application	6/11/2019	BL
04	New Ensuite & Change Location Glamping Tents	3/12/2019	BL

DEVELOPMENT APPLICATION
COVER SHEET

SHEET:

A01

REVISION NO.

04



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accomodation

Location:
591, Longbottom Road, Willunga South

Client:
W & M Copley



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Tel: 0400 539 993

Looka Pty Ltd
ABN 42 401 253 407
Address: P.O. Box 642, McLaren Vale, SA 5171

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The Builder shall check all dimensions and levels on site prior to construction.
Notify any errors, discrepancies or omissions to the designer.
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DEMOLITION & WORKS PROCEDURES:

- Notify neighbours 48 hours prior to commencement of work.
- Check to ensure that all services have been disconnected, including capping off sewer.
- Dilapidation report to footpaths, kerbing and crossovers including roads to be completed prior to work commencing.
- All temporary fencing, barriers mesh and warning signs to be in place.
- Sanitary facility will be provided on site throughout the progress of work.
- Removal of all asbestos products, prior to general demolition work commencing. Any contaminates found shall be reported immediately to supervisor who will report it to relevant authority.
- Remove roof structure, flooring and windows manually. Every effort shall be made to place materials in such a manner as to enable the recycling of all materials: i.e.. Timber, iron, bricks and green waste.
- Ensure water is continually sprayed to avoid dust disturbance.
- Plant is to be floated on site through driveway crossover. All vehicles are to use one road in and out to avoid damage to neighbouring footpaths. Always leave concrete driveway to the end of job to allow for truck access to and from site ensuring that they have a hard surface available and easy to maintain clean wheels and therefore minimise any spoiling of local roads. All footpaths, crossovers and driveways are to be kept in a safe and useable condition at all times to ensure public safety.
- Workers are to ensure that adjoining residents and their properties are not hindered during the demolition procedure. All effort shall be taken to ensure that they are protected in an adequate and satisfactory manner. Any communications with neighbours shall be done in a polite and non-offensive manner.
- All consideration will be taken not to impede the public access to local roads. If a temporary road closure is necessary, a permit will be obtained from the local government authority.
- Protection of significant trees shall be implemented before commencement of work where necessary barrier mesh shall be placed around perimeter of the trunk protecting root system from damage. Where trees or shrubs are to be removed the grubbing out of all roots must be done including the backfilling and compaction of holes.
- All materials demolished on site shall be transported to a salvage yard for reusable materials; a recycling depot for recycling of waste e.g.. Green waste and timber, concrete waste and brick. Minimum of waste is to go to landfill, where only absolutely necessary, otherwise we strive to achieve zero waste.
- Waste material will not be buried, under any circumstances, on site. All sites will be left clean, neat and tidy condition with no holes or obstructions protruding. All sites shall be lightly combed and tracked to provide an even smooth and safe surface.
- Contractors to have a copy of the "Handbook for pollution Avoidance on Building Sites" published by the EPA as a guide to effective site management and control of waste.

**DEMOLITION PLAN
1:1000**

REV ID	DESCRIPTION	DATE	APPROVED
01	Council RFI Demo plan	13/12/2019	

**DEVELOPMENT APPLICATION
DEMOLITION PLAN**

SHEET:

A02

REVISION NO.

01



PROJECT NO.

