

CAP MEETING – 11 June 2025
ITEM 8.3

DEVELOPMENT NO.:	24005354
APPLICANT:	Dominic Burchell
ADDRESS:	10 Kemp Road, Aldgate SA 5154
NATURE OF DEVELOPMENT:	Change of use to include an outdoor store for plants and trees, store building (shipping container), and water tank (retrospective)
ZONING INFORMATION:	Zones: <ul style="list-style-type: none"> • Productive Rural Landscape Overlays: <ul style="list-style-type: none"> • Environment and Food Production Area • Hazards (Bushfire - High Risk) • Heritage Adjacency • Limited Land Division • Mount Lofty Ranges Water Supply Catchment (Area 2) • Native Vegetation • Prescribed Water Resources Area • Scenic Quality • Water Resources
LODGEMENT DATE:	3 April 2024
RELEVANT AUTHORITY:	Council Assessment Panel
PLANNING & DESIGN CODE VERSION:	P&D Code (in effect) Version 2024.5 14/03/2024
CATEGORY OF DEVELOPMENT:	Code Assessed - Performance Assessed
NOTIFICATION:	Yes
RECOMMENDING OFFICER:	Sebastien Paraskevopoulos – Senior Statutory Planner and Brendan Fewster – Consultant Planner
REFERRALS STATUTORY:	None
REFERRALS NON-STATUTORY:	Civil Services

CONTENTS:

ATTACHMENT 1:	Application Documents	ATTACHMENT 6:	Relevant P & D Code Policies
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DETAILED DESCRIPTION OF PROPOSAL:

The application is for a partial change of use of land to a storage area for plants and trees and associated pots and organic material. The proposed use includes an outdoor storage area and a storage building in the form of a shipping container.

The proposed storage use covers an area of approximately 2100m² on the southeastern side of the subject land. The storage area is excess plant stock from Cleveland Nursery that are not suitable for sale. No sales will be conducted from the site.

A '20-foot' shipping container measuring 6 metres in length, 2.3 metres wide and 2.35 metres in height will be located approximately 40 metres from the eastern and southern boundaries. The shipping container will be used to store pots and organic material.

It is anticipated that only two staff will visit the site for up to 9.5 hours a week for deliveries, plant maintenance and irrigation. A 2.6 tonne truck will be used for deliveries, with no more than three deliveries to take place per week from the Cleveland Nursery to the site. The delivery truck will split its time stored on site and off site at the nursery.

There is no change to the existing vehicle access arrangements from Kemp Road or internal driveways.

A 9000-litre rainwater tank is to be provided.

BACKGROUND:

APPROVAL DATE	APPLICATION NUMBER	DESCRIPTION OF PROPOSAL
30/05/2023	22028931	Two storey detached dwelling alterations and additions, deck, and swimming pool
21/06/2022	22009663	Outbuilding
22/11/1999	99/D71/473	Land division – boundary realignment

SUBJECT LAND & LOCALITY:

Location reference: 10 KEMP RD ALDGATE SA 5154

Title ref.: CT 6242/114 **Plan Parcel:** D53955 AL25 **Council:** ADELAIDE HILLS COUNCIL

Site Description

The subject land is a rural living type allotment of approximately 2.5 hectares located at 10 Kemp Road, Aldgate.

The land comprises a single allotment that is formally described as Allotment 25 in Deposited Plan 53955, Certificate of Title Volume 6242 Folio 114. It is both subject to and together with free and unrestricted rights of way registered on the Title. The rights of way facilitate access to both the land itself and neighbouring properties, with driveway access occurring over land privately held by 7 Kemp Road.

The land is irregular in shape, with no direct frontage to Kemp Road. Once it departs Kemp Road, the private access is unsealed. The site is covered with dense vegetation with a cleared area on the northern side that contains a dwelling and outbuilding. There is also a cleared area at the southeastern end of the site where the proposed store is to be located.

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There is an internal driveway that traverses the middle of the site from the private access to the existing dwelling.

Locality

The locality has a semi-rural character where land borders existing residential land within the Aldagte township to the south and east near the railway and Mount Barker Road and the more vegetated rural landscape to the north.

Allotments on the northern side of the railway line are typically 1 to 2 hectares in area and densely vegetated. Existing buildings are setback from boundaries and are sited inconspicuously amongst vegetation.

On the southern side of the railway line residential allotments are generally around 2000m² in size and contain detached dwellings of varying size and style.

The wider locality has a mixed character where township uses interface with larger rural living allotments.

CONSENT TYPE REQUIRED:

Planning Consent

CATEGORY OF DEVELOPMENT:

- **PER ELEMENT:**

Water tank (above ground): Code Assessed - Performance Assessed

Change of use: Code Assessed - Performance Assessed

Store: Code Assessed - Performance Assessed

- **OVERALL APPLICATION CATEGORY:**

Code Assessed - Performance Assessed

- **REASON**

The Planning and Design Code provides no 'Accepted' or 'Deemed to Satisfy' pathway for the above elements –nor are they categorised as 'Restricted' under Table 4 of the zone. Therefore, as per sections 105 (b) and 107 of the Planning Development & Infrastructure Act 2016, the development is categorised as Code Assessed – Performance Assessed.

PUBLIC NOTIFICATION

- **REASON**

Table 5 – 3 of the Productive Rural Landscape Zone excludes store development from public notification, *except* if it does not satisfy DTS/DPF 4.1 and DTS/DPF 4.3. The proposed development does not satisfy either of these provisions, due to the size of the store area and its setback from boundaries and sensitive receivers.

Public notification was undertaken between 2 April – 24 April 2025

- **LIST OF REPRESENTATIONS**

One (1) representation was received during the notification period opposing the development. The representor has requested to be heard by the Panel.

Representor Name	Representor's Property Address	Wishes to be heard (Y/N)	Nominated Speaker (if relevant)
Paul Vinton	19 Pine Street, Stirling	Yes	Self

- **SUMMARY**

The issues contained in the representations can be briefly summarised as follows:

- The proposed commercial use is not compatible with the surrounding residential area.
- Noise impacts and disturbance.

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

AGENCY REFERRALS

No agency referrals were required

INTERNAL REFERRALS

Council Civil Services:

There are no objections to the proposed development, provided that all stormwater runoff is managed on-site to prevent any nuisance to neighbouring properties. No concerns were raised regarding access or traffic impacts.

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 6 – 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.
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	
POs: 1.1, 2.1, 2.2, 6.3, 6.4 and 11.1	
DPFs: 1.1, 2.1, 2.2, 6.3 and 6.4	

The subject land is a rural living allotment of approximately 2.5 hectares that contains a dwelling and dense vegetation. The proposal is seeking to use a small portion of the land (around 2100m²) for the storage of plants and trees that are excess plant stock from Cleveland Nursery.

The subject land is situated within the Productive Rural Landscape Zone of the Planning and Design Code. DO 1 and DO 2 and PO 1.1 of the Productive Rural Landscape Zone seek a diverse range of land uses that promote primary production activities and associated value adding uses. While a 'store' is not listed in DPF 1.1 of the zone as an envisaged land use, the proposed storage of various plants and trees is not industrial in nature and is more akin to a low intensive (almost benign) form of primary production that does not supplant or prejudice any such existing use on the land. There will be no business-related transactions conducted on the site and the stored plants will be confined to a relatively small area.

Furthermore, PO 4.1 and 4.3 of the zone support small-scale industry including storage uses that "provide opportunities for diversification and value adding to locally sourced primary production activities". The proposed storage of excess plant stock from Cleveland Nursery is small-scale, and while not directly related and ancillary to a primary production use on the same allotment, the proposal is of nature, scale and intensity that would maintain the rural function and character of the area. The proposal is therefore consistent with PO 1.1, 4.1 and 4.3 of the Productive Rural Landscape Zone.

The only building proposed is a shipping container that will provide covered storage for pots and organic material. The container has a modest floor size of 15m², is set back more than 40 metres from the nearest property boundary and is finished in a green/brown colour. While the proposed shipping container has a simple form and appearance, the container will be a minor visual element as it is no larger than a small garden shed and will be screened by existing vegetation. PO 11.1 of the zone is satisfied.

The container and outdoor area will require minimal earthworks as it is located on relatively flat land and does not involve any building work. PO 2.2 of the zone is satisfied.

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It has been reasonably demonstrated that the nature/intensity, siting and scale of the proposed development is such that it would not undermine existing or desired primary production activities nor detract from the natural character and scenic qualities of the surrounding landscape. The proposal is consistent with DO 1 and PO 1.1, 2.1, 2.2, 4.1, 4.3 and 11.1 of the Productive Rural Landscape Zone.

Overlays

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">a. potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate changeb. high levels and exposure to ember attackc. impact from burning debrisd. radiant heate. 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	
POs: 1.1, 2.1, 3.1, 4.1, 4.2, 4.3, 6.1 and 6.2	
DPFs: 4.1, 6.1 and 6.2	

The subject land is with the Hazards (Bushfire – High Risk) Overlay.

A referral to the SA Country Fire Service was not required as the proposal does not comprise of a habitable or sensitive activity listed in Procedural Matters (PM) – Referrals of the Overlay.

As required by the Overlay, the proposal includes the following bushfire safety measures:

- The shipping container is a non-combustible structure;
- The proposed storage area is within a cleared area of land that is sited away from potentially hazardous vegetation; and
- The site has access to a public road (via the right of way) that is suitable for fire-fighting vehicles.

The bushfire risks would be low with adequate measures put in place to satisfy the requirements of the Hazards (Bushfire – High Risk) Overlay.

Heritage Adjacency Overlay

Desired Outcomes	
DO1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
POs: 1.1	

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The nearest heritage place is approximately 125 metres to the north of the development site. The setting of this Local Heritage Place would not be impacted by the proposed development given the significant separation distance and the low-impact nature of the development.

Mount Lofty Ranges Water Supply Catchment (Area 2) 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 secondary reservoirs or diversion weir catchments from the Mount Lofty Ranges.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
POs: 1.1, 1.2, 2.5, 3.2, 3.3 and 4.1	
DPFs: 1.2, and 2.5	

DO 1 of the Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay seeks the protection of public water supply in the Watershed area.

The proposal includes appropriate management of stormwater runoff and thus will not result in any negative impacts on the water quality within the catchment area. The proposal is consistent with DO 1 and the relevant PO's of the Mount Lofty Ranges Water Supply Catchment (Area 2) Overlay.

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	
POs: 1.1	
DPFs: 1.1	

This proposal does not include the removal of any native vegetation as the development site has been cleared of vegetation.

The applicant has also provided a Native Vegetation Declaration advising that the proposal will not impact on vegetation. The proposal is therefore consistent with DO 1 and PO 1.1.

Scenic Quality Overlay

Desired Outcomes	
DO1	Development complements natural and rural character, and areas of scenic value.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
POs: 1.1, 2.1, 3.1 and 4.1	
DPFs: 3.1 and 4.1	

As previously considered, the proposed outdoor storage activities and shipping container are small-scale in nature and not highly visible from adjacent land or public roads. The development site is located in a cleared area of the land, which is surrounded by dense existing vegetation. The land itself is irregular in shape and does not have direct frontage to Kemp Road, being accessed via a private unsealed driveway, further limiting visibility from the public realm.

