

CAP MEETING – 11 December 2024

ITEM 8.4

DEVELOPMENT NO.:	24017988
APPLICANT:	Tom Walker Dragi Stojanov
ADDRESS:	32 DEVILS GULLY RD KERSBROOK SA 5231
NATURE OF DEVELOPMENT:	Store and associated earthworks
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Productive Rural Landscape <p>Overlays:</p> <ul style="list-style-type: none"> • Character Preservation District • Hazards (Bushfire - High Risk) • Hazards (Flooding - Evidence Required) • Limited Land Division • Mount Lofty Ranges Water Supply Catchment (Area 2) • Native Vegetation • Prescribed Water Resources Area • Water Resources
LODGEMENT DATE:	21 Aug 2024
RELEVANT AUTHORITY:	Assessment Panel at Adelaide Hills Council
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.15 15/8/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes - 27 Aug 2024 - 16 Sept 2024
RECOMMENDING OFFICER:	Tim Mason Statutory Planner
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	None

CONTENTS:

ATTACHMENT 1: Application Documents	ATTACHMENT 3: Zoning Map
ATTACHMENT 2: Subject Land Map	ATTACHMENT 4: Relevant P & D Code Policies

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DETAILED DESCRIPTION OF PROPOSAL:

The proposal seeks the construction of a 30.00m x 15.00m building to be used for storage. This building will have a total area of 450m², a maximum wall height of 4.86m and a maximum roof height of 6.24m as measured from the natural ground level. The building is to be setback 34.05m from the southern (front) boundary and 16.76m from the northern (rear) boundary as well as approximately 364.50m west of the existing dwelling.

The proposal has been sited on an existing predominantly flat portion of land that has is substantially clear of vegetation and is set down 8.90m below road level. The building, however, requires incidental earthworks to facilitate construction including a retaining wall with a maximum height of 0.60m and associated battering.

The proposal will also establish rights to clear approximately 0.06 hectares of native vegetation surrounding the proposed building in the form of a 10m asset protection zone.

The proposal was not considered to satisfy the definition of an Outbuilding as per Part 7 of the Planning and Design Code. The definition requires an outbuilding to be on the same site as a main building to which it is ancillary and subordinate and has a use and function which relates to the main building.

This building is not considered to be located on the same site as the dwelling despite being on the same allotment nor is not considered to be ancillary to the dwelling given the building requires a person to leave the allotment and travel 385.26m along the primary road in order to access this building from the dwelling. Given this, the building was considered to be a store when considering the proposed land use against the definition of a store in the Planning and Design Code.

The landowner has outlined his intention to use the building for primarily domestic storage, as well as approximately 100m² for the storage of materials for mushroom production off-site and the production of bio-char on-site.

The application has been delegated to the Assessment Panel by the Assessment Manager given the circumstances.

BACKGROUND:

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
01 September 1998	1998/179	Horticulture (oyster mushroom production)

There are no previous Development Applications on the subject land recorded with Council prior to Development Application 1998/179.

SUBJECT LAND & LOCALITY:

Location reference: 32 DEVILS GULLY RD KERSBROOK SA 5231

Title ref.: CT 5195/977 **Plan Parcel:** H105700 SE694 **Council:** ADELAIDE HILLS COUNCIL

Site Description:

The subject land is an irregularly shaped allotment, with an approximate area of 9.81 hectares. It is wider at the front, with a frontage to Devils Gully Road of 782.55 metres.

The land is approximately 201.80m west of the intersection of Devils Gully Road and Kersbrook Forest Road and 3.42km north of the Kersbrook Township.

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The subject land includes a creek which flows east through the allotment, and fills four (4) existing dams, before continuing to the Malcom Creek and then the South Para Reservoir.

The use of the land is rural residential, comprised of a two-storey detached dwelling with associated outbuildings. The dwelling is sited away from the road frontage, near the northern (rear) boundary. It is surrounded by a cluster of trees at the rear, with a dam and open field between the dwelling and the front boundary.

The land is undulating, with a northwest-southeast cross-fall through the allotment. The allotment is not serviced by either mains water or sewer, however the allotment does have an electricity connection.

The allotment is accessed by two existing crossovers, leading to the dwelling and the existing cleared land on which the proposal is to be constructed. These two crossovers are separated by approximately 385.26m of public road as measured along boundary.

Locality:

Devils Gully Road is an unsealed Council roadway along the front boundary of the allotment, and this becomes unmade road reserve at the western end of the allotment.

The allotment faces onto four (4) rural residential allotments, each primarily used for residential purposes and populated with native vegetation and watercourses. The adjoining rear allotment is predominantly covered with native vegetation, with much of this land inaccessible given the slope and vegetation cover. However, a dwelling and associated outbuildings exists towards the front boundary of this allotment with Kersbrook Forest Road.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**
Store: Code Assessed - Performance Assessed
- **OVERALL APPLICATION CATEGORY:**
Code Assessed - Performance Assessed
- **REASON**
A store is listed as Performance Assessed in accordance with *Table 3 - Applicable Policies for Performance Assessed Development* as per the Productive Rural Landscape Zone

PUBLIC NOTIFICATION

- **REASON**
The store exceeds DTS/DPF 4.1 and DTS/DPF 4.3 in accordance with the *Table 5 - Procedural Matters* of the Productive Rural Landscape Zone.
- **LIST OF REPRESENTATIONS**
No representations were received during the Public Notification for this Development Application.

AGENCY REFERRALS

- None

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INTERNAL REFERRALS

- None

PLANNING ASSESSMENT

Desired outcomes

Desired outcomes are policies designed to aid the interpretation of performance outcomes by setting a general policy agenda for a zone, subzone, overlay or general development policies module. Where a relevant authority is uncertain as to whether or how a performance outcome applies to a development, the desired outcome(s) may inform its consideration of the relevance and application of a performance outcome, or assist in assessing the merits of the development against the applicable performance outcomes collectively.

Performance outcomes

Performance outcomes are policies designed to facilitate assessment according to specified factors, including land use, site dimensions and land division, built form, character and hazard risk minimisation.

Designated performance features

In order to assist a relevant authority to interpret the performance outcomes, in some cases the policy includes a standard outcome which will generally meet the corresponding performance outcome (a designated performance feature or DPF). A DPF provides a guide to a relevant authority as to what is generally considered to satisfy the corresponding performance outcome but does not need to necessarily be satisfied to meet the performance outcome, and does not derogate from the discretion to determine that the outcome is met in another way, or from the need to assess development on its merits against all relevant policies.

A detailed assessment of the application has taken place against the relevant provisions of the Planning and Design Code (P & D Code) and this is provided below under a series of headings. A Policy Enquiry extract containing the relevant provisions of the P & D Code is contained in **Attachment 4 – Relevant P & D Code Policies**.

Zone:

Productive Rural Landscape Zone

Desired Outcome	
DO 1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO 2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO 3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Land Use & Intensity PO 1.1 & DTS/DPF 1.1	
Siting and Design PO 2.1 & DTS/DPF 2.1, PO 2.2 & DTS/DPF 2.2	
Rural Industry PO 4.1 & DTS/DPF 4.1, PO 4.2, & DTS/DPF 4.2, PO 4.3 & DTS/DPF 4.3	

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Built Form and Character PO 11.1

The provisions of the Productive Rural Landscape Zone predominantly anticipate primary production and horticultural activities as well as associated value adding activities. This includes small scale storage which supports diversification and is value adding to locally sourced primary production as established by Performance Outcome 4.1.

DTS/DPF 4.1 and PO 4.1 supports storage and other industrial land uses where primary production is directly supported on the same or adjoining allotment. It is considered that the proposed storage does not satisfy these provisions given no primary production currently exists on this allotment nor is it reasonably foreseeable that primary production could be undertaken on this allotment given the slope of the land and existing watercourse. However, it is noted that horticulture in the form of mushroom production was approved for this allotment but was not ever commenced. The Consent has now lapsed. Therefore, this would be inconsistent with Desired Outcome 2 which supports development including agriculture, horticulture and value adding opportunities. Given the absence of productive land uses at this site, the proposal is not considered to be value adding as per the Desired Outcome and Performance Outcome.

Additionally, DTS/DPF 4.1 outlines a quantitative maximum floor area of 350m² for storage buildings which support primary production. The proposed building exceeds this provision with a total floor area of 450m², which equates to a 28.57% variance from this provision. Given the absence of productive activities on this allotment, the proposal is not considered to warrant this variance from the provision. Furthermore, the proposed storage is considered to be directly at variance with the land use intentions and scale which are supported by PO 4.1 and DTS/DPF 4.1.

The scale and siting of the proposed building is also considered to contravene PO 4.3 which seeks that buildings associated with storage are setback at least 50m from all road and allotment boundaries. While the proposal building is to be setback 34.05m from the front boundary and 16.76m from the rear boundary, the building is not expected to dominate the appearance of the allotment given the siting of the building in a substantially vegetated valley. This includes a finished ground level of the building 8.90m below the finished ground level of the adjoining primary road.

Additionally, the siting of this building is considered to be supported by PO 11.1 which speaks directly to large buildings in the Zone that have been sited as to reduce impacts on the surrounding scenic and rural vistas. Given this, the proximity of the proposed building to the front and rear boundaries is considered to be reasonable given the proposed set down and height of the building are not expected to introduce unreasonable bulk to the allotment.

Overlays

Character Preservation District Overlay

Desired Outcome	
DO 1	Recognise, protect and enhance the special character of Character Preservation Districts.
DO 2	The long term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Built Form and Character PO 2.1, PO 2.2, PO 2.3	
Built Form and Character in the Rural Area PO 3.1, PO 3.2, PO 3.3, PO 3.4, PO 3.5, PO 3.6	
Earthworks PO 4.1 & DTS/DPF 4.1	

The provisions of the Character Preservation District Overlay reinforce the provisions of the Productive Rural Landscape Zone, supporting development outside of Townships for the purpose of primary production and associated value adding enterprise. Further to this, the Overlay supports development which minimises impacts to the existing landscape and respond to the natural features of the allotment.

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Performance Outcomes 3.2, 3.3 and 3.4 support development of buildings which integrate into the existing landscape as to minimise the appearance of the building. As previously discussed, the proposal is not expected to be visually dominant given the substantial 8.90m set down from the natural ground level of the adjoining road.

However, it is considered that the proposal is at direct variance with PO 3.5 which requests that buildings be clustered on site and substantially well back from Public Roads. This building is sited 364.50m west of the existing cluster of buildings on the allotment, including the dwelling and associated outbuildings.

Hazards (Bushfire – High Risk) Overlay

Desired Outcome	
DO 1	Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks: a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change b) high levels and exposure to ember attack c) impact from burning debris d) radiant heat e) likelihood and direct exposure to flames from a fire front
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk
DO 3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Land Use	
PO 1.1	
Siting	
PO 2.1	
Built Form	
PO 3.1, PO 3.2 & DTS/DPF 3.2	
Vehicle Access – Roads, Driveways and Fire Tracks	
PO 6.1 & DTS/DPF 6.1, PO 6.2 & DTS/DPF 6.2, PO 6.3 & DTS/DPF 6.3	

The provisions of the Overlay speak directly to the siting of buildings which increase the potential for fire outbreak to be sited away from significant vegetation. The building as proposed is considered to be surrounded by significant vegetation in the immediate vicinity, this includes substantial natural regrowth since the 2015 Sampson Flat Bushfire.

The building is not habitable and would not increase risks to human life despite the proximity to significant vegetation. Given this, the proposal did not warrant a referral to the CFS in accordance with the Procedural Matters of the Overlay.

Native Vegetation clearance allows for a 10m asset protection zone to be established around the building as outlined in the accompanying Native Vegetation Data Report. This clearance is expected to minimise the risk of fire spread between the surrounding vegetation and the building in the event of a bushfire should the clearance be undertaken.

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Hazards (Flooding – Evidence Required) Overlay

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Flood Resilience PO 1.1 & DTS/DPF 1.1	
Environmental Protection PO 2.1 & DTS/DPF 2.1	

The existing slope of the allotment is expected to direct stormwater away from the proposed store and to the existing watercourse immediately north of the proposal.

Additionally, there is currently no Council mapping that indicates the subject land is prone to flooding.

Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Desired Outcome	
DO 1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Water Quality PO 1.1 & PO 1.2 & DTS/DPF 1.2	
Wastewater PO 2.1, DTS/DPF 2.1, PO 2.3 & DTS/DPF 2.3, PO 2.4 & DTS/DPF 2.4, PO 2.5 & DTS/DPF 2.5	
Stormwater PO 3.1, PO 3.2, PO 3.3, PO 3.9 & DTS/DPF 3.9	
Landscapes and Natural Features PO4.1	

The proposal includes retaining to a maximum height of 0.55m and associated battering which is to be setback 15.94m from the existing on-site watercourse. This is considered to be contrary to DPF 2.5 (a) which requests earthworks are not to be undertaken within 50m of a watercourse. However, it is considered that the excavation required to facilitate development is relatively minor and is not expected to result in changes to the flow of surface water across the subject land.

Additionally, the proposed store is to be attached to a rainwater tank with a maximum capacity of 4500L. It is noted that this capacity is requested by the Planning and Design Code for an Agricultural Building of the same size in this Overlay. Overflow will be directed to the watercourse.

Native Vegetation Overlay

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Environmental Protection	

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PO 1.1 & DTS/DPF 1.1, PO 1.2, PO 1.4

The proposed store establishes rights to clear existing native vegetation within a 10m asset protection zone surrounding the building. This includes 0.06 hectares of *Eucalyptus leucoxylon ssp leucoxylon* (SA Blue Gum) woodland with an open sclerophyll and grassy understorey. A supporting data report prepared by an accredited native vegetation consultant was included with the application and has categorised this clearance as 'Level 2'.

As this assessment was considered to constitute a level 2 clearance, the applicant did not warrant a referral to the Native Vegetation Council in accordance with the Procedural Matters of the Overlay.

As the construction of this building does not require the clearance of any native vegetation, and only establishes incidental rights to clear to establish an asset protection zone, no Significant Environmental Benefit (SEB) payment is required in conjunction with this application.

Performance Outcome 1.1 outlines that where development cannot practically avoid native vegetation clearance, clearance should be minimised. The selection of the previously cleared site indicates that consideration has been made to minimising clearance of Native Vegetation to facilitate construction. However, the scale of the proposal has been established as too large when considering the provisions of the Zone. The proposed level of clearance would not necessarily be needed if the building was proposed in accordance with PO 4.1 and DTS/DPF 4.1 of the Zone.

Prescribed Water Resources Area Overlay

Desired Outcome	
DO 1	Sustainable water use in prescribed water resources areas maintains the health and natural flow paths of surface water, watercourses and wells.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

This Overlay is not relevant to the proposal as it relates to water taking activities such as horticulture and intensive animal husbandry or the alteration to a water body.

Water Resources Overlay

Desired Outcome	
DO 1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO 2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Water Catchment PO 1.1, PO 1.2, PO 1.5 & DTS/DPF 1.5, PO 1.6, PO 1.7, PO 1.8, PO 1.9	

The provisions of this Overlay discourage development which requires modification to existing water courses or results in adverse impacts to the quality of water resources.

The portion of land selected for the development is considered to be substantially flat and requires only minor cutting into the slope as to facilitate development. Resultantly, the flow of surface water on the allotment is not expected to be seriously modified by the construction of the building despite the proposed 12.53m setback of the building from this water course.

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General Development Policies

Clearance from Overhead Powerlines

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DTS/DP F1.1	

As part of their submission, the applicant has declared that the development will not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. This is consistent with Designated Performance Feature 1.1.

Design

Desired Outcome	
DO 1	Development is: a) contextual – by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate areas. b) dural – fit for purpose, adaptable and long lasting. c) inclusive – by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm for occupants and visitors. d) sustainable – by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
External Appearance PO 1.5	
On-site Waste Treatment Systems PO 6.1	
Carparking Appearance PO 7.1, PO 7.2, PO 7.4, PO 7.5, PO 7.6, PO7.7	
Earthworks and Sloping Land PO 8.1 & DTS/DPF 8.1	

Given the scale of the subject land, it is considered that adequate undeveloped land would be available to facilitate carparking on site to be used in conjunction with this store.

Retaining walls and earthworks facilitating the proposed store exceed the desired cut and fill depth sought by Designated Performance Feature 8.1 with a retaining wall with a maximum height of 0.60m and additional 1.04m of cut to establish a slope of 1 in 2. It is noted that this deviation from the provision is minor and unavoidable to facilitate the proposed development. However, it is considered that the excessive scale of the proposal results in earthwork which could have been avoided had the store been of a scale sought by PO 4.1 and DTS/DPF 4.1 of the Zone. Given this, the proposal is considered to be contrary to PO 8.1 as the existing flat portion of land is considered to be adequately large as to facilitate development on this allotment of a scale envisaged by the Zone without the need for additional earthworks.

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Infrastructure and Renewable Energy Facilities

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Water Supply PO 11.1 & DTS/DPF 11.1	
Wastewater Services PO 12.1 & DTS/DPF 12.1, PO 12.2 & DTS/DPF 12.2	

As the proposal does not require a connection to either water or a wastewater management system, these provisions are therefore not considered to be applicable.

Interface between Land Uses

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate uses.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Activities Generating Noise or Vibration PO 4.1 & DTS/DPF 4.1, PO 4.2, PO 4.5	
Air Quality PO 5.1, PO 5.2	
Light Spill PO 6.1, PO 6.2	

The Interface between Land Uses provisions encourage land uses which respond to the existing surrounding land uses as to minimise introduced impacts on these uses. While the proposed store is considered to be uncharacteristic for the locality, being located in a substantially rural-residential area where minimal commercial land uses exist, it is not considered to introduce adverse impacts to surrounding allotments given the nature of the land use.

It is considered that a store by nature requires minimal activity on the site, in contrast to repairs or construction which would be associated with industrial land uses. Given this, the proposal is not expected to introduce unreasonable disturbance to surrounding sensitive receivers.

