

Steve Layton Design C/- Ben Green & Associates

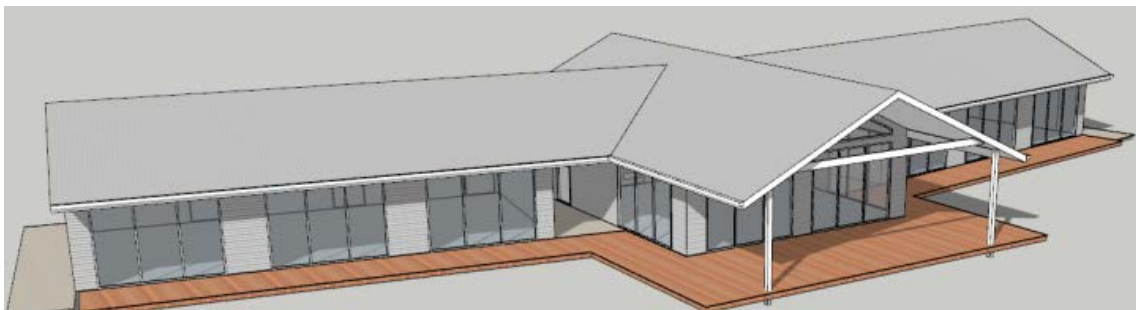
Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping.

63 Armata Road, Onkaparinga Hills

145/L025/19

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OVERVIEW

Application No	145/L025/19
Unique ID/KNET ID	#15248625 / 2019/12921/01
Applicant	Steve Layton Design C/- Ben Green & Associates
Proposal	Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Subject Land	63 Armata Road, Onkaparinga Hills
Zone/Policy Area	Hills Face Zone
Relevant Authority	State Commission Assessment Panel
Lodgement Date	25 September 2019
Council	City of Onkaparinga
Development Plan	Onkaparinga Council Development Plan consolidated 20 December 2018
Type of Development	Merit
Public Notification	Category 3
Representations	Eight (8) representations, five (5) wishing to be heard
Referral Agencies	Country Fire Service (CFS)
Report Author	Ben Williams, Planning Officer; Nicholas Giannakodakis, Planning Officer
RECOMMENDATION	Development Plan Consent subject to conditions

EXECUTIVE SUMMARY

The proposal seeks Development Plan Consent to construct a tourist accommodation including ancillary earthworks, car parking and landscaping located at 63 Armata Road, Onkaparinga Hills.

Pursuant to Schedule 10 Clause 3 of the *Development Regulations 2008*, the State Commission Assessment Panel (SCAP) is the relevant authority for the development application because the proposal is for the construction (not alteration) of a tourist development within the City of Onkaparinga.

The subject land is located wholly within the Hills Face Zone of the Onkaparinga Council Development Plan. The application is a merit form of development as 'tourist accommodation' is not listed as either a complying or a non-complying form of development within the zone.

The development application was assigned to Category 3 for the purposes of public notification pursuant to Section 38 of the *Development Act 1993* with eight (8) representations received against the proposal.

The applicant has responded to comments from the City of Onkaparinga regarding the proposed development, however Council does not raise any serious objections with the proposal. In addition, the Country Fire Service (CFS) have not fundamentally objected to the proposal.

It is considered that the tourist accommodation is appropriately designed and sited to minimise visual impact in the locality and generally satisfies relevant provisions relating to tourism development, design and appearance and bushfire protection.

On balance, it is considered that the proposal is not seriously at variance with the relevant provisions of the Onkaparinga Council Development Plan and warrants the granting of Development Plan Consent.

ASSESSMENT REPORT

1. BACKGROUND

The development is proposed to be undertaken at 63 Armata Road, Onkaparinga Hills, which has an existing residential land use in the form of a dwelling on the allotment. The allotment is also used for primary production purposes in the form of low-scale grazing.

The applicant proposes to create a tourist accommodation use on the subject land, which would be utilised as a 'happiness retreat'. The landowner intends to extend his teachings for the Australian Institute of Happiness & Wellbeing (AIHW), where visitors can use the proposed tourist accommodation for weekend and weeklong stays. Further information relating to the activities associated with the tourist accommodation use is provided in the ATTACHMENTS.

2. DESCRIPTION OF PROPOSAL

Application details are contained in the **ATTACHMENTS**. The proposal is for a Tourist Accommodation building with the following key features:

- A total floor area of 225.67m² with a common room, kitchen, fireplace, 120m² deck area, external access toilet and utility room and six (6) guest bedrooms of 24.68m² each with a queen bed and private ensuite;
- Horizontal Colorbond corrugated cladding in the colour 'Windspray' together with light-weight fibre cement sheeting and a 25 degree gable roof clad in 'Shale Grey' Colorbond;
- Two (2) 24kL rainwater tanks;
- On-site parking area (AS2890 compliant), including one (1) disabled access park and six (6) standard car parks;
- Bin storage area fenced by 1500mm high timber slat screening; and
- The formalisation of the existing track with a 3.0 metre wide driveway from Armata Road.