J000129

Client:
W & M Copley

Project:
New Dwelling & Glamping Accommodation

Location:
591, Longbottom Road, Willunga South

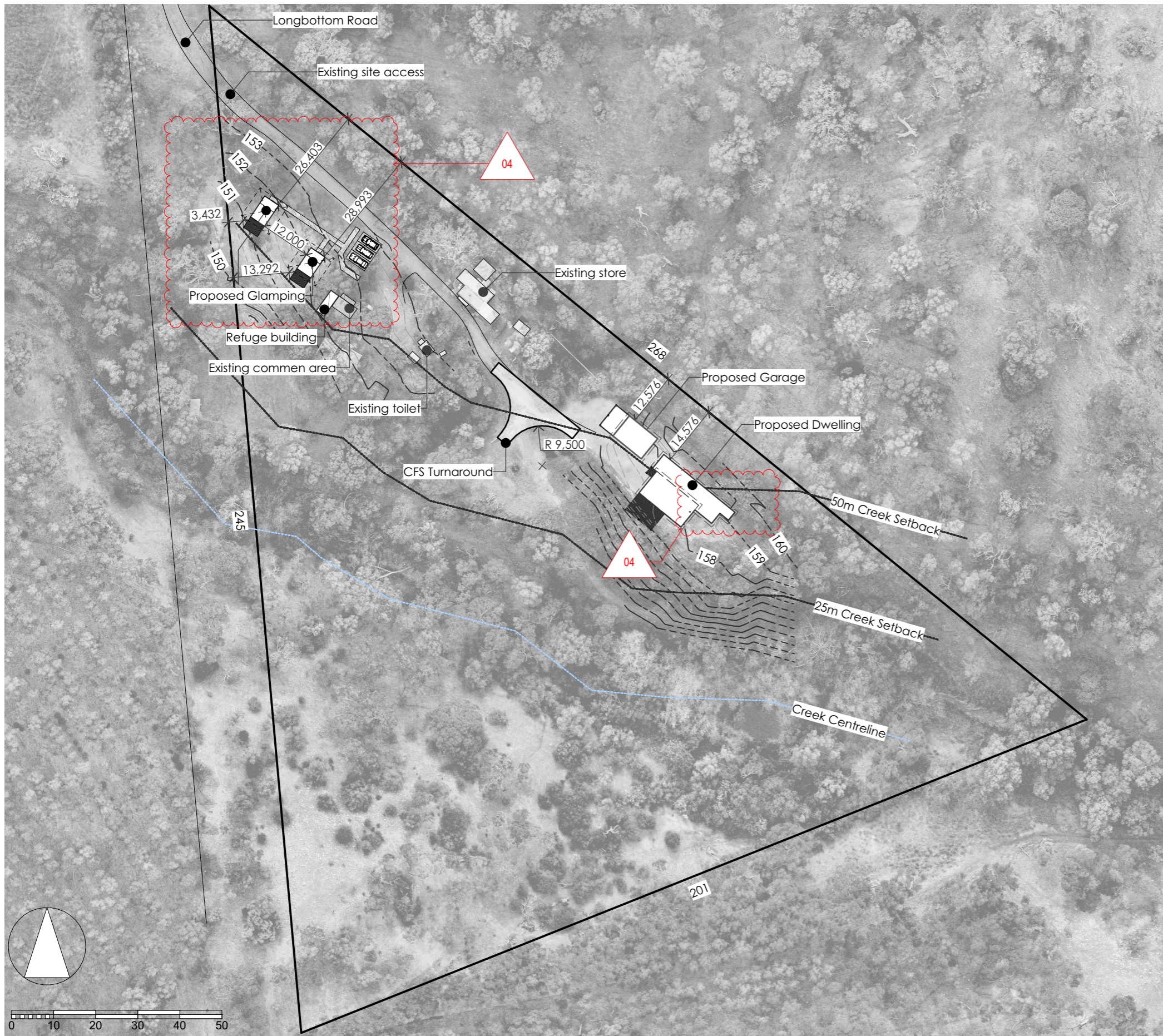


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Area Schedule	
Area	Total
Carport	25
Deck	39
Garage	54
New Dwelling	180
	298 m²

**SITE PLAN
1:1000**

REV ID	DESCRIPTION	DATE	APPROVED
01	Conceptual Design Issue	25/07/2019	
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**DEVELOPMENT APPLICATION
SITE PLAN**

SHEET:

A03

REVISION NO.

04

PROJECT NO.

J000129

Client:
W & M Copley

Project:
New Dwelling & Glamping Accomodation

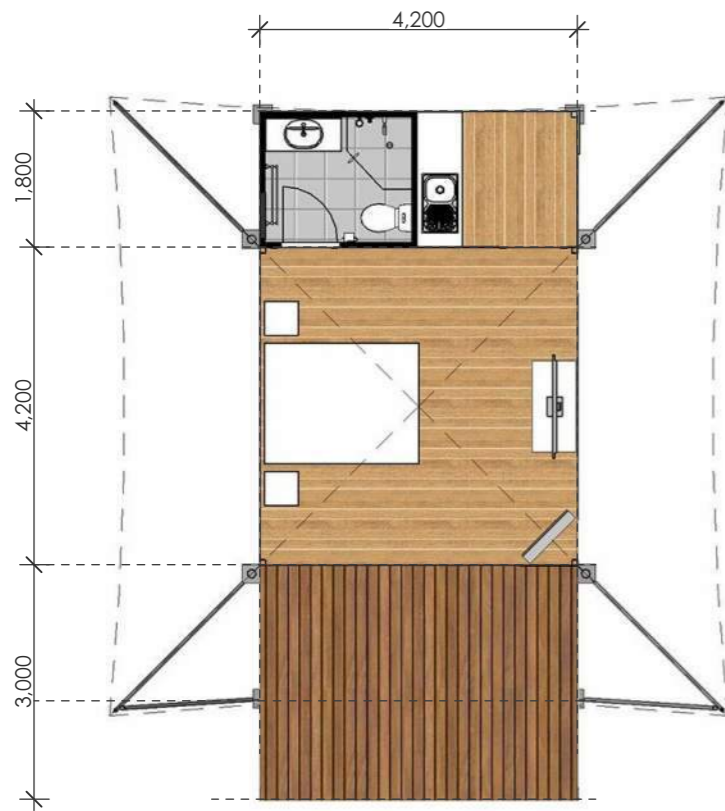
Location:
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3D VIEW



3D VIEW

**TENT PLAN
1:100**

REV ID	DESCRIPTION	DATE	APPROVED
01	Development Application	6/11/2019	
02	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
GLAMPING TENTS

SHEET:

A04

REVISION NO.

02



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accommodation

Location:
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Client:
W & M Copley



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PART SITE | GLAMPING
1:250

REV ID	DESCRIPTION	DATE	APPROVED
01	Development Application	6/11/2019	
02	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
PART SITE | GLAMPING

SHEET:

A05

REVISION NO.