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While the shipping container is utilitarian in appearance, it has a limited footprint (15m²), is well setback from boundaries (approximately 40 metres), and will be visually screened by surrounding vegetation. The storage of plants and trees will further soften the visual impact of the area.

Accordingly, the development is considered to complement the natural and rural character of the locality and aligns with DO1 and PO 1.1 and 2.1 of the Scenic Quality Overlay.

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.
Performance Outcomes (PO) & Deemed to Satisfy (DTS)/Designated Performance Feature (DPF) criteria	
POs: 1.1, 1.2, 1.5 and 1.7	
DPFs: 1.5	

There are no watercourses affecting the subject land. The nearest watercourse extends across adjacent residential properties to the south.

The proposal is consistent with the Water Resources Overlay.

General Development Policies

Design

Desired Outcomes	
DO1	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 areab) 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 visitorsc) 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	
POs: 1.5, 6.1, 8.1, 10.1, 10.2, 20.1, 31.1 and 31.2	
DPFs: 6.1, 8.1, 10.1 and 10.2	

Shipping containers are typically used for storage or as a temporary, functional building solution due to their portability and minimal need for structural modifications. Given their size and dimensions, they have a similar visual impact to a small shed. While the proposed shipping container has a simple, utilitarian appearance, it is well-set back from property boundaries and screened by existing vegetation, making it largely inconspicuous from neighbouring properties. The outdoor storage of plants and trees will also blend harmoniously with the surrounding landscape. As a result, the proposal is not expected to have any significant visual impacts and satisfies PO 1.5.

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The proposal will require only a small amount of the earthworks as the land is relatively flat and does not require any building work or new internal driveways. PO 8.1 is satisfied.

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	
POs: 1.2, 2.1, 3.1, 3.2, 4.1, 4.2, 6.1, 6.2, 9.1, 9.2 and 9.7	
DPFs: 2.1, 3.1, 3.2, 4.1	

DO1 seeks to ensure that new development is operated in a manner that adequately protects the amenity of the locality.

The proposal to store plants and trees and associated pots and organic material would generate minimal noise or disturbance as no machinery or equipment would be operated on the site and delivery vehicle movements would be infrequent. The applicant has confirmed that only two staff will visit the site for up to 9.5 hours a week for deliveries, plant maintenance and irrigation and a 2.6 tonne truck will make no more than three deliveries to the site per week from the Cleveland Nursery to the site. The noise and disturbance from such deliveries will be negligible.

One representation was received during the public notification period raising concerns about commercial use and noise impacts. The applicant's written response has addressed these concerns, confirming the absence of retail activity, the infrequent and small-scale nature of operations, and the low potential for noise disturbance.

Accordingly, the proposed store would not adversely impact upon the amenity of nearby sensitive land uses and the locality by way of noise, light spill, glare or traffic. The proposal is considered to satisfy the relevant assessment provisions of the General Section (Interface between Land Uses).

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	
POs: 1.1, 2.1, 1.4, 3.1, 3.3, 3.4, 3.5, 3.8, 3.9, 4.1, 5.1, 6.1, 6.2, 6.3, 6.4, 6.5, 6.6 and 6.7	
DPFs: 1.4, 3.1, 3.5, 5.1, 6.1 and 6.6	

There is an internal driveway that traverses the middle of the site from the Kemp Road frontage to the existing dwelling. The proposal will utilise the existing driveway access from Kemp Road. The existing access arrangements are safe and convenient and any additional traffic generated by the development would be negligible given the nature of the proposed use, the small number of weekly deliveries and that only two staff will occupy the site at any one time.

There is an area set aside for the parking of a delivery truck and there is sufficient space for staff parking.

The proposal satisfies PO 1.1 and 5.1 of the General Development Policies (Transport, Access and Parking).

CONSIDERATION OF SERIOUSLY AT VARIANCE

Having considered the proposal against the relevant provisions of the Planning and Design Code Version 2024.5 dated 14 March 2024, it is determined that the proposal is not seriously at variance with the Code. The proposed store represents a low-impact land use that aligns with the Desired Outcomes for the Productive Rural Landscape Zone. The storage area, including the associated shipping container, is positioned with substantial setbacks from property boundaries and is screened by existing vegetation, thereby avoiding any adverse visual impacts. Furthermore, the proposal is expected to have a negligible effect on existing traffic movements and car parking availability.

CONCLUSION

Having considered the proposal against the relevant provisions of the Planning and Design Code, the proposal is not seriously at variance with the Planning and Design Code.

The proposed store is of nature, scale and intensity that would not undermine existing or desired primary production activities nor detract from the natural character and scenic qualities of the surrounding landscape.

The visual impact of the proposed outdoor storage area and associated shipping container would not be significant given small-scale and low-impact nature of the use, the separation to property boundaries and visual screening from existing vegetation.

Similarly, it has been demonstrated that the amenity of surrounding land would be maintained, as the impacts of noise and traffic would not be significant.

For these reasons, the proposal achieves the Desired and Performance Outcomes for the Productive Rural Landscape Zone, the relevant Overlays and General Provisions of the Code and thus warrants the granting of Planning Consent.

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 24005354 by Dominic Burchell for a Change of use to include an outdoor store for plants and trees, store building (shipping container), and water tank (retrospective) at 10 Kemp Road, Aldgate 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) The external finishes to the store building (shipping container) herein approved 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 zinalume are not suitable.

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- 3) 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.

- 4) All external lighting associated with the depot use shall be restricted to that necessity for security purposes only and shall be directed away from residential development and, shielded if necessary to prevent light spill causing nuisance to the occupiers of nearby residential properties.
- 5) No bulk storage of chemicals, oils or lubricants associated with the approved use is to occur on-site.
- 6) Movement of the truck and/or vehicles (including employee vehicles) associated with the plant nursery business shall be limited to 7:00am to 5:00pm, Monday to Friday. Vehicles must not be started earlier than 7:00am.

ADVISORY NOTES

General Notes

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

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- 6) The applicant is reminded of their general environmental duty, as required by Section 25 of the Environment Protection Act 1993, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes, or may cause, environmental harm.

OFFICER MAKING RECOMMENDATION

Name: Sebastien Paraskevopoulos

Title: Senior Statutory Planner

REAL PROPERTY ACT, 1886



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



Certificate of Title - Volume 5790 Folio 339

Parent Title(s) CT 5172/808
Creating Dealing(s) RTC 8835813
Title Issued 18/07/2000 **Edition** 3 **Edition Issued** 01/11/2005

Estate Type

FEE SIMPLE

Registered Proprietor

Description of Land

ALLOTMENT 25 DEPOSITED PLAN 53955
IN THE AREA NAMED ALDGATE
HUNDRED OF NOARLUNGA

Easements

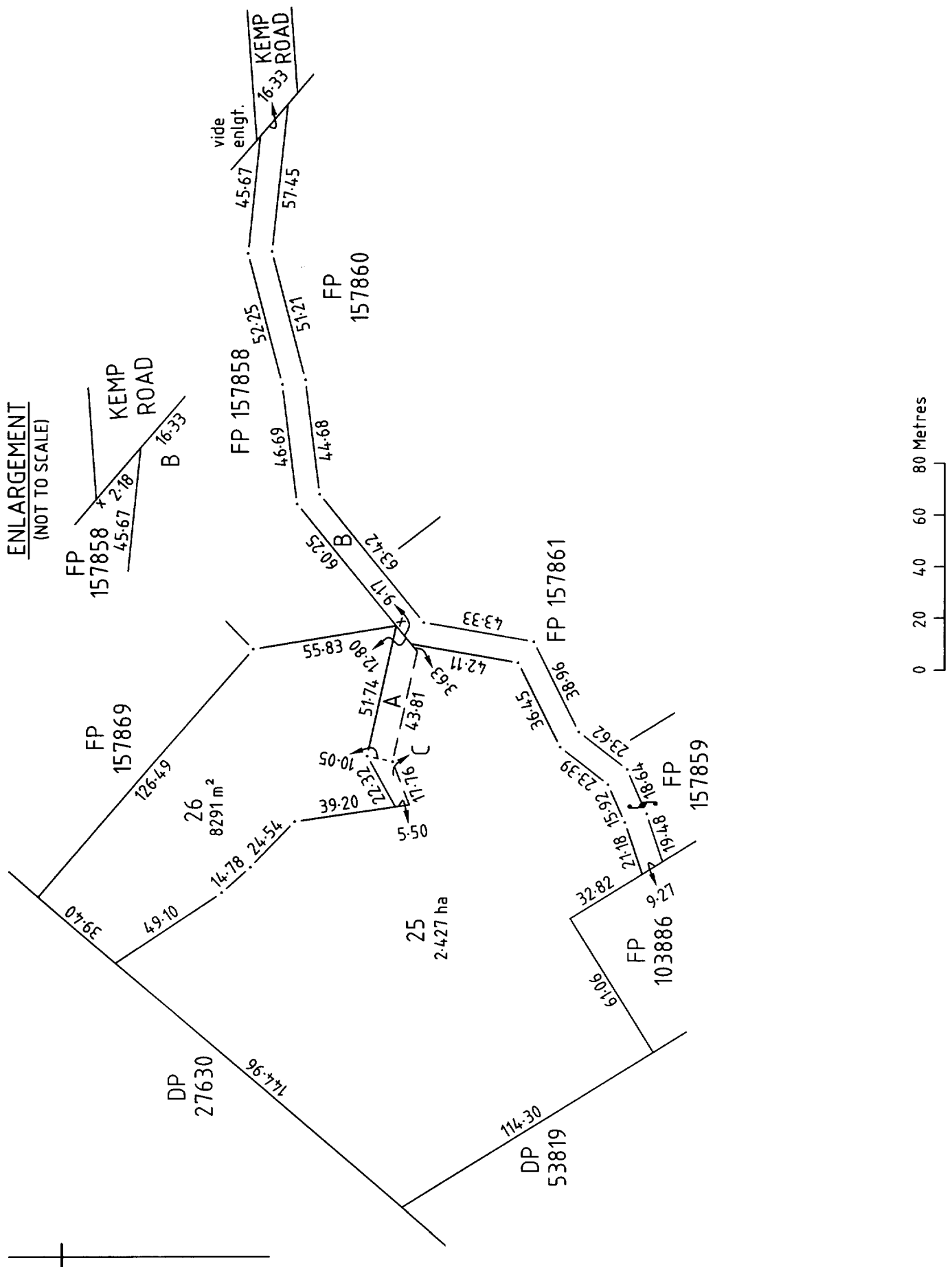
SUBJECT TO FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED A AND C
TOGETHER WITH FREE AND UNRESTRICTED RIGHT(S) OF WAY OVER THE LAND MARKED B