The accommodation would include standard hours of operation with the following:

- Check in at 2pm
- Check out at 10am
- Activities would generally operate in standard business hours e.g. 7am to 7pm – 7 days a week (and predominantly indoors)

Access to the proposed development would be via a local council operated road (Armata Road). The existing track to the subject site would be formalised with a 3.0 metre wide driveway from Armata Road with passing bay to comply with the Minister's Code for Undertaking Development in Bushfire Protection Areas including 'Y' shaped firetruck turnaround.

Additional landscaping and native ground cover planting clustered around the proposed building including landscaping along the proposed formalised driveway to the subject site. No regulated or significant trees would be removed as part of the proposal. Minor pruning of existing vegetation (bush olives) would be required and is not considered to be substantial.

No advertising signage is proposed as part of the application.

Stormwater would be managed via 150mm deep stormwater soak system to the north of the proposed accommodation via 90mm PVC underground stormwater pipe connected to downpipes and discharged away from footings.

Wastewater would be managed via a wastewater system soakage area on the western portion of the allotment. The wastewater disposal area would not be within 50 metres of the two (2) existing watercourses on site.

3. SITE AND LOCALITY

3.1 Site Description

The subject site consists of a single allotment, described as follows:

Lot No	Plan No	Street	Suburb	Hundred	Title
A13	D43618	Armata Road	Onkaparinga Hills	Noarlunga	CT 5321/915

The tourist accommodation building is proposed to be located on privately-owned land at 63 Armata Road, Onkaparinga Hills SA 5163, which is formally described as Allotment 13 in Deposited plan 43618, Certificate of Title reference Volume 5321 Folio 624. The proposed development would be situated centrally within the allotment in an open area surrounded by well-established vegetation screen (large trees) adjacent the allotments southern and western boundaries.

The subject land comprises 17.11 hectares of land, is of an irregular shape with a public road frontage of approximately (96 metres) to Armata Road at its northern boundary. The subject site has a relatively steep gradient with a general slope of the road from the northern side of the allotment down to the bottom (See Figure 1) of a valley towards the centre before heading up again at the southern side of the allotment (See Figure 2) and also generally slopes upwards in an easterly direction.



Figure 1: South facing view of access road to proposed tourist accommodation



Figure 2: North facing view of access road to proposed tourist accommodation

The subject site includes one (1) residential detached dwelling and associated outbuildings to the north of the allotment approximately 80 metres from Armata Road. The Tourist Accommodation would not be visible from the road.

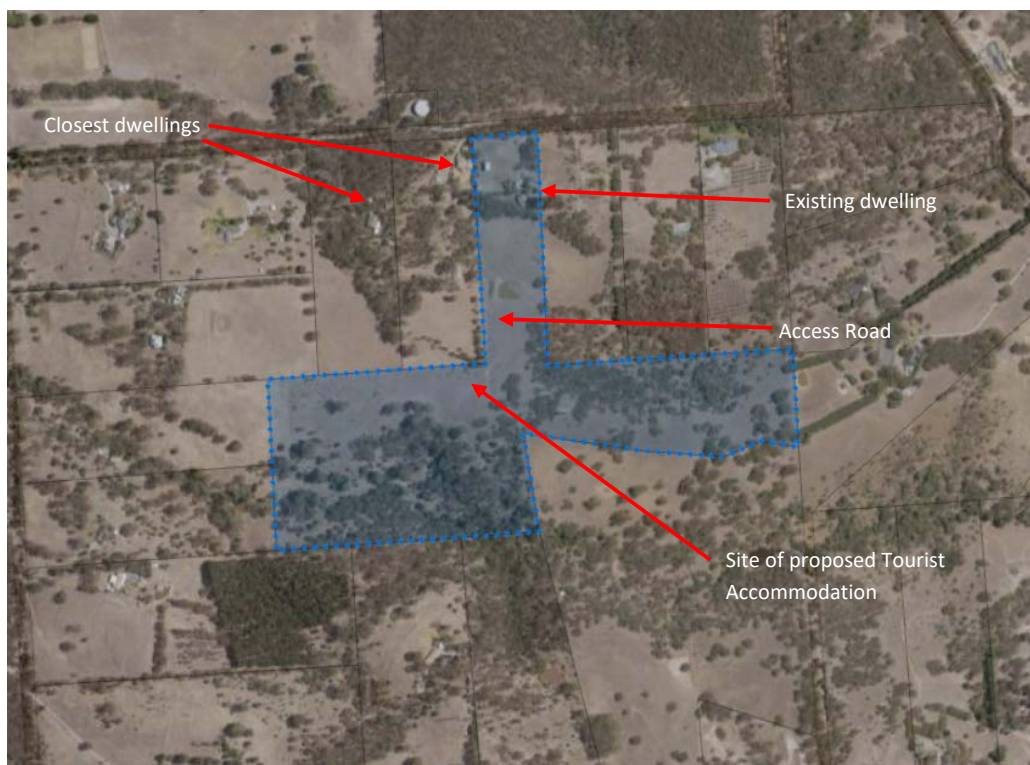


Figure 3: Locality Map

Access to the proposed site is via a single access point from Armata Road, with a forked all-weather driveway providing access to the proposed built form (tourist accommodation). No new access points are proposed.