02



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accommodation

Location:
591, Longbottom Road, Willunga South

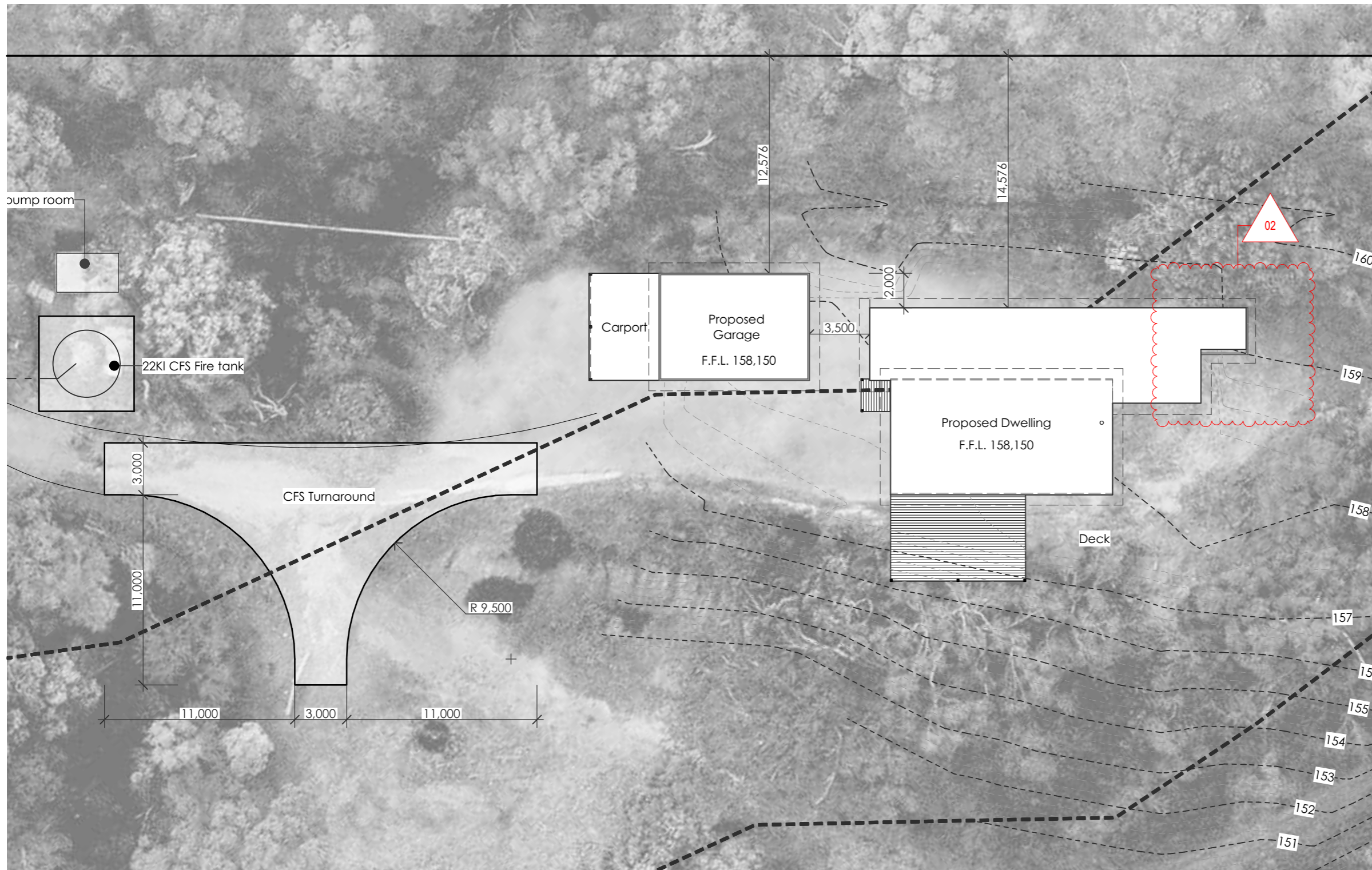
Client:
W & M Copley



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PART SITE DWELLING
1:250

REV ID	DESCRIPTION	DATE	APPROVED
01	Development Application	6/11/2019	
02	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
PART SITE | HOUSE

SHEET:

A06

REVISION NO.

02



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accomodation

Location:
591, Longbottom Road, Willunga South

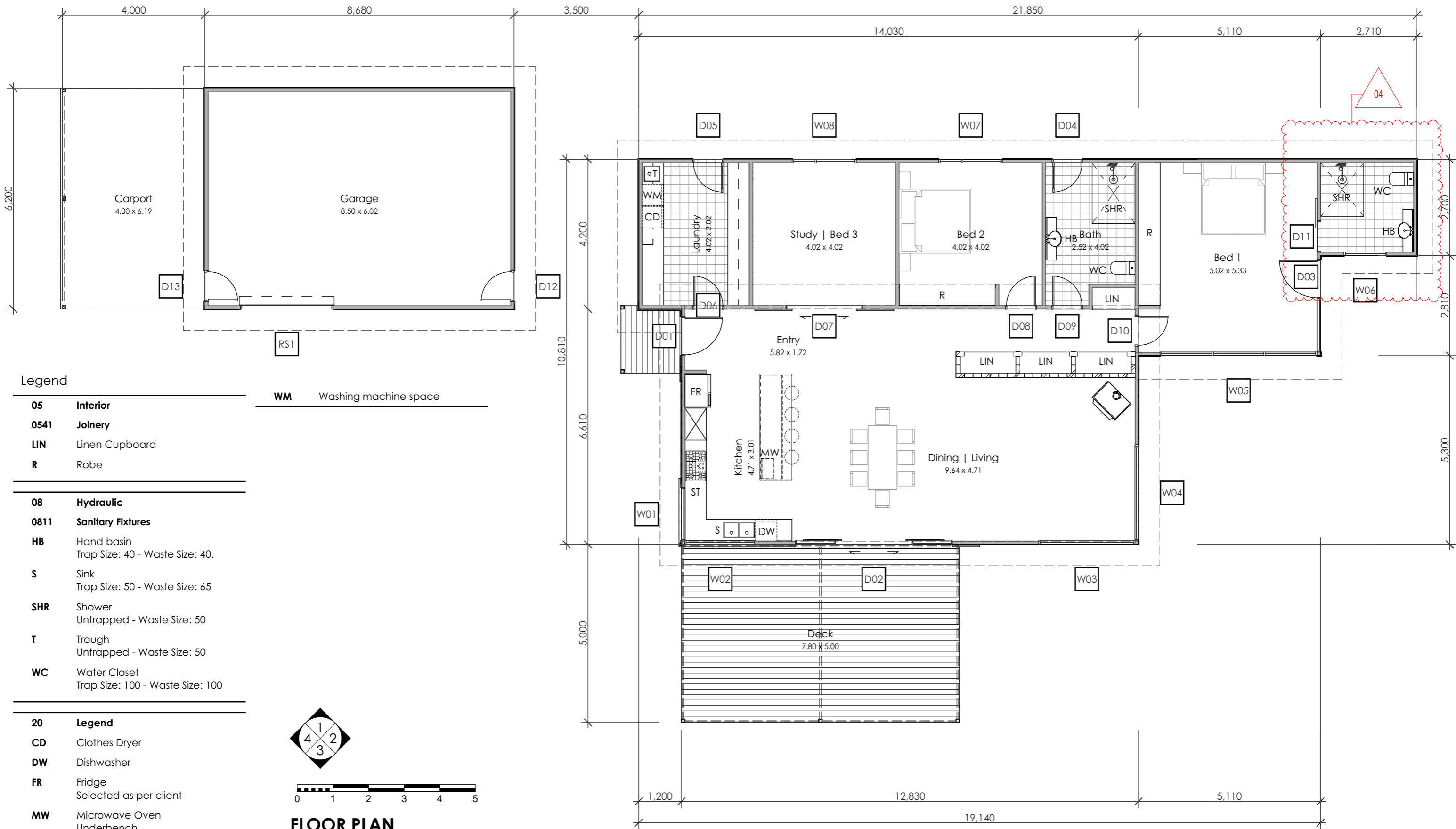
Client:
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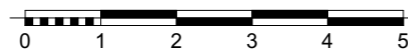


Legend

- 05 Interior**
- 0541 Joinery**
- LIN** Linen Cupboard
- R** Robe

- 08 Hydraulic**
- 0811 Sanitary Fixtures**
- HB** Hand basin
Trap Size: 40 - Waste Size: 40.
- S** Sink
Trap Size: 50 - Waste Size: 65
- SHR** Shower
Untrapped - Waste Size: 50
- T** Trough
Untrapped - Waste Size: 50
- WC** Water Closet
Trap Size: 100 - Waste Size: 100

WM Washing machine space



**FLOOR PLAN
1:100**

- 20 Legend**
- CD** Clothes Dryer
- DW** Dishwasher
- FR** Fridge
Selected as per client
- MW** Microwave Oven
Underbench
- ST** Stove
Selected as per client

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**DEVELOPMENT APPLICATION
FLOOR PLAN**

SHEET:

A07

REVISION NO.