Transport, Access and Parking

Desired Outcome	
DO 1	A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
Movement Systems PO 1.4 & DTS/DPF 1.4	
Vehicle Access PO 3.1 & DTS/DPF 3.1, PO 3.5 & DTS/DPF3.5, PO 3.6, PO3.8	
Vehicle Parking Rates PO 5.1 & DTS/DPF 5.1	
Vehicle Parking Areas PO 6.2 & DPF/DTS 6.2, PO 6.6 & DTS/DPF 6.6	

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Access to the proposed store is to be achieved through an existing crossover from Devils Gully Road which does not require modification to facilitate access.

Performance Outcome 5.1 and corresponding Designated Performance Feature 5.1 seek sufficient on-site car parking with regard to *Table 1 – General Off-Street Car parking Requirements*. For a Store, Table 1 seeks the provision of 0.50 parking spaces per 100m², which for this proposal would mean the provision of 2 parking spaces. The proposal does not indicate designated parking spaces on-site, however, it is considered that there is sufficient space on the allotment to facilitate adequate off-street parking.

CONSIDERATION OF SERIOUSLY AT VARIANCE

The proposed store is not considered to be seriously at variance with the provisions of the Planning and Design Code.

The provisions of the Productive Rural Landscape Zone encourage development of similar scale where associated with primary production, resultantly buildings of this scale are reasonably expected to be constructed in this Zone where they are associated with primary production. However, the proposal is considered to be directly at variance with provisions relating to land use and siting given the absence of primary production on the subject land. Additionally, it is noted that no large scale primary production is reasonably foreseeable on this allotment that would warrant a building of this scale given the abundance of native vegetation which would be cleared, the existing water course and natural topography.

It is not considered that this building and the associated land use would introduce unreasonable disturbance and nuisance to the surrounding sensitive receivers as to constitute seriously at variance.

CONCLUSION

The proposal is for a store at 32 Devils Gully Road, Kersbrook, to be used in conjunction with existing residential land uses. The subject land is located in the Productive Rural Landscape Zone and surrounded by allotments used predominantly for rural-residential land uses.

The proposed store is considered to be inappropriate when considering the intentions of the Productive Rural Landscape Zone. This Zone support large buildings which are associated with primary production. Given the absence of any productive land uses on the subject land, the use of this land for storage is considered to be directly at variance with these provisions regardless of scale.

Additionally, all supporting development to be undertaken in conjunction with the proposal is also considered to be inappropriate when considering the scale of the building. It is noted that a substantial portion of undeveloped land had been selected to facilitate this development, this includes being mostly clear of vegetation and pre-cut. However, the scale of the building requires additional clearance of native vegetation and concurrent earthworks which are not expected to be required had the development been designed of a more appropriate scale.

Overall, this proposal is not considered to be seriously at variance with the provisions of the Planning and Design Code, although it is considered to be sufficiently at variance with these provisions as to not warrant Planning Consent.

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RECOMMENDATION

It is recommended that the Council Assessment Panel resolve that:

- 1) Pursuant to Section 107(2)(c) of the Planning, Development and Infrastructure Act 2016, and having undertaken an assessment of the application against the Planning and Design Code, the application is NOT seriously at variance with the provisions of the Planning and Design Code; and
- 2) Development Application Number 24017988 by Tom Walker and Dragi Stojanov for a Store at 32 Devils Gully Road, Kersbrook is REFUSED Planning Consent subject for the following reasons:

Productive Rural Landscape Zone

Performance Outcome 4.1:

The proposal is not considered to constitute value adding development in association with existing primary production, nor is it directly related or ancillary to primary production. It is considered to be contrary to Performance Outcome 4.1

Overlays

Character Preservation District

Performance Outcome 3.5:

Development is proposed to be located outside an existing cluster of buildings on the allotment, creating fragmented pockets of development on the subject land as to be contrary to Character Preservation District Overlay Performance Outcome 3.5.

Native Vegetation

Performance Outcome 1.1:

The proposal requires the clearance of existing vegetation that is unwarranted and contrary to Native Vegetation Overlay Performance Outcome 1.1 when considering the proposal is too large relative to the provisions of the associated Zone and is not considered to be reasonable development.

General Development Policies

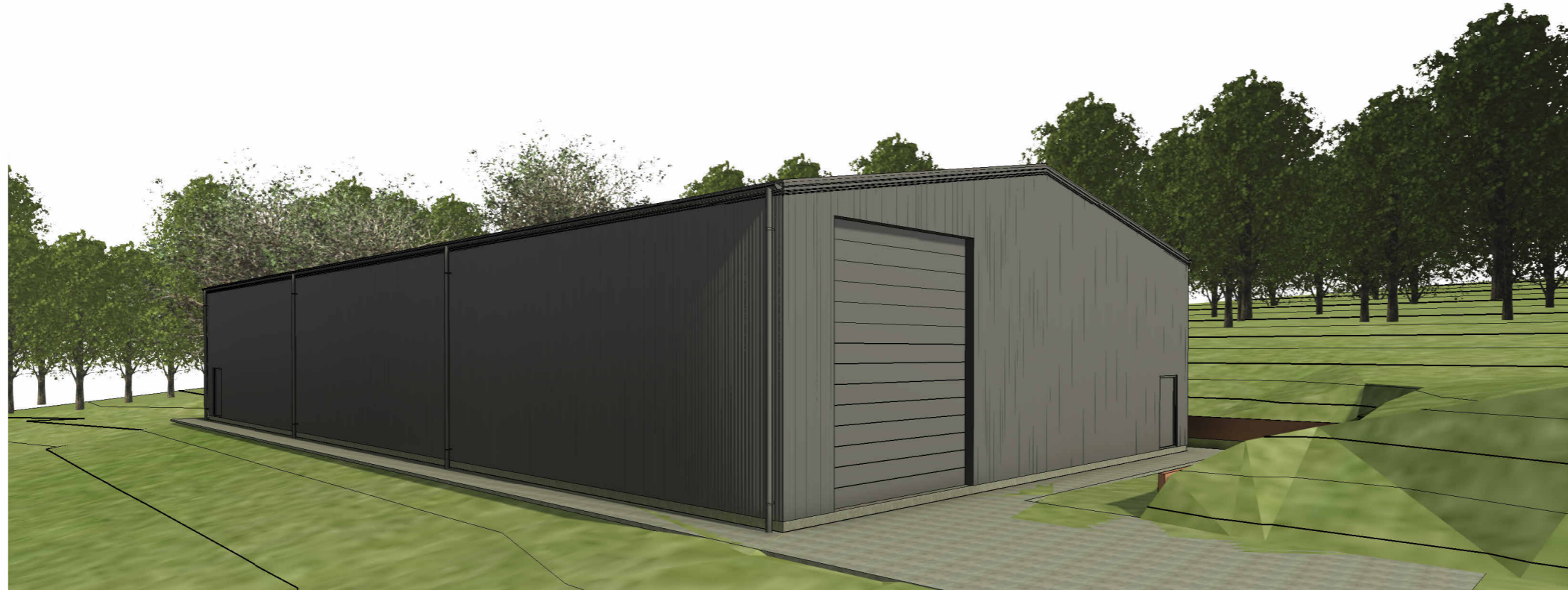
Design

Performance Outcome 8.1:

The proposal requires earthworks to facilitate development that are contrary to General Development Design Performance Outcome 8.1.

OFFICER MAKING RECOMMENDATION

Name: Tim Mason
Title: Statutory Planner



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REVISION SCHEDULE			
REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DISCRIPTION

SHEET LIST			
SHEET NUMBER	SHEET NAME	DRAWN BY	CURRENT REVISION
A100	COVER SHEET	TW	
A101	GENERAL NOTES	TW	
A102	LOCATION PLAN	TW	
A103	SITE PLAN	TW	
A104	FLOOR PLAN	TW	
A105	ELEVATIONS	TW	
A106	ELEVATIONS	TW	
A107	SECTION	TW	

TOTAL AREA	
NAME	AREA
SHED	450 m ²
	450 m ²

COLOUR AND MATERIAL SCHEDULE		
ROOF	COLORBOND CUSTOM ORB IN 'COTTAGE GREEN' OR SIMILAR	
GUTTERS & FASCIA	COLORBOND 'COTTAGE GREEN' OR SIMILAR	
WALLS	COLORBOND CUSTOM ORB IN 'COTTAGE GREEN' OR SIMILAR	
WINDOW & DOOR FRAMES	COLORBOND 'COTTAGE GREEN' OR SIMILAR	

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

JOB No: SCALE:
RDD1182 1 : 100

DRAWING No: REVISION No.
A100 1

TITLE:
COVER SHEET

32 DEVILS GULLY ROAD, KERSBROOK - PROPOSED STORAGE SHED

GENERAL NOTES:

GENERAL NOTES TO BE READ IN CONJUNCTION WITH OTHER DRAWINGS, DOCUMENTS, SCHEDULES, AND SPECIFICATIONS. WRITTEN DIMENSIONS SHALL TAKE PREFERENCE OVER SCALE.

SITE PREPARATION:

- ALL VEGETATION AND DEBRIS SHALL BE REMOVED FROM THE BUILDING AND PAVING AREAS BEFORE ANY FILL IS PLACED IN POSITION.
- ANY EXCAVATION OR FILL REQUIRED TO PROVIDE A LEVEL SURFACE UNDER THE CONCRETE SLAB SHALL BE IN ACCORDANCE WITH THE ENGINEER'S REPORT.
- ALL FINISHED LEVELS TO BE VERIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.
- ALL SITE AND SETOUT DIMENSIONS SHALL BE CHECKED AND VERIFIED BY THE BUILDER PRIOR TO THE COMMENCEMENT OF ANY BUILDING WORK.

FOOTING AND SLAB:

- CONCRETE FOOTINGS AND SLABS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE ENGINEER'S REPORT.
- ALL CONCRETE SHALL BE MANAGED, PLACED AND COMPACTED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF AS 3600.
- ALL REINFORCING USED SHALL COMPLY WITH THE CURRENT REQUIREMENTS OF AS 2870.
- TERMITE PROTECTION SHALL COMPLY WITH THE CURRENT REQUIREMENTS OF AS 3660.1 AND PART 3.1.4 OF THE NCC. A CERTIFICATE STATING METHOD AND DATE OF PROTECTION SHALL BE ISSUED BY THE APPLICATOR IN ACCORDANCE WITH AS 3660.1.
- SLAB MUST HAVE ALL PENETRATIONS, CONTROL JOINTS AND THE PERIMETER TERMITE PROTECTED. A SLAB MUST HAVE A MINIMUM EXPOSURE ABOVE THE FINISHED GROUND LEVEL OF 75mm. HONEYCOMBED, ROUGH OR RIPPLED EDGES MAY NOT BE USED FOR PERIMETER PROTECTION.

MASONRY:

- ALL FINISHED MASONRY SHALL BE LEFT CLEAN, AND GAPS AT TOPS OF RAKED WALLS, AROUND SERVICE PIPES AND OTHER JUNCTIONS SHALL BE FILLED.
- ALL FLASHINGS, MEMBRANES, AND TIES WHERE REQUIRED SHALL BE IN ACCORDANCE WITH THE BCA.
- ALL CAVITIES AND REQUIRED WEEPHOLES SHALL BE LEFT CLEAN AND FREE OF MORTAR DROPPINGS.

ELECTRICAL:

- ALL ELECTRICAL INSTALLATIONS AND WORK SHALL BE IN ACCORDANCE WITH THE REQUIREMENTS OF AS/NZS 3000 (AUSTRALIAN/NEW ZEALAND WIRING RULES) AND SA POWER NETWORKS.
- SMOKE ALARMS SHALL COMPLY WITH THE CURRENT REQUIREMENTS OF AS 3786 AND OR BE LISTED IN THE 'SSL REGISTER OF FIRE PROTECTION EQUIPMENT' AND SHALL BE CONNECTED TO THE CONSUMER MAINS POWER WITH A 9V BATTERY BACKUP.

GLAZING:

- ALL GLAZING AND GLAZED ASSEMBLIES SHALL BE MANUFACTURED AND INSTALLED IN ACCORDANCE WITH THE CURRENT REQUIREMENTS OF AS 1288.
- ALL SAFETY GLASS SHALL BE LEGIBLY MARKED OR SHALL BE CERTIFIED.

TIMBER FRAMING:

- ALL TIMBER FRAMING SHALL BE IN ACCORDANCE WITH THE CURRENT VERSION OF AS 1684.2 (RESIDENTIAL TIMBER-FRAMED CONSTRUCTION) NON-CYCLONIC AREAS.
- ALL EXPOSED TIMBER MEMBERS SHALL BE OF A SUITABLE DURABILITY CLASS AND PRESERVATION TREATED IF REQUIRED IN ACCORDANCE WITH AS 1684.2 (RESIDENTIAL TIMBER-FRAMED CONSTRUCTION) NON-CYCLONIC AREAS.
- ALL METAL USED IN STRUCTURAL TIMBER CONNECTIONS SHALL BE PROVIDED WITH CORROSION PROTECTION APPROPRIATE FOR THE PARTICULAR CONDITIONS OF USE.
- ALL ADDITIONAL TIMBER FRAMING LIKE SOFFIT AND CEILING LININGS, GABLE CLADDING AND SKYLIGHTS E.T.C. SHALL BE PROVIDED, AS NECESSARY.

METALWORK:

- ALL STEELWORK TO BE IN ACCORDANCE WITH AS 4100.
- ALL MATERIALS, BOLTS AND OTHER FIXINGS SHALL BE SELECTED SO THAT DIRECT CONTACT BETWEEN INCOMPATIBLE METALS OR ALLOYS DOES NOT OCCUR.
- WHERE THE USE OF INCOMPATIBLE MATERIALS IS UNAVOIDABLE, THEY SHALL BE SEPARATED BY USE OF AN IMPERVIOUS, NON-CONDUCTING MATERIAL.
- ALL STEELWORK NOT ENCASED IN CONCRETE SHALL BE SUITABLY PROTECTED AGAINST CORROSION.
- ALL STEELWORK IN CONTACT WITH THE GROUND SHALL BE HOT-DIPPED GALVANISED.

PLUMBING, SANITARY DRAINAGE AND GAS:

- THE INSTALLATION OF ALL HOT AND COLD WATER SERVICES, SANITARY WASTES AND DRAINAGE SHALL BE CONDUCTED IN ACCORDANCE WITH SA WATER AND THE NCC VOLUME 3.
- ALL GAS FITTING WORK MUST BE INSTALLED BY A REGISTERED GAS FITTER OR REGISTERED RESTRICTED LPG INSTALLER.
- ALL GAS INSTALLATIONS TO BE CONDUCTED IN ACCORDANCE WITH AS/NZS 5601.1 AND A CERTIFICATE OF COMPLIANCE SHALL BE ISSUED IN ACCORDANCE WITH THE GAS ACT AND REGULATIONS 1997 (AS AMENDED).

WET AREAS:

- WHERE REQUIRED AS A SUBSTRATE IN WET AREAS, PROPRIETARY WATER-RESISTANT LININGS MUST BE SUITABLE FOR THE INTENDED FINISH AND MUST BE FIXED TO THE FRAMING IN ACCORDANCE WITH THE MANUFACTURERS DETAILS.
- ALL WET AREA DETAILS TO COMPLY WITH THE CURRENT REQUIREMENTS OF AS 3740 -2010 (MATERIALS, DESIGN AND INSTALLATION AND;
- BE WATERPROOF OR WATER RESISTANT IN ACCORDANCE WITH BCA TABLE 3.8.1.1, AND
- COMPLY WITH BCA CLAUSES SA 3.8.1.2 AND SA 3.2.2 (FLOOR WASTES)

ROOFING AND ROOF PLUMBING:

- THE ROOF LAYOUT DRAWN IS DIAGRAMATIC ONLY AND ANY VARIATION TO THE LAYOUT SHALL BE FIRST DISCUSSED WITH THE DESIGNER.
- THE ROOF CONTRACTOR SHALL PROVIDE ALL NECESSARY FLASHINGS, CAPPING AND OTHER ITEMS REQUIRED TO MAKE THE ROOF WATERTIGHT AND COMPLETE.
- EAVES GUTTERS TO BE PROVIDED WITH UNIFORM MINIMUM FALLS OF 1:500 AND ALL ROOF STORMWATER SHALL BE DIVERTED AWAY FROM THE FOOTINGS AND BUILDING IN ACCORDANCE WITH THE ENGINEER'S REPORT.
- ALL ROOF CLADDING SHALL BE FIXED IN ACCORDANCE WITH THE MANUFACTURERS REQUIREMENTS.

INTERNAL LINING:

- ALL NON-WET AREA WALL LININGS SHALL BE 10mm PLASTERBOARD UNLESS OTHERWISE NOTED.
- ALL CEILING LININGS SHALL BE 10mm PLASTERBOARD SUITABLE FOR SPANNING 600mm JOIST SPACINGS UNLESS OTHERWISE NOTED.