Figure 4: Armata Road Access Point to Subject Land

3.2 Locality

Development in the locality comprises:

- North
The subject land is opposite 80 Acres Park, popularly used as a mountain bike trail and The Vines Golf Club of Reynella.
- East
Predominately large allotments with wide frontages typical of the Hills Face Zone used primarily for residential purposes and allotments used for primary production purposes.
- South
Predominately large allotments with wide frontages typical of the Hills Face Zone used primarily for residential purposes
- West
Predominately large allotments with wide frontages typical of the Hills Face Zone used primarily for residential purposes. Further west lies the foot of the Hills Face which comprises low density residential dwellings.

It is acknowledged that the upper portion of the tourist accommodation may be visible from adjoining residential development. The presence of existing vegetation and the undulating nature of the subject land on site would assist with minimising any potential visual impact when viewed from adjoining residential uses.

4. STATUTORY REFERRAL BODY COMMENTS

Full copies of referral agency responses are contained in the **ATTACHMENTS**.

4.1 Country Fire Service (CFS)

CFS is a mandatory referral in accordance with Schedule 8 of the *Development Regulations 2008*. The State Commission Assessment Panel must follow the **direction** of this advice.

The Country Fire Service provided a response on the application on 12 December 2019 and advised that it has no objection to the proposed development subject to a number of mandatory Bushfire Protection planning requirements that have been adopted as directed conditions of planning consent.

Accordingly, conditions and advisory notes as recommended would be attached to any consent granted.

5. COUNCIL COMMENTS

5.1 City of Onkaparinga

The application was referred to the City of Onkaparinga for comment. Council provided a response on 26 November 2019 and did not object to the proposed development, providing the following comments:

- The proposed tourist accommodation is envisaged in the desired character of the Hills Face Zone. Further, the proposed use is ancillary to the existing residential land use and would have limited impacts upon the character and amenity of the locality.
- The proposal is small scale in nature and would only provide accommodation for a limited number of guests, maximum of six guest bedrooms.
- There is sufficient vegetation and distance between the proposed tourist accommodation buildings and all adjacent allotments of the subject site so that the likelihood of interface issues between the differing land uses are accounted for and minimised.
- An approved waste water application is required.
- Given the subject site is located within a High Bushfire Risk Area, referral to the Country Fire Service should be performed.
- Having considered the proposal, it is councils view that given the development is expecting greater than five visitors, the proposal appears to be consistent with the definition of a 'motel', which is listed as being non-complying in the Hills Face Zone.
- It is recommended that the following additional information be provided to SCAP for the continued assessment of the application:
 - A fully engineered site works and drainage plan (method of stormwater disposal). Stormwater management plan should be in accordance with council standards. The level of excavation and fill needs to be confirmed, this may impact nature of development (non-complying) depending on the level of earthworks to occur.

It should be demonstrated that drainage to existing dam would not be impacted by the access track to the proposed tourist accommodation. It appears there are concrete swales directing surface run off to the dam.

- Confirm likely times of deliveries to and from the site and methods of waste collection.
- Show any external storage areas, including any outdoor waste bin areas and associated screening proposals on site plans.

Furthermore, Council provided an additional response on 4 February 2020 regarding wastewater management:

We have briefly reviewed the wastewater and are comfortable that a system can work acceptably and in accordance with the SA Public Health Act 2011. We don't believe it should hold up the planning assessment, but would need to be resolved and approved prior to development approval being granted.

A condition has been added accordingly to ensure a wastewater application is submitted and approved prior to the occupation of the development.

Council recommended further information be requested from the applicant in their response to SCAP. An RFI was subsequently sent to the applicant by SCAP.

Full copies of applicant's responses to the RFI are contained in the **ATTACHMENTS**.

6. PUBLIC NOTIFICATION

The application was notified as a Category 3 development (pursuant to Section 38(2)(c) of the *Development Act 1993* – i.e. neither Category 1 or 2). Public notification was undertaken (by directly contacting adjoining owners and occupiers of adjacent land, those potentially affected to a significant degree and via public notice in *The Messenger Southern Times* on 20 November 2019) and 8 valid representations were received as shown below in Figure 4.

