

## OVERVIEW

Under the *Development Act (1993)*, vineyards, orchards, flower plantations, wholesale plant nurseries and market gardens (or similar) are considered to be forms of horticulture. Horticultural land uses can have particular impacts, mainly relating to chemical spray drift associated with pest control, noise associated with the application of chemicals, harvesting, soil erosion and water usage.

## WHY LODGE A DEVELOPMENT APPLICATION?

Horticultural land uses can be established successfully if they are sited, designed and operated properly. However, horticultural land uses can have the potential to cause environmental harm; or be detrimental to the amenity of the locality if these factors are not considered.

Council Development Approval is required for horticultural land uses involving a change of land use. For example:

- from dry land cropping, or general farming to horticulture
- between certain types of horticulture where the agricultural practices and potential impacts are different, e.g. from market gardening to vineyard.

Council Development Approval is also required for structures associated with horticultural land uses, such as storage sheds, processing & packing sheds, permanent bird netting (horticultural netting/ environmental covers) and frost fans.

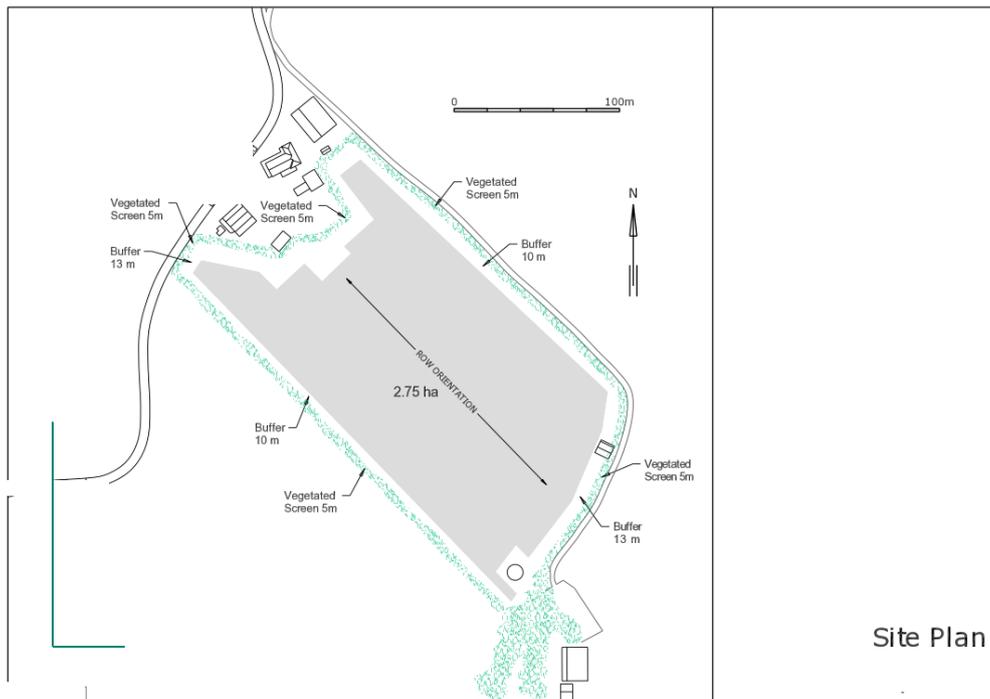
## WHAT SHOULD I INCLUDE IN MY APPLICATION?

To seek Development Approval for a horticultural land use, you will need to lodge a development application with the Council. The information that you provide with your application is the basis upon which your development application is assessed. If the information is inadequate, you run the risk of delaying the assessment process, or creating confusion about the nature of your application. Therefore to assist the Council assessment, your development application will need to provide the following information:

- Completed and signed development application form including the Office of the Technical Regulator Powerline Declaration (ensure you fill in all sections); and
- Completed and signed development application checklist; and
- Current copy of your Certificate of Title for the property/properties involved
- Aerial photograph at scale between 1:1000 and 1:1500, preferably in colour
- Accurate site plans at scale of not less than 1:1000 showing:
  - North point
  - Location of easements (if applicable)
  - Location of existing and proposed access points

- Location and nature of all existing buildings
- Location and nature of natural site features such as trees, bores, dams, and watercourses
- Location of carparking for staff/seasonal workers
- Location and orientation of crop plantings
- Location of frost fans and audible bird scaring equipment (if applicable)
- Details of significant earthworks that will change the natural contours of the land. An additional soil erosion and drainage management plan may be required
- Prevailing wind direction
- Contours
- Location and details of equipment spray down facility (if required)
- Location of chemical storage (if applicable)
- Width and details of proposed buffer planting (usually a minimum 10m required) – refer to Council’s Buffers Policy for more details in this regard
- Width of machinery headlands (usually 10m required)
- Precise location of neighbouring dwellings and distances (in metres) from crop plantings to these dwellings
- Description of all adjacent land uses
- Separate management plan outlining the following;
  - Methods of pesticide/ fungicide control (e.g. spraying). If spraying is to be employed then provide details of spray methodology and frequency. Please also detail the location and method of chemical storage
  - Method of frost control (e.g. frost fans) (if applicable)
  - Method of bird control. Note that the use of gas guns is generally discouraged.
  - Method of irrigation and water source (e.g. dams & bores). Note that you will need to demonstrate that you have sufficient water to irrigate your crops within your water licence limitations
  - Nature & frequency of crop harvesting, including timing, detail regarding machinery to be used, staff numbers and staff parking areas.

An example of a site plan is shown below



### IMPACTS ON ADJOINING LANDOWNERS

Generally the major concern for neighbouring property owners is the possible negative impacts of horticultural land uses relating to potential chemical spray drift and noise associated with harvesting and pest management.

In circumstances where there is the need to ensure impacts to adjoining properties are minimised, it may also be necessary to provide with your development application specialised advice from an agronomist, acoustic engineer or similar.

Horticultural land uses are envisaged in the Watershed (Primary Production) Zone however each application does require notification to neighbours of the site. This process is called Category 2 notification which involves sending letters to adjacent landowners for comment.

### OTHER CONSIDERATIONS

- You will need to demonstrate that you have sufficient water from existing bores and/or dams to irrigate the horticultural crops. This will require you to apply for water allocation licence/permit from the Department for Environment and Water (DEW)
- Development applications which may give rise to water allocation issues require a referral to DEW as part of the Council assessment process. DEW generally have six (6) weeks to make comment to Council
- Council will not permit road verges; or other public land to be used as headland for the manoeuvring of machinery or the planting of vegetation buffers.

**PLEASE NOTE**

The information provided in this Fact Sheet is only intended to be a summary. All applications are considered on their individual merits and therefore situations may vary.

**Contact details**

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**Further information**

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