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION

PO Box 381 Burnside
South Australia 5066

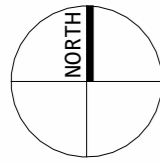
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JOB No: SCALE:
RDD1182 1 : 1

DRAWING No: REVISION No.
A101 1

TITLE:
GENERAL NOTES



TOTAL SITE AREA: 89825m²



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
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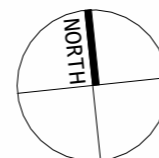
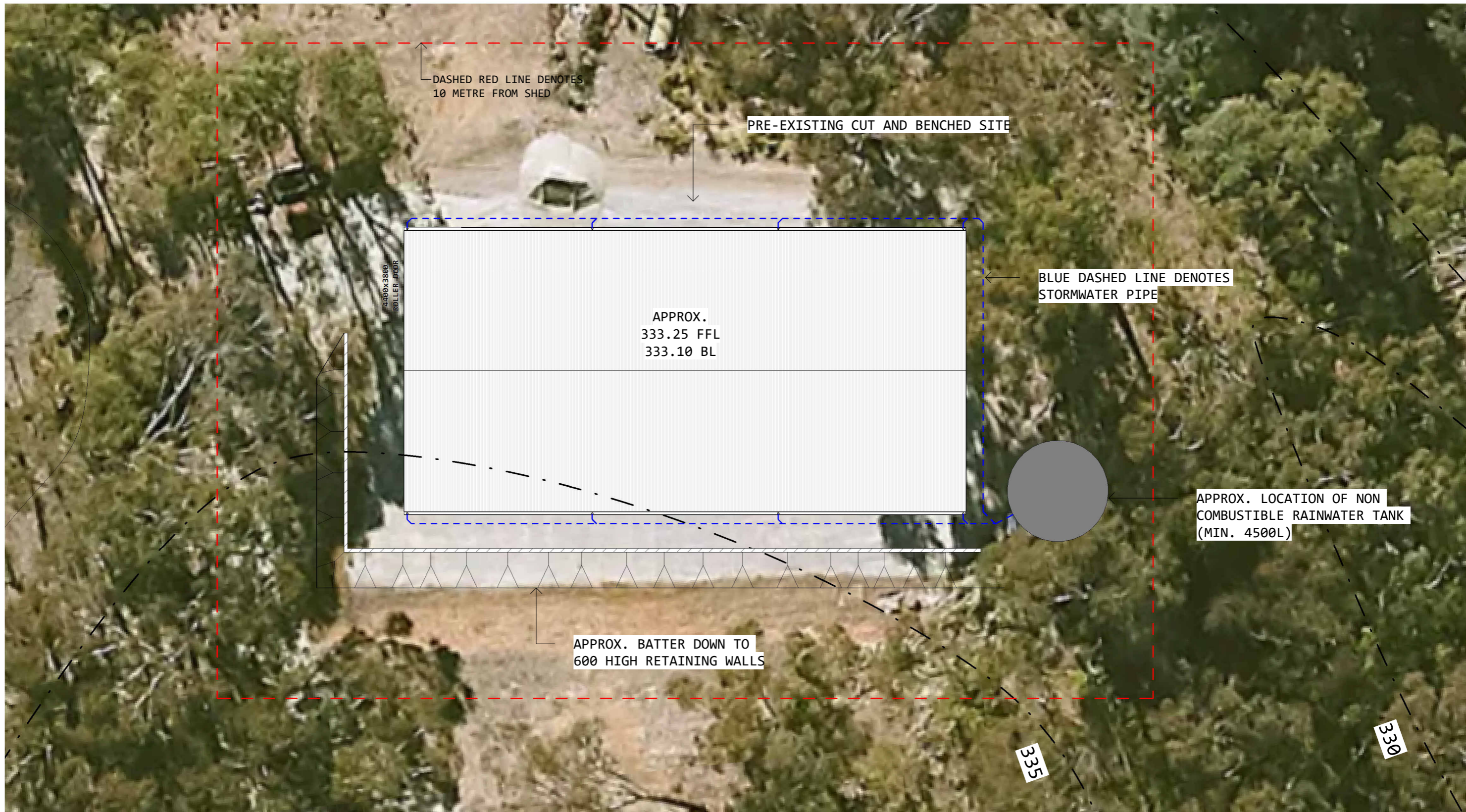
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JOB No: SCALE:
RDD1182 1 : 2000

DRAWING No: REVISION No.
A102 1

TITLE:
LOCATION PLAN



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY: TW
ISSUE DATE: 14/06/24

REVIEWED BY: TW
DATE: 23/05/24

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REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION

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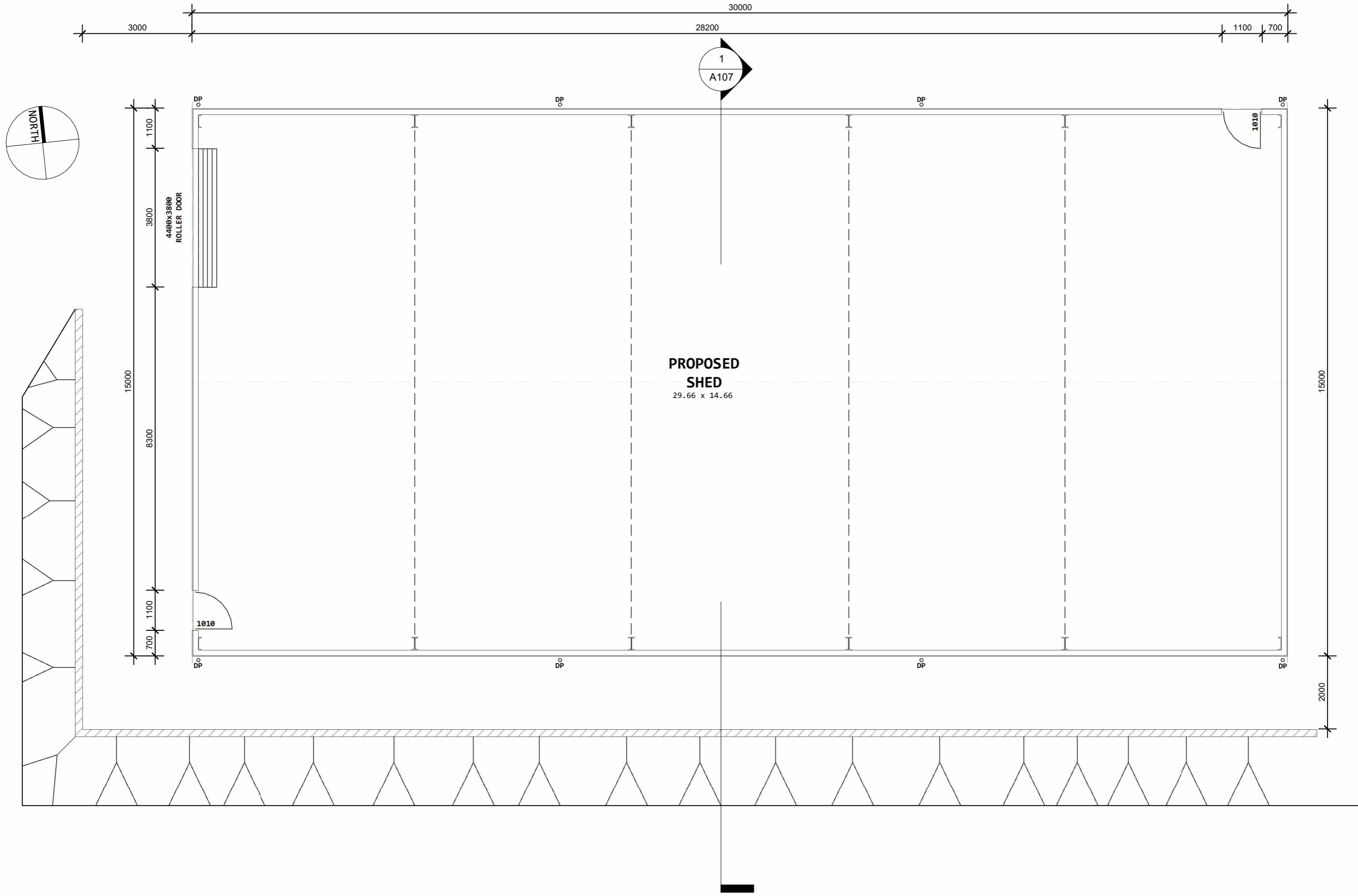
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JOB No: RDD1182
SCALE: 1 : 200

DRAWING No: A103
REVISION No: 1

TITLE:
SITE PLAN



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY: TW
ISSUE DATE: 14/06/24

REVIEWED BY: TW
DATE: 14/06/24

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REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION

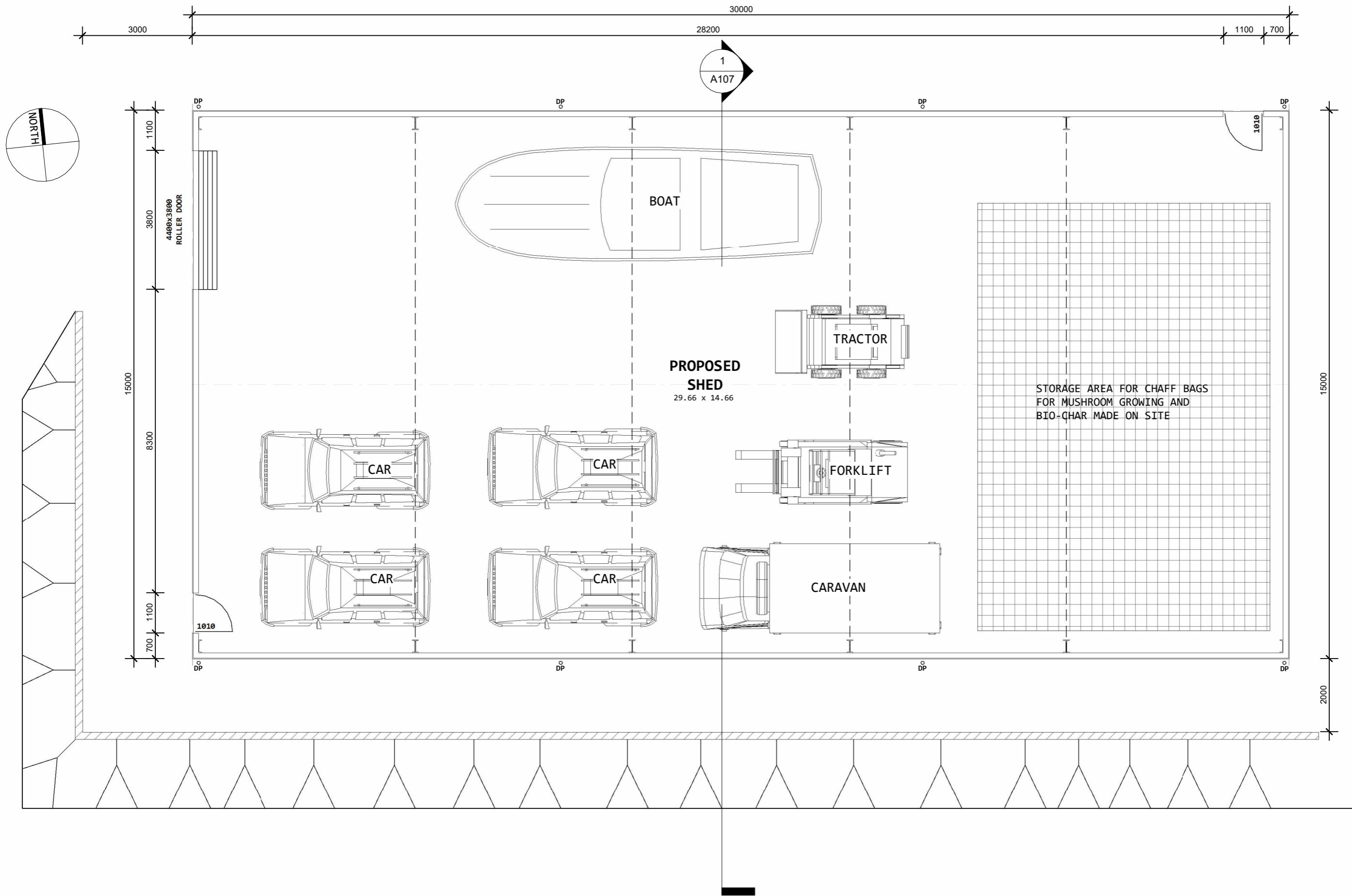
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JOB No: RDD1182
DRAWING No: A104
TITLE: FLOOR PLAN

SCALE: 1 : 100
REVISION No. 1



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION
1	TW	28/06/24	Respond to RFI

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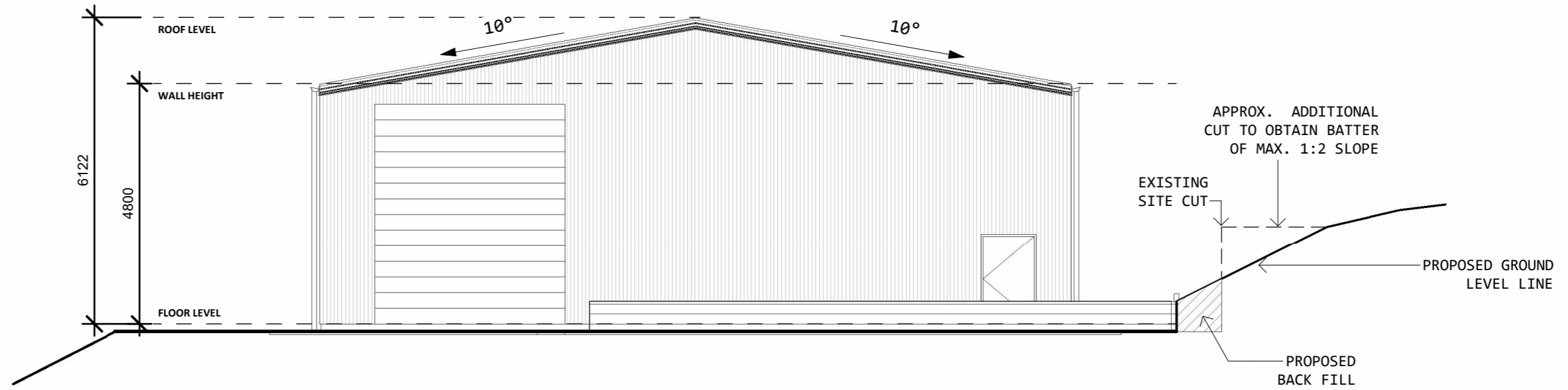
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RDD1182

DRAWING No:
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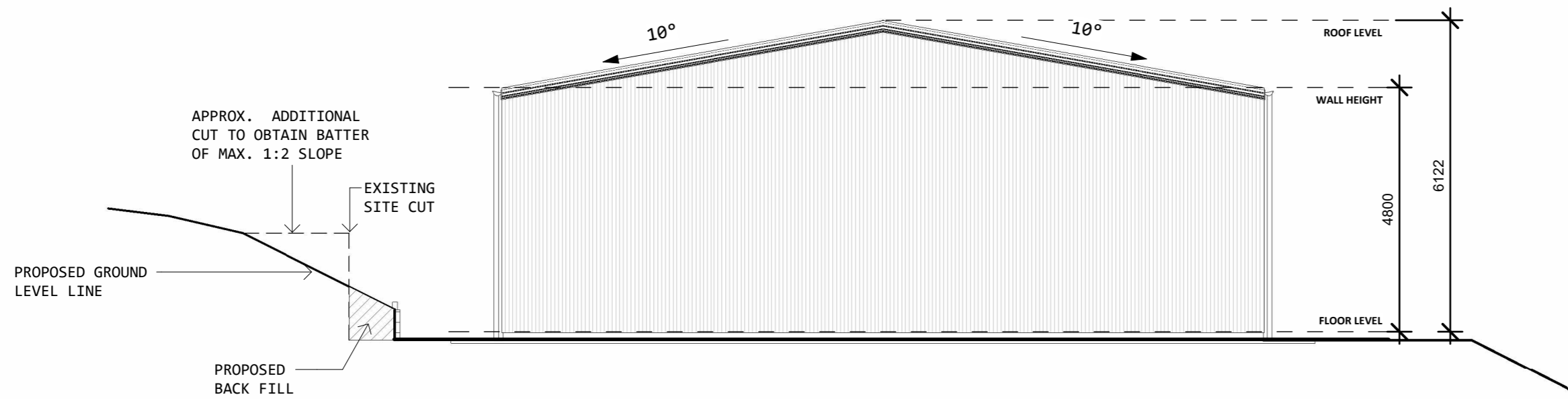
TITLE:
FLOOR PLAN

SCALE:
1 : 100

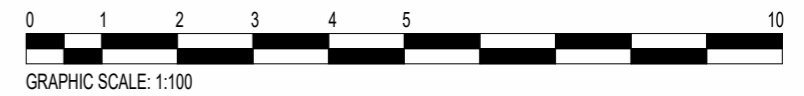
REVISION No.
1



1 FRONT ELEVATION
1 : 100



2 REAR ELEVATION
1 : 100



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION

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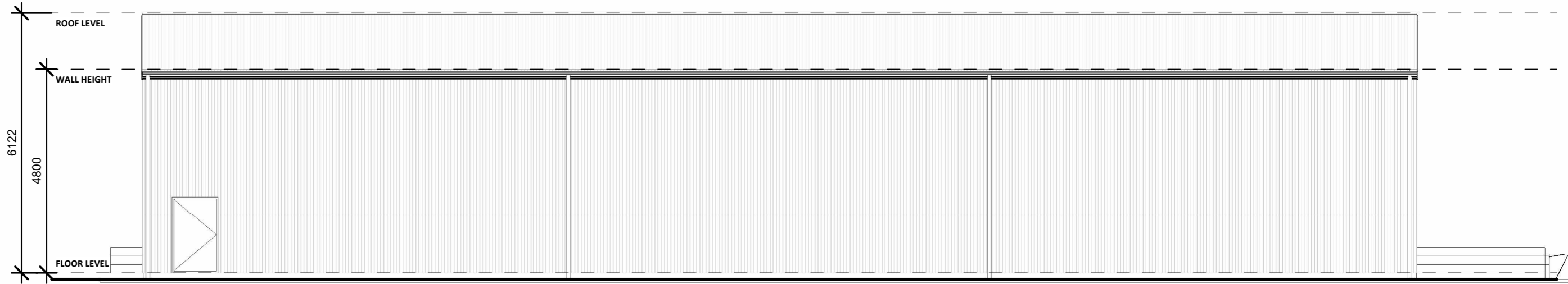
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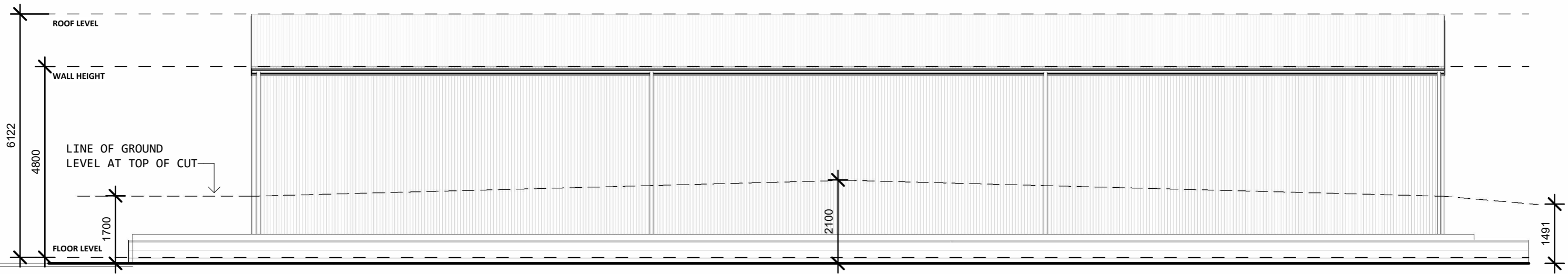
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DRAWING No: REVISION No.
A105 1