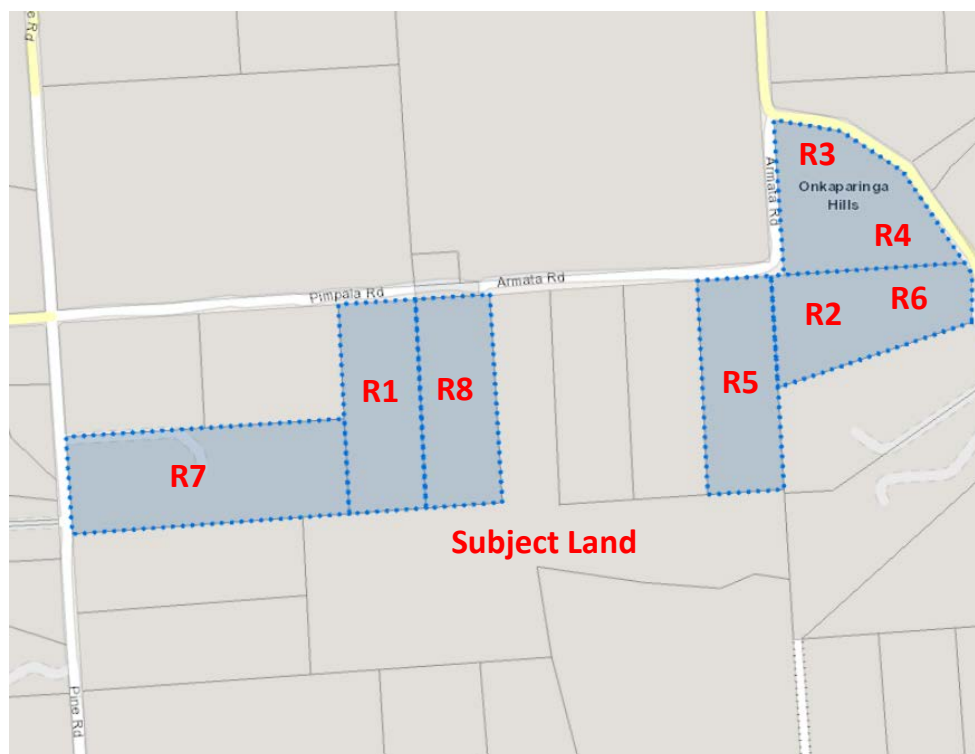


Figure 5: Representation Map

Concerns raised by the 8 valid representors, and responses provided by the applicant are outlined in the table below (complete copies of the representations are provided the in **ATTACHMENTS**):

Representor ID	Issue
R1	<ul style="list-style-type: none"> Reduction in the ability to stock keep the land/vegetation under control. Visual impacts on the natural backdrop.
R2	<ul style="list-style-type: none"> Inappropriate development in high fire risk area. Potential traffic impacts on Armata Road.
R3	<ul style="list-style-type: none"> Reduced safety of guests and adjoining landowners during a bushfire. Potential traffic impacts on Armata road. Dust and noise impacts. The reduction of the natural amenity in the locality. Concerns regarding the continued utilisation of a shared water supply pipeline that runs through several properties in the locality.
R4	<ul style="list-style-type: none"> Reduced safety of guests and adjoining landowners during a bushfire.
R5	<ul style="list-style-type: none"> Potential traffic impacts on Armata Road. Reduced safety of guests and adjoining landowners during a bushfire. Concerns over traffic safety at Education Road junction.
R6	<ul style="list-style-type: none"> Concerns over the suitability of Armata Road for commercial development access. Future impacts of the development on fire safety in the locality. Absence of Environmental Impact Statement on native vegetation in the locality.
R7	<ul style="list-style-type: none"> The reduction of the natural amenity in the locality due to obtrusive design and scale. Dust and erosion impacts due to increase traffic on internal access track. Noise impacts of occupants during operation. Reduced safety of guests and adjoining landowners during a bushfire evacuation. Concerns over potential future changes in use of the accommodation.
R8	<ul style="list-style-type: none"> The reduction of the natural amenity of the Hills Face Zone for adjoining landowners due to the obtrusive design and scale of the development. The scale of the development does not fit in the context of the locality. Concerns with the appropriateness of the proposed land use. Concerns over effluent management. Increased traffic and access impacts on Armata Road. The proposed building would not be grouped with the existing dwelling. Lack of landscaping plan indicated the establishment of locally indigenous species.
Applicant's Response to Representations	
<p>The applicant has provided a very extensive and detailed response to all matters raised by representors. It is noted that most representors held similar concerns with respect to the proposal, with the primary concerns relating to:</p>	