04



PROJECT NO.

J000129

Client:
W & M Copley

Project:
New Dwelling & Glamping Accommodation

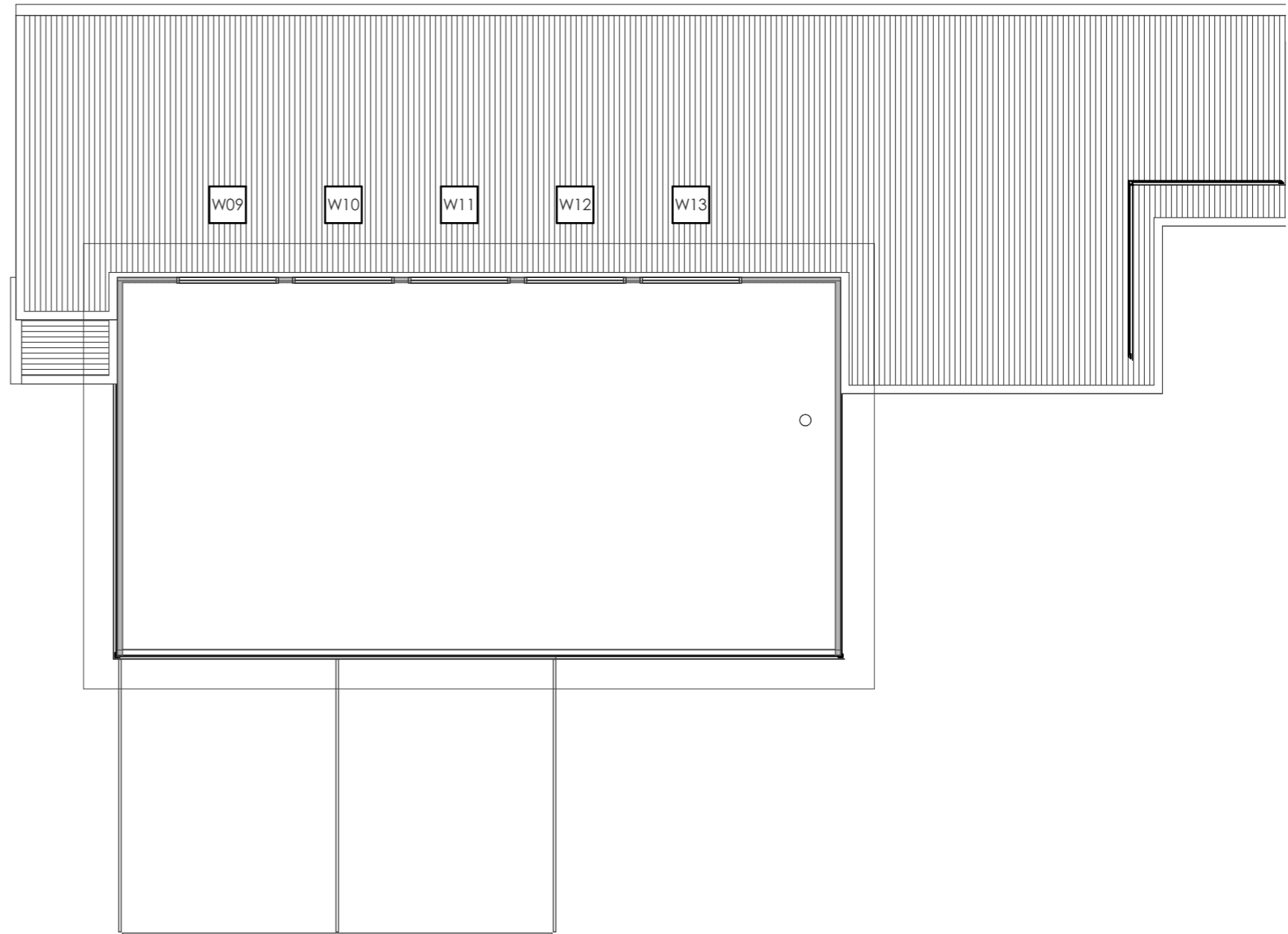
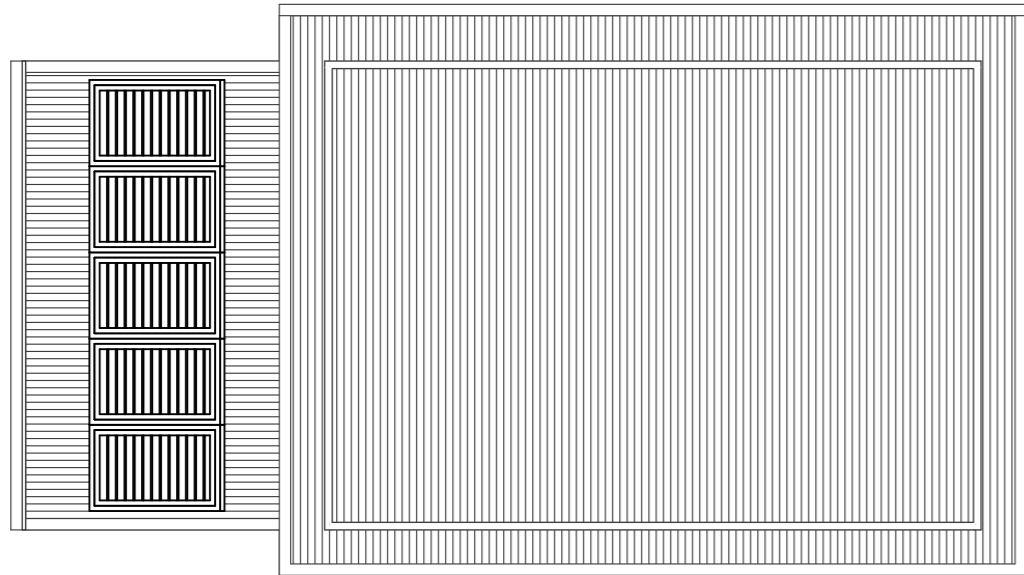
Location:
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CLERE STOREY
1:100

REV ID	DESCRIPTION	DATE	APPROVED
01	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
CLERE STOREY

SHEET:

A08

REVISION NO.