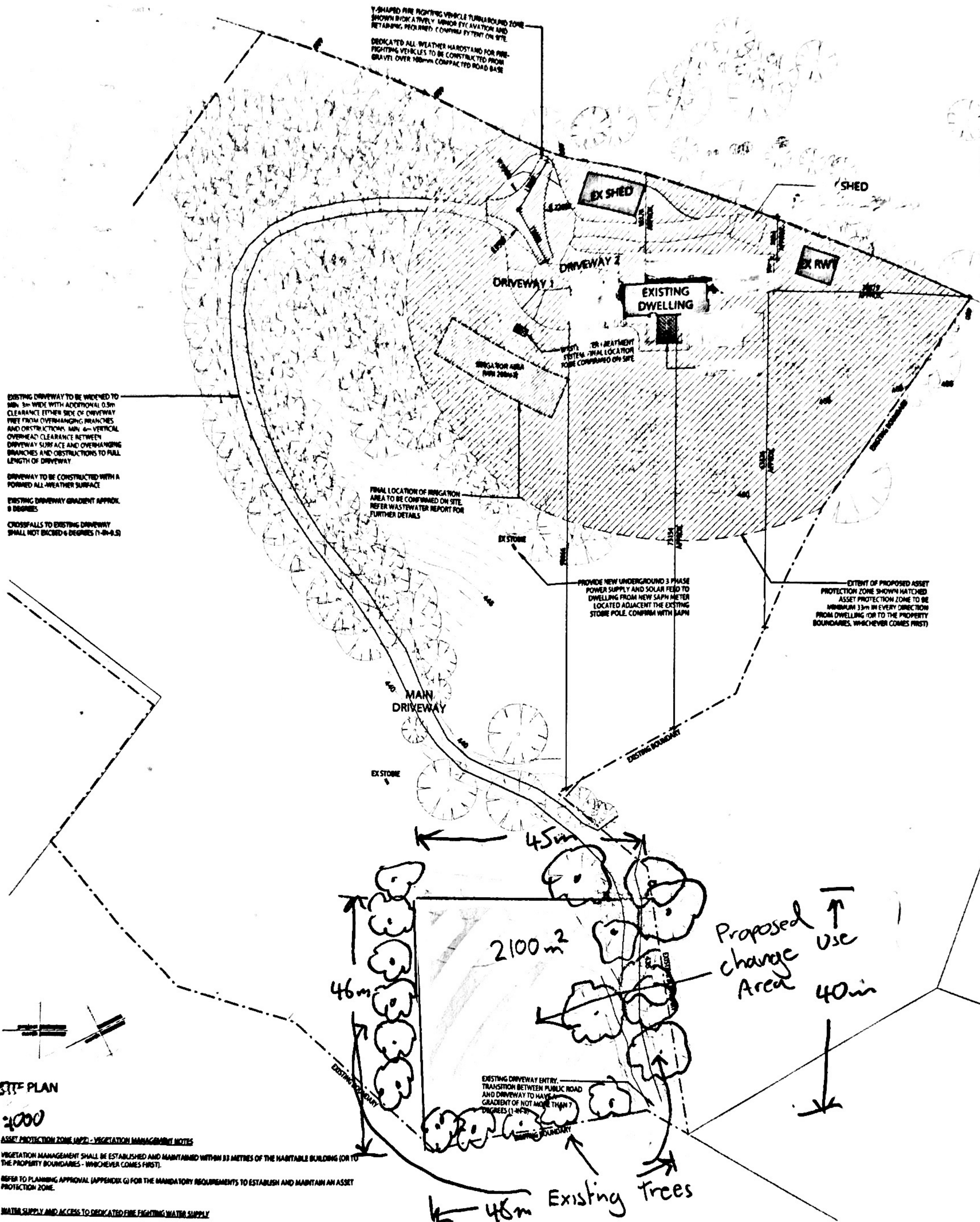
Schedule of Dealings

Dealing Number	Description
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Notations

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





SITE PLAN

1:4000

ASSET PROTECTION ZONE (APZ) - VEGETATION MANAGEMENT NOTES

VEGETATION MANAGEMENT SHALL BE ESTABLISHED AND MAINTAINED WITHIN 33 METRES OF THE HABITABLE BUILDING (OR TO THE PROPERTY BOUNDARIES - WHICHEVER COMES FIRST).

REFER TO PLANNING APPROVAL (APPENDIX G) FOR THE MANDATORY REQUIREMENTS TO ESTABLISH AND MAINTAIN AN ASSET PROTECTION ZONE.

WATER SUPPLY AND ACCESS TO DEDICATED FIRE FIGHTING WATER SUPPLY

THE DEDICATED BUSHFIRE FIRE FIGHTING WATER SUPPLY, PUMPING SYSTEM, PIPE-WORK AND FIRE FIGHTING HOSES SHALL BE IN ACCORDANCE WITH A8500. THE SCOPE OF WORKS IS TO INCLUDE A DEDICATED HANDSTAND AREA TO ALLOW FOR FIRE FIGHTING VEHICLES TO SAFELY ACCESS THE DEDICATED WATER SUPPLY.

REFER TO PLANNING APPROVAL (APPENDIX G) FOR FURTHER DETAILS.

ACCESS TO HABITABLE BUILDING

THE EXISTING MAIN DRIVEWAY IS TO BE UPGRADED, WHERE NECESSARY, TO COMPLY WITH THE CONDITIONS OUTLINED IN THE PLANNING APPROVAL.

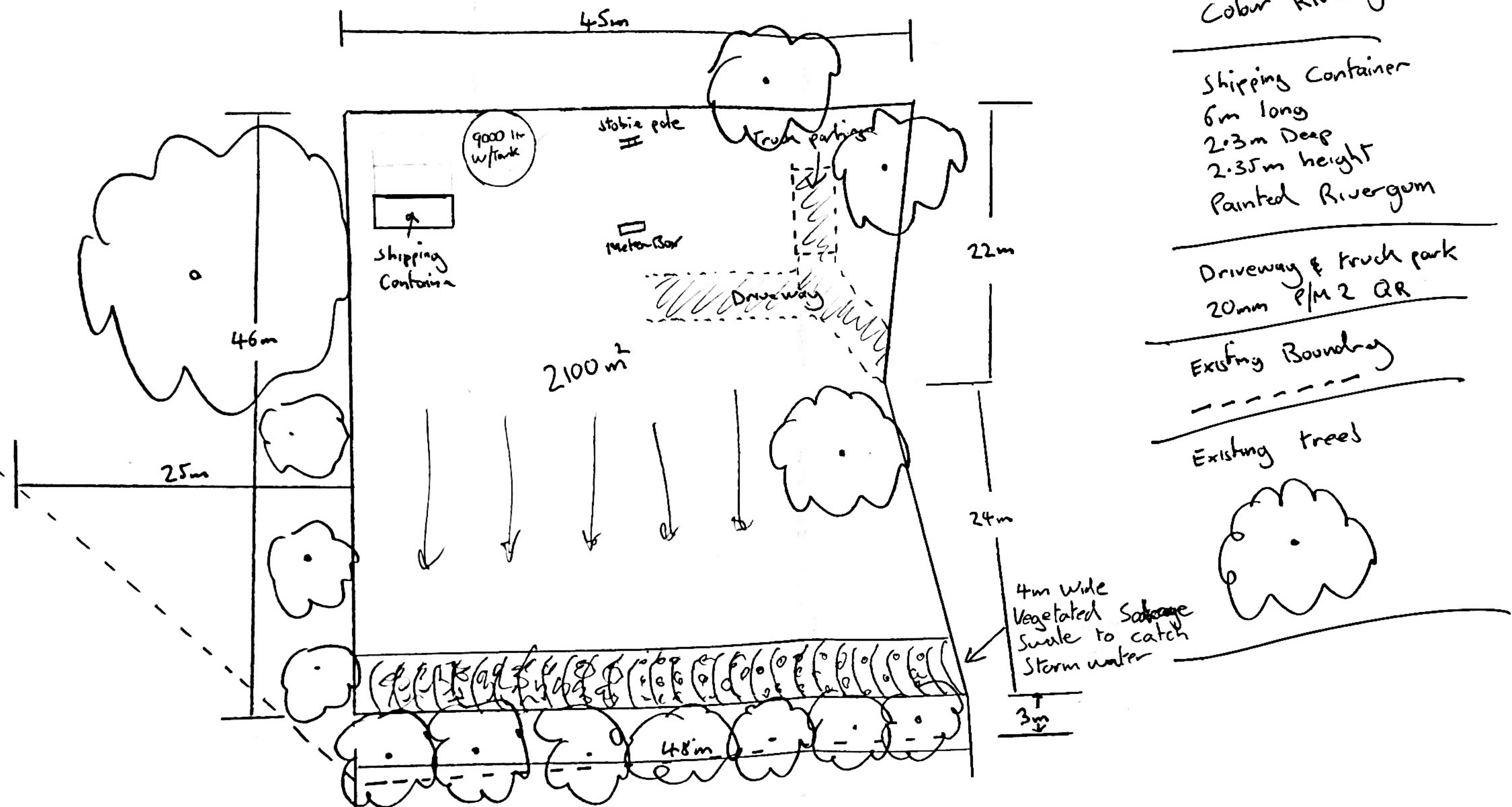
REFER TO PLANNING APPROVAL (APPENDIX G) FOR FURTHER DETAILS.

BUSHFIRE NOTES

COMPLY GENERALLY WITH AS 3959-2018 CONSTRUCTION IN BUSHFIRE-PRONE AREAS FOR BAL 20 REQUIREMENTS INCLUDING, BUT NOT LIMITED TO THE FOLLOWING:

- ROOF CLADDING (INCLUDING GUTTERS AND GUTTER GUARDS), WALLS/WALL CLADDING, WINDOWS AND DOORS SHALL BE NON COMBUSTIBLE OR BUSHFIRE RESISTING TIMBER.
- OPENINGS IN WALLS AND/OR ROOF GREATER THAN 3mm SHALL BE SEALED WITH CORROSION RESISTANT STEEL OR BRONZE MESH BARRIER GUARDS OF MAX 2mm APERTURE OR ROCKWOOL AS APPROPRIATE (THIS INCLUDES PERPENDS, WALL VENTS, EAVE VENTS, ROOF MOUNTED EXHAUST FANS, FLUES, VENT PIPES etc.)
- ALL OPERABLE WINDOWS SHALL BE FITTED WITH CORROSION RESISTANT ALUMINIUM FLY SCREENS OF MAX 3mm APERTURE.
- ALL WATER AND OR GAS PIPES EXPOSED ABOVE GROUND SHALL BE METAL.