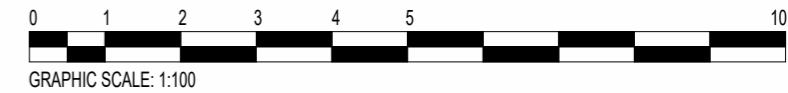
TITLE:
ELEVATIONS



1 LEFT ELEVATION
1 : 100



2 RIGHT ELEVATION
1 : 100



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
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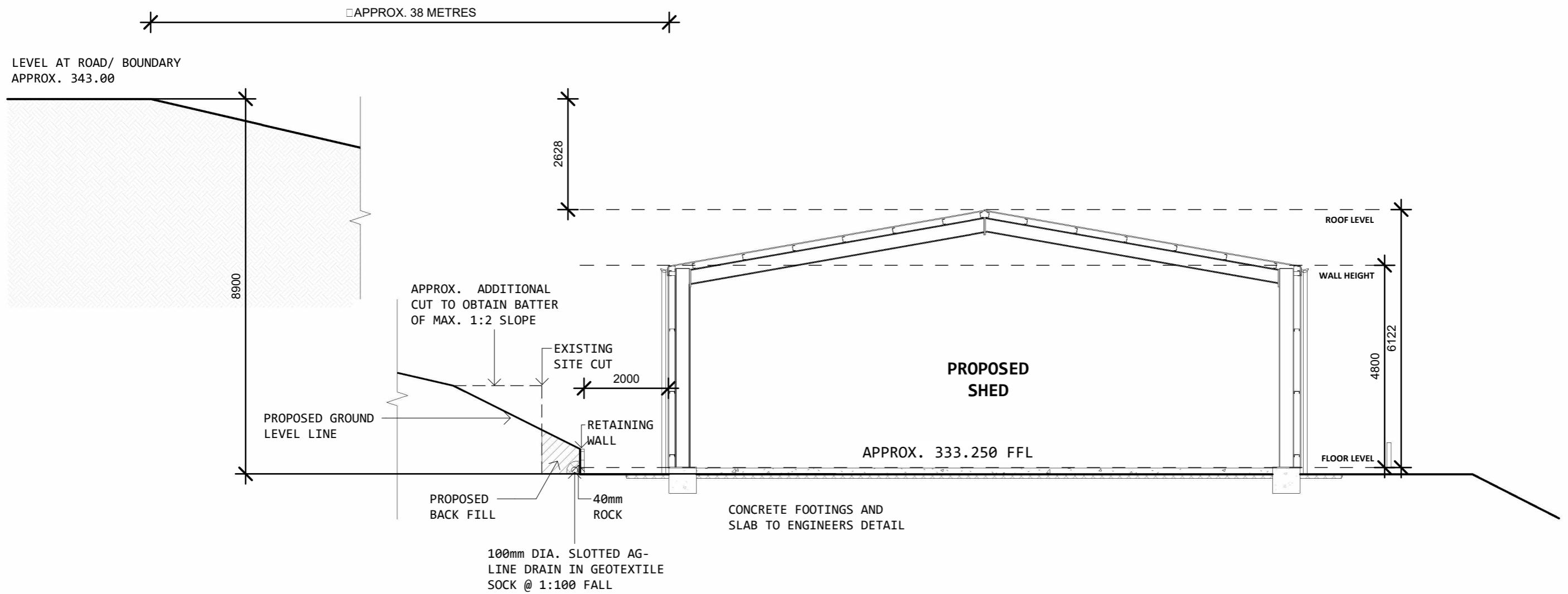
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DRAWING No:
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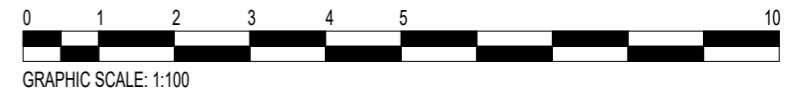
TITLE:
ELEVATIONS

SCALE:
1 : 100

REVISION No.
1



1 SECTION A-A
1 : 100



PROJECT:
NEW SHED

PROJECT STATUS:
FOR APPROVAL

CLIENT:
D. STOJANOV

SITE
32 DEVILS GULLY ROAD,
KERSBROOK SA 5231

DRAWN BY ISSUE DATE:
TW 14/06/24

REVIEWED BY: DATE:
TW 14/06/24

REVISION SCHEDULE			
REVISION NUMBER	ISSUED BY	REVISION DATE	REVISION DESCRIPTION

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Email: enquire@ridgedd.com.au

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JOB No:
RDD1182

DRAWING No:
A107

TITLE:
SECTION

SCALE:
1 : 100

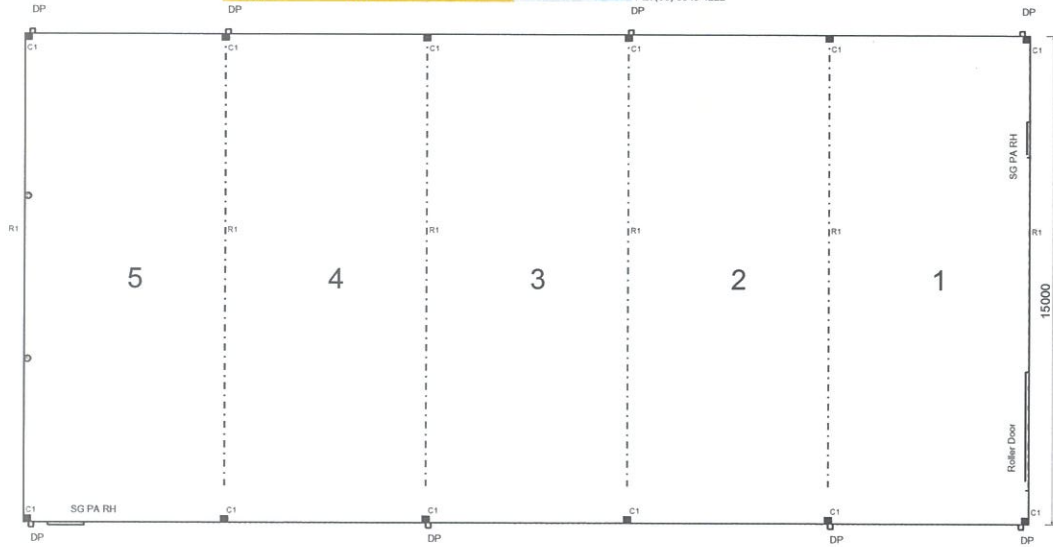
REVISION No.
1

Proposed Project for Mr STOJONOV

Postal Address Site Address Friday, 7 Date Prepared - Friday, 7 Jun 2024
 Prepared by - Adrian Ragnell
 Order # -
 Quote Ref # - n
 Scale - 1:100



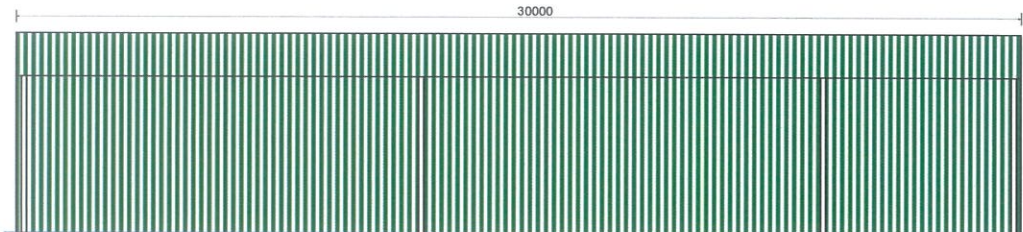
1233 Main North Rd,
 Para Hills West,
 PO Box 46 Para Hills
 SA 5096
 Ph (08) 8349 5744
 Fax (08) 8349 4222



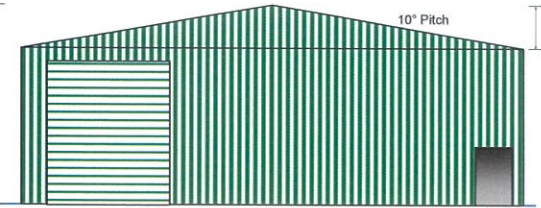
COLOUR CHART
 =====
 ROOF COLOUR - Cotta
 RIDGE COLOUR - Cotta
 WALL COLOUR - Cotta

■ SIDE COLUMNS

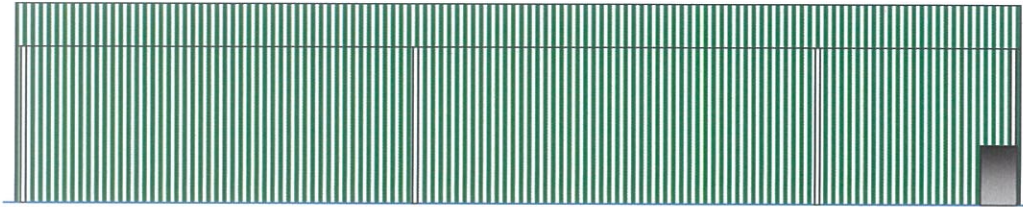
○ GABLE END COLUMNS



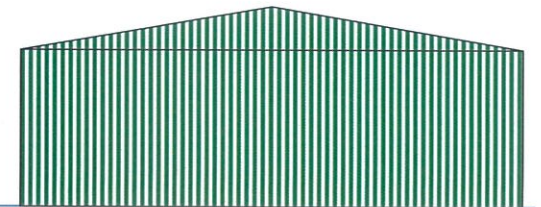
LEFT HAND SIDE



FRONT



RIGHT HAND SIDE



BACK

Native Vegetation Clearance

32 Devils Gully Road, Kersbrook

Clearance under the *Native Vegetation Regulations 2017*

August 2024

Prepared by Jeremy Ross-Carter



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Document Control:

Project: **Native Vegetation Clearance Assessment Data Report: 32 Devils Gully Road, Kersbrook**

Client: Dragi Stojanov

Document Number: DS_001

Assessor and Author: Jeremy Ross-Carter

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7. Appendices.....	12

1. Application information

Application Details

Applicant:	Dragi Stojanov		
Key contact:	Tom Walker. Mobile: 0419 866 046; Email: tomw@ridgedd.com.au		
Landowner:	Dragi Stojanov		
Site Address:	32 Devils Gully Road, Kersbrook SA 5231		
Local Government Area:	Adelaide Hills	Hundred:	Para Wirra
Title ID	CT/5195/977	Parcel ID	H105700 S694

Summary

Purpose of clearance	No Clearance required for construction of proposed shed. This Data Report describes the vegetation within the 10m Asset Protection Zone of the proposed shed.
Native Vegetation Regulation	Regulation 12, Schedule 1; Clause 33, House or Buildings
Description of the vegetation	<i>Eucalyptus leucoxylon ssp leucoxylon</i> (SA Blue Gum) woodland with an open sclerophyll and grassy understorey.
Area	0.06 hectares
Level of clearance	Level 2
Overlay (Planning and Design Code)	Native Vegetation Overlay

Map of area



Mitigation hierarchy	The proposed shed is to be constructed on an existing bench which is void of native vegetation. The applicant advised that the vegetation within the 10m Asset Protection Zone will be retained.
SEB Offset proposal	Nil

2. Introduction

2.1 Description

Jeremy Ross-Carter was commissioned by Dragi Stojanov to prepare a native vegetation clearance data report for the 10m Asset Protection Zone of a proposed shed (Map1) and to assess the area against the Clearance Requirements of the *Native Vegetation Act 1991* and *Native Vegetation Regulations 2017*.

For further details of the proposed development refer to Appendix 1. 32 Devils Gully Road, Kersbrook Plans.

2.2 Background

The vegetation under assessment is located within the Para IBRA Associations of South Australia.

The landform in the Para IBRA Association is described as undulating hilly uplands on metamorphics dominated with open parklands with understory of sown pastures and plantation forest. Approximately 31% of the Para IBRA Association is mapped as remnant native vegetation.

The subject and adjacent properties are zoned as rural residential (NatureMaps, 2024).

2.3 Native Vegetation Regulation

Regulation 12, Schedule 1; Clause 33, House or Buildings

2.4 Development Application information (if applicable)

Native Vegetation Overlay.

3. Method

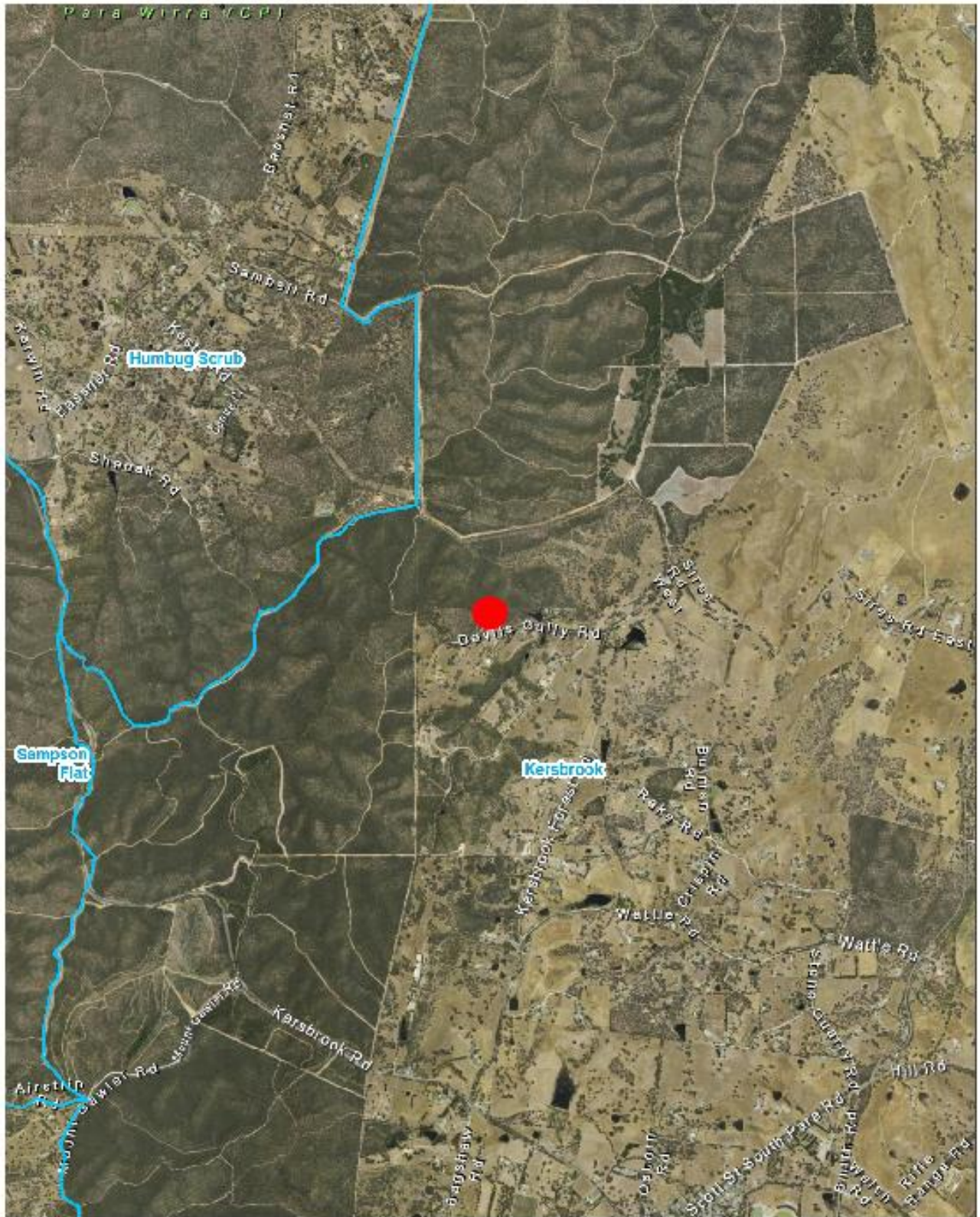
Prior to the site survey the following desktop assessments were conducted:

- Review of Atlas Living Australia to determine the likelihood of State listed flora and fauna species that may be present on or near the subject land.
- Review of the EPBC Act 1999 Protected Matter Search Tool within 5km of the site to determine the likelihood of nationally listed flora species or habitat of conservation significance that may be present within the vicinity of the subject land.

The project site was surveyed on 27 July 2024. The site survey was undertaken in accordance with the *Native Vegetation Council (NVC) Bushland Assessment Manual 2020*. The aim of the site survey was to:

- record the vegetation association and flora species present;
- record the condition of the vegetation present;
- record any threatened flora species, if present;
- record any opportunistic fauna sightings;
- identify any suitable alternative locations to avoid or minimise the impacts to native vegetation; and
- to assess the proposed clearance against the Requirements of the *Native Vegetation Regulations 2017*.

Map 1. Location of 32 Devils Gully Road, Kersbrook

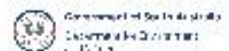


Map data is compiled from a variety of sources and hence its accuracy is variable.

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Compiled: 11-Aug-2024
 Generated at: www.naturemaps.sa.gov.au
 Datum: Geocentric Datum of Australia, 2020
 Projection: Web Mercator (Auxiliary Sphere)



4. Assessment Outcomes

4.1 Vegetation Assessment

General description of the vegetation, the site and matters of significance

The soil at the assessment area is mapped as acidic sandy loam over brown or grey clay on rock. The land type of the broader area is described as non-arable hills and rises with shallow stony soil and variable rock outcrop (NatureMaps 2024).