01



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accomodation

Location:
591, Longbottom Road, Willunga South

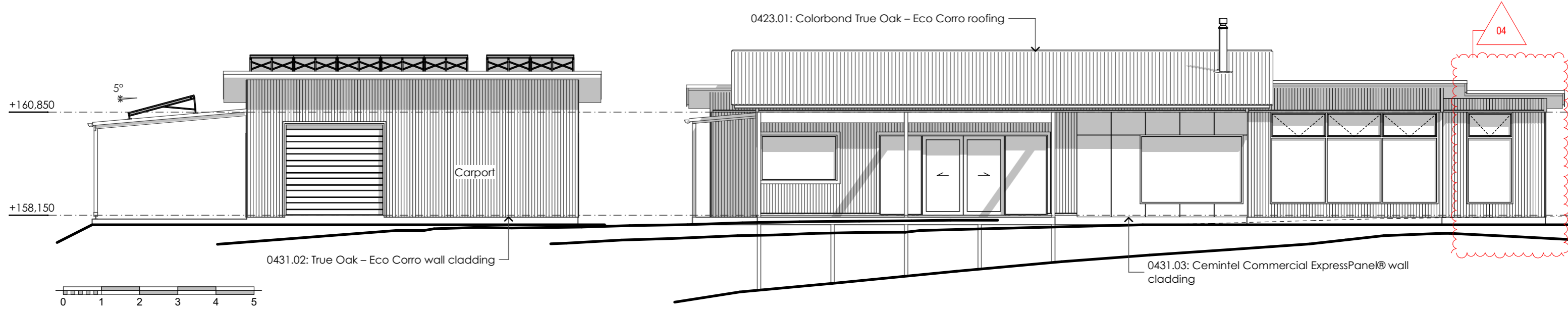
Client:
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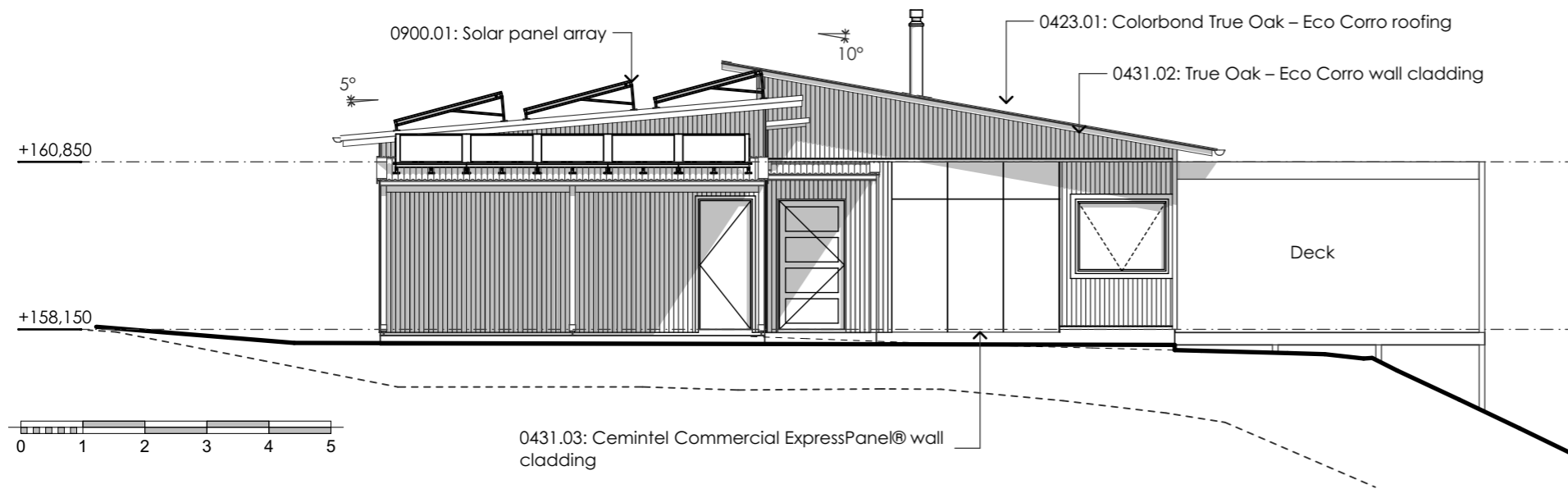
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ELEVATION 01
1:100

Legend

- | | |
|----------------|--|
| 04 | Enclosure |
| 0423 | Roofing |
| 0423.01 | Colorbond True Oak - Eco Corro roofing
Finish: Surfmist Revolution Roofing. On Sarking. Designed and certified by manufacturer to allow for necessary spans as indicated. Match existing color and profile. |
| 0431 | Cladding |
| 0431.02 | True Oak - Eco Corro wall cladding
Finish: Galvanized |
| 0431.03 | Cemintel Commercial ExpressPanel® wall cladding
Finish: Painted |
| 09 | Electrical |
| 0900.01 | Solar panel array |



ELEVATION 02
1:100

REV ID	DESCRIPTION	DATE	APPROVED
01	Conceptual Design Issue	25/07/2019	BL
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03	Development Application	6/11/2019	BL
04	New Ensuite & Change Location Glamping Tents	3/12/2019	BL

DEVELOPMENT APPLICATION
ELEVATIONS

SHEET:

A09

REVISION NO.

04



PROJECT NO.

