

CAP MEETING – 12 March 2025

ITEM 8.1

DEVELOPMENT NO.:	23034790
APPLICANT:	David Crawford
ADDRESS:	644 PARACOMBE RD PARACOMBE SA 5132
NATURE OF DEVELOPMENT:	Construction of single storey detached dwelling & associated landscaping and change of use of existing dwelling to tourist accommodation
ZONING INFORMATION:	<p>Zones:</p> <ul style="list-style-type: none"> • Productive Rural Landscape <p>Overlays:</p> <ul style="list-style-type: none"> • Environment and Food Production Area • Hazards (Bushfire - High Risk) • Hazards (Flooding - Evidence Required) • Limited Land Division • Mount Lofty Ranges Water Supply Catchment (Area 1) • Native Vegetation • Prescribed Water Resources Area • Water Resources
LODGEMENT DATE:	30 Nov 2023
RELEVANT AUTHORITY:	Assessment Panel at Adelaide Hills Council
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) - Version 2023.17 23/11/2023
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes - 15 August 2024 to 04 September 2024
RECOMMENDING OFFICER:	Doug Samardzija Senior Statutory Planner
REFERRALS STATUTORY:	Environment Protection Authority Native Vegetation Council South Australian Country Fire Service
REFERRALS NON-STATUTORY:	Environmental Health Unit

CONTENTS:

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DETAILED DESCRIPTION OF PROPOSAL:

The subject application is for the construction of a single storey detached dwelling, associated landscaping and the change of use of the existing dwelling to be utilised as tourist accommodation.

The proposed new dwelling will comprise of four (4) bedrooms with one (1) being the master bedroom with an ensuite and walk in robe. It also possesses two (2) studies, a retreat, a laundry, and a powder room. There is also a main kitchen with a walk-in pantry, a main living area and dining space that opens out to the alfresco area at the rear of the dwelling. The dwelling also proposes a double garage with a service area immediately adjacent to be used as an area for clothes drying.

The existing dwelling on site will be changed to accommodate tourist accommodation. That building comprises of three (3) bedrooms, a lounge room, bathroom, and a kitchen/dining room. The building also currently possesses a verandah at the front of the building. The accommodation aspect of the proposal will support a maximum number of six (6) guests and typically be utilised for weekend or one (1) week stays - with the maximum length of stay being three (3) months.

The site will continue to be serviced by the current driveway with the crossover being on Paracombe Road. The internal driveway will be extended to allow the area of the proposed dwelling to be serviced.

The proposal will also seek to establish landscaping at the site of the proposed dwelling. With the landscaping plan showing that Kikuyu grass will be planted surrounding the dwelling with soft mat-rush to be established on the areas surrounding the dwelling that have been battered. Where possible, native vegetation will be retained and incorporated into the landscaping.

BACKGROUND:

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
06 December 2019	473/937/19	Verandah, retaining wall (maximum height 800mm) & associated earthworks

SUBJECT LAND & LOCALITY:

Location reference: 644 PARACOMBE RD, PARACOMBE SA 5132

Title ref.: CT 5733/519 **Plan Parcel:** H105700 BL577 **Council:** ADELAIDE HILLS COUNCIL

Site Description:

The subject site is a rectangular shaped allotment, with an irregular shaped frontage to Paracombe Road. The site exists wholly within the *Productive Rural Landscape Zone*. The site has a total area of 106,360 square metres (10.63 hectares) with a maximum depth of 833 metres and a width of 133 metres.

The subject land possesses an undulating topography, with the site generally sloping up from Paracombe Road towards the rear of the site. The area of the proposed dwelling has recently been benched to accommodate the proposed dwelling and therefore minimal earthworks are included as a part of this subject application.

The eastern portion of the subject site possesses large amounts of vegetation on much steeper topography, the majority of this vegetation on the eastern portion of the allotment appears to be various species of shrubs and small potentially native vegetation. The western portion of the allotment possesses more farmed vegetation with the majority of those species being Pear orchards.

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Locality

The locality generally comprises large, rural residential land holdings. With a number of these properties also undertaking primary production in the forms of orchards, vineyards, and other rural activities. Many of the allotments within the locality are of a similar size to the subject site, however noting definite outliers - ranging from 2,000 square metres directly across Paracombe Road to 17 hectares immediately north of the subject site.

It is noted that most of the sites within the locality are similarly within the *Productive Rural Landscape* zone with the sites within the township of Paracombe being zoned as *Rural Settlement* however, these allotments are some 400 metres away from the subject site.

It is further noted that there are no Local or State Heritage listed properties that exist within proximity to the subject site or within the immediate locality.

The subject land is identified on **Attachment 2 - Subject Land/Representation Map. With the zoning that impacts the properties shown within Attachment 3 - Zoning Map.**

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

New housing

Tourist accommodation: Code Assessed - Performance Assessed

Change of use: Code Assessed - Performance Assessed

Detached dwelling: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

The Planning and Design Code does not provide an 'Accepted' or a 'Deemed to Satisfy' pathway for the above noted elements. They are also not listed as being 'Restricted' forms of development under Table 4 of the Productive Rural Landscape Zone. Therefore it is considered that as per Sections 105 (b) and 107 of the PDI Act, 2016, that the proposal be assessed as 'Performance Assessed' development.