Site Plan



9000 ltr
Water tank
3m Diameter
1.9m height
Colbur Rivergum

Shipping Container
6m long
2.3m Deep
2.35m height
Painted Rivergum

Driveway & truck park
20mm P/M 2 QR

Existing Boundary

Existing trees

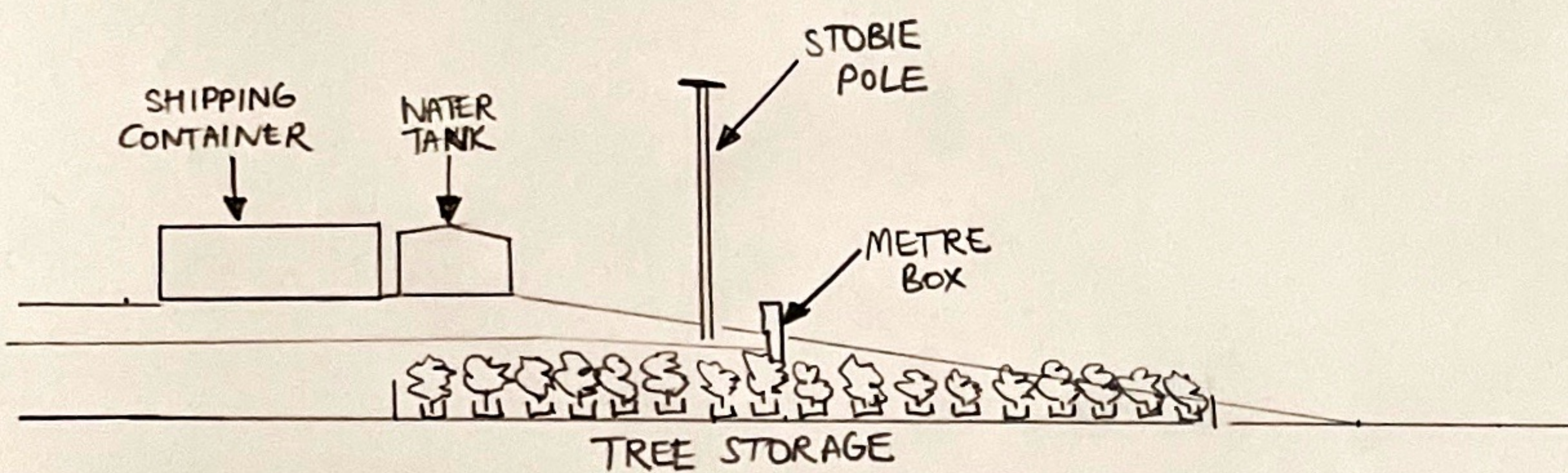
4m wide
Vegetated Swale
to catch
Storm water

3m

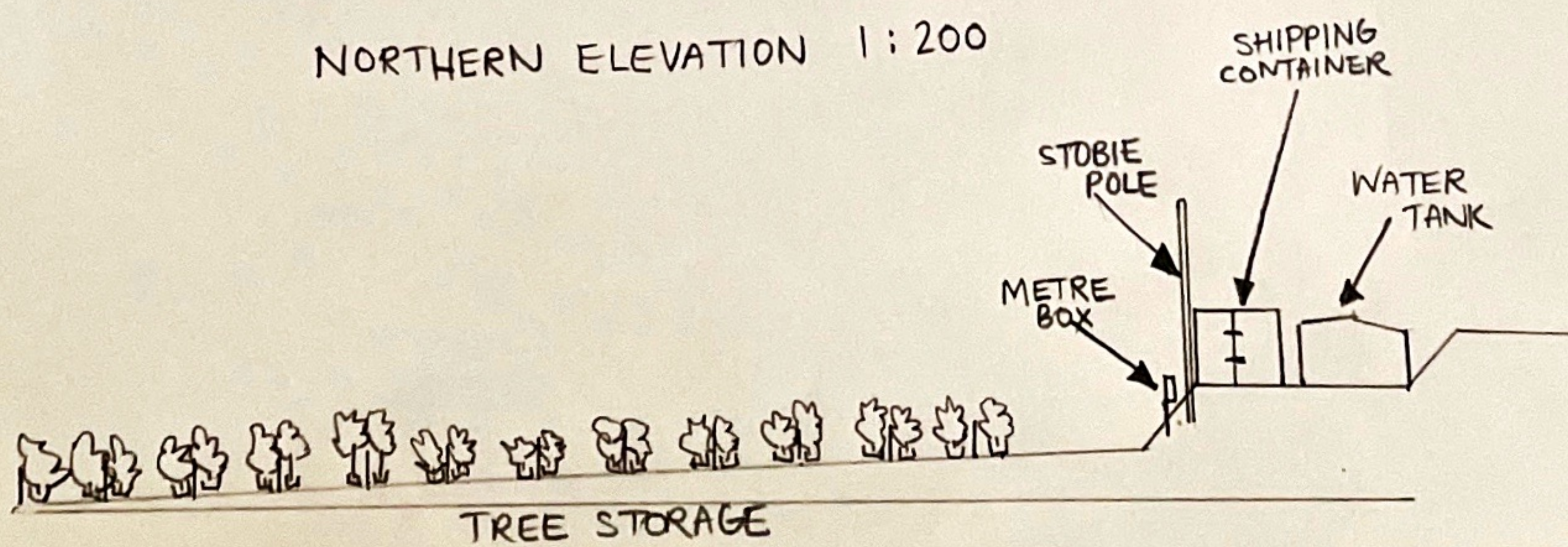
Scale
1:300

The reduced gradient has slowed the run off
and the Swale catches the small amount of
storm water which consequently soaks in.