Representor ID	Issue
	<ul style="list-style-type: none"> • Not in accordance with the provisions of the Hills Face Zone – not low scale and not sited unobtrusively; • Inappropriate classification of proposed tourist accommodation development i.e. commercial / motel; • Out of character and loss of amenity (disrupt local visually/dust/noise/glare etc.); • Increase in traffic – unsuitable road to accommodate commercial development; • Bushfire risk – High bushfire risk area/not sufficient indigenous landscaping; • Provision of water supply; • On-site waste control/effluent disposal; and • Future uses/Property values. <p>A summary of the applicant's responses are provided below:</p> <p><u>Inappropriate land use in Hills Face Zone</u></p> <p>The construction of a tourist accommodation building on the subject land would simply not inhibit or jeopardise the continuation of other uses present on adjoining sites. The activities associated with the accommodation are low in intensity (maximum 12 person - within 6 small single bed accommodation rooms for either couples or singles) and it is very likely that the full 12 person capacity would not be on-site any one time. It is also likely that weekends and holidays would typically be busier than weekdays that are generally used on a more infrequent basis. Furthermore, the accommodation is only offered for a minimum of 3 night stays to ensure that the turnover of guests is reduced and to the guests have time to truly relax. The essence of this accommodation is for the guests to celebrate the tranquillity of the locality, as opposed to a more intensive activity that would detrimentally affect the locality by way of noise nuisance or increased traffic impacts.</p> <p>The building is to be located on one of the larger allotments in the subject Hills Face Zone locality and is to be single storey and 226m² in area. Given the larger scale of the subject land holding and space around the built form, coupled with the fact the subject siting of the building is not visible from any of the sites neighbours echoes the applicants happiness retreat mantra i.e. it is a place of tranquillity, small in scale and not visible to anyone whilst offering a place to stay with amazing views.</p> <p>Given the deliberate low scale and reduced intensity of the proposed development, I am of the view that the proposed land use is generally consistent with the intent of the Zone and that the use can occur without threatening the character of the locality and/or the attainment of the Desired Character or Objectives of the Hills Face Zone.</p> <p><u>Classification of Proposed Development</u></p> <p>The accommodation is being marketed by the applicant, as a happiness retreat for clientele to come and relax and enjoy the tranquillity. The applicant himself lectures in the art of being happy in his retirement and would offer to discuss how he thinks being happy can be achieved only if the clientele is interested. There are no classes offered or functions or food offered / served or provided or any form of liquor license for alcohol or retail commercial transactions taking place apart from paying the fee to stay in a quiet and tranquil small scale bedroom with ensuite with some small scale common facilities to cook if you want to, or do the laundry or meet other guests.</p> <p>Schedule 1 of the <i>Development Regulations 2008</i> lists a "hotel", "motel" and a "restaurant" as the following:</p>

Representor ID	Issue
	<p><u>Hotel</u> means premises licensed, or proposed to be licensed, as a hotel under the Liquor Licensing Act 1985, but does not include a motel;</p> <p><u>Motel</u> means a building or group of buildings providing temporary accommodation for more than 5 travellers, and includes an associated restaurant facility, but does not include a hotel or residential flat building;</p> <p><u>Restaurant</u> means land used primarily for the consumption of meals on the site;</p> <p>No meals are to be offered for breakfast / lunch or dinner and/or any liquor or drinks and as such there is no restaurant facility proposed. The accommodation is to be provided on a temporary basis with a minimum 3 night stay with no food or drinks offered for clientele to enjoy the peace and quiet of the subject site and locality whilst enjoying the amazing views as a place to retreat and be happy from the busy lives most of us live.</p> <p><u>Out of Character & Loss of Amenity</u></p> <p>The building would not be constructed above the ridgeline, so would not 'skyline' from any perspective, or be constructed of highly reflective materials or bright and inappropriate colours within the locality but complementary colours and materials to the surrounds. The design and style of tourist accommodation building seeks to achieve the relevant provisions of the Development Plan for the Hills Face Zone by blending in with its natural location amongst the trees overlooking the views on the subject land and beyond.</p> <p>The existing high level of vegetation in the locality assists in screening the building from public view. Additional landscaping is proposed along the proposed driveway – closest to the adjoining dwellings to the west – with native shrubs chosen with a matured height of approximately 6.0 metres.</p> <p>Visibility of the subject site is minimal from the surrounding road network and neighbours that can only be truly evaluated when you are standing at the location of the proposed building. Limited views of the site are obtainable as a result of vegetation (both roadside and on private property) and the topography of the land more generally. Given this and the topography of the surrounding landscape, the tourist accommodation building would be nestled into the hillside and would be unobtrusive when viewed from Armata Road, distant vantage points and surrounding landowners as shown in the accompanying documentation.</p> <p>The orientation of the access road has also been carefully designed to extend out from the existing dwelling driveway behind existing outbuildings and without removing any native vegetation to provide adequate screening and separation to the closest neighbour to the west. The driveway then links with current more informal driveway to the site of the proposed development that would be further screened by landscaping planted on either side.</p> <p><u>Increase in Traffic and Erosion/Dust</u></p> <p>Vehicular access to and from the proposed building would be obtained from the existing driveway that connects to Armata Road which is a bitumen sealed road to the driveway on the subject land. The existing gravel driveway would be upgraded to an all-weather access road (compacted road base) with a width of 3.0 metres and a 6.0 metre wide</p>

Representor ID	Issue
	<p>passing bay at the halfway point. The upgrade to this existing driveway would minimise dust and with its location, reduce impacts on adjoining allotments.</p> <p>The amended plans have shown a number of outbuildings sited on the adjoining western allotment. The combination of the existing structures, upgrades to the driveway and planting of native shrubs (adjoining the driveway) would assist to screen the occupants of the adjoining allotment from both the visual and any dust impacts from the proposed development.</p> <p>The access points and internal driveways seek to utilise the existing driveway and tracks to ensure that disruption to existing grazing activities on the subject land does not occur. The access points and driveways also satisfy the requirements of the Ministers Code for Undertaking Development in a Bushfire Protection Area.</p> <p>The size of the proposed development has been kept to a manageable size whereby vehicular access to and from the site is not expected to be significant. The tourist accommodation building is proposed as a 'happiness retreat' for weekend and weeklong stays. Once guests arrive at the proposed development, they may not even leave the accommodation or may do so infrequently as they visit local attractions, cafes and restaurants etc. The emphasis of the accommodation is its tranquillity, rest and be happy and slow down and enjoy the views to significantly reduce the number of vehicular trips to and from the site, ensuring that it would not result in a detrimental increase in traffic visiting the site or locality nor substantially interfere with the free flow of traffic on the existing road network.</p> <p><u>Bushfire Risk</u></p> <p>It is acknowledged that the subject land is located within a High Bushfire Protection Area is depicted in BPA Map Onka/5 of the Onkaparinga Council Development Plan. The building design, siting, water supply and vehicle access has all been undertaken in accordance with the Ministers (Bushfire) Code.</p> <p>The upgrading of the existing access road to an all-weather driveway, 6m wide passing bay, minimal slope (an average of 11 degrees compared with the maximum 16 degrees) and 'Y' shaped fire truck turnaround area all comply with the vehicular access and manoeuvrability requirements of the Ministers (Bushfire) Code. Importantly, but not raised in correspondence is the CFS upon inspection of the land commented that they welcomed the improved driveway link to the subject site on the opposite side of the ridge to enable fire fighting vehicles to easily access this hillside and provide increased ability to be able to fight fires at the rear of a number of dwellings in the subject locality.</p> <p>The proposed development also provides 2 x 24,000 litre dedicated firefighting water storage tanks. Landscaping has been chosen from a list of suitable species complied by the Australian Plants Society (Victorian division) that have been found to have a higher fire resistance.</p> <p>As part of this application process, a mandatory referral to the Country Fire Service (CFS) was required. On 12 December 2019, the CFS confirmed that they have no objection to the proposed development, subject to a number of standard conditions. The CFS has also recommended (although not conditional) that a Bushfire Survival Plan (BSP) and a manifest box be prepared. The BSP is designed specifically for future guests that may in residence during a bushfire event and provides clear directions of what protective actions should be undertaken. The applicant supports this recommendation and would prepare a BSP to ensure all residents are adequately informed and increase their overall safety. Similarly, the applicant supports the installation of a manifest box at the entrance of the</p>

Representor ID	Issue
	<p>property. The manifest box is to be used (in the event of a bushfire event) by the CFS and contains details of the subject land, vehicle access map, turning areas, location of buildings and where to locate various firefighting equipment).</p> <p><u>Protection of Existing Vegetation</u></p> <p>Although concerns have been raised in a submission about the loss of existing native vegetation, it is clearly shown in the provided documentation that no vegetation (native or otherwise) is to be removed as part of this development proposal.</p> <p>The proposed building is to be sited in an area devoid of existing strands of matured vegetation and the paddock is on pasture for the grazing of cattle. The proposed driveway follows the existing driveway and extends to the existing track to the rear of the property and does not result in the removal of any vegetation.</p> <p>The applicants are in fact, increasing the extent of native vegetation, with the proposed screening landscaping to be planted adjoining the neighbouring dwelling along the driveway and all around the proposed tourist accommodation. This would have a net benefit of increased native vegetation and supports the Development Plan by enhancing the visual and environmental amenity of the locality.</p> <p><u>Provisions of Water Supply/Stormwater Management</u></p> <p>While this concern is acknowledged, the existing dwelling on the subject land (in addition to other adjoining dwellings), has been connected to potable water supply for an extended period of time. The proposed development at the rear of the existing dwelling is intended to also be connected to this water supply along with water harvested in rain water tanks from the roof of the proposed building with no other changes proposed to the existing water connection.</p> <p>The bulk of the water from the roof of the building would be captured in a series of large rainwater tanks with vegetated battered slopes and triangular vegetated area around the accommodation all proposed to retain any stormwater generated from the proposed development. Engineered civil plans are able to be developed once planning approval is granted and prior to development approval with relevant conditions to this effect supported by the applicant.</p> <p><u>Effluent Disposal</u></p> <p>The Site Plan demonstrates an area allocated to the west of the proposed development that would adequately cater for the key area of soakage. Located approximately 17 metres from the allotment boundary and 120 metres from a watercourse, the location is suitable to cater for any waste generated by the proposed development.</p> <p>It is acknowledged that engineering specifications have yet to be undertaken and a water application yet to be submitted to the City of Onkaparinga for approval. However, the building designer has been in discussions with the City of Onkaparinga and on 4th February 2020, officers of SCAP were advised by Council that:</p> <p><i>"We have briefly reviewed the wastewater and are comfortable that a system can work acceptably and in accordance with the SA Public Health Act 2011. We don't believe it should hold up the planning assessment, but would need to be resolved and approved prior to development approval being granted."</i></p>

Representor ID	Issue
	<p>The applicants recognise that waste water would need to be resolved prior to development approval being granted. A Condition of Approval to reflect this is supported by the applicant.</p> <p><u>Future Uses/Property Values</u></p> <p>Respectfully, any future use of the land over and above what has been applied for would need to be lodged as an application with the relevant authority. The perceived impacts of property values whether they be an increase or decrease in direct relation to a specific development has considered by the Courts and confirmed not to be a relevant planning consideration during an assessment of an application against the relevant provisions of the Development Plan.</p>

A total of five (5) representors wish to be heard by the State Commission Assessment Panel.

A complete copy of the applicant's response document is included in the **ATTACHMENTS**.

7. POLICY OVERVIEW

The subject site is located in the Hills Face Zone and the Character Preservation District of the Onkaparinga Council Development Plan (Consolidated 20 December 2018), as depicted in Map Onka/33. The subject site is also located within a High Bushfire Risk Area as depicted in BPA Maps Onka/5.

Relevant planning policies are contained in **Attachment 8** and are summarised below.

7.1 Zone

The Hills Face Zone primarily seeks to preserve and enhance or re-establish the natural character of the area in order to provide a natural back drop and buffer to the Adelaide Plains, preserve biodiversity, and facilitate passive recreation. Low intensity agricultural activities and public/private open space are envisaged.

The Desired Character states that tourist facilities are appropriate provided they are low-scale and site unobtrusively.

Buildings and structures should be sited and designed to preserve the natural character of the area, limit visual impact on adjoining land, and prevent the loss of life and property from bushfires.

Buildings and structures should be single storey, have a low profile and should be located below the ridgeline. Buildings should be set well back from public roads and sited on excavated rather than filled sites to reduce the vertical profile of the building. External materials should be low-reflective and dark natural colours to blend with the rural landscape.

Refer to Figure 6 – Zone Map

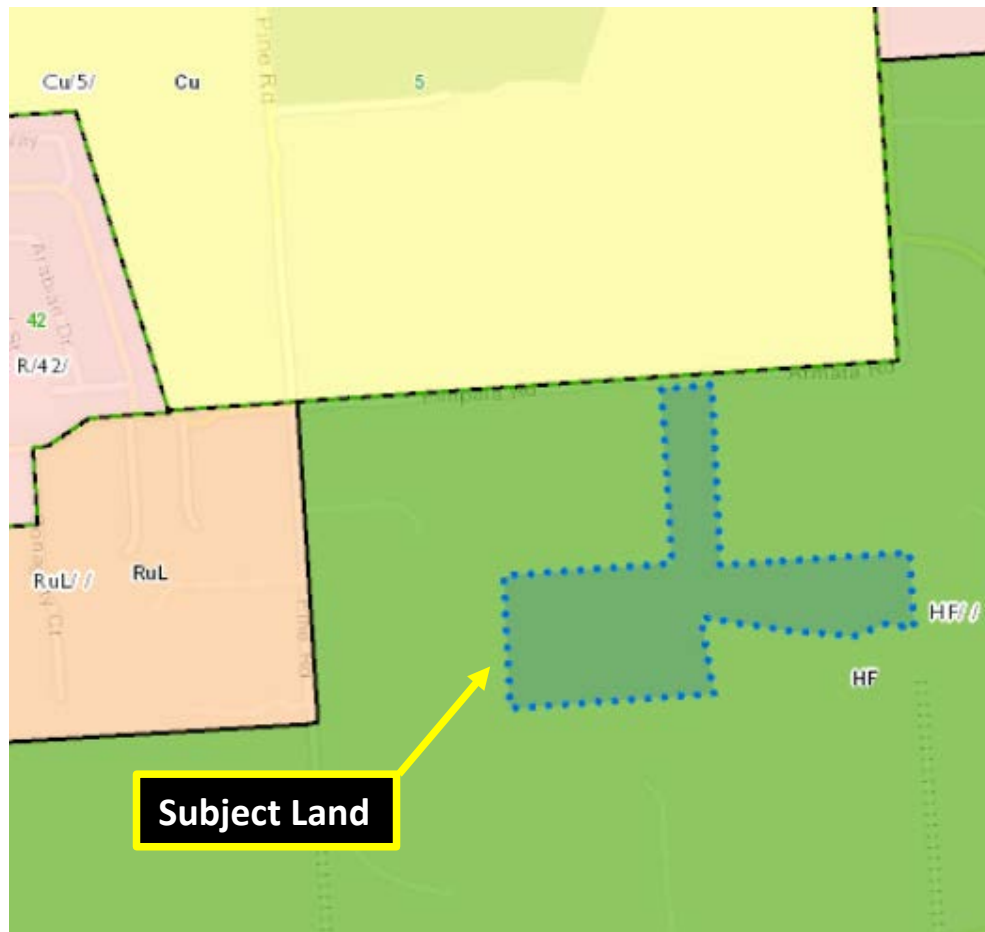


Figure 6: Zoning Map

7.2 Character Preservation District Overlay

The key objective of the Character Preservation District Overlay is to retain and protect the scenic and rural landscape of the area. Primary production and associated value adding enterprises and tourism activities are encouraged. Buildings and structures should be designed to complement the landscape.

7.3 Council Wide

The Council Wide provisions of the Development Plan provide general guidance on design and appearance, bushfire protection, tourism development, and interface impacts.

A summary of the key provisions is as follows:

Design and Appearance

Development should be of a high architectural standard and appearance that responds to and reinforces positive aspects of the local environment and that reflects the desired character of the locality. Development should minimise direct overlooking of habitable rooms and private open spaces of adjacent properties.

Hazards

Buildings and structures should not be located in areas that pose an unacceptable bushfire risk due to the presence of existing vegetation, poor access, rugged terrain and/or inadequate water supply for fire-fighting purposes. Tourist accommodation should be sited on the flatter portion of an allotment where there is a set-back of at

least 20 metres from existing hazardous vegetation and where there is a dedicated and accessible water supply available for fire-fighting purposes.

Tourist Development

Tourism development is anticipated where it sustains or enhances the local character, visual amenity and appeal of the area; does not adversely affect the use of agricultural land; and that provides increased opportunities for visitors to stay overnight in the region. The scale, form and location of tourism development should not detract from the natural character of the land on which it is sited or the character of its locality. Tourism development should add to the type of accommodation available in the area. Tourism development associated with agricultural, horticultural, viticultural or winery development is appropriate.

Waste

Development should be sited and designed to prevent or minimise the generation of waste (including wastewater); the storage, treatment and disposal of waste from any development should be achieved without risk to health or impairment of the environment; Waste storage, production and collection should be screened and separated from adjoining areas to reduce the impact on sensitive environments and land uses and designed to ensure that wastes do not contaminate stormwater or enter stormwater collection systems; The disposal of wastewater to land should only occur where methods of wastewater reduction and reuse are unable to remove the need for its disposal, and where its application to the land is environmentally sustainable.

Landscaping, Fences and Walls

Development should demonstrate an enhanced level of amenity with appropriate planting and other landscaping works, using locally indigenous plant species where possible; Landscaping should not increase the risk of bushfire, increase leaf fall in watercourses, introduce pest plants and obscure driver sight lines.

Siting and Visibility

Development should be sited and designed to minimise its visual impact on the natural and rural character of the area and areas of high visual or scenic value; Buildings should be sited in unobtrusive locations and, in particular, should be grouped together and where possible be located in such a way as to be screened by existing vegetation when viewed from public roads; Buildings outside of urban areas and in undulating landscapes should be sited below the ridgeline, be set well back from public roads and not be visible from the skyline when viewed from public roads; Rooflines of buildings and structures should be low and complement the natural form of the land; Large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduced the bulky appearance of buildings.

Sloping Land

Development on sloping land should be designed to manage visual impacts, minimise impacts on the natural environment and protect soil stability and water quality; Development and associated driveways and access tracks should be sited and designed to integrate with the natural topography of the land and minimise the need for earthworks (cut and fill); Development on steep land should include site drainage systems to minimise erosion and avoid adverse impacts of slope stability; Cutting and filling of land outside townships and urban areas should be kept to a minimum and be limited to a maximum depth or height of no greater than 1.5 metres so as to preserve the natural form of the land and native vegetation and be undertaken to reduce the visual impact of buildings.

Transportation and Access

Development that provides off-street parking and safe and efficient movement for all transport modes; Roads should be sited and designed to blend with the landscape and be sympathetic to the surrounding terrain; Development should have direct access from

an all-weather public road and avoid unreasonable interference with the flow of traffic on adjoining roads; Driveways, access tracks and parking areas should be designed and constructed to follow the natural contours of the land, avoid removal of existing vegetation and minimise the potential for erosion from surface runoff.

8. PLANNING ASSESSMENT

The application