J000129

Client:
W & M Copley

Project:
New Dwelling & Glamping Accommodation

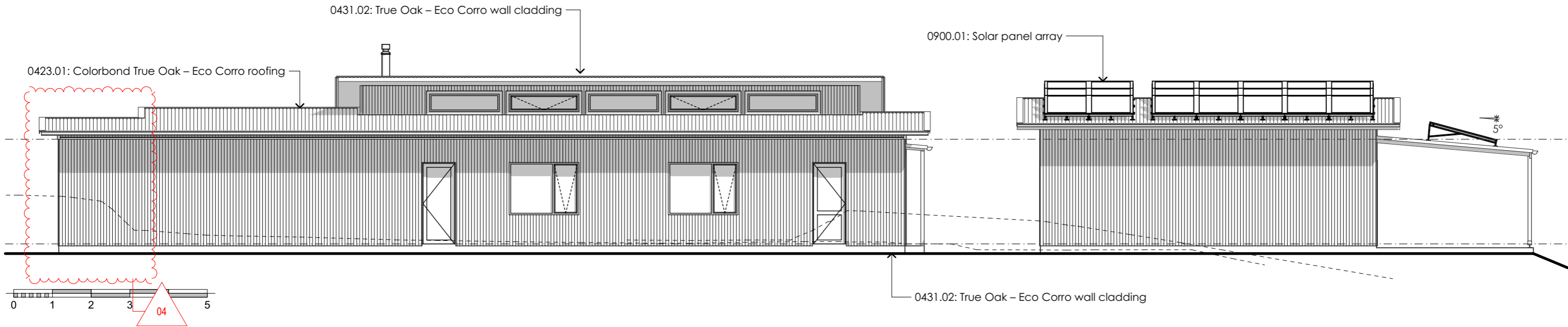
Location:
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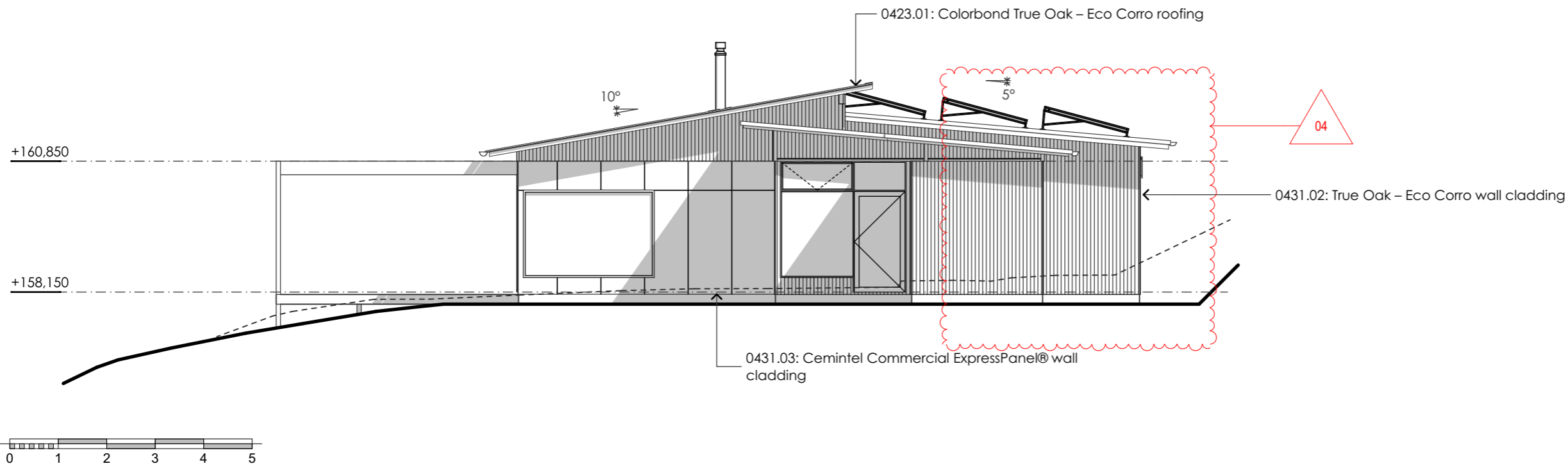
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ELEVATION 03
1:100

Legend

04	Enclosure
0423	Roofing
0423.01	Colorbond True Oak - Eco Corro roofing Finish: Surfmist Revolution Roofing. On Sarking. Designed and certified by manufacturer to allow for necessary spans as indicated. Match existing color and profile.
0431	Cladding
0431.02	True Oak - Eco Corro wall cladding Finish: Galvanized
0431.03	Cemintel Commercial ExpressPanel® wall cladding Finish: Painted
09	Electrical
0900.01	Solar panel array



ELEVATION 04
1:100

REV ID	DESCRIPTION	DATE	APPROVED
01	Conceptual Design Issue	25/07/2019	BL
02	Conceptual Design Revision	13/10/2019	BL
03	Development Application	6/11/2019	BL
04	New Ensuite & Change Location Glamping Tents	3/12/2019	BL

DEVELOPMENT APPLICATION
ELEVATIONS

SHEET:

A10

REVISION NO.

04



PROJECT NO.

J000129

Client:
W & M Copley

Project:
New Dwelling & Glamping Accommodation

Location:
591, Longbottom Road, Willunga South



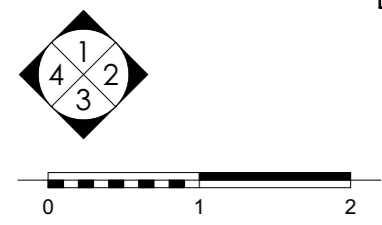
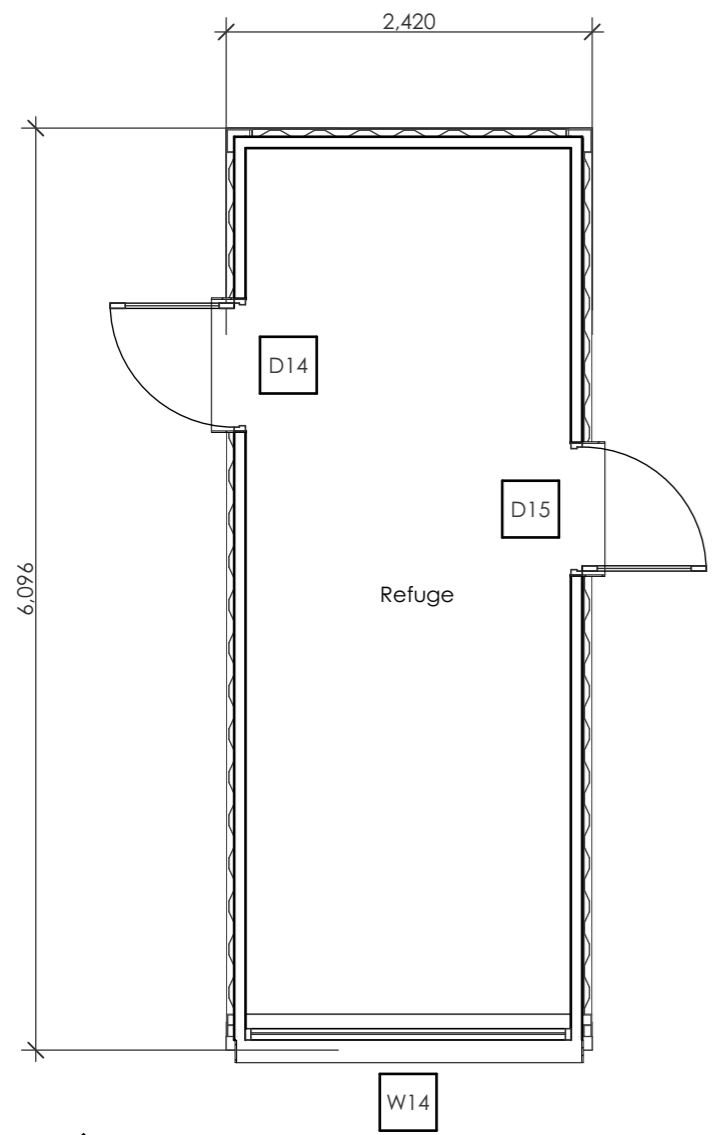
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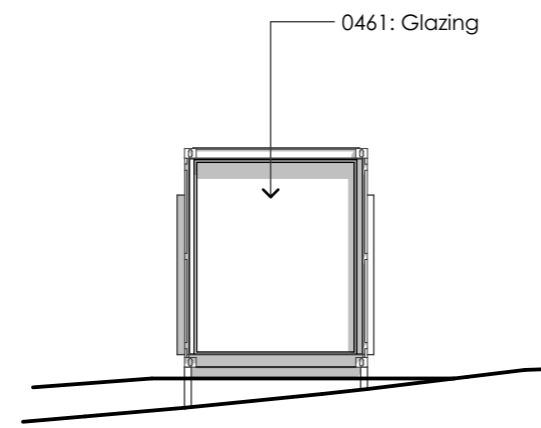
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Legend