Details of the vegetation

Site A1

Vegetation Association	<i>Eucalyptus leucoxylon ssp leucoxylon</i> (SA Blue Gum) woodland with an open sclerophyll and grassy understorey.
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Photo 1: Viewing west



Photo 2: Viewing east



<p>General description</p>	<p>Site A1 contains a <i>Eucalyptus leucoxylon ssp leucoxylon</i> (SA Blue Gum) woodland with an open sclerophyll and grassy understorey. Understorey species include <i>Acacia pycnantha</i> (Golden Wattle), <i>Bursaria spinosa ssp. spinosa</i> (Sweet Bursaria), <i>Pteridium esculentum ssp. esculentum</i> (Bracken Fern), <i>Senecio quadridentatus</i> (Button Groundsel), <i>Acaena echinata</i> (Sheep's Burr) and <i>Rytidosperma caespitosum</i> (Common Wallaby-grass). Introduced flora species include <i>Scabiosa atropurpurea</i> (Pincushion), <i>Rubus fruticosus aggregate</i> (Blackberry – Declared Plant), <i>Plantago lanceolata var.</i> (Ribwort), <i>Oxalis pes-caprae</i> (Soursob) and <i>Senecio pterophorus</i> (African Daisy).</p> <p>The site contains a sparse litter layer and numerous fallen branches. Golden Wattle was the only species observed regenerating. Native species account for approximately 60-80% of the understorey biomass. No hollows were observed in the trees.</p>				
<p>Threatened species</p>	<p>The vegetation under application provides suitable habitat for the <i>Corcorax melanorhamphos</i> (White-winged Chough), <i>Neophema elegans elegans</i> (Elegant Parrot), <i>Petroica boodang boodang</i> (Scarlet Robin) and <i>Trichosurus vulpecula</i> (Common Brushtail Possum) which are listed as Rare under the <i>National Parks and Wildlife Act 1972</i>.</p>				
<p>Landscape context score</p>	<p>1.13</p>	<p>Vegetation Condition Score</p>	<p>26.55</p>	<p>Conservation significance score</p>	<p>1.04</p>
<p>Unit biodiversity Score</p>	<p>31.20</p>	<p>Impact Area (ha)</p>	<p>0.06</p>	<p>Total biodiversity Score</p>	<p>1.87</p>

Map 2. Site A1

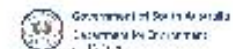


Map data is compiled from a variety of sources and hence its accuracy is variable.

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Compiled: 11-Aug-2024
Generated at: www.naturemaps.sa.gov.au
Datum: Geocentric Datum of Australia, 2020
Projection: Web Mercator (Auxiliary Sphere)



4.2 Threatened Species assessment

Site A1 would provide suitable habitat for the threatened fauna species listed in Table 1 below.

Table 1: Species the vegetation is considered to provide suitable habitat

Species (common name)	NP&W Act	EPBC Act
<i>Corcorax melanorhamphos</i> (White-winged Chough)	Rare	
<i>Neophema elegans elegans</i> (Elegant Parrot)	Rare	
<i>Petroica boodang boodang</i> (Scarlet Robin)	Rare	
<i>Trichosurus vulpecula</i> (Common Brushtail Possum)	Rare	

4.3 Cumulative impact

When exercising a power or making a decision under Division 5 of the Native Vegetation Regulations 2017, the NVC must consider the potential cumulative impact, both direct and indirect, that is reasonably likely to result from a proposed clearance activity.

Direct Impacts

No Clearance required for construction of proposed shed. The applicant does not intend to clear the vegetation under application.

Indirect Impacts

No indirect impacts are foreseen for the proposed development.

Cumulative Impacts

No cumulative impacts.

4.4 Address the Mitigation Hierarchy

When exercising a power or making a decision under Division 5 of the Native Vegetation Regulations 2017, the NVC must have regard to the mitigation hierarchy. The NVC will also consider, with the aim to minimize, impacts on biological diversity, soil, water and other natural resources, threatened species or ecological communities under the EPBC Act or listed species under the NP&W Act.

a) Avoidance – outline measures taken to avoid clearance of native vegetation

The proposed shed is to be constructed on an existing bench which is void of native vegetation.

b) Minimization – if clearance cannot be avoided, outline measures taken to minimize the extent, duration and intensity of impacts of the clearance on biodiversity to the fullest possible extent (whether the impact is direct, indirect or cumulative).

The applicant does not intend to clear the vegetation under application.

c) Rehabilitation or restoration – outline measures taken to rehabilitate ecosystems that have been degraded, and to restore ecosystems that have been degraded, or destroyed by the impact of clearance that cannot be avoided or further minimized, such as allowing for the re-establishment of the vegetation.

Not applicable.

d) Offset – any adverse impact on native vegetation that cannot be avoided or further minimized should be offset by the achievement of a significant environmental benefit that outweighs that impact.

No Clearance required for construction of proposed shed; therefore, no offset is required.

4.5 Principles of Clearance (Schedule 1, Native Vegetation Act 1991)

The Native Vegetation Council will consider Principles 1(a)-(g) when assigning a level of Risk under Regulation 16 of the Native Vegetation Regulations. The Native Vegetation Council will consider all the Principles of clearance of the Act as relevant, when considering an application referred under the *Planning, Development and Infrastructure Act 2016*.

Principle of clearance	Relevant information	Assessment against the principles	Moderating factors that may be considered by the NVC
Principle 1b – significance as a habitat for wildlife	Site A1: Fauna Habitat Score: 0.04 The vegetation under application provides suitable habitat for the <i>Corcorax melanorhamphos</i> (White-winged Chough), <i>Neophema elegans elegans</i> (Elegant Parrot), <i>Petroica boodang boodang</i> (Scarlet Robin) and <i>Trichosurus vulpecula</i> (Common Brushtail Possum) which are listed as Rare under the <i>National Parks and Wildlife Act 1972</i> .	At Variance	
Principle 1c – plants of a rare, vulnerable or endangered species	Threatened Flora Scores: 0	Not at Variance	
Principle 1d – the vegetation comprises the whole or part of a plant community that is Rare, Vulnerable or endangered:	Threatened Community Score: 1	Not at Variance	

4.6 Risk Assessment

Determine the level of risk associated with the application

Total clearance	No. of trees	Nil
	Area (ha)	0.06
	Total biodiversity Score	1.87
Seriously at variance with principle 1(b), 1(c) or 1 (d)		Nil
Risk assessment outcome		Level 2

5. Clearance summary

Clearance Area Summary table

Block	Site	Species diversity score	Threatened Ecological community Score	Threatened plant score	Threatened fauna score	UBS	Area (ha)	Total Biodiversity score	Loss factor	Loadings	Reductions
A	1	9	1	0	0.04	31.20	0.1	1.87	0	0	0

Economies of Scale Factor	0.5
Rainfall (mm)	716

6. Significant Environmental Benefit

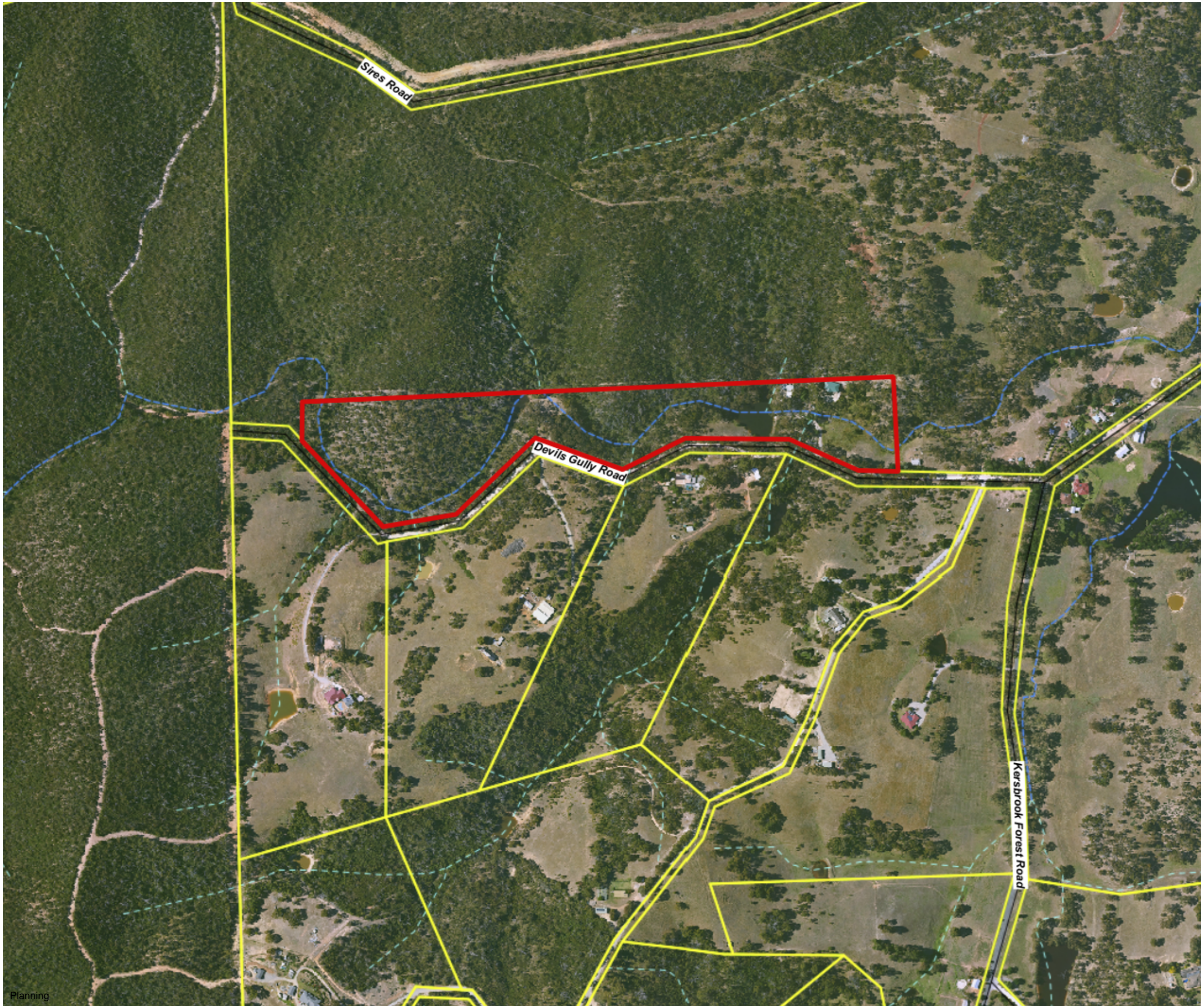
A Significant Environmental Benefit (SEB) is required for approval to clear under Division 5 of the *Native Vegetation Regulations 2017*. The NVC must be satisfied that as a result of the loss of vegetation from the clearance that an SEB will result in a positive impact on the environment that is over and above the negative impact of the clearance.

No Clearance required for construction of proposed shed; therefore, no SEB is required.

7. Appendices

Appendix 1. 32 Devils Gully Road, Kersbrook Plans (Submitted in PDF format)

Appendix 2. 32 Devils Gully Road, Kersbrook_Bushland Assessment Scoresheet (Submitted in Excel format)

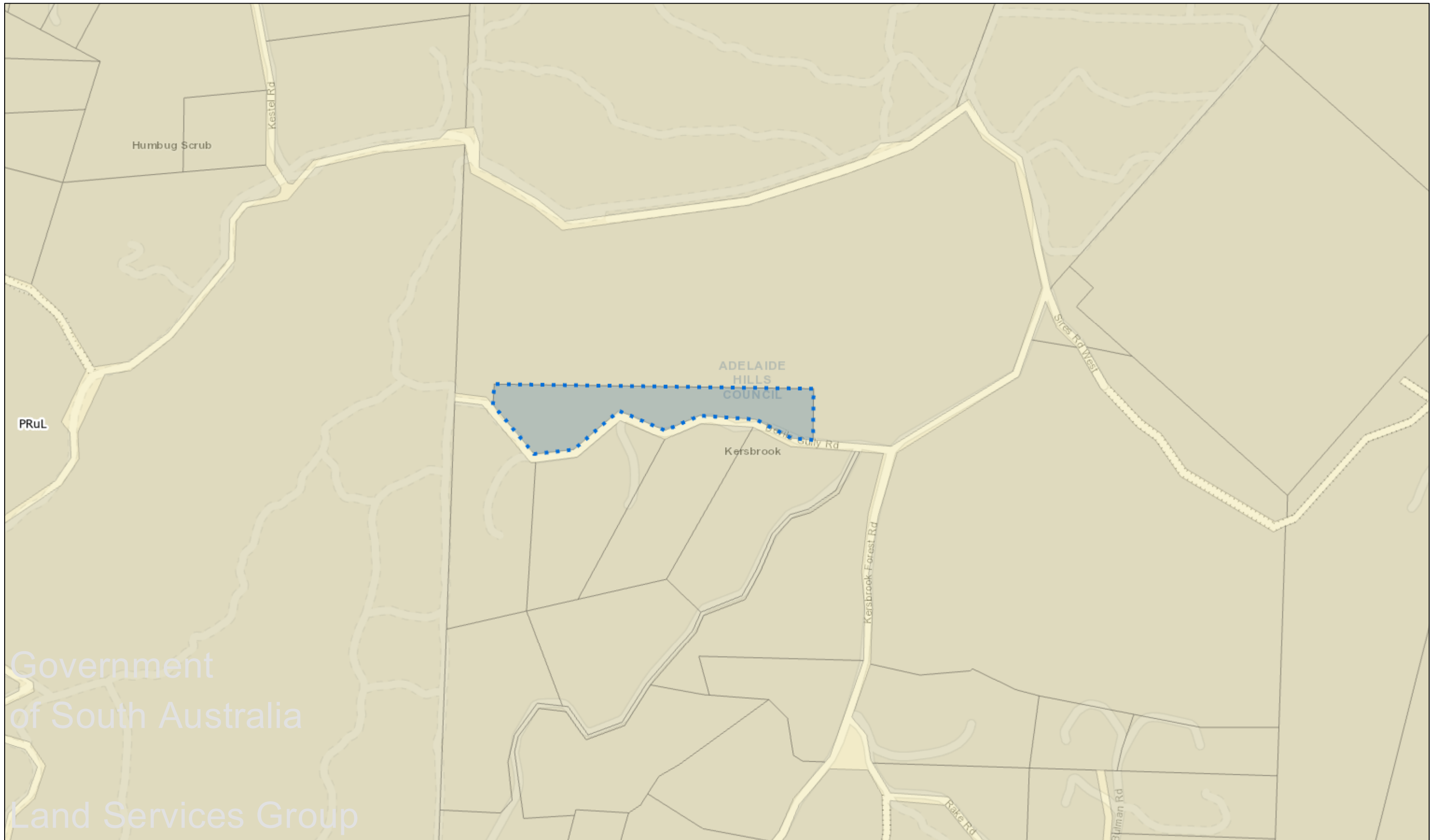


Subject land

SAPPA Report

The SA Property and Planning Atlas is available on the Plan SA website: <https://sappa.plan.sa.gov.au>

Date created:
November 27, 2024

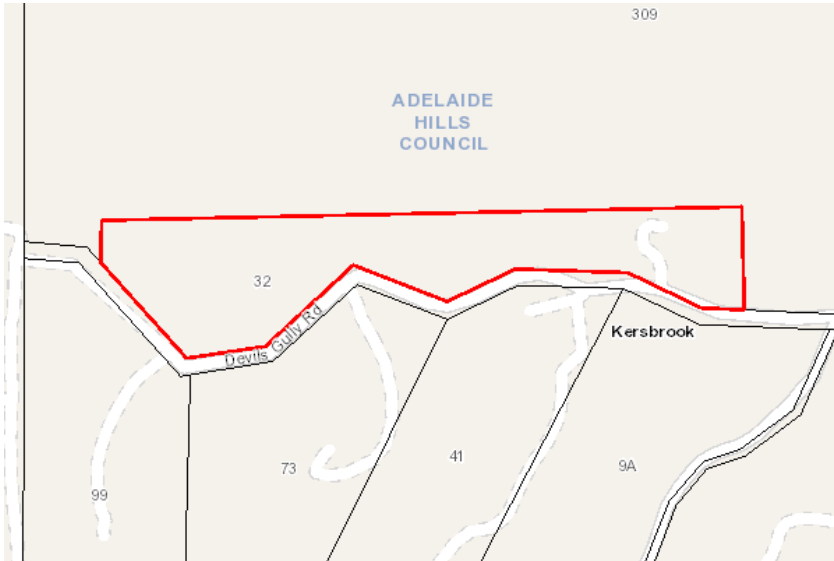


Government
of South Australia
Land Services Group

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

Address: 32 DEVILS GULLY RD KERSBROOK SA 5231

To view a detailed interactive property map in SAPPa click on the map below



Property Zoning Details

Zone

Productive Rural Landscape

Overlay

- Character Preservation District (Not In Township)
- Hazards (Bushfire - High Risk)
- Hazards (Flooding - Evidence Required)
- Limited Land Division
- Mount Lofty Ranges Water Supply Catchment (Area 2)
- Native Vegetation
- Prescribed Water Resources Area
- Water Resources

Selected Development(s)

Store

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards. If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Store - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

Productive Rural Landscape Zone

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	A diverse range of land uses at an appropriate scale and intensity that capitalise on the region's proximity to the metropolitan area and the tourist and lifestyle opportunities this presents while also conserving the natural and rural character, identity, biodiversity and sensitive environmental areas and scenic qualities of the landscape.
DO 2	A zone that promotes agriculture, horticulture, value adding opportunities, farm gate businesses, the sale and consumption of agricultural based products, tourist development and accommodation that expands the economic base and promotes its regional identity.
DO 3	Create local conditions that support new and continuing investment while seeking to promote co-existence with adjoining activities and mitigate land use conflicts.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 The productive value of rural land for a range of primary production and horticultural activities and associated value adding of primary produce (such as beverage production), retailing and tourism is supported, protected and maintained. The proliferation of land uses that may be sensitive to those activities is avoided.	DTS/DPF 1.1 Development comprises one or more of the following: <ul style="list-style-type: none"> (a) Advertisement (b) Agricultural building (c) Brewery (d) Carport (e) Cidery (f) Commercial forestry (g) Distillery (h) Dwelling (i) Dwelling addition (j) Farming (k) Function venue (l) Horse keeping (m) Horticulture (n) Industry (o) Low intensity animal husbandry (p) Outbuilding (q) Shop (r) Small-scale ground mounted solar power facility (s) Tourist accommodation (t) Transport distribution (u) Verandah (v) Warehouse (w) Winery (x) Workers' accommodation
Siting and Design	
PO 2.1 Development is provided with suitable vehicle access.	DTS/DPF 2.1 Development is serviced by an all-weather trafficable public road.