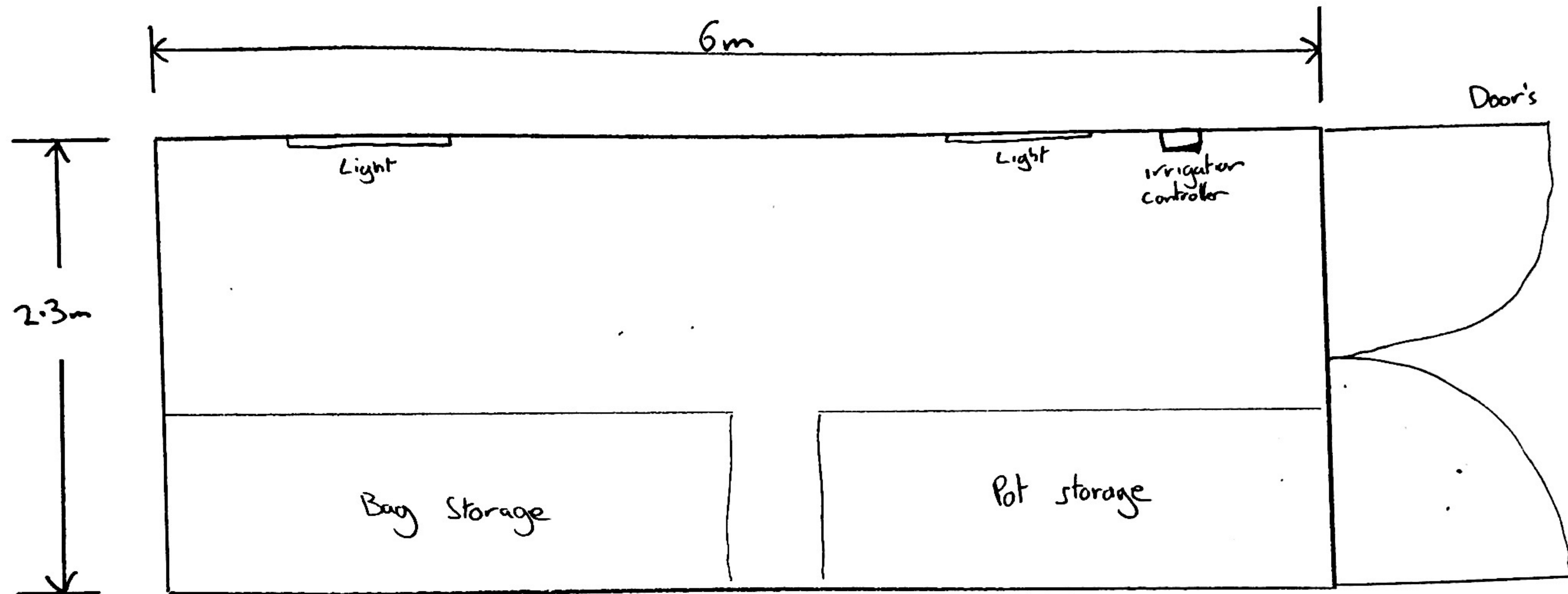
EASTERN ELEVATION 1:200



NORTHERN ELEVATION 1:200

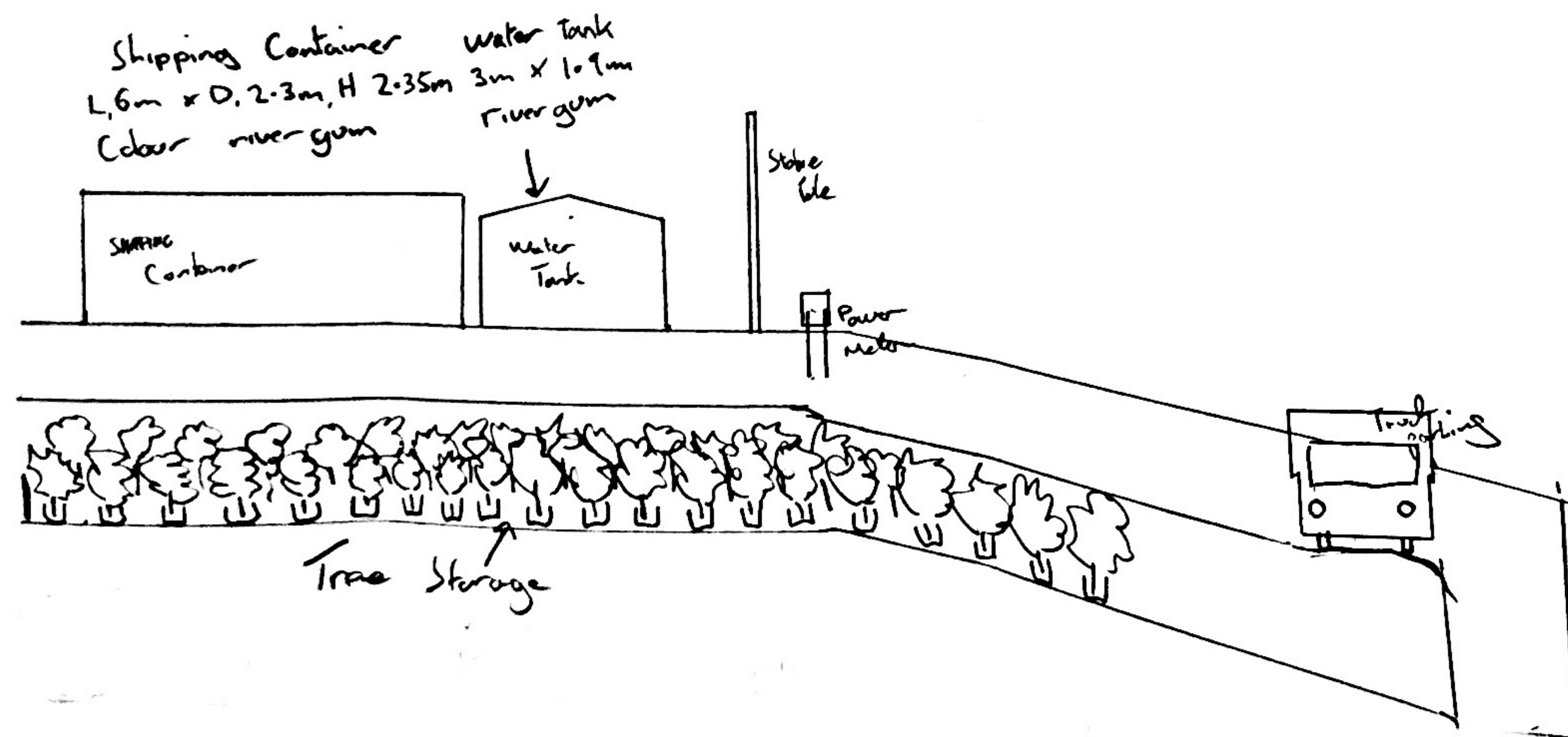


Shipping Container Floor plan



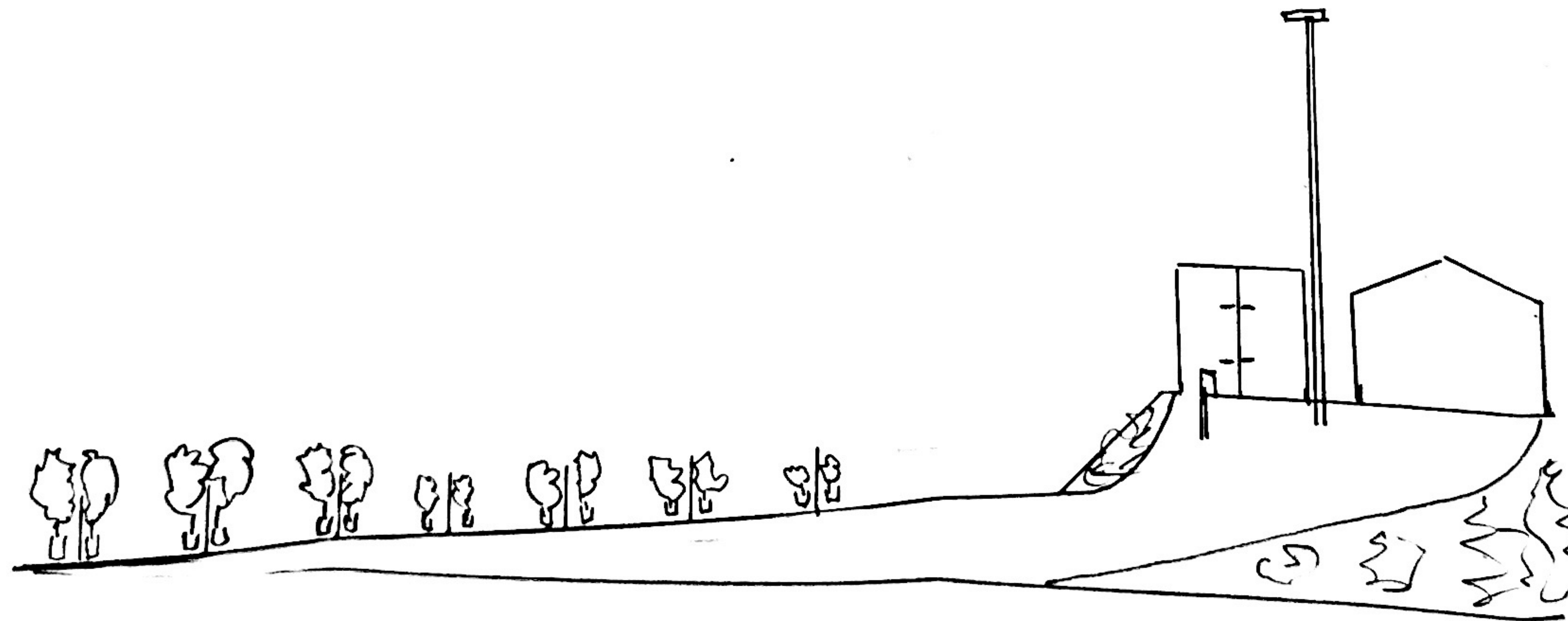
Scale
1:25

Eastern Elevation



Scale 1:100

Northern Elevation



Change of Use Application ID 24005354

- Vehicle – Truck is under 3 ton it will be stored at the Cleveland Nursery 50% of the time and 10 Kemp Rd the other 50%
- All driveways are existing and constructed from some sort of quarry rubble.
- No earthworks required plants will be stored on existing ground.
- Existing stormwater is controlled by 2 existing retention basins approximately 30,000lts each although these retention basins are higher than the proposed storage site they do control the S/W for the majority of the land.

Purpose of storage site

The purpose of storing the trees and plants on this site

- Excess stock for Cleveland Nursery
- Recovering plant that aren't up to scratch for sale in the Nursery
- Potting up plants, if a plant/tree hasn't sold

No Sales will be conducted from the site.

Actual operation of the site will be approximately 9.5hrs in the dryer months and 6hrs a week in the wetter months this is generally 6hrs on a Monday and 30mins a day for watering.

Truck operation is spasmodic and minimal generally on a Monday between 10:00am and 5:00pm 2 to 3 trips between the Nursery and the block to move plants between.

Truck Storage we anticipate that the small 2.6 ton truck will be stored at the proposed site 50% of the time the other 50% its stored at the Nursery.

No maintenance or cleaning of the truck will be undertaken on the proposed site.



The larger trees are on an automated irrigation system and the smaller plants are hand watered I am currently applying to SA water to connect the mains water I have been told that this is possible they need to visit the site to complete the quote.

There are two staff members involved in the process one (6hrs) doing deliveries and plant maintenance and one watering (3.5hrs)

There is generally very little plant management/maintenance on the proposed storage site most of this work takes place at the nursery however there will be some pruning, feeding (organic fertilizer only), spaying and potting up, this is all on a very small scale.

The intended duration is ongoing.



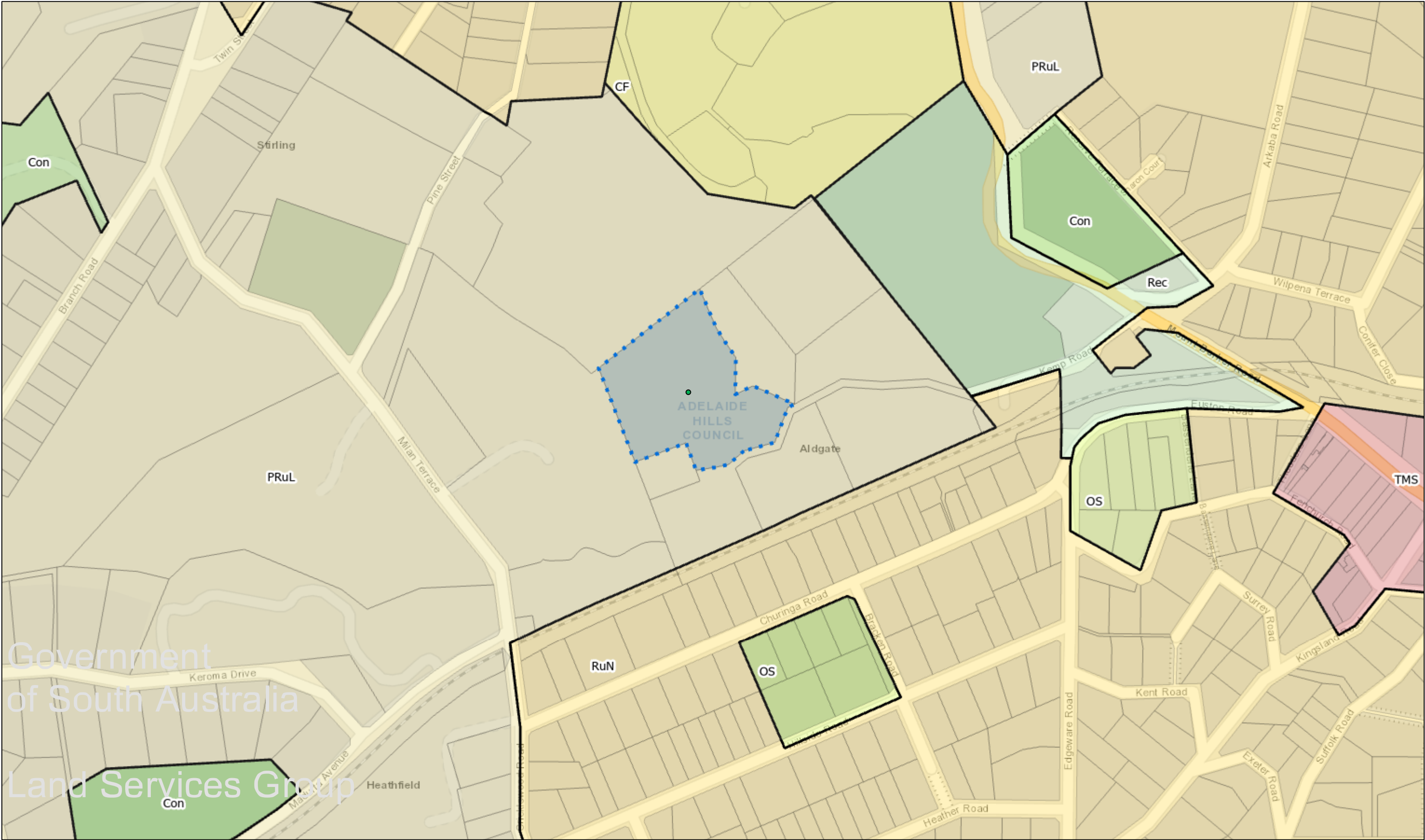
- Annotations**
-  Representor
 -  Subject land

SAPPA Report

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

Date created:
May 22, 2025

Zoning Map



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.

Details of Representations

Application Summary

Application ID	24005354
Proposal	Change of use to include an outdoor store for plants and trees, store building (shipping container), and water tank
Location	10 KEMP RD ALDGATE SA 5154

Representations

Representor 1 - Paul Vinton

Name	Paul Vinton
Address	19 Pine Street STIRLING SA, 5152 Australia
Submission Date	17/04/2025 10:18 AM
Submission Source	Online
Late Submission	No
Would you like to talk to your representation at the decision-making hearing for this development?	Yes
My position is	I oppose the development

Reasons
This area is a residential area and it is surrounded entirely by homes. Having a commercial business using the area will severely denigrate the aesthetics of the area and change the noise and other pollution with people coming and going. Our property borders this area, is of national significance and was made as a place of rest and refuge (being Forest Lodge). I am strongly opposed to this application - it should be in a commercial area and not bang smack in the middle of residential.

Attached Documents

In response to Mr Vinton's concerns - We don't understand his concerns as they are not relevant to the application.

- **Denigrate the aesthetic of the area**

Due to the location and the nature of the storage we believe it elevates the aesthetic rather than denigrates. The storage is for Green life only, in neat rows which adds greenery in the summer and beautiful autumn colour.. Our Green life storage is not visible to anyone except our immediate neighbor (no. 8 who has not objected) and has told us they love the look of our green life. Mr Vinton is our Northern neighbor, 350mtr (of dense pine forest) away from our proposed change of use site, and has absolutely no reason to drive up our private driveway which is on our southern boundary.