PUBLIC NOTIFICATION

- **REASON**

The proposal does not meet all of the DPF 6.3 criteria of the Zone, specifically the tourist accommodation floor area in the existing building exceeds 150m²

The period of Public Notification for the subject application was undertaken between the 15 August 2024 and the 04 September 2024

- **LIST OF REPRESENTATIONS**

Two (2) representations were received during the Public Notification period, with one (1) of the representations providing their support for the proposal and not wishing to be heard. The other representor opposes the development and wishes to be heard at the Council Assessment Panel (CAP) meeting.

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Representor Name	Representor's Property Address	Wishes to be heard (Y/N)	Nominated Speaker (if relevant)
Helen Hurst	632 Paracombe Road, Paracombe	No	No
Christopher and Maragrete Sprod	5 D'erlanger Avenue, Collinswood	Yes	Self

• SUMMARY

The key issues that were noted within the representations can be briefly summarised as follows:

- Viability of the proposed tourist accommodation use
- Safety, security, and privacy issues
- Suitability of the grazing of Wagyu Beef cattle
- Siting of proposed dwelling
- Landscaping surrounding the dwelling

A copy of the representations are included as **Attachment 4 – Representations** and the applicant's response is provided in **Attachment 5 – Response to Representations**.

AGENCY REFERRALS

• Environment Protection Authority:

The EPA notes that a 250 square metre irrigation area is proposed for the tourist accommodation (converted dwelling), which is to be vegetated with fully managed shrubs and trees, and a 500 square metre subsurface dripper irrigation area is proposed for the new dwelling, which will be vegetated with a well-maintained lawn. A nutrient balance has been provided demonstrating that the proposed application areas are sufficient to demonstrate a neutral or beneficial environmental impact from this development. In addition, the EPA notes that the proposed irrigation areas are proposed to be well managed, with all clippings or pruning to be removed from site. The EPA further notes that diversion trenches are proposed to direct surface runoff around the irrigation areas. This is satisfactory to the EPA.

One condition has been directed by the EPA requiring the installation and management of the waste system in accordance with the approved plans (refer Recommended Condition 21).

• Native Vegetation Council:

The proposal requires the clearance of some native vegetation, therefore a native vegetation data report was required to determine the potential level of clearance associated with the proposal. A report was obtained by the applicant that noted that the clearance level was three (3) and therefore required a statutory referral to the Native Vegetation Council. The Native Vegetation Council have since returned their comments, providing support for the application subject to conditions included within this report.

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- **South Australian Country Fire Service:**

As the property is located within a Hazards (Bushfire - High Risk) overlay and the proposal seeks to create a new dwelling and tourist accommodation a statutory referral was required to be sent to the CFS. The CFS have since returned their comments, providing support for the application subject to conditions included within this report.

Referral responses are contained in **Attachment 6- Referrals Statutory Responses**.

INTERNAL REFERRALS

- **Environmental Health Unit:**

Councils Environmental Health Unit have sought the lodgement of a wastewater application for the new system required to service the proposed dwelling. It is noted that as of the date of this meeting that the wastewater application has received approval under application 23/W245/473.

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 7 – Relevant P & D Code Policies**.

Zone:

Productive Rural Landscape Zone:

Desired Outcomes	
DO1	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.

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DO2	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.
DO3	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	
PO 1.1 & DPF 1.1, PO 2.1 & DPF 2.1, PO 2.2 & DPF 2.2, PO 5.1 & DPF 5.1, PO 5.2 & DPF 5.2, PO 6.3 & DPF 6.3, PO 8.1 & DPF 8.1, PO 11.1 & DPF 11.1	

PO 1.1 of the Productive Rural Landscape Zone seeks a range of primary production and horticultural activities and associated value adding of primary produce, retailing and tourism. The proposed forms of development sought as a part of the subject application are both captured within the list of anticipated land uses within the corresponding DPF 1.1

The site is serviced by an existing lawful crossover to Paracombe Road, therefore it is considered that PO 2.1 is achieved by way of meeting the corresponding DPF 2.1

The proposed dwelling is sought on the subject site in an area that has recently been benched to a suitable level and therefore it is considered not to exist on a site with a slope greater than 1 in 10 or require cutting/filling of land to a height greater than 1.5 metres. Therefore, the proposed dwelling is considered to comply with PO 2.2 and the provisions listed within DPF 2.2

PO 5.1 of the Zone notes that dwellings shall provide a convenient base for landowners to conduct and manage commercial scale primary production and related value adding activities without comprising the use of the allotment or the adjacent land. The proposal is not considered to be contrary to PO 5.1 because the allotment is not of size, nor does it have the capacity to be used for commercial scale primary production use without significant clearance of native vegetation. That being said, the applicant has advised that they will still utilize the land for small scale cattle breeding.

DPF 5.1 (a) seeks for dwellings to be located on certain sized sites, in this instance no value was returned for the minimum allotment size to accommodate a dwelling. Therefore, in accordance with the portion of the DPF that states *"In relation to DTS/DPF 5.1, in instances where no value is returned for DPF 5.1(a) (ie there is a blank field), then there is no minimum dwelling allotment size applicable and DTS/DPF 5.1(a) is met."*

DPF 5.1 (b) notes that dwelling should also be located on *"allotments used for and ancillary to primary production or primary production related value-adding activities."* With this particular site it is noted that the property is sought to be utilised for primary production in the form of cattle grazing with an associated tourist accommodation development on the site and therefore it is considered to comply with DPF 5.1(b)

DPF 5.1 (c) notes that a proposed dwelling should not result in more than one (1) dwelling on an allotment. In this proposal it is noted that the existing dwelling will have the use changed to a tourist accommodation unit and therefore post-approval there will still only be one (1) dwelling on the allotment.

PO 5.2 stipulates that dwellings should be sited, designed and of a scale that maintains a pleasant natural and rural character and amenity. The DPF provisions note that dwellings should be set back 40 metres from all allotment boundaries, should not exceed 2 building levels and 9 metres when measured from the top of the footings and also have a wall height no greater than 6 metres.

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The proposed dwelling is single storey in nature and in turn will not offend the DPF 5.2 (b) and (c) provisions relating to maximum height of buildings and also their respective wall heights.

It is acknowledged that the proposed dwelling will have a setback less than 40 metres to the Northern allotment boundary, with the proposal seeking for a 33 metre setback from that particular boundary and in turn would not comply with DPF 5.2 (a). This shortfall in setback however is considered to be acceptable when in context to the site's shape, the single storey nature of the dwelling and the topography of the site and surrounding sites.

The intent of the provisions of DPF 5.2 (a) is to reinforce the PO 5.2 statement of "maintaining a pleasant natural and rural character and amenity". In this instance it has been determined that the proposed shortfall in Northern setback does not hinder the proposal's ability to meet PO 5.2.

PO 6.3 notes that tourist accommodation within the Productive Rural Landscape Zone is associated with the primary use of the land for primary production or primary production related value adding industry to provide authentic visitor experiences. Within this proposal the applicant has noted the owner's intention to continue the use of grazing with breeding of Wagyu heifers and this is considered sufficient to achieve PO 6.3.

DPF 6.3 (a) notes that tourist accommodation shall be ancillary to and located on the same allotment or an adjoining allotment used for primary production or primary production related value adding industry. In the case of the subject site, it is noted that the site is currently rated and utilised for grazing with the applicant noting that breeding of heifers forms a part of that use.

Generally grazing itself would not satisfy this provisions however the applicant has provided further clarity noting that the site will breed Wagyu cattle and given the price of that specific variety of cattle conservatively each animal can be sold for between \$8,000 to \$12,000 (*with 8 cows per year approx. \$64,000 to \$96,000 annually*). It is further noted that the owner intends to undertake 'agritourism' in association with this primary production use through farm stays, culinary experiences, interactive activities, and marketing/branding.

DPF 6.3 (b)(ii) notes that where tourist accommodation uses are being undertaken in existing buildings, the buildings should not exceed 150 square metres. In the case of this proposal the existing building is 156.9 square metres which is a marginal exceedance of the DPF provision and not considered to cause any impact.

DPF 6.3 (c) states that no more than one (1) tourist accommodation facility should be undertaken on the one (1) allotment. This proposal would only seek for the one (1) unit.

PO 8.1 of the Zone seeks for adaptive re-use of existing buildings for small scale shops, offices, tourist accommodation or ancillary rural activities. In the case of this proposal the existing building would be utilised for tourist accommodation, complying with both DPF 8.1 and PO 8.1

PO 11.1 seeks for large buildings to be designed and sited to reduce any potential impacts on scenic and rural vistas by having substantial setbacks from all boundaries, using low reflective materials and finishes to blend with the landscape and being located below ridge lines.

The proposed development is sited well away from Paracombe Road behind a large paddock and existing vegetation on the primary road frontage. When combined with the single storey nature of the buildings sought or currently on site the proposed development would result in extremely limited views of any of the buildings on site. Further noting that the proposed dwelling is clad with suitable material and finishes and each building provides a suitable setback from the public realm and other private properties.

Overlays

Environment and Food Production Area

Desired Outcomes	
DO1	Protection of valuable rural, landscape, environmental and food production areas from urban encroachment.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

This particular overlay relates to ensuring that land division is undertaken in accordance with Section 7 of the *Planning, Development and Infrastructure Act, 2016*. As the proposal is not seeking for division of land it is not applicable.

Hazards (Bushfire- High Risk) Overlay

Desired Outcomes	
DO1	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: <ul style="list-style-type: none"> • Potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change • High levels and exposure to ember attack • Impact from burning debris • Radiant heat • Likelihood and direct exposure to flames from a fire front.
DO2	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.
DO3	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	
PO 1.1 & DPF 1.1, PO 2.1 & DPF 2.1, PO 3.1 & DPF 3.1, PO 4.1 & DPF 4.1, PO 4.2 & DPF 4.2, PO 4.3 & DPF 4.3, PO 6.1 & DPF 6.1, PO 6.2 & DPF 6.2, PO 6.3 & DPF 6.3	

As the proposed development seeks to introduce new habitable and residential land uses a statutory referral to the Country Fire Service (CFS) was required to be undertaken as a part of the applications assessment process in accordance with the Procedural Matters table within the overlay. The CFS have since returned their comments, outlining their support for the proposal. There were also a number of conditions returned to be placed on a potential approval. These have been included within this report (Refer Recommended Conditions 17 to 20).

In regards to the provisions within this particular overlay it is noted that in accordance with PO 1.1 that the buildings do not appear to be located in a particular area that may pose an unacceptable bushfire risk.

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PO 4.1 seeks for residential and tourist accommodation type developments to be sited in portions of the site that are flatter and to site these buildings away from steep slopes. In the case of this provision, it is considered that the buildings have been thoughtfully sited in areas where the ground is already relatively flat or previous benching has occurred.

PO 4.2 similarly relates to siting and seeks for these residential and tourist accommodation type uses to be sited in areas away from vegetated areas that may pose an elevated bushfire risk. In the case of this proposal it is considered that DPF 4.2 seeks for an asset protection zone of at least 50 metres to unmanaged grassland. In the case of this proposal it is noted that there is only a 33m setback to the northern allotment boundary however, the CFS have returned their referral comments and provided a condition around asset protection zones supporting the proposal.

PO 4.3 of the overlay seeks for habitable forms of development to have dedicated areas that can accommodate bushfire protection systems and an all-weather hardstand area. As a part of the proposal the applicant has provided fire protection amenities in accordance with the *Ministerial Building Standard MBS 008 - Designated bushfire prone areas - additional requirements* and it is further noted that the CFS referral comments have included a condition based around the provision of these amenities and hardstand area.

The CFS have also looked at the access arrangements for the site and have advised that they support the access arrangements subject to compliance with the recommended condition. The proposal therefore satisfies PO's 6.1, 6.2 and 6.3 of the overlay.

Hazards (Flooding – Evidence Required) Overlay

Desired Outcomes	
DO1	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	
PO 1.1 & DPF 1.1	

In the case of the Flooding - Evidence required overlay it is considered that the site does not exist in an area that is subject to flooding.

Limited Land Division Overlay

Desired Outcomes	
DO1	The long term use of land for primary production is maintained by minimising fragmentation through division of land.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
N/A	

The proposal does not seek for division of the site and therefore it is considered that this overlay and the associated provisions are not relevant to this assessment.

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Mount Lofty Ranges Water Supply Catchment (Area 1) Overlay

Desired Outcomes	
DO1	Safeguard Greater Adelaide's public water supply by ensuring development has a neutral or beneficial effect on the quality of water harvested from primary reservoirs or diversion weir catchments from the Mount Lofty Ranges.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1, PO 2.2 & DPF 2.2, PO 2.3 & DPF 2.3, PO 2.4 & DPF 2.4, PO 3.1 & DPF 3.1, PO 3.2 & DPF 3.2, PO 3.9 & DPF 3.9, PO 4.1 & DPF 4.1	

The Overlay puts a high emphasis on ensuring that the development does not impact on the quality of water draining from the site by ensuring that maintains a neutral or beneficial impacts. As part of the proposal a new wastewater system was designed for the tourist accommodation component of the application. This was reviewed and approved by Council's Environmental Health Unit. Further review was also undertaken by the EPA as part of a referral process who approved the design as it was demonstrated that a neutral or beneficial environmental impact was achieved. The proposal therefore satisfies POs 1.1 2.2, 2.3 and 2.4.

Given the size of the subject land and the location of the proposed dwelling it is accepted that all stormwater from the new dwelling can effectively be managed on site via water storage tanks which will satisfy the requirements of POs 3.1, 3.2 and 3.9.

Native Vegetation Overlay

Desired Outcomes	
DO1	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	
PO 1.1 & DPF 1.1, PO 1.2 & DPF 1.2	

The proposal sought for the removal of native vegetation and therefore was subject to obtaining a native vegetation data report to determine a level of clearance that would be required to be undertaken to accommodate the proposed dwelling.

The report noted a clearance level of three (3) which triggered the requirement for a statutory referral to the Native Vegetation Council. A total area of 0.06 hectares of native vegetation is sought to be removed to accommodate the new dwelling.

As a part of the referral process the Native Vegetation Council have since returned their comments and provided support for the proposal with conditions to be placed on a potential approval (refer recommended conditions 9 to 16) and an offset payment of \$1,165.25 to be paid to the Native Vegetation Council.

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Prescribed Water Resources Overlay

Desired Outcomes	
DO1	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 relates to sustainable water use through water licensing for certain forms of development including horticulture, activities that require irrigation, aquaculture, industry, intensive animal keeping and commercial forestry. The subject proposal seeks for none of these elements and is therefore considered to not be applicable.

Water Resources Overlay

Desired Outcomes	
DO1	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.
DO2	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	
PO 1.1 & DPF 1.1, PO 1.2 & DPF 1.2, PO 1.5 & DPF 1.5, PO 1.6 & DPF 1.6, PO 1.7 & DPF 1.7, PO 1.8 & DPF 1.8	

It is noted that the site does not possess a watercourse, nor is there a watercourse within the immediate locality that may be impacted by the proposal and the associated built form.

General Development Policies

Clearance from Overhead Powerlines

Desired Outcomes	
DO1	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 & DPF 1.1	

A declaration was submitted by the applicant at the time of lodgement that the proposal would not be contrary to the regulations prescribed for the purposes of section 86 of the Electricity Act 1996. Therefore PO 1.1 is considered to be satisfied by way of achieving DPF 1.1 (a).

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Design

Desired Outcomes	
DO1	<p>Development is:</p> <ul style="list-style-type: none">• Contextual - by considering, recognising and carefully responding to its natural surroundings or built environment and positively contributes to the character of the immediate area• Durable - fit for purpose, adaptable and long lasting• 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• 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	
PO 6.1 and DPF 6.1, PO 8.1 and DPF 8.1, PO 11.1 and DPF 11.1, PO 10.1 & DPF 10.1, PO 10.2 & DPF 10.2, PO 11.2 and DPF 11.2, PO 12.1 and DPF 12.1, PO 14.1 and DPF 14.1, PO 15.1, PO 17.1 and DPF 17.1, PO 19.1 and DPF 19.1	

The proposed development seeks for a single storey detached dwelling of a size and scale that is relatively commonplace within more rural type allotments given the generous site areas. It is considered that the dwelling sought is in compliance with the policies outlined within this design section relating to front elevations/passive surveillance, outlook and amenity, garage appearance, massing and private open space.

The Design section also notes policies relating to the potential for overlooking and how to mitigate that potential. In the case of the proposal, the dwelling is single storey in nature and does not possess any balconies or decks. Therefore, these two policies, PO 10.1 and 10.2, are considered to not be applicable.

In regard to PO 6.1 it is sought that any part of the site to be utilised as a wastewater disposal area is not included within areas that are considered to be private open space. In this instance the site allows for ample private open space and is therefore meeting the PO 6.1.

The proposal complies with PO 8.1 by having the majority of earthworks required within this application form the internal driveway that will service the new dwelling on site. As a part of these earthworks it is noted that the level of excavation will not exceed 1 metre in cut or 1 metre in fill and will not exceed a total of 2 metres in line with DPF 8.1.

Further noting that PO 8.3 seeks for driveways and access tracks to be designed in a manner that integrates with the natural topography of the land. In the case of the proposal it is considered that there will not be any portion of the internal access track that unduly impacts on the natural topography of the land.

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Infrastructure and Renewable Energy Facilities

Desired Outcomes	
DO1	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	
PO 11.1 & DPF 11.1, PO 12.1 & DPF 12.1, PO 12.2 & DPF 12.2	

The subject site has sufficient access to SA Water mains and the proposed dwelling will be attached to that main, complying with PO 11.1

It is considered that the proposal will be compliant with PO 12.1 and PO 12.2 by being serviced by an on-site wastewater management system.

Interface between Land Uses

Desired Outcomes	
DO1	Development is located and designed to mitigate adverse effects on or from neighbouring and proximate land uses
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1, PO 1.2 & DPF 1.2, PO 3.1 & DPF 3.1, PO 3.2 & DPF 3.2, PO 3.3 & DPF 3.3, PO 9.3 & DPF 9.3, PO 9.4 & DPF 9.4, PO 9.5 & DPF 9.5	

The proposed development seeks for a dwelling that is single storey in nature, PO's 3.1, 3.2 and 3.3 relate to the potential for overshadowing to have impacts on neighbouring properties. In this case it is considered that the nearest neighbouring dwelling is approximately 120 metres away and therefore there is no overshadowing impact.

The remainder of the policies within this section relate to how certain development types will interact with rural activities. In this case the proposed tourist accommodation use and dwelling are located over 200 metres away from the nearest horticultural use. The use itself possesses an aspect of farming (*cattle grazing and existing pear orchard*) however the proposed tourist accommodation use and new dwelling will not cause any impacts for the continuance of that use and the similar uses in the immediate locality of the site. The proposal is considered to comply with POs 9.1 and 9.2.

POs 9.3, 9.4 and 9.5 are all met by way of there not being any land based aquaculture, solid waste storage and handling/storage of bulk commodities.

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Site Contamination

Desired Outcomes	
DO1	Ensure land is suitable for the proposed use in circumstances where it is, or may have been, subject to site contamination.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1	

PO 1.1 of this section notes that land should be suitable for use when altered to proposed a more sensitive land use. In accordance with the Land Use Sensitivity Hierarchy table the land use will not be changing to a more sensitive use. Therefore, it is considered that the proposal is compliant with PO 1.1 by way of meeting DPF 1.1 (b)

Tourism Development

Desired Outcomes	
DO1	Tourism development is built in locations that cater to the needs of visitors and positively contributes to South Australia's visitor economy.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
PO 1.1 & DPF 1.1, PO 1.2 & DPF 1.2	

PO 1.1 of the Tourism Development section seeks for development that complements and contributes to local, natural, cultural, and historic context. In the case of this proposal is broadly compliant with the policy in that the tourist accommodation aspect will showcase South Australian produce by being in association with the Wagyu heifer breeding, allowing for tourists to experience farm stays, farm to table dining and other interactive activities on the site.

PO 1.2 of the Tourism Development section is not considered to be relevant to the assessment as there is not multiple units being utilised for the tourism accommodation use.

Transport, Access and Parking

Desired Outcomes	
DO1	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	
PO 1.4 & DPF 1.4, PO 3.1 & DPF 3.1, PO 3.5 & DPF 3.5, PO 5.1 & DPF 5.1, Table 1 - General off-street car parking requirements	

The proposed application does not seek for any additional crossovers onto Paracombe Road, nor does it seek to substantially alter the existing crossover. It is considered that the proposal will comply with PO 3.1 as it will gain access through a lawfully created crossover. Noting that the rest of the policies within this section relate to the creation of new access points.

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On-site car parking has been undertaken in accordance with *Table 1 - General Off-Street Car Parking Requirements* noting that the proposed dwelling will possess two (2) undercover car parking spaces within the garage under the main roof.

The proposed tourist accommodation unit will have one (1) car parking space available on the internal driveway. Therefore the proposal is considered compliant with PO 5.1

CONSIDERATION OF SERIOUSLY AT VARIANCE

The proposal is not considered to be seriously at variance with the provisions within the Planning and Design Code.

The Productive Rural Landscape Zone envisages tourist accommodation uses within the zone when in association with primary production uses on the same site. In this instance it is noted that the tourist accommodation aspect of development will be undertaken in conjunction with a primary activity, complying with PO 6.3 of the Productive Rural Landscape Zone.

Dwellings are also envisaged within the Productive Rural Landscape Zone. In the case of this proposal, it will not result in more than one (1) dwelling on the allotment and it is broadly consistent with the Zone's policies relating to siting and design, notably PO 5.1 and 5.2 respectively.

The proposal is in general compliance with the associated policies included in the overlays, notably with the Hazards (Bushfire - High Risk) and the Mount Lofty Ranges Water Supply Catchment (Area 1). The intent and nature of the proposal are considered to be in compliance with the objective of the Productive Rural Landscape Zone the associated policies applicable to the site.

CONCLUSION

The proposal seeks for the construction of a single storey detached dwelling & associated landscaping and change of use of existing dwelling to tourist accommodation. The subject site is located within the Productive Rural Landscape zone, in a locality where many sites are of a rural residential nature with primary production uses on the land.

The application proposes a new dwelling, single storey in nature with design elements and features that are in compliance with the applicable policies within the Productive Rural Landscape Zone and the Design section of the General Development Policies. Further the proposal includes establishment of lawn surrounding the dwelling on the portion of the site previously cleared.

The tourist accommodation use seeks to be undertaken in an existing building on site, showing intent for adaptive re-use. The use will be in association with a primary production related value-adding activity and the use will allow for authentic visitor experiences surrounding that primary production use.

The proposal is not considered to be seriously at variance with any of the applicable policies within the Planning & Design Code, 2021 and therefore adequately addresses all relevant zone, overlay and general development policies.

RECOMMENDATION

It is recommended that the Council Assessment Pane 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**

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- 2) Development Application Number 23034790 by David Crawford for the construction of a single storey detached dwelling & associated landscaping and change of use of existing dwelling to tourist accommodation at 644 Paracombe Road, Paracombe is granted Planning Consent subject to the following conditions.

CONDITIONS

Planning Consent

- 1) The development granted shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below.
- 2) All external lighting shall be directed away from residential development and shielded if necessary to prevent light spill causing nuisance to the occupiers of those residential properties.
- 3) Flood lighting shall be restricted to that necessary for security purposes only and shall be directed and shielded in such a manner as to not cause nuisance to adjacent properties.
- 4) All external materials and finishes shall be of subdued colours and of a low-light reflective nature which blend with the natural features of the landscape.

NOTE: browns, greys, greens and beige are suitable and galvanised iron and zincalume are not suitable.

- 5) All exposed excavations and fill shall be:
 - rounded off and battered to match and blend with the natural contours of the land;
 - covered with approximately 100mm of topsoil;
 - seeded to avoid erosion and visual concerns ; and
 - screened with trees, shrubs and ground coversAll works must be completed prior to occupation of the approved development to the reasonable satisfaction of Council.
- 6) Prior to commencement of work, straw bales (or other soil erosion control methods as approved by Council) shall be placed and secured below areas of excavation and fill to prevent soil moving off the site during construction.
- 7) All roof runoff generated by the development hereby approved shall be managed on-site to the satisfaction of Council within one month of the roof cladding being installed using design techniques such as:
 - Rainwater tanks
 - Grassed swales
 - Stone filled trenches
 - Small infiltration basins

Stormwater overflow management shall be designed so as to not permit trespass into the effluent disposal area. All stormwater including hard surface runoff shall be managed on site with no stormwater to trespass onto adjoining properties.

- 8) Upon commencement of occupancy of the approved dwelling, the person(s) having the benefit of this consent shall refrain from permitting the use of the approved tourist accommodation (or any part thereof) for provision long term accommodation or as a separate dwelling. The tourist accommodation shall be used and operated on a short term rental arrangement with a maximum of a ninety day stay per occupancy.

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A logbook shall be kept of all occupancies for each calendar year and made available for inspection by the Council upon request.

Conditions imposed by Native Vegetation Council under Section 122 of the Act

- 9) Prior to any clearance of native vegetation, the Native Vegetation Council must provide written confirmation that the Significant Environmental Benefit requirements under the *Native Vegetation Act 1991* have been satisfied.
- 10) No clearance to occur until the full Development Approval has been provided to the Native Vegetation Branch for Decision Notification that approves the clearance of native vegetation.
- 11) Clearance areas are to be defined with barriers, pegs, flags or temporary fencing to ensure that native vegetation outside the approved area is not damaged.
- 12) Native Vegetation and trees retained in close proximity to the construction activity zone are to be protected with barriers (i.e. fencing or flagging) in accordance with the Australian Standard for Protection of Trees on Development Sites AS 4970-2009.
- 13) Stockpiled materials, including cleared vegetation and excavated soil is not to be placed under native trees or on top of native understorey outside the approved area.
- 14) Construction vehicles, equipment or materials are not to be stored or placed on top of native vegetation outside the approved clearance area.
- 15) Construction vehicles, equipment or materials are not to be stored or placed within the Tree Protection Zone of retained trees.
- 16) Follow and comply all conditions set out in Decision Notification 2024/3173/473.

Conditions imposed by South Australian Country Fire Service under Section 122 of the Act

17) SITING (ANCILLARY STRUCTURES)

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 3.2) details the mandatory requirements for 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.

- Outbuildings and other ancillary structures shall be sited no closer than 6m from the habitable buildings, unless built to relevant building standards for associated structures in Bushfire Prone Areas. This includes future structures which may or may not require planning and/or building consent including (but not limited to) garden sheds, animal shelters and cubby houses.

18) ACCESS TO HABITABLE BUILDING

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 6.2) details the mandatory requirements for 'Private' roads and driveways to facilitate safe and effective use, operation and evacuation for firefighting and emergency personnel and evacuation of residents, occupants and visitors where required. These requirements apply when the furthest point of the building is more than 60m from the nearest public road.

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SA CFS has no objection to the proposed access driveway as detailed on drawing named ENLARGEMENT 2- SITE PLAN dated at last revision JULY 2024, with the following conditions:

- The driveway shall be 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).
- Access to each building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles, to within 60m of the furthest point of each building.
- Where the gradient of the driveway is steeper than 12 degrees (1-in-4.5) the minimum formed road surface shall be 4 metres.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 1. A loop road around the building, OR
 2. A turning area with a minimum radius of 12.5 metres, OR
 3. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres (for each 'leg') and minimum internal radii of 9.5 metres OR
 4. A 'U' shaped 'drive-through' option.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Private access shall provide overhead clearances of not less than 4.0m horizontally and vertically between the driveway surface and overhanging branches or other obstructions, including buildings and/or structures.
- Vegetation to be established along the access road shall be carefully selected and designed in accordance with the following:
 1. No understorey vegetation shall be established either side of the access road (understorey is defined as plants and bushes up to 2 metres in height),
 2. Grasses shall be reduced to a maximum height of 10cm for a distance of 3 metres (or to the property boundary, whichever comes first).
 3. Mature trees with a single stem habit, are permitted within this fuel reduced zone, providing they are maintained to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- The all-weather road shall incorporate passing bays. The combined width of the passing bay and access track shall be 6 metres, and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to the public road or other passing bay, passing bays may be required at intervals of less than 200 metres.
- The gradient of the access road shall not exceed 16 degrees (1-in-3.5) at any point along the driveway. In steep terrain exceeding 10 degrees (1-in-5.5) the surface should be sealed.
- The cross fall of the driveway shall be not more than 6 degrees (1-in-9.5) at any point along the driveway.
- The all weather road is to be constructed such that it is protected from water erosion of the traffic surface. The road surface shall be profiled to manage storm water run off to appropriate drains, at one or both sides of the traffic surface. The accumulated volumes of water shall be directed via:
 1. open drains; or
 2. culverts and pipes under the traffic surface, and / or away from same, without causing further soil erosion, silting of adjacent areas or water courses or instability of any embankment or cutting.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

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19) WATER SUPPLY & ACCESS (to dedicated water supply)

Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016, provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with MBS008.

Please note that where the water supply is an above-ground water tank, the tank (including any support structure) should be constructed of non-combustible material, such as concrete or metal.

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.3) details the mandatory requirements for the site to provide a dedicated hardstand area in a location that allows fire fighting vehicles to safely access the dedicated water supply.

Where a water storage facility is required to have a fire authority fitting, the following will apply:

SA CFS has no objection to the proposed locations for the dedicated water supply as detailed on drawing named ENLARGEMENT 2- SITE PLAN dated at last revision JULY 2024, providing each supply has an outlet is positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and is no greater than 60m path of travel to the furthestmost point of the building, to enable fire services to reach all parts of the building with no more than two lengths of hose from the hardstand area.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering “FIRE WATER”).
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent the water supply for a nominally level hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance’s inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the above ground tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.
- The minimum water supply required may be combined with domestic use, providing the outlet for domestic use is located above the dedicated fire water supply (in order for it to remain as a dedicated supply).

20) MAINTAIN AN ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT

The 'Planning and Design Code' Hazards (Bushfire – High Risk) Overlay (Performance Outcome 4.2) details the mandatory requirements to establish and maintain an asset protection zone. As such, landscaping shall include bushfire protection features that will prevent or inhibit the spread of bushfires and minimise the risk to life and/or damage to buildings and property and maintain a fuel reduced zone for safe movement of occupants and fire fighters.

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An APZ shall be implemented and maintained in line with the vegetation management conditions below:

- **Vegetation management shall be established and maintained within 20 metres of the habitable building (or to the property boundaries – whichever comes first) as follows:**
 1. **The number of trees and understorey plants existing and to be established within the APZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the ‘clumping’ of shrubs where desirable, for diversity, and privacy and yet achieve the ‘overall maximum coverage of 30%’.**
 2. **Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.**
 3. **Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.**
 4. **Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.**
 5. **Shrubs must not be planted under trees or must be separated by at least 1.5 times their mature height from the trees’ lowest branches.**
 6. **Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.**
 7. **No understorey vegetation shall be established within 2 metres of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).**
 8. **Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves**
 9. **The APZ shall be maintained to be free of accumulated dead vegetation.**

Conditions imposed by Environment Protection Authority under Section 122 of the Act

- 21) **The on-site wastewater systems must be installed in accordance with the details and plans contained within the *Wastewater Calculation Package* prepared by Bentley Consulting, marked Job Number BC230630 (Rev C), dated 18 December 2024 and must include:**
 - a) **the installation of two Fuji Clean Australia ACE 1200 systems**
 - b) **the construction of a 250m² irrigation area, vegetated with shrubs and trees to service the proposed tourist accommodation, and the construction of a 500m² subsurface irrigation area, vegetated with lawn to service the dwelling. Both irrigation areas are to be located more than 50 metres from the nearest watercourse, dam or bore; more than 1.2 metres from the seasonal groundwater table; on a slope less than 20%; and not in the 10% AEP flood zone**
 - c) **regular maintenance of the vegetation in the irrigation areas, including mowing and pruning with all clippings to be removed from site, and**
 - d) **bunding to direct surface runoff away from the irrigation areas and creating a bund downhill to prevent any runoff, from over-irrigation, moving off site.**

ADVISORY NOTES

General Notes

- 1) **No work can commence on this development unless a Development Approval has been obtained. If one or more consents have been granted on this Decision Notification Form, you must not start any site works or building work or change of use of the land until you have received notification that Development Approval has been granted.**

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- 2) Appeal rights – General rights of review and appeal exist in relation to any assessment, request, direction or act of a relevant authority in relation to the determination of this application, including conditions.
- 3) This Planning Consent is valid for a period of twenty-four (24) months commencing from the date of the decision, subject to the below or subject to an extension having been granted by the relevant authority. If applicable, Building Consent must be obtained prior to expiration of the Planning Consent.
- 4) Where an approved development has been substantially commenced within 2 years from the operative date of approval, the approval will then lapse 3 years from the operative date of the approval (unless the development has been substantially or fully completed within those 3 years, in which case the approval will not lapse).
- 5) This consent is strictly limited to works on the subject land. This consent does not permit any alteration to road verge. Works including tree pruning/removal, earthworks, kerbing, storage of material or any alteration to the verge or a reserve requires a separate approval under Section 221 of the *Local Government Act 1999*. For more information regarding this process please visit: <https://www.ahc.sa.gov.au/development/roads-and-construction/authorisation-to-alter-a-public-road>

Advisory Notes imposed by Native Vegetation Council under Section 122 of the Act

- 6) Prior to any clearance of native vegetation occurring in relation to this development application, the applicant must submit an application to and gain the approval of the Native Vegetation Council under the Native Vegetation Act 1991. The application is to be submitted at the following site - <https://apps.environment.sa.gov.au/nvmu/> and must be accompanied by the report prepared by the Accredited Consultant provided with this development application.
- 7) The clearance of native vegetation must be undertaken in accordance with the approval of the Native Vegetation Council under the *Native Vegetation Act 1991* as set out in Decision Notification 2024/3173/473.

Advisory Notes imposed by South Australian Country Fire Service under Section 122 of the Act

- 8) **BUILDING CONSIDERATIONS**
Ministerial Building Standard MBS008 “Designated bushfire prone areas - additional requirements” 2020, as published under the Planning, Development and Infrastructure Act 2016 applies to this site.

Please refer to the National Construction Code (NCC), relevant standards and state provisions for construction requirements and performance provisions.

A site Bushfire Attack Level (BAL) assessment was conducted in accordance with the NCC and Australian Standard™3959 (AS3959) “Construction of Buildings in Bushfire Prone Areas”.

NEW DWELLING

Category of Bushfire Attack Level: BAL 19

This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.

EXISTING DWELLING (PROPOSED TOURIST ACCOMMODATION)

Category of Bushfire Attack Level: BAL 29

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This BAL rating is conditional upon the establishment and maintenance of a 20 metre Asset Protection Zone, in accordance with the Asset Protection Zone – Vegetation Management condition of consent placed on the planning consent with the same application reference.

SA CFS acknowledges there are no proposed building works included in this application for this building. SACFS conducted an assessment of the BAL to inform consideration of PO 4.2 (tourist accommodation sited away from vegetated areas that pose an unacceptable bushfire risk).

This result is considered relevant at the date of assessment with respect to the elevations detailed on Planning Report Dwelling and Tourist Accommodation 644 Paracombe Road, Paracombe dated July 2024 and shall not be considered as SA CFS endorsement of any subsequent development.

9) TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN

CFS further recommends:

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season. The BSP:
 1. should provide clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions; and
 2. should address the possibility that the owners may not be present at the time of the bushfire event; and
 3. should not expect guests to be involved in fire-fighting operations.

The SA CFS 'Bushfire Safety Guide For Business' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.

The applicant should consider reducing operating hours and restrictions on days of heightened bushfire danger and/or bushfire events and consider including any alterations to bookings and services offered due to actual or predicted conditions during the Fire Danger Season in any booking/refund policy.

Advisory Notes imposed by Environment Protection Authority under Section 122 of the Act

10) The applicant/owner/operator are reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practicable measures to ensure that activities on the site and associated with the site (including during construction) do not pollute the environment in a way which causes or may cause environmental harm. Reasonable and practicable measures may include (but not be limited to):

- constructing the new dwelling in a manner that prevents erosion and soil transport to the nearby watercourses and dams, or off the property
- minimising soil exposure and disturbance, and controlling and minimising surface runoff entering or leaving the disturbed areas. This may be achieved by installing and maintaining sediment and erosion control devices, appropriately managing any stockpiles and rehabilitating disturbed areas as soon as is practicable.

More information about the Environment Protection Authority and the Environment Protection Act and policies can be found at: www.epa.sa.gov.au

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OFFICER MAKING RECOMMENDATION

Name: Doug Samardzija

Title: Senior Statutory Planner