<p>PO 2.2</p> <p>Buildings are generally located on flat land to minimise cut and fill and the associated visual impacts.</p>	<p>DTS/DPF 2.2</p> <p>Buildings:</p> <ul style="list-style-type: none"> (a) are located on a site with a slope not greater than 10% (1-in-10) (b) do not result excavation and/or filling of land that is greater than 1.5m from natural ground level.
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Rural Industry

<p>PO 4.1</p> <p>Small-scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities provide opportunities for diversification and value adding to locally sourced primary production activities.</p>	<p>DTS/DPF 4.1</p> <p>Industries, storage, warehousing, produce grading and packing and transport distribution activities and similar activities (or any combination thereof):</p> <ul style="list-style-type: none"> (a) are directly related and ancillary to a primary production use on the same or adjoining allotment (b) are located on an allotment not less than 2ha in area (c) have a total floor area not exceeding 350m².
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<p>PO 4.2</p> <p>Expansion of established small-scale or new large scale industry (including beverage production and washing, processing, bottling and packaging activities), storage, warehousing, produce grading and packing, transport distribution or similar activities:</p> <ul style="list-style-type: none"> (a) are commensurate with the allotment on which it is situated to mitigate adverse impacts on the amenity of land in other ownership and the character of locality (b) realise efficiencies in primary production related storage, sorting, packaging, manufacturing and the like (c) primarily involve primary production commodities sourced from the same allotment and/or surrounding rural areas. 	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>
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<p>PO 4.3</p> <p>Industry, storage, warehousing, transport distribution or similar activities are sited, designed and of a scale that maintains rural function and character in a manner that respects landscape amenity.</p>	<p>DTS/DPF 4.3</p> <p>Buildings and associated activities:</p> <ul style="list-style-type: none"> (a) are setback at least 50m from all road and allotment boundaries (b) are not sited within 100m of a sensitive receiver in other ownership (c) have a building height not greater than 10m above natural ground level (d) incorporate the loading and unloading of vehicles within the confines of the allotment.
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Built Form and Character

<p>PO 11.1</p> <p>Large buildings designed and sited to reduce impacts on scenic and rural vistas by:</p> <ul style="list-style-type: none"> (a) having substantial setbacks from boundaries and adjacent public roads (b) using low reflective materials and finishes that blend with the surrounding landscape (c) being located below ridgelines. 	<p>DTS/DPF 11.1</p> <p>None are applicable.</p>
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Table 5 - Procedural Matters (PM) - Notification

The following table identifies, pursuant to section 107(6) of the *Planning, Development and Infrastructure Act 2016*, classes of performance assessed development that are excluded from notification. The table also identifies any exemptions to the placement of notices when notification is required.

Interpretation

Notification tables exclude the classes of development listed in Column A from notification provided that they do not fall within a corresponding exclusion prescribed in Column B.

Where a development or an element of a development falls within more than one class of development listed in Column A, it will be excluded from notification if it is excluded (in its entirety) under any of those classes of development. It need not be excluded under all applicable classes of development.

Where a development involves multiple performance assessed elements, all performance assessed elements will require notification (regardless of whether one or more elements are excluded in the applicable notification table) unless every performance assessed element of the application is excluded in the applicable notification table, in which case the application will not require notification.

A relevant authority may determine that a variation to 1 or more corresponding exclusions prescribed in Column B is minor in nature and does not require notification.

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. Any development involving any of the following (or of any combination of any of the following): <ul style="list-style-type: none"> (a) advertisement (b) agricultural building (c) air handling unit, air conditioning system or exhaust fan (d) ancillary accommodation (e) carport (f) deck (g) fence (h) dwelling (i) dwelling addition (j) farming (k) horse keeping (l) internal building work (m) land division (n) outbuilding (o) pergola (p) private bushfire shelter (q) protective tree netting structure (r) replacement building (s) retaining wall (t) solar photovoltaic panels (roof mounted) (u) shade sail 	None specified.

<ul style="list-style-type: none"> (v) swimming pool or spa pool and associated swimming pool safety features (w) temporary accommodation in an area affected by bushfire (x) tree damaging activity (y) verandah (z) water tank. 	
<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> (a) industry (b) store (c) warehouse. 	<p>Except development that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Productive Rural Landscape Zone DTS/DPF 4.1 2. Productive Rural Landscape Zone DTS/DPF 4.3.
<p>4. Demolition.</p>	<p>Except any of the following:</p> <ul style="list-style-type: none"> 1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building) 2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).
<p>5. Function venue within The Cedars Subzone.</p>	<p>None specified.</p>
<p>6. Function venue.</p>	<p>Except function venue that does not satisfy Productive Rural Landscape Zone DTS/DPF 6.6.</p>
<p>7. Horticulture.</p>	<p>Except horticulture that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Productive Rural Landscape Zone DTS/DPF 3.1(d) 2. Productive Rural Landscape Zone DTS/DPF 3.1(e).
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>
<p>9. Shop within The Cedars Subzone.</p>	<p>None specified.</p>
<p>10. Shop.</p>	<p>Except shop that does not satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Productive Rural Landscape Zone DTS/DPF 6.1 2. Productive Rural Landscape Zone DTS/DPF 6.2.
<p>11. Tourist accommodation within The Cedars Subzone.</p>	<p>None specified.</p>
<p>12. Tourist accommodation.</p>	<p>Except tourist accommodation that does not to satisfy any of the following:</p> <ul style="list-style-type: none"> 1. Productive Rural Landscape Zone DTS/DPF 6.3 2. Productive Rural Landscape Zone DTS/DPF 6.4.

Placement of Notices - Exemptions for Performance Assessed Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to place a notice on the relevant land under section 107(3)(a)(ii) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Productive Rural Landscape Zone.

Placement of Notices - Exemptions for Restricted Development

Pursuant to regulation 47(6)(c) of the Planning, Development and Infrastructure (General) Regulations 2017, the requirement to

place a notice on the relevant land under section 110(2)(a)(iv) of the *Planning, Development and Infrastructure Act 2016* does not apply in the Productive Rural Landscape Zone.

Part 3 - Overlays

Character Preservation District Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Recognise, protect and enhance the special character of Character Preservation Districts.
DO 2	The long term use of land outside of townships for primary production and associated value adding enterprises is assured and promoted.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form and Character	
PO 2.1 Development occurring at the edge of townships is sympathetic to the rural landscape and reinforces a clear transition between townships and rural landscape through measures including: <ul style="list-style-type: none"> (a) being of a low scale (b) orientating residential development towards the rural area (c) ensuring visual separation from the rural area through landscaping and road reserves. 	DTS/DPF 2.1 None are applicable.
PO 2.2 Development contributes to and maintains the historic identity and character of townships through appropriate: <ul style="list-style-type: none"> (a) form (b) scale (c) siting (d) design (e) landscaping. 	DTS/DPF 2.2 None are applicable.
PO 2.3 Adaptive re-use of rural structures and historic and/or character buildings supports their preservation and ongoing contribution to the landscape.	DTS/DPF 2.3 None are applicable.
Built Form and Character in the Rural Area	
PO 3.1 Preservation of existing natural features including topography,	DTS/DPF 3.1 None are applicable.

watercourses and mature trees.	
PO 3.2 Buildings and structures do not interrupt views of the skyline through measures including being sited below ridge lines.	DTS/DPF 3.2 None are applicable.
PO 3.3 Buildings and structures harmonise with the natural features of the landscape and reinforce the rural character through the use of muted, neutral, non-reflective landscape colours on external surfaces.	DTS/DPF 3.3 None are applicable.
PO 3.4 Large buildings and structures are sited and oriented to minimise their visual bulk, particularly if close to roads or in open settings where there are no other buildings or mature trees in close proximity.	DTS/DPF 3.4 None are applicable.
PO 3.5 Buildings and structures are grouped to create compact clusters well set back from public roads.	DTS/DPF 3.5 None are applicable.
PO 3.6 Development mitigates the need for long, steep access roads that require excessive grading or removal of vegetation.	DTS/DPF 3.6 None are applicable.
Earthworks	
PO 4.1 Excavation and filling of land is limited to that associated with: <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <p>(a) minimising the visual impact of buildings or structures</p> <p>or</p> <p>(a) construction of water storage facilities.</p> </div> <div style="width: 45%;"> <p>(a) no greater than 1.5 metres from natural ground level</p> <p>(b) only undertaken in order to reduce the visual impact of buildings or structures or to construct water storage facilities.</p> </div> </div>	DTS/DPF 4.1 Excavation and/or filling of land is:

Procedural Matters (PM)

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Hazards (Bushfire - High Risk) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development, including land division is sited and designed to minimise the threat and impact of bushfires on life and property with regard to the following risks:</p> <ul style="list-style-type: none"> (a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change (b) high levels and exposure to ember attack (c) impact from burning debris (d) radiant heat (e) likelihood and direct exposure to flames from a fire front.
DO 2	Activities that increase the number of people living and working in the area or where evacuation would be difficult is sited away from areas of unacceptable bushfire risk.
DO 3	To facilitate access for emergency service vehicles to aid the protection of lives and assets from bushfire danger.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use	
PO 1.1 Development that significantly increases the potential for fire outbreak as a result of the spontaneous combustion of materials, spark generation or through the magnification and reflection of light is not located in areas of unacceptable bushfire risk.	DTS/DPF 1.1 None are applicable.
Siting	
PO 2.1 Buildings and structures are located away from areas that pose an unacceptable bushfire risk as a result of vegetation cover and type, and terrain.	DTS/DPF 2.1 None are applicable.
Built Form	
PO 3.1 Buildings and structures are designed and configured to reduce the impact of bushfire through using designs that reduce the potential for trapping burning debris against or underneath the building or structure, or between the ground and building floor level in the case of transportable buildings and buildings on stilts.	DTS/DPF 3.1 None are applicable.
PO 3.2 Extensions to buildings, outbuildings and other ancillary structures are sited and constructed using materials to minimise the threat of fire spread to residential and tourist accommodation (including boarding houses, hostels, dormitory style accommodation, student accommodation and Workers' accommodation) in the event of bushfire.	DTS/DPF 3.2 Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.
Vehicle Access –Roads, Driveways and Fire Tracks	
PO 6.1	DTS/DPF 6.1

<p>Roads are designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) access, operation and evacuation of fire-fighting vehicles and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>Roads:</p> <ul style="list-style-type: none"> (a) are constructed with a formed, all-weather surface (b) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the road (c) have a cross fall of not more than 6 degrees (1-in-9.5) at any point along the road (d) have a minimum formed road width of 6m (e) provide overhead clearance of not less than 4.0m between the road surface and overhanging branches or other obstructions including buildings and/or structures (Figure 1) (f) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around road curves by constructing the curves with a minimum external radius of 12.5m (Figure 2) (g) incorporating cul-de-sac endings or dead end roads are provided within an alternative evacuation route and do not exceed 200m in length and the end of the road has either: <ul style="list-style-type: none"> (i) a turning area with a minimum formed surface radius of 12.5m (Figure 3) or (ii) a 'T' or 'Y' shaped turning area with a minimum formed surface length of 11m and minimum internal radii of 9.5m (Figure 4) (h) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 6.2</p> <p>Access to habitable buildings is designed and constructed to facilitate the safe and effective:</p> <ul style="list-style-type: none"> (a) use, operation and evacuation of fire-fighting and emergency personnel (b) evacuation of residents, occupants and visitors. 	<p>DTS/DPF 6.2</p> <p>Access is in accordance with (a) or (b):</p> <ul style="list-style-type: none"> (a) a clear and unobstructed vehicle or pedestrian pathway of not greater than 60 metres in length is available between the most distant part of the habitable building and the nearest part of a formed public access road (b) driveways: <ul style="list-style-type: none"> (i) do not exceed 600m in length (ii) are constructed with a formed, all-weather surface (iii) are connected to a formed, all-weather public road with the transition area between the road and driveway having a gradient of not more than 7 degrees (1-in-8) (iv) have a gradient of not more than 16 degrees (1-in-3.5) at any point along the driveway (v) have a crossfall of not more than 6 degrees (1-in-9.5) at any point along the driveway (vi) have a minimum formed width of 3m (4m where the gradient of the driveway is steeper than 12 degrees (1-in-4.5)) plus 0.5 metres clearance either side of the driveway from overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (vii) incorporate passing bays with a minimum width of 6m and length of 17m every 200m (Figure 5)

	<ul style="list-style-type: none"> (viii) provide overhead clearance of not less than 4.0m between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures (Figure 1) (ix) allow fire-fighting services (personnel and vehicles) to travel in a continuous forward movement around driveway curves by constructing the curves with a minimum external radius of 12.5m (Figure 2) (x) allow fire-fighting vehicles to safely enter and exit an allotment in a forward direction by using a 'U' shaped drive through design or by incorporating at the end of the driveway either: <ul style="list-style-type: none"> A. a loop road around the building or B. a turning area with a minimum radius of 12.5m (Figure 3) or C. a 'T' or 'Y' shaped turning area with a minimum formed length of 11m and minimum internal radii of 9.5m (Figure 4) (xi) incorporate solid, all-weather crossings over any watercourse that support fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes.
<p>PO 6.3</p> <p>Development does not rely on fire tracks as means of evacuation or access for fire-fighting purposes unless there are no safe alternatives available.</p>	<p>DTS/DPF 6.3</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

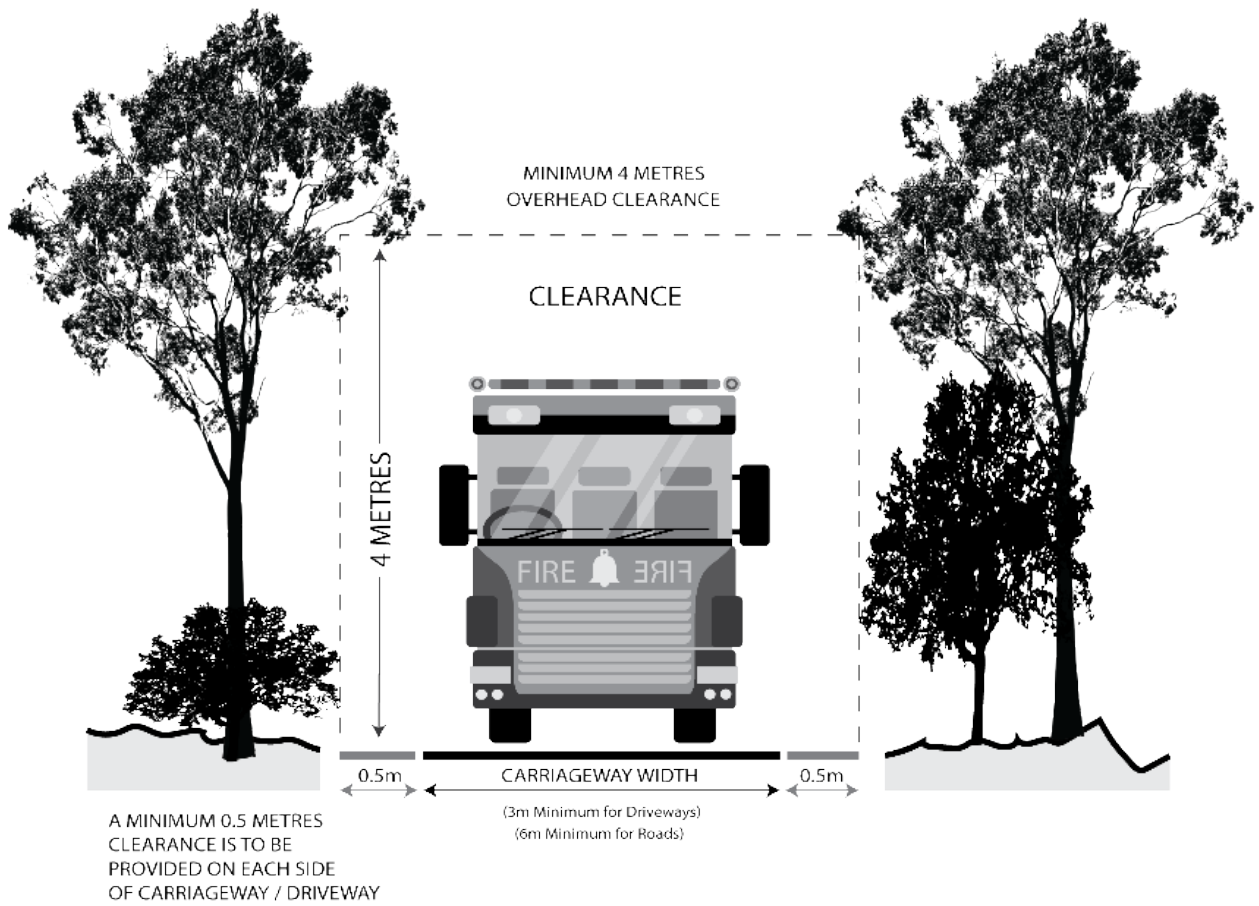
Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Except if a relevant certificate accompanies the application for planning consent in respect of the development, any of the following classes of development (including alterations and additions which increase the floor area of such buildings by 10% or more):</p> <ul style="list-style-type: none"> (a) land division creating one or more additional allotments (b) dwelling (c) ancillary accommodation (d) residential flat building (e) tourist accommodation (f) boarding home (g) dormitory style accommodation (h) workers' accommodation 	<p>South Australian Country Fire Service.</p>	<p>To provide expert assessment and direction to the relevant authority on the potential impacts of bushfire on the development.</p>	<p>Development of a class to which Schedule 9 clause 3 item 2 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

(i) student accommodation			
(j) child care facility			
(k) educational facility			
(l) retirement village			
(m) supported accommodation			
(n) residential park			
(o) hospital			
(p) camp ground.			