- **Noise and other pollution**

The storage of green life will not generate any additional noise. Approx once a week, our small truck may move some green life from the site to our place of business and vice versa. This truck is a small truck which only needs a car drivers license to operate and its not feasible for Mr Vinton to hear this from his property. The only other activities are pruning and watering both of which do not generate any noise. As far as noise pollution we would like to point out that the side-by-side buggy that is driven around the boundary of Mr Vintons property has a larger impact on noise for us than our operation would have on Mr Vinton.

- **Forrest lodge being a place of refuge**

We appreciate the beauty and tranquility of forest lodge and would at no point want to disrupt the serenity; We know for a fact that this change of use will not do this as this application is retrospective (we were unaware that we could not store green life past a certain square meterage), we have been operating our storage site for the past 5 years and at no time have we been approached with any of Mr Vintons concerns.

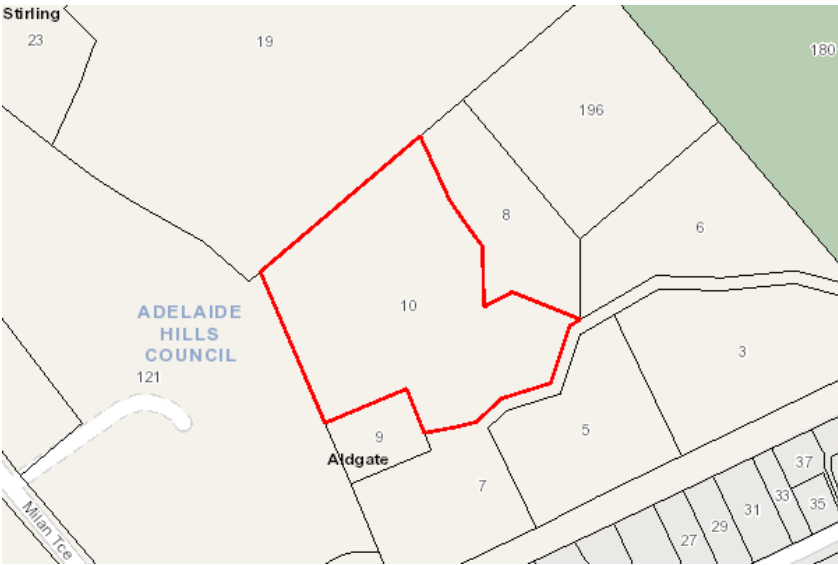
Happy to attend the council meeting to discuss any more concern Mr Vinton may have.

Regards,

Dominic and Sarah Burchell
Cleveland Nursery

Address: 10 KEMP RD ALDGATE SA 5154

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



Property Zoning Details

- Zone
- Productive Rural Landscape
- Overlay
- Environment and Food Production Area

Hazards (Bushfire - High Risk)

Heritage Adjacency

Limited Land Division

Mount Lofty Ranges Water Supply Catchment (Area 2)

Native Vegetation

Prescribed Water Resources Area

Scenic Quality

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.
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.
<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>
<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.
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 	<p>DTS/DPF 11.1</p> <p>None are applicable.</p>

(b) using low reflective materials and finishes that blend with the surrounding landscape	
(c) being located below ridgelines.	

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 	None specified.

<ul style="list-style-type: none"> (s) retaining wall (t) solar photovoltaic panels (roof mounted) (u) shade sail (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

Hazards (Bushfire - High Risk) Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

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: <div><div>(a) potential for uncontrolled bushfire events taking into account the increased frequency and intensity of bushfires as a result of climate change</div><div>(b) high levels and exposure to ember attack</div><div>(c) impact from burning debris</div><div>(d) radiant heat</div><div>(e) likelihood and direct exposure to flames from a fire front.</div></div>
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	DTS/DPF 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.	None are applicable.
<p>PO 3.2</p> <p>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.</p>	<p>DTS/DPF 3.2</p> <p>Outbuildings and other ancillary structures are sited no closer than 6m from the habitable building.</p>
Vehicle Access –Roads, Driveways and Fire Tracks	
<p>PO 6.1</p> <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>DTS/DPF 6.1</p> <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

	<ul style="list-style-type: none"> (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) (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

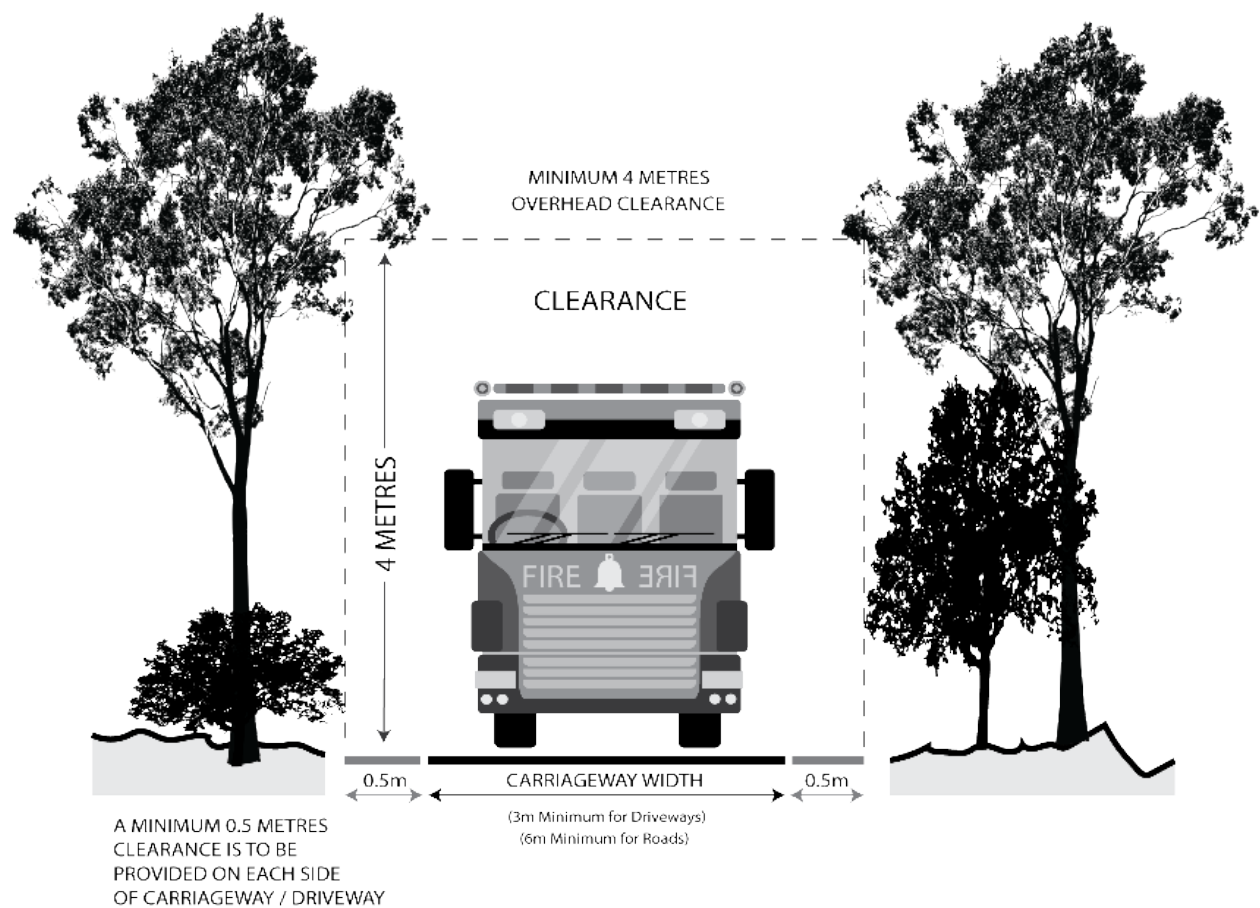
The following table identifies classes of development / activities that require referral in this Overlay and the applicable referral body. It sets out the purpose of the referral as well as the relevant statutory reference from Schedule 9 of the Planning, Development and Infrastructure (General) Regulations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

Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
---------------------------------	---------------	---------------------	---------------------

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): (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 (i) student accommodation (j) child care facility (k) educational facility (l) retirement village (m) supported accommodation (n) residential park (o) hospital (p) camp ground.	South Australian Country Fire Service.	To provide expert assessment and direction to the relevant authority on the potential impacts of bushfire on the development.	Development of a class to which Schedule 9 clause 3 item 2 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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Figures and Diagrams