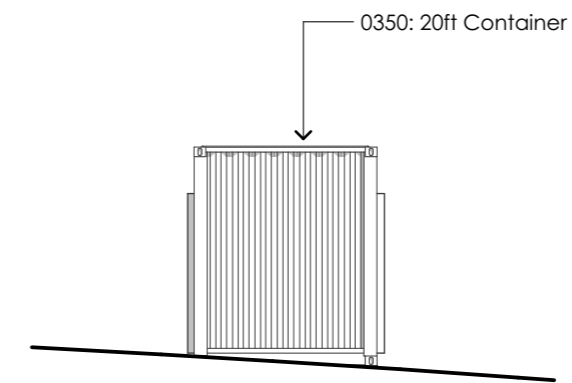
03	Structure
0350	20ft Container Painted matt black
04	Enclosure
0461	Glazing Refer energy report



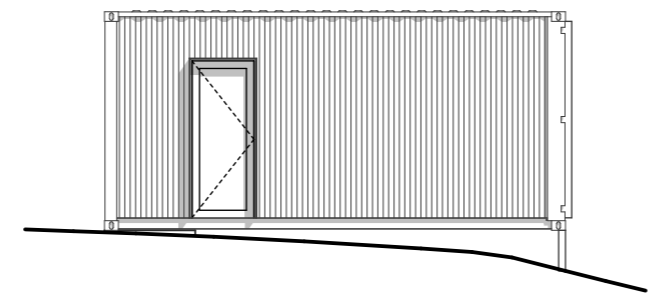
REFUGE PLAN
1:50



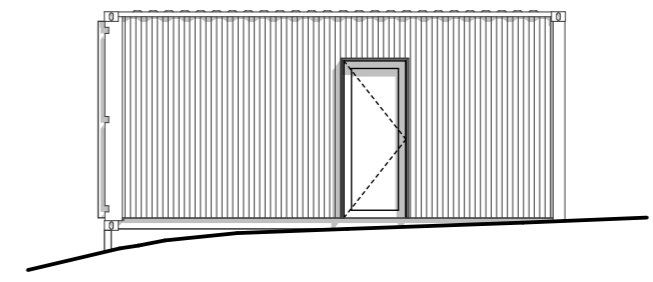
ELEVATION 01
1:100



ELEVATION 03
1:100



ELEVATION 02
1:100



ELEVATION 04
1:100

REV ID	DESCRIPTION	DATE	APPROVED
01	Development Application	6/11/2019	
02	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
REFUGE

SHEET: **A11**
REVISION NO. **02**

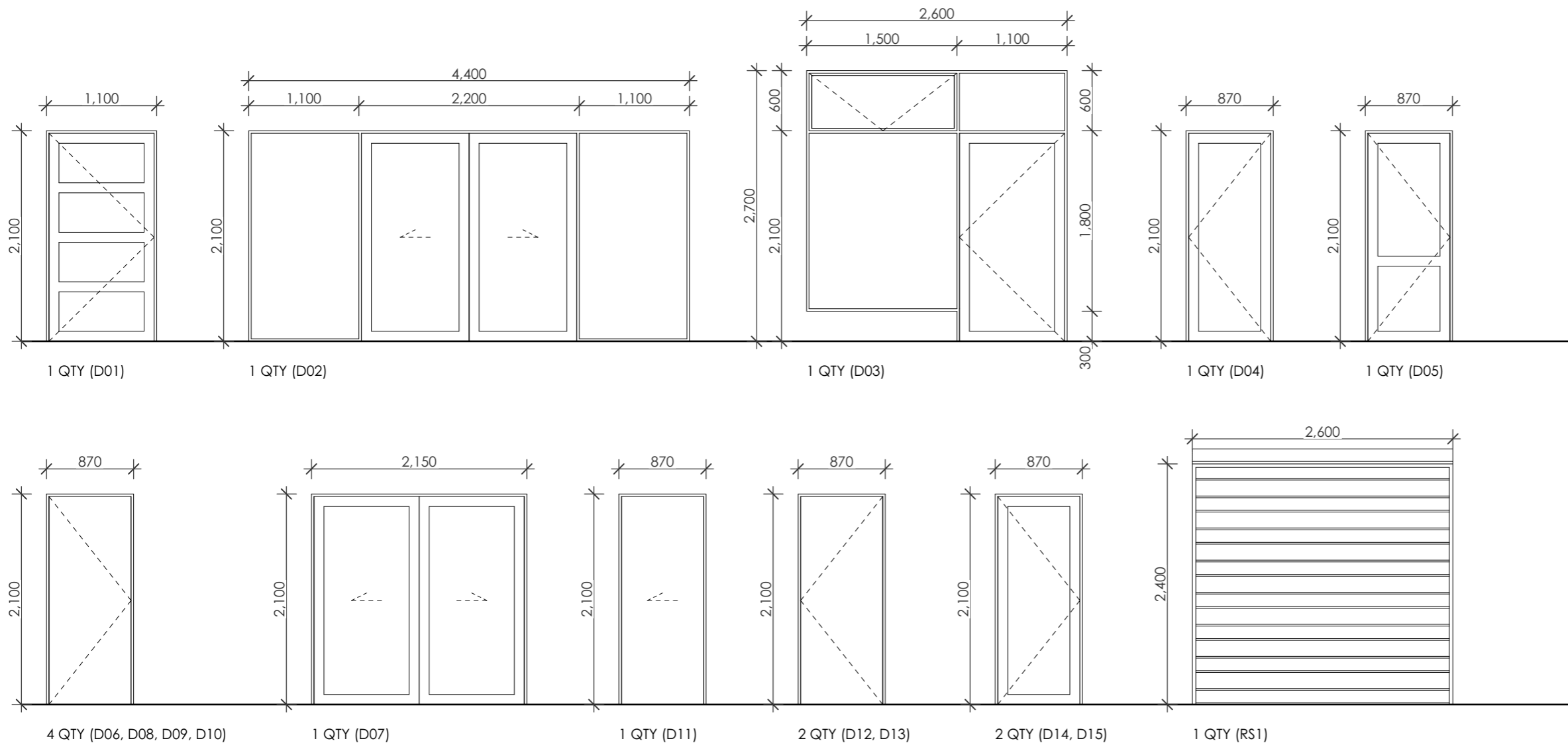
PROJECT NO. **J000129**

Project:
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Location:
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REV ID	DESCRIPTION	DATE	APPROVED
01	New Ensuite & Change Location Glamping Tents	3/12/2019	

DEVELOPMENT APPLICATION
DOOR SCHEDULE

SHEET:

A12

REVISION NO.

01



PROJECT NO.

J000129

Project:
New Dwelling & Glamping Accomodation

Location:
591, Longbottom Road, Willunga South

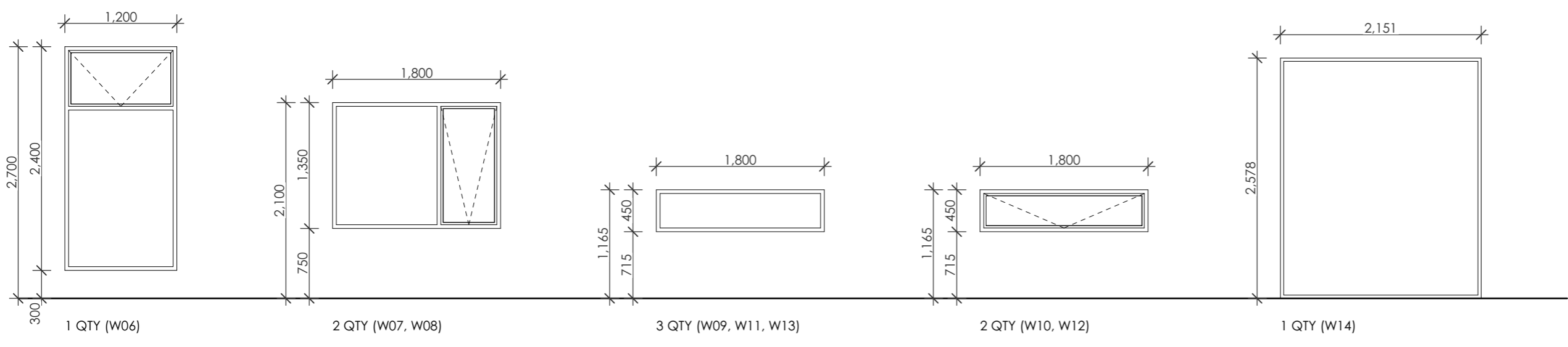
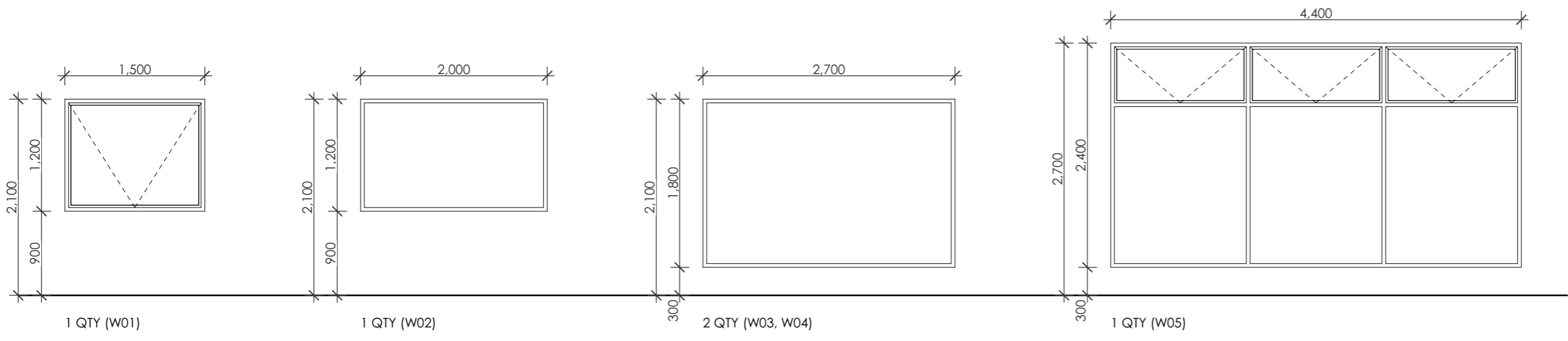
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REV ID	DESCRIPTION	DATE	APPROVED
01	New Ensuite & Change Location Glamping Tents	3/12/2019	

**DEVELOPMENT APPLICATION
WINDOW SCHEDULE**

SHEET: **A13**
REVISION NO. **01**

PROJECT NO. **J000129**

Project: **New Dwelling & Glamping Accommodation**
Location: **591, Longbottom Road, Willunga South**

Client: **W & M Copley**



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