Figures and Diagrams

Fire Appliance Clearances

Figure 1 - Overhead and Side Clearances



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

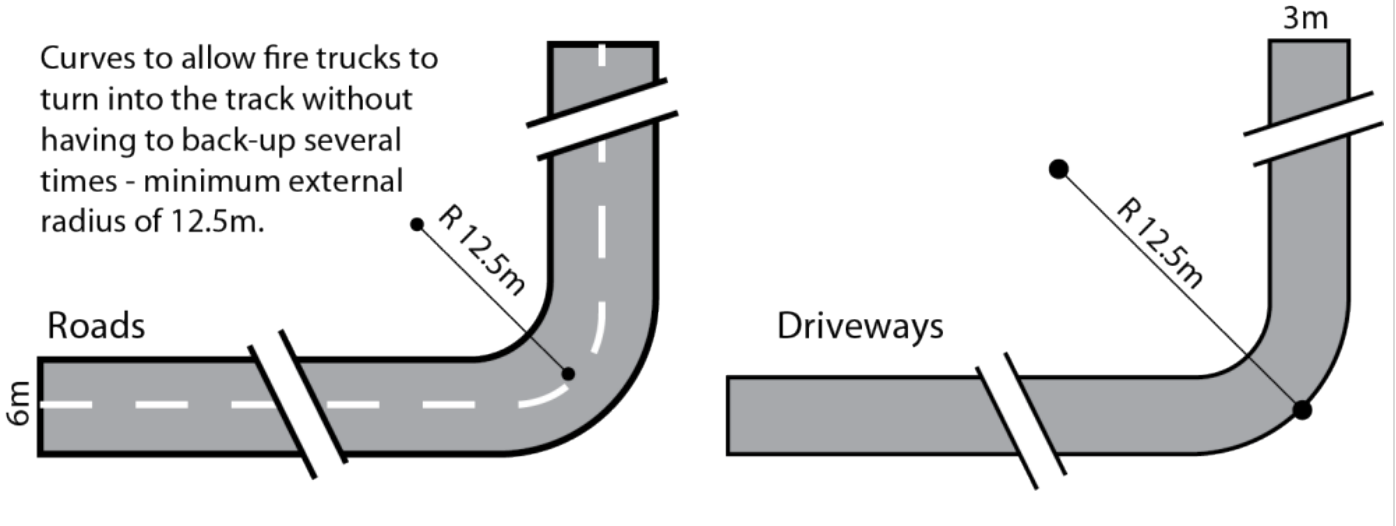


Figure 3 - Full Circle Turning Area

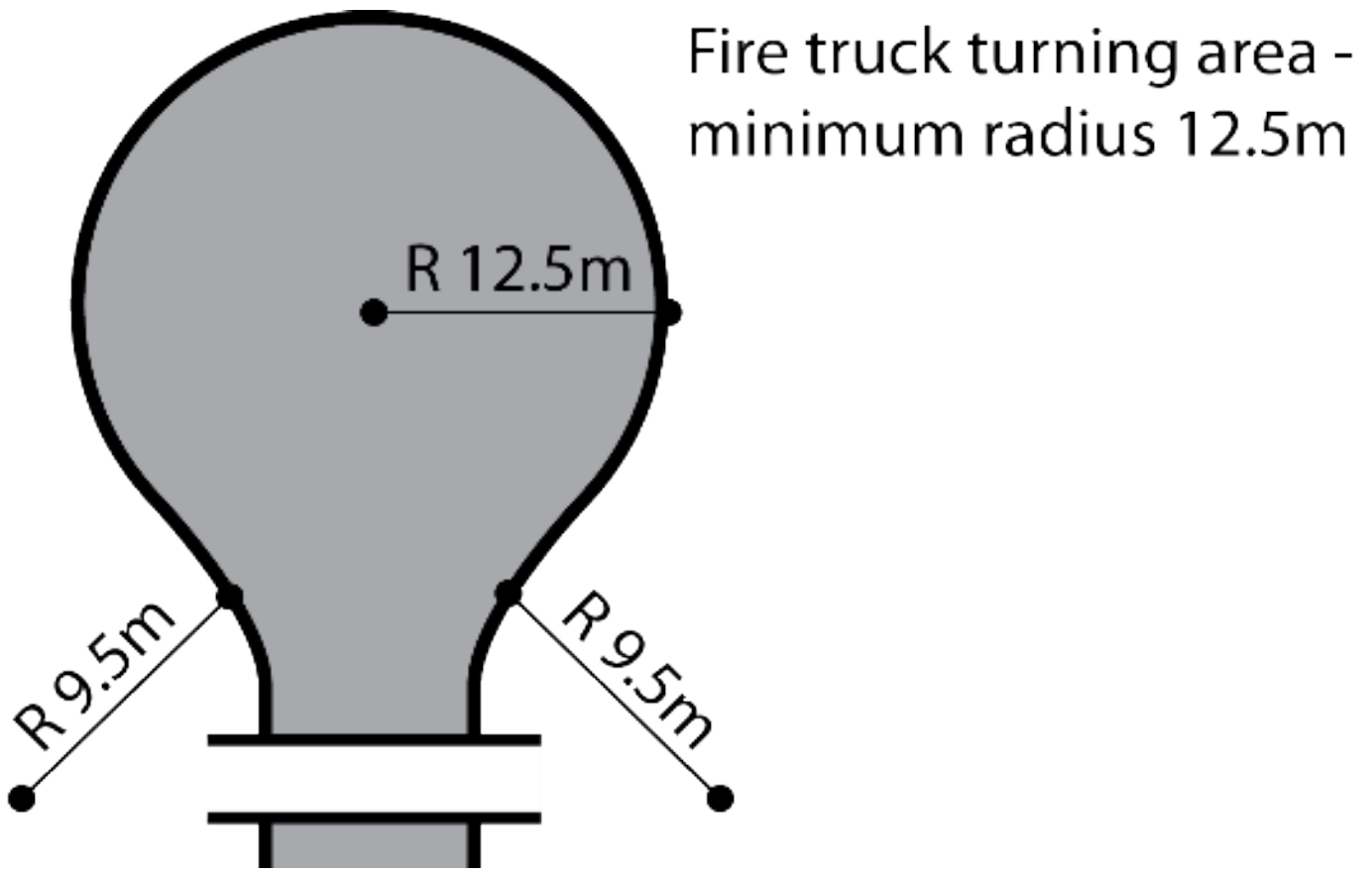
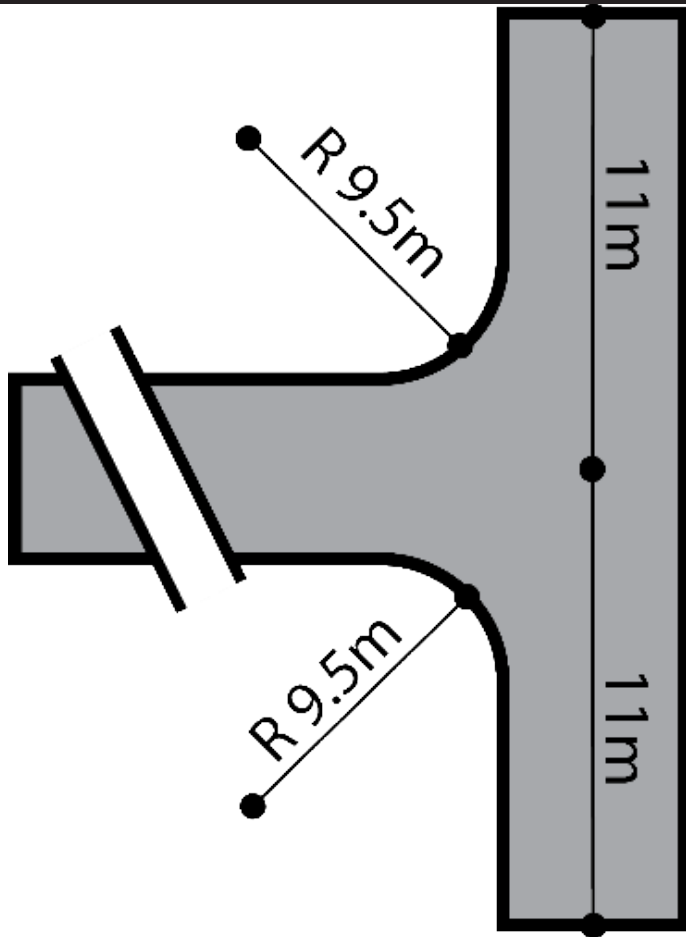
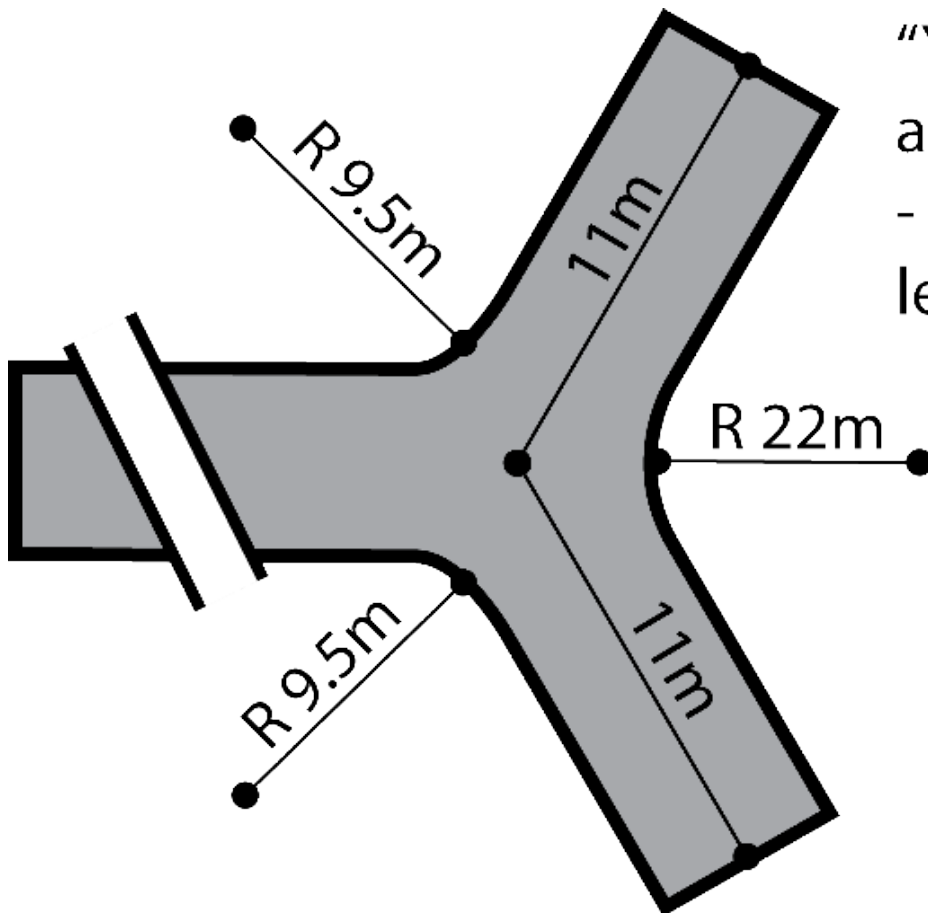


Figure 4 - 'T' or 'Y' Shaped Turning Head



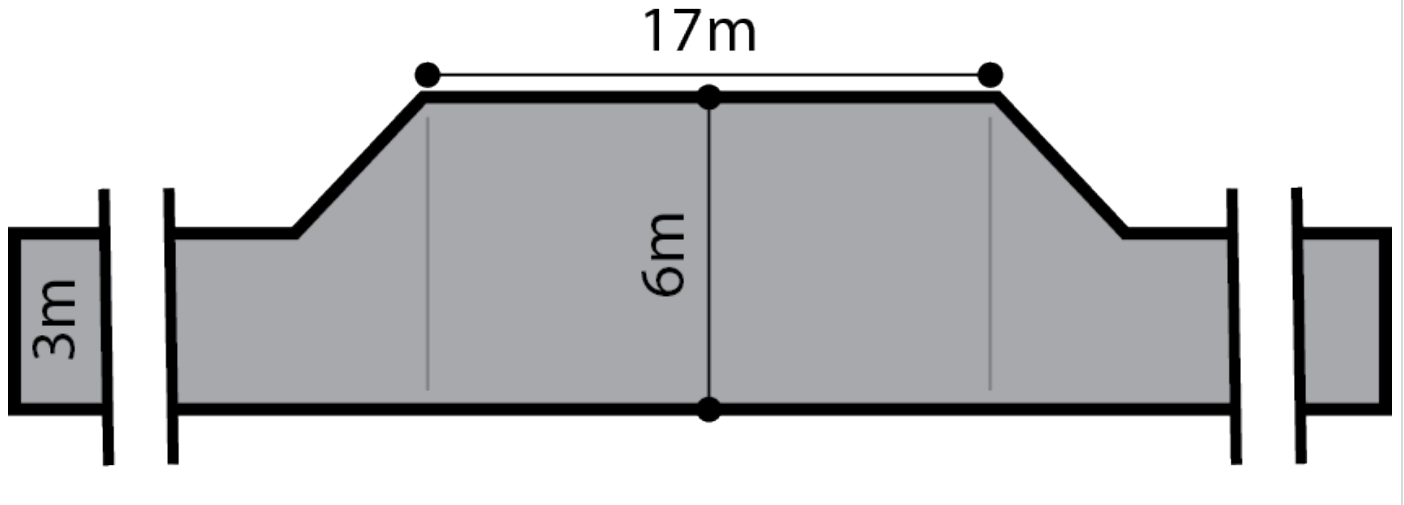
“T” shaped turning area for fire trucks to reverse into so they can turn around
- minimum length 11m.



“Y” shaped turn around area
- minimum length 11 metres.

Figure 5 - Driveway Passing Bays

Passing bay for fire trucks - minimum width 6 metres, minimum length 17 metres.



Hazards (Flooding - Evidence Required) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adopts a precautionary approach to mitigate potential impacts on people, property, infrastructure and the environment from potential flood risk through the appropriate siting and design of development.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Flood Resilience	
PO 1.1 Development is sited, designed and constructed to minimise the risk of entry of potential floodwaters where the entry of flood waters is likely to result in undue damage to or compromise ongoing activities within buildings.	DTS/DPF 1.1 Habitable buildings, commercial and industrial buildings, and buildings used for animal keeping incorporate a finished floor level at least 300mm above: <ul style="list-style-type: none"> (a) the highest point of top of kerb of the primary street or (b) the highest point of natural ground level at the primary street boundary where there is no kerb
Environmental Protection	
PO 2.1 Buildings and structures used either partly or wholly to contain or store hazardous materials are designed to prevent spills or leaks leaving the confines of the building.	DTS/DPF 2.1 Development does not involve the storage of hazardous materials.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.

Performance Outcomes (PO) and Deemed to Satisfy (DTS) / Designated Performance Feature (DPF) Criteria

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Quality	
PO 1.1 Development results in a neutral or beneficial effect on the quality of water draining from the site to maintain and enhance the role of the catchment as a water supply.	DTS/DPF 1.1 None are applicable.
Wastewater	
PO 2.1 Development that generates human wastewater, including alterations and additions, are established at an intensity and in a manner to minimise potential adverse impact on water quality within secondary reservoir and weir catchment areas.	DTS/DPF 2.1 Development including alterations and additions, in combination with existing built form and activities within an allotment: <ul style="list-style-type: none"> (a) do not generate a combined total of more than 1500 litres of wastewater per day and (b) will be connected to the same on-site wastewater system that is compliant with relevant South Australian standards or is otherwise connected to a sewer or community wastewater management system.
PO 2.3 Development that generates trade or industrial wastewater is designed to ensure wastewater disposal avoids adverse impacts on the quality of water draining into secondary public water supply reservoirs and weirs.	DTS/DPF 2.3 Development that generates trade or industrial wastewater is connected to: <ul style="list-style-type: none"> (a) a sewer or community wastewater management system with sufficient hydraulic and treatment capacity to accept the inflow

	<p>or</p> <p>(b) an on-site wastewater holding tank which has storage capacity of more than four days total flow during peak operations and is contained within an impervious, bunded area with a total liquid holding capacity of more than 120 percent of the total holding tank capacity, prior to transporting for off-site disposal.</p>
<p>PO 2.4</p> <p>Wastewater management systems result in a neutral or beneficial effect on the quality of water draining from the site.</p>	<p>DTS/DPF 2.4</p> <p>Development results in:</p> <p>(a) a building or land use that is currently connected to an existing on-site wastewater system that is non-compliant with relevant South Australian standards being connected to a new or upgraded system that complies with such standards</p> <p>or</p> <p>(b) an existing on-site wastewater system being decommissioned and wastewater being disposed of to a sewer or community wastewater management system that complies with relevant South Australian standards.</p>
<p>PO 2.5</p> <p>Surface and groundwater protected from wastewater discharge pollution.</p>	<p>DTS/DPF 2.5</p> <p>All components of an effluent disposal area are:</p> <p>(a) setback 50 metres or more from a watercourse</p> <p>(b) setback 100 metres or more from a public water supply reservoir</p> <p>(c) located on land with a slope no greater than 1-in-5 (20%)</p> <p>(d) located on land with 1.2m or more depth to bedrock or a seasonal or permanent water table</p> <p>(e) above the 10% AEP flood level.</p>
Stormwater	
<p>PO 3.1</p> <p>Post-development peak stormwater discharge quantities and rates do not exceed pre-development quantities and rates to maintain water quality leaving the site.</p>	<p>DTS/DPF 3.1</p> <p>None are applicable.</p>
<p>PO 3.2</p> <p>Stormwater run-off from areas not likely to be subject to pollution diverted away from areas that could cause pollution.</p>	<p>DTS/DPF 3.2</p> <p>None are applicable.</p>
<p>PO 3.3</p> <p>Polluted stormwater is treated prior to discharge from the site.</p>	<p>DTS/DPF 3.3</p> <p>None are applicable.</p>
<p>PO 3.9</p> <p>Stormwater from excavated and filled areas is managed to protect water quality.</p>	<p>DTS/DPF 3.9</p> <p>Excavation and/or filling satisfy all the following:</p> <p>(a) is located 50m or more from watercourses</p> <p>(b) is located 100m or more from public water supply reservoirs and diversion weirs</p> <p>(c) does not involve excavation exceeding a vertical height of 0.75m</p> <p>(d) does not involve filling exceeding a vertical height of 0.75m</p>

	(e) does not involve a total combined excavation and filling vertical height of 1.5m.
Landscapes and Natural Features	
PO 4.1 Development minimises the need to modify landscapes and natural features.	DTS/DPF 4.1 None are applicable.

Procedural Matters (PM)

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Any of the following classes of development that are not connected (or not proposed to be connected) to a community wastewater management system or sewerage infrastructure:</p> <ul style="list-style-type: none"> (a) land division creating one or more additional allotments, either partly or wholly within the area of the overlay (b) function venue with more than 75 seats for customer dining purposes (c) restaurant with more than 40 seats for customer dining purposes (d) restaurant with more than 30 seats for customer dining purposes in association with a cellar door (e) dwelling where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned 	Environment Protection Authority.	To provide expert technical assessment and direction to the relevant authority on whether a proposed development will have a neutral or beneficial impact on water quality.	Development of a class to which Schedule 9 clause 3 item 9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

<p>(f) tourist accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</p> <p>(g) workers' accommodation where a habitable dwelling or tourist accommodation or workers' accommodation already exists on the same allotment (including where a valid planning authorisation exists to erect a habitable dwelling or tourist accommodation or workers' accommodation on the same allotment), except where the existing habitable dwelling or tourist accommodation or workers' accommodation on the same allotment is proposed to be demolished and the existing on-site wastewater system is proposed to be decommissioned</p> <p>(h) any other development that generates human wastewater from a peak loading capacity of more than 40 persons (or more than 6,000 litres/day)</p>			
<p>Composting works (excluding a prescribed approved activity) - being a depot, facility or works with the capacity to treat, during a 12 month period more than 200 tonnes of organic waste or matter (EPA Licence)</p>			
<p>Wastewater treatment works - being sewage treatment works, a community wastewater management system, winery wastewater treatment works or any other wastewater treatment works with the capacity to treat, during a 12 month period more than 2.5 ML of wastewater (EPA Licence required at more than 5ML)</p>			
<p>Feedlots - being carrying on an operation for holding in confined yard or area and feeding principally by mechanical means or by hand not less than an average of 200 cattle (EPA Licence) or 1,600 sheep or goats per day over any period of 12 months, but excluding any such operation carried on at an abattoir, slaughterhouse or saleyard or for the purpose only of drought or other emergency feeding</p>			

<p>Piggeries - being the conduct of a piggery (being premises having confined or roofed structures for keeping pigs) with a capacity of 130 or more standard pig units (EPA Licence required at 650 or more standard pig units)</p>			
<p>Dairies - carrying on of a dairy with a total processing capacity exceeding 100 milking animals at any one time.</p>			

Native Vegetation Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Areas of native vegetation are protected, retained and restored in order to sustain biodiversity, threatened species and vegetation communities, fauna habitat, ecosystem services, carbon storage and amenity values.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Environmental Protection	
<p>PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into account the siting of buildings, access points, bushfire protection measures and building maintenance.</p>	<p>DTS/DPF 1.1 An application is accompanied by:</p> <ul style="list-style-type: none"> (a) a declaration stating that the proposal will not, or would not, involve clearance of native vegetation under the Native Vegetation Act 1991, including any clearance that may occur: <ul style="list-style-type: none"> (i) in connection with a relevant access point and / or driveway (ii) within 10m of a building (other than a residential building or tourist accommodation) (iii) within 20m of a dwelling or addition to an existing dwelling for fire prevention and control (iv) within 50m of residential or tourist accommodation in connection with a requirement under a relevant overlay to establish an asset protection zone in a bushfire prone area or (b) a report prepared in accordance with Regulation 18(2) (a) of the Native Vegetation Regulations 2017 that establishes that the clearance is categorised as 'Level 1 clearance'.
<p>PO 1.2 Native vegetation clearance in association with development avoids the following:</p>	<p>DTS/DPF 1.2 None are applicable.</p>

<ul style="list-style-type: none"> (a) significant wildlife habitat and movement corridors (b) rare, vulnerable or endangered plants species (c) native vegetation that is significant because it is located in an area which has been extensively cleared (d) native vegetation that is growing in, or in association with, a wetland environment. 	
<p>PO 1.4</p> <p>Development restores and enhances biodiversity and habitat values through revegetation using locally indigenous plant species.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
<p>Development that is the subject of a report prepared in accordance with Regulation 18(2)(a) of the <i>Native Vegetation Regulations 2017</i> that categorises the clearance, or potential clearance, as 'Level 3 clearance' or 'Level 4 clearance'.</p>	<p>Native Vegetation Council</p>	<p>To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.</p>	<p>Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.</p>

Water Resources Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of the quality of surface waters considering adverse water quality impacts associated with projected reductions in rainfall and warmer air temperatures as a result of climate change.
DO 2	Maintain the conveyance function and natural flow paths of watercourses to assist in the management of flood waters and stormwater runoff.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Catchment	

PO 1.1 Watercourses and their beds, banks, wetlands and floodplains (1% AEP flood extent) are not damaged or modified and are retained in their natural state, except where modification is required for essential access or maintenance purposes.	DTS/DPF 1.1 None are applicable.
PO 1.2 Development avoids interfering with the existing hydrology or water regime of swamps and wetlands other than to improve the existing conditions to enhance environmental values.	DTS/DPF 1.2 None are applicable.
PO 1.5 Development that increases surface water run-off includes a suitably sized strip of vegetated land on each side of a watercourse to filter runoff to: (a) reduce the impacts on native aquatic ecosystems (b) minimise soil loss eroding into the watercourse.	DTS/DPF 1.5 A strip of land 20m or more wide measured from the top of existing banks on each side of the watercourse is free from development, livestock use and revegetated with locally indigenous vegetation.
PO 1.6 Development resulting in the depositing or placing of an object or solid material in a watercourse or lake occurs only where it involves any of the following: (a) the construction of an erosion control structure (b) devices or structures used to extract or regulate water flowing in a watercourse (c) devices used for scientific purposes (d) the rehabilitation of watercourses.	DTS/DPF 1.6 None are applicable.
PO 1.7 Watercourses, floodplains (1% AEP flood extent) and wetlands protected and enhanced by retaining and protecting existing native vegetation.	DTS/DPF 1.7 None are applicable.
PO 1.8 Watercourses, floodplains (1% AEP flood extent) and wetlands are protected and enhanced by stabilising watercourse banks and reducing sediments and nutrients entering the watercourse.	DTS/DPF 1.8 None are applicable.
PO 1.9 Dams, water tanks and diversion drains are located and constructed to maintain the quality and quantity of flows required to meet environmental and downstream needs.	DTS/DPF 1.9 None are applicable.

Procedural Matters (PM) - Referrals

The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations 2017.

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

Part 4 - General Development Policies

Clearance from Overhead Powerlines

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Protection of human health and safety when undertaking development in the vicinity of overhead transmission powerlines.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
PO 1.1 Buildings are adequately separated from aboveground powerlines to minimise potential hazard to people and property.	DTS/DPF 1.1 One of the following is satisfied: <ul style="list-style-type: none"> (a) a declaration is provided by or on behalf of the applicant to the effect that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the <i>Electricity Act 1996</i> (b) there are no aboveground powerlines adjoining the site that are the subject of the proposed development.

Design

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is: <ul style="list-style-type: none"> (a) contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area (b) durable - fit for purpose, adaptable and long lasting (c) inclusive - by integrating landscape design to optimise pedestrian and cyclist usability, privacy and equitable access, and promoting the provision of quality spaces integrated with the public realm that can be used for access and recreation and help optimise security and safety both internally and within the public realm, for occupants and visitors (d) sustainable - by integrating sustainable techniques into the design and siting of development and landscaping to improve community health, urban heat, water management, environmental performance, biodiversity and local amenity and to minimise energy consumption.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
All development	
External Appearance	
PO 1.5 The negative visual impact of outdoor storage, waste management, loading and service areas is minimised by integrating them into the building design and screening them from public view (such as fencing, landscaping and built form) taking into account the form of development contemplated in the relevant zone.	DTS/DPF 1.5 None are applicable.
On-site Waste Treatment Systems	
PO 6.1 Dedicated on-site effluent disposal areas do not include any areas to be used for, or could be reasonably foreseen to be used for, private open space, driveways or car parking.	DTS/DPF 6.1 Effluent disposal drainage areas do not: <ul style="list-style-type: none"> (a) encroach within an area used as private open space or result in less private open space than that specified in Design Table 1 - Private Open Space (b) use an area also used as a driveway (c) encroach within an area used for on-site car parking or result in less on-site car parking than that specified in Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements or Table 2 - Off-Street Car Parking Requirements in Designated Areas.
Carparking Appearance	
PO 7.1 Development facing the street is designed to minimise the negative impacts of any semi-basement and undercroft car parking on the streetscapes through techniques such as: <ul style="list-style-type: none"> (a) limiting protrusion above finished ground level (b) screening through appropriate planting, fencing and mounding (c) limiting the width of openings and integrating them into the building structure. 	DTS/DPF 7.1 None are applicable.
PO 7.2 Vehicle parking areas are appropriately located, designed and constructed to minimise impacts on adjacent sensitive receivers through measures such as ensuring they are attractively developed and landscaped, screen fenced and the like.	DTS/DPF 7.2 None are applicable.
PO 7.4 Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.	DTS/DPF 7.4 None are applicable.
PO 7.5 Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.	DTS/DPF 7.5 None are applicable.
PO 7.6	DTS/DPF 7.6

Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.	None are applicable.
PO 7.7 Vehicle parking areas and access ways incorporate integrated stormwater management techniques such as permeable or porous surfaces, infiltration systems, drainage swales or rain gardens that integrate with soft landscaping.	DTS/DPF 7.7 None are applicable.
Earthworks and sloping land	
PO 8.1 Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.	DTS/DPF 8.1 Development does not involve any of the following: (a) excavation exceeding a vertical height of 1m (b) filling exceeding a vertical height of 1m (c) a total combined excavation and filling vertical height of 2m or more.

Infrastructure and Renewable Energy Facilities

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Efficient provision of infrastructure networks and services, renewable energy facilities and ancillary development in a manner that minimises hazard, is environmentally and culturally sensitive and manages adverse visual impacts on natural and rural landscapes and residential amenity.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Water Supply	
PO 11.1 Development is connected to an appropriate water supply to meet the ongoing requirements of the intended use.	DTS/DPF 11.1 Development is connected, or will be connected, to a reticulated water scheme or mains water supply with the capacity to meet the on-going requirements of the development.
Wastewater Services	
PO 12.1 Development is connected to an approved common wastewater disposal service with the capacity to meet the requirements of the intended use. Where this is not available an appropriate on-site service is provided to meet the ongoing requirements of the intended use in accordance with the following:	DTS/DPF 12.1 Development is connected, or will be connected, to an approved common wastewater disposal service with the capacity to meet the requirements of the development. Where this is not available it is instead capable of being serviced by an on-site waste water treatment system in accordance with the following:

<ul style="list-style-type: none"> (a) it is wholly located and contained within the allotment of the development it will service (b) in areas where there is a high risk of contamination of surface, ground, or marine water resources from on-site disposal of liquid wastes, disposal systems are included to minimise the risk of pollution to those water resources (c) septic tank effluent drainage fields and other wastewater disposal areas are located away from watercourses and flood prone, sloping, saline or poorly drained land to minimise environmental harm. 	<ul style="list-style-type: none"> (a) the system is wholly located and contained within the allotment of development it will service; and (b) the system will comply with the requirements of the South Australian Public Health Act 2011.
<p>PO 12.2</p> <p>Effluent drainage fields and other wastewater disposal areas are maintained to ensure the effective operation of waste systems and minimise risks to human health and the environment.</p>	<p>DTS/DPF 12.2</p> <p>Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.</p>

Interface between Land Uses

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses.

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Activities Generating Noise or Vibration	
<p>PO 4.1</p> <p>Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.1</p> <p>Noise that affects sensitive receivers achieves the relevant Environment Protection (Commercial and Industrial Noise) Policy criteria.</p>
<p>PO 4.2</p> <p>Areas for the on-site manoeuvring of service and delivery vehicles, plant and equipment, outdoor work spaces (and the like) are designed and sited to not unreasonably impact the amenity of adjacent sensitive receivers (or lawfully approved sensitive receivers) and zones primarily intended to accommodate sensitive receivers due to noise and vibration by adopting techniques including:</p> <ul style="list-style-type: none"> (a) locating openings of buildings and associated services away from the interface with the adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers (b) when sited outdoors, locating such areas as far as practicable from adjacent sensitive receivers and zones primarily intended to accommodate sensitive receivers 	<p>DTS/DPF 4.2</p> <p>None are applicable.</p>

<p>(c) housing plant and equipment within an enclosed structure or acoustic enclosure</p> <p>(d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.</p>	
<p>PO 4.5</p> <p>Outdoor areas associated with licensed premises (such as beer gardens or dining areas) are designed and/or sited to not cause unreasonable noise impact on existing adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 4.5</p> <p>None are applicable.</p>
<p>Air Quality</p>	
<p>PO 5.1</p> <p>Development with the potential to emit harmful or nuisance-generating air pollution incorporates air pollution control measures to prevent harm to human health or unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers) within the locality and zones primarily intended to accommodate sensitive receivers.</p>	<p>DTS/DPF 5.1</p> <p>None are applicable.</p>
<p>PO 5.2</p> <p>Development that includes chimneys or exhaust flues (including cafes, restaurants and fast food outlets) is designed to minimise nuisance or adverse health impacts to sensitive receivers (or lawfully approved sensitive receivers) by:</p> <p>(a) incorporating appropriate treatment technology before exhaust emissions are released</p> <p>(b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers.</p>	<p>DTS/DPF 5.2</p> <p>None are applicable.</p>
<p>Light Spill</p>	
<p>PO 6.1</p> <p>External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).</p>	<p>DTS/DPF 6.1</p> <p>None are applicable.</p>

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
<p>DO 1</p>	<p>A comprehensive, integrated and connected transport system that is safe, sustainable, efficient, convenient and accessible to all users.</p>

Performance Outcomes (PO) and Deemed-to-Satisfy (DTS) Criteria / Designated Performance Feature (DPF)

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
<p>PO 1.4</p> <p>Development is sited and designed so that loading, unloading and turning of all traffic avoids interrupting the operation of and queuing on public roads and pedestrian paths.</p>	<p>DTS/DPF 1.4</p> <p>All vehicle manoeuvring occurs onsite.</p>
Vehicle Access	
<p>PO 3.1</p> <p>Safe and convenient access minimises impact or interruption on the operation of public roads.</p>	<p>DTS/DPF 3.1</p> <p>The access is:</p> <ul style="list-style-type: none"> (a) provided via a lawfully existing or authorised driveway or access point or an access point for which consent has been granted as part of an application for the division of land or (b) not located within 6m of an intersection of 2 or more roads or a pedestrian activated crossing.
<p>PO 3.5</p> <p>Access points are located so as not to interfere with street trees, existing street furniture (including directional signs, lighting, seating and weather shelters) or infrastructure services to maintain the appearance of the streetscape, preserve local amenity and minimise disruption to utility infrastructure assets.</p>	<p>DTS/DPF 3.5</p> <p>Vehicle access to designated car parking spaces satisfy (a) or (b):</p> <ul style="list-style-type: none"> (a) is provided via a lawfully existing or authorised access point or an access point for which consent has been granted as part of an application for the division of land (b) where newly proposed, is set back: <ul style="list-style-type: none"> (i) 0.5m or more from any street furniture, street pole, infrastructure services pit, or other stormwater or utility infrastructure unless consent is provided from the asset owner (ii) 2m or more from the base of the trunk of a street tree unless consent is provided from the tree owner for a lesser distance (iii) 6m or more from the tangent point of an intersection of 2 or more roads (iv) outside of the marked lines or infrastructure dedicating a pedestrian crossing.
Vehicle Parking Rates	
<p>PO 5.1</p> <p>Sufficient on-site vehicle parking and specifically marked accessible car parking places are provided to meet the needs of the development or land use having regard to factors that may support a reduced on-site rate such as:</p> <ul style="list-style-type: none"> (a) availability of on-street car parking (b) shared use of other parking areas (c) in relation to a mixed-use development, where the hours of operation of commercial activities complement the residential use of the site, the provision of vehicle parking may be shared (d) the adaptive reuse of a State or Local Heritage Place. 	<p>DTS/DPF 5.1</p> <p>Development provides a number of car parking spaces on-site at a rate no less than the amount calculated using one of the following, whichever is relevant:</p> <ul style="list-style-type: none"> (a) Transport, Access and Parking Table 2 - Off-Street Vehicle Parking Requirements in Designated Areas if the development is a class of development listed in Table 2 and the site is in a Designated Area (b) Transport, Access and Parking Table 1 - General Off-Street Car Parking Requirements where (a) does not apply (c) if located in an area where a lawfully established carparking fund operates, the number of spaces calculated under (a) or (b) less the number of spaces offset by contribution to the fund.

Vehicle Parking Areas	
<p>PO 6.1</p> <p>Vehicle parking areas are sited and designed to minimise impact on the operation of public roads by avoiding the use of public roads when moving from one part of a parking area to another.</p>	<p>DTS/DPF 6.1</p> <p>Movement between vehicle parking areas within the site can occur without the need to use a public road.</p>
<p>PO 6.6</p> <p>Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.</p>	<p>DTS/DPF 6.6</p> <p>Loading areas and designated parking spaces are wholly located within the site.</p>

Table 1 - General Off-Street Car Parking Requirements

Class of Development	Car Parking Rate (unless varied by Table 2 onwards)
<p>Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.</p>	
Industry/Employment Uses	
Store	0.5 spaces per 100m2 of total floor area.

Table 2 - Off-Street Car Parking Requirements in Designated Areas

Class of Development	Car Parking Rate		Designated Areas
	Where a development comprises more than one development type, then the overall car parking rate will be taken to be the sum of the car parking rates for each development type.		
	Minimum number of spaces	Maximum number of spaces	
Non-residential development			
Non-residential development excluding tourist accommodation	3 spaces per 100m2 of gross leasable floor area.	5 spaces per 100m2 of gross leasable floor area.	City Living Zone Urban Corridor (Boulevard) Zone Urban Corridor (Business) Zone Urban Corridor (Living) Zone Urban Corridor (Main Street) Zone Urban Neighbourhood Zone (except for Bowden, Brompton or Hindmarsh)