Fire Appliance Clearances
Figure 1 - Overhead and Side Clearances



Roads and Driveway Design

Figure 2 - Road and Driveway Curves

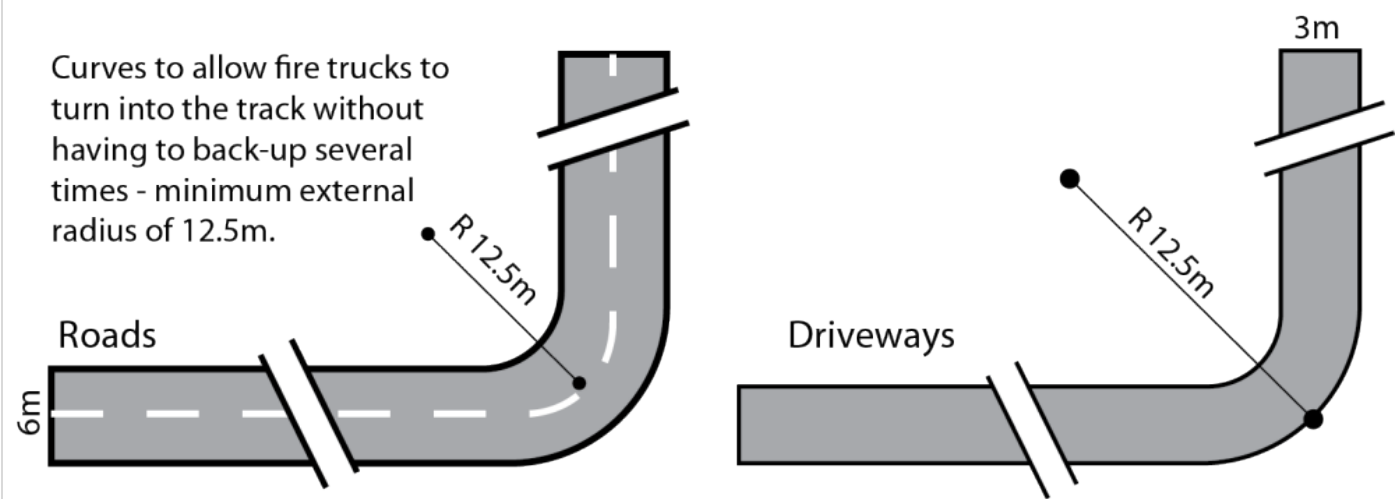


Figure 3 - Full Circle Turning Area

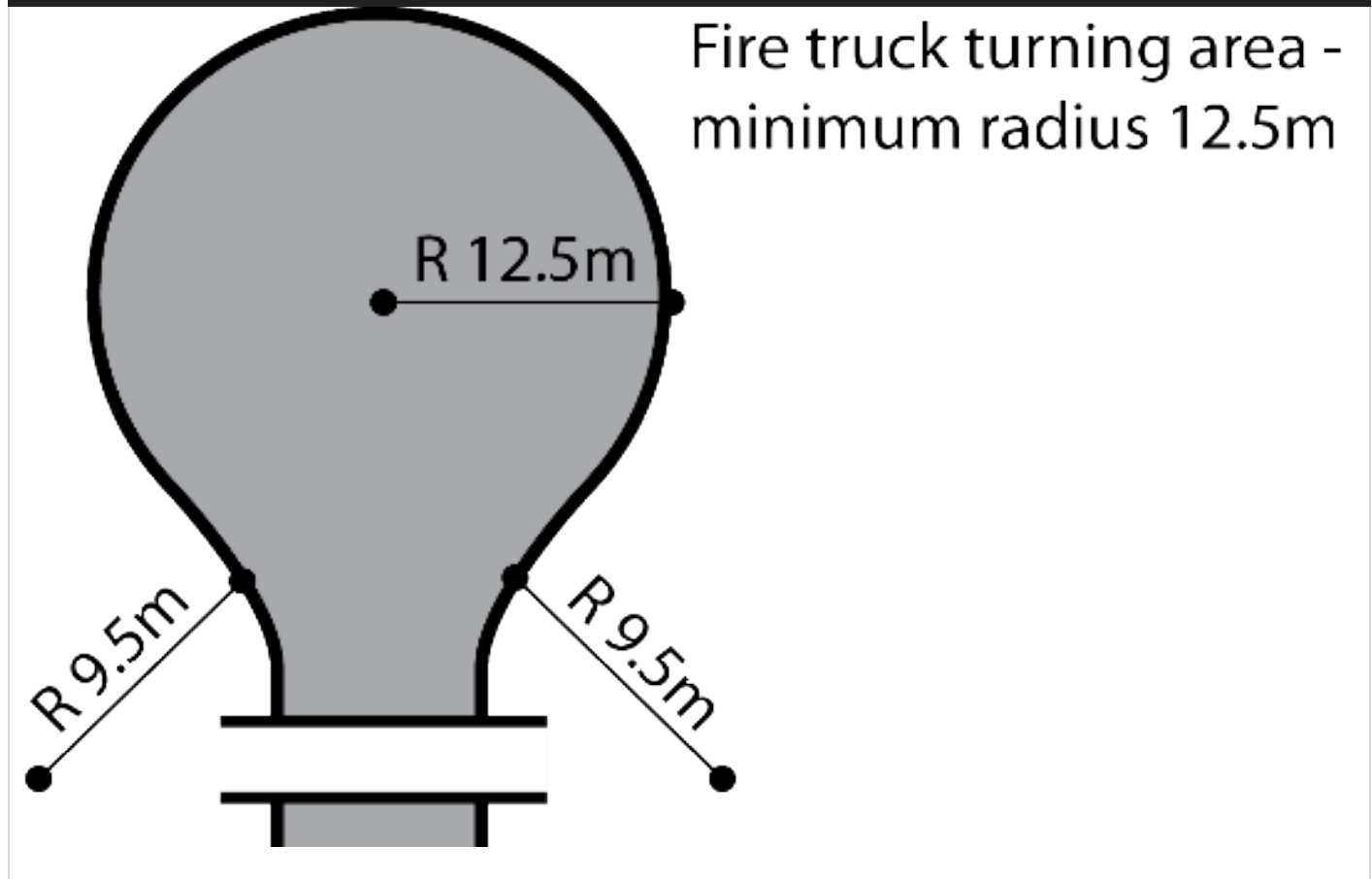
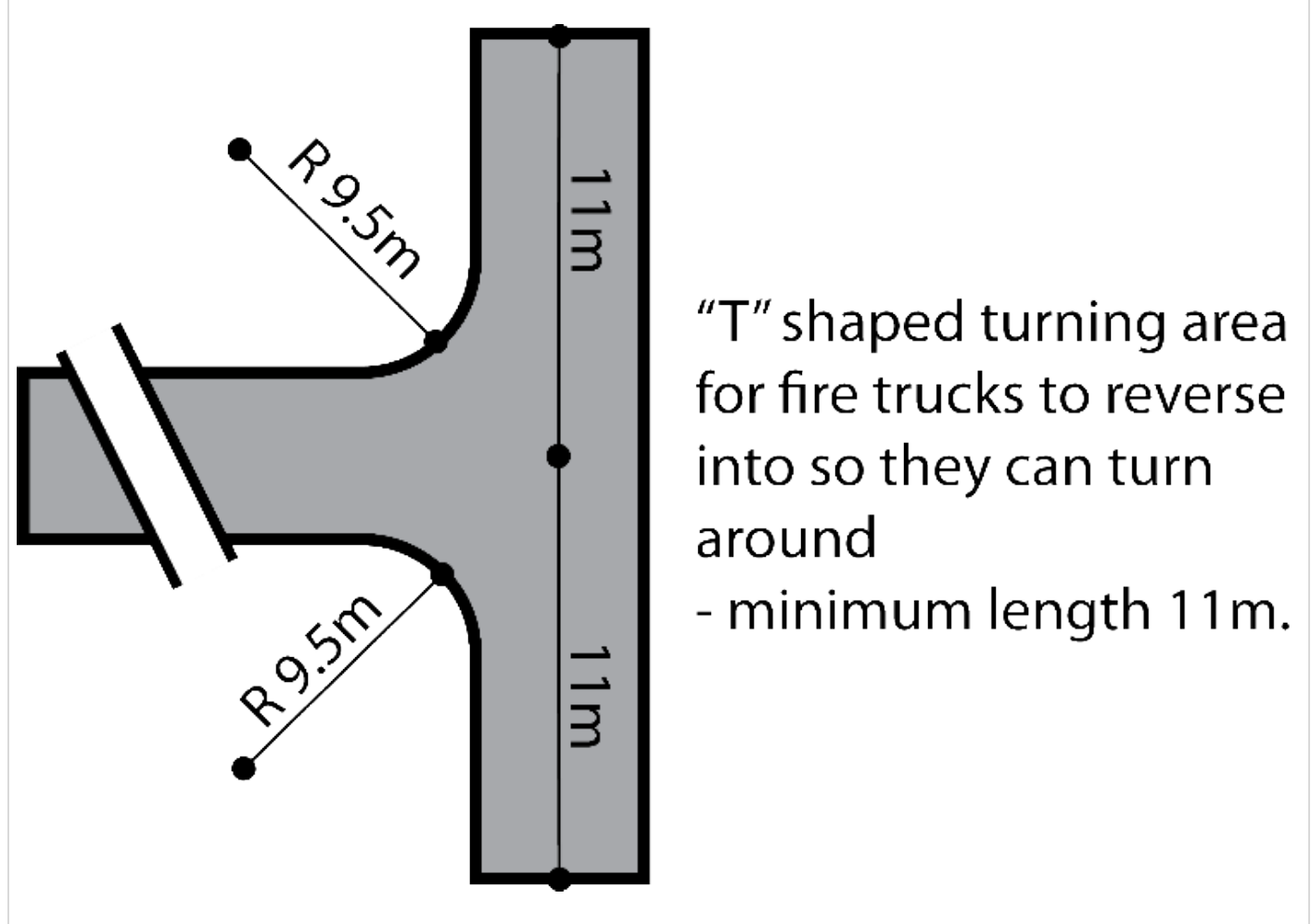


Figure 4 - 'T' or 'Y' Shaped Turning Head



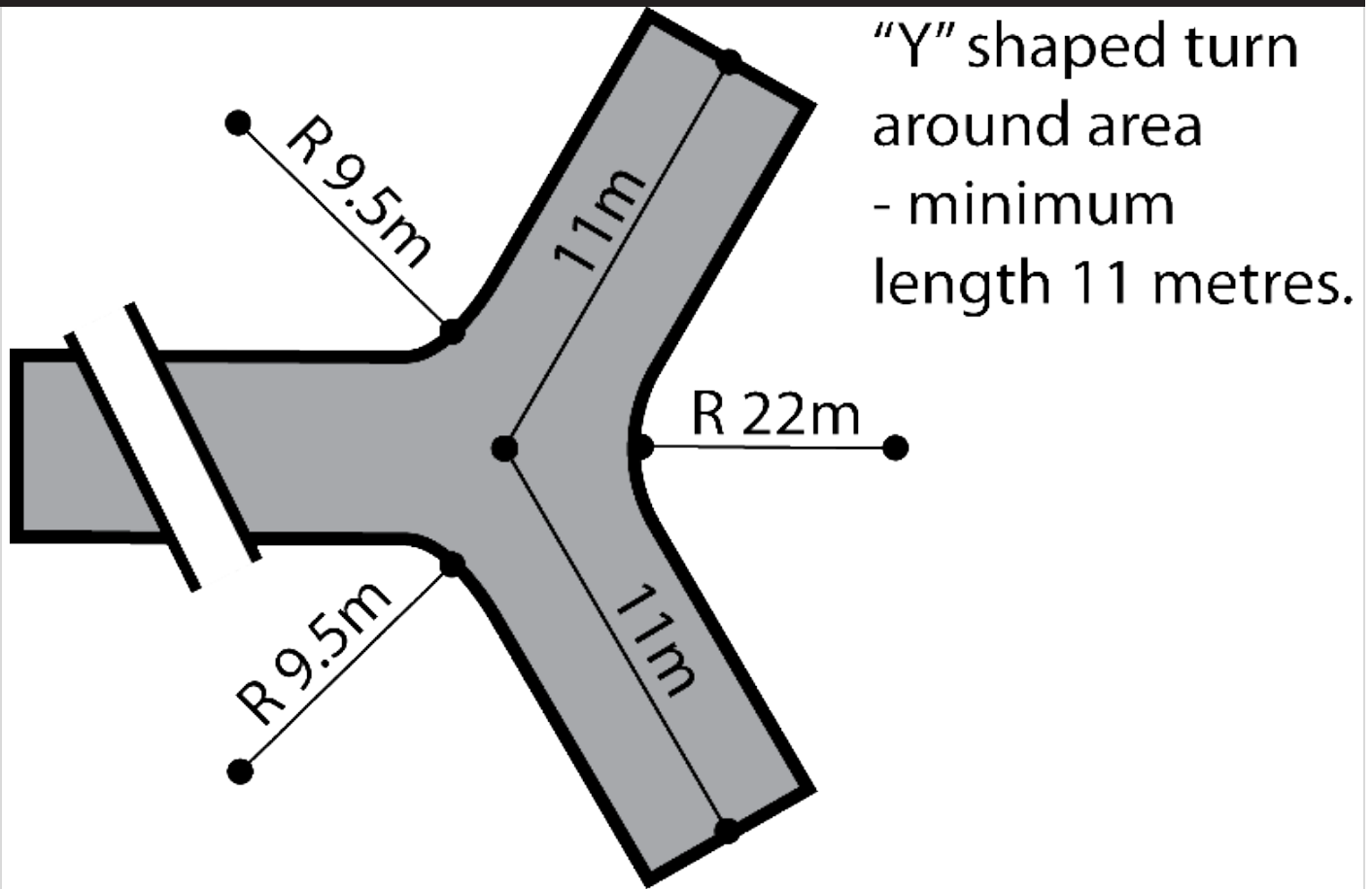
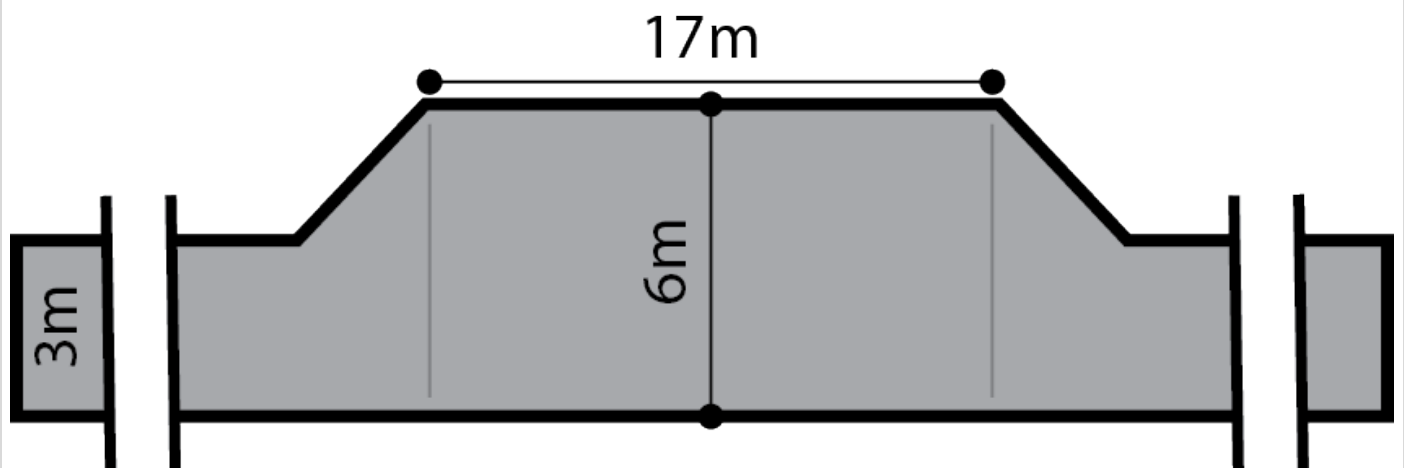


Figure 5 - Driveway Passing Bays

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



Heritage Adjacency Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development adjacent to State and Local Heritage Places maintains the heritage and cultural values of those Places.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Built Form	
PO 1.1 Development adjacent to a State or Local Heritage Place does not dominate, encroach on or unduly impact on the setting of the Place.	DTS/DPF 1.1 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
Development which in the opinion of the relevant authority materially affects the context within which the State Heritage Place is situated.	Minister responsible for the administration of the <i>Heritage Places Act 1993</i> .	To provide expert assessment and direction to the relevant authority on the potential impacts of development adjacent State Heritage Places.	Development of a class to which Schedule 9 clause 3 item 17 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.

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
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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 or (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.
PO 2.4 Wastewater management systems result in a neutral or beneficial effect on the quality of water draining from the site.	DTS/DPF 2.4 Development results in: <ul style="list-style-type: none"> (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 or (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.
PO 2.5 Surface and groundwater protected from wastewater discharge pollution.	DTS/DPF 2.5 All components of an effluent disposal area are: <ul style="list-style-type: none"> (a) setback 50 metres or more from a watercourse (b) setback 100 metres or more from a public water supply reservoir

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		(c)	located on land with a slope no greater than 1-in-5 (20%)
		(d)	located on land with 1.2m or more depth to bedrock or a seasonal or permanent water table
		(e)	above the 10% AEP flood level.
Stormwater			
PO 3.1	Post-development peak stormwater discharge quantities and rates do not exceed pre-development quantities and rates to maintain water quality leaving the site.	DTS/DPF 3.1	None are applicable.
PO 3.2	Stormwater run-off from areas not likely to be subject to pollution diverted away from areas that could cause pollution.	DTS/DPF 3.2	None are applicable.
PO 3.3	Polluted stormwater is treated prior to discharge from the site.	DTS/DPF 3.3	None are applicable.
PO 3.9	Stormwater from excavated and filled areas is managed to protect water quality.	DTS/DPF 3.9	Excavation and/or filling satisfy all the following: <ul style="list-style-type: none"> (a) is located 50m or more from watercourses (b) is located 100m or more from public water supply reservoirs and diversion weirs (c) does not involve excavation exceeding a vertical height of 0.75m (d) does not involve filling exceeding a vertical height of 0.75m (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
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:	Environment Protection Authority.	To provide expert technical assessment and direction to the relevant authority on whether a proposed development will have a	Development of a class to which Schedule 9 clause 3 item

<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 (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 (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 (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) 		neutral or beneficial impact on water quality.	9 of the Planning, Development and Infrastructure (General) Regulations 2017 applies.
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)			
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)			
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			
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)			
Dairies - carrying on of a dairy with a total processing capacity exceeding 100 milking animals at any one time.			

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	
PO 1.1 Development avoids, or where it cannot be practically avoided, minimises the clearance of native vegetation taking into	DTS/DPF 1.1 An application is accompanied by:

account the siting of buildings, access points, bushfire protection measures and building maintenance.	<p>(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:</p> <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 <p>or</p> <p>(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>
<p>PO 1.2</p> <p>Native vegetation clearance in association with development avoids the following:</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>DTS/DPF 1.2</p> <p>None are applicable.</p>
<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
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'.	Native Vegetation Council	To provide expert assessment and direction to the relevant authority on the potential impacts of development on native vegetation.	Development of a class to which Schedule 9 clause 3 item 11 of the Planning, Development and Infrastructure (General)

Scenic Quality Overlay

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Development complements natural and rural character, and areas of scenic value.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Land Use and Intensity	
PO 1.1 Land uses that complement and enhance the natural and rural character.	DTS/DPF 1.1 None are applicable.
Built Form and Character	
PO 2.1 Development is carefully sited and designed to: (a) complement rural or natural character (b) minimise disruption to natural landform (c) integrate existing natural environmental features (d) minimise impacts on scenic features (e) be low-scale (f) be visually unobtrusive and blend in with the surrounding area	DTS/DPF 2.1 None are applicable.
Landscaping	
PO 3.1 Landscaping comprises locally indigenous species to enhance landscape quality and habitat restoration.	DTS/DPF 3.1 Landscaping plantings exclusively constitute locally indigenous plant species.
Earthworks	
PO 4.1 Excavation and filling of land is limited to that required to reduce the visual prominence of buildings and make provision for water storage facilities to maintain natural landforms and landscapes.	DTS/DPF 4.1 Excavation and/or filling is associated with a building or water storage facility and satisfies all of the following: (a) does not involve excavation exceeding a vertical height of 750mm (b) does not involve filling exceeding a vertical height of 750mm (c) does not involve a total combined excavation and filling vertical height of 1.5m (d) any scree slope is covered in topsoil and landscaped.

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

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:	DTS/DPF 1.6 None are applicable.

(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.	
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
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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: (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.
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Design

Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	<p>Development is:</p> <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: (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	
<p>PO 7.1</p> <p>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:</p> <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. 	<p>DTS/DPF 7.1</p> <p>None are applicable.</p>
<p>PO 7.2</p> <p>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.</p>	<p>DTS/DPF 7.2</p> <p>None are applicable.</p>
<p>PO 7.4</p> <p>Street level vehicle parking areas incorporate tree planting to provide shade and reduce solar heat absorption and reflection.</p>	<p>DTS/DPF 7.4</p> <p>None are applicable.</p>
<p>PO 7.5</p> <p>Street level parking areas incorporate soft landscaping to improve visual appearance when viewed from within the site and from public places.</p>	<p>DTS/DPF 7.5</p> <p>None are applicable.</p>
<p>PO 7.6</p> <p>Vehicle parking areas and associated driveways are landscaped to provide shade and positively contribute to amenity.</p>	<p>DTS/DPF 7.6</p> <p>None are applicable.</p>
<p>PO 7.7</p> <p>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.</p>	<p>DTS/DPF 7.7</p> <p>None are applicable.</p>
Earthworks and sloping land	
<p>PO 8.1</p> <p>Development, including any associated driveways and access tracks, minimises the need for earthworks to limit disturbance to natural topography.</p>	<p>DTS/DPF 8.1</p> <p>Development does not involve any of the following:</p> <ul style="list-style-type: none"> (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: <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. 	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) 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.
PO 12.2 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.	DTS/DPF 12.2 Development is not built on, or encroaches within, an area that is, or will be, required for a sewerage system or waste control system.

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	
PO 4.1 Development that emits noise (other than music) does not unreasonably impact the amenity of sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 4.1 Noise that affects sensitive receivers achieves the relevant Environment Protection (Noise) Policy criteria.
PO 4.2 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: (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 (c) housing plant and equipment within an enclosed structure or acoustic enclosure (d) providing a suitable acoustic barrier between the plant and / or equipment and the adjacent sensitive receiver boundary or zone.	DTS/DPF 4.2 None are applicable.
PO 4.5 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).	DTS/DPF 4.5 None are applicable.
Air Quality	
PO 5.1 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.	DTS/DPF 5.1 None are applicable.

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PO 5.2	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:	DTS/DPF 5.2	None are applicable.
	<ul style="list-style-type: none"> (a) incorporating appropriate treatment technology before exhaust emissions are released (b) locating and designing chimneys or exhaust flues to maximise the dispersion of exhaust emissions, taking into account the location of sensitive receivers. 		
Light Spill			
PO 6.1	External lighting is positioned and designed to not cause unreasonable light spill impact on adjacent sensitive receivers (or lawfully approved sensitive receivers).	DTS/DPF 6.1	None are applicable.

Transport, Access and Parking

Assessment Provisions (AP)

Desired Outcome (DO)

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Movement Systems	
PO 1.4 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.	DTS/DPF 1.4 All vehicle manoeuvring occurs onsite.
Vehicle Access	
PO 3.1 Safe and convenient access minimises impact or interruption on the operation of public roads.	DTS/DPF 3.1 The access is: <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.
PO 3.5	DTS/DPF 3.5

Policy24		P&D Code (in effect) Version 2024.5 14/03/2024	
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.		Vehicle access to designated car parking spaces satisfy (a) or (b): (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: (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			
PO 5.1 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: (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.		DTS/DPF 5.1 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: (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			
PO 6.1 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.		DTS/DPF 6.1 Movement between vehicle parking areas within the site can occur without the need to use a public road.	
PO 6.6 Loading areas and designated parking spaces for service vehicles are provided within the boundary of the site.		DTS/DPF 6.6 Loading areas and designated parking spaces are wholly located within the site.	

Table 1 - General Off-Street Car Parking Requirements

Class of Development		Car Parking Rate (unless varied by Table 2 onwards)
		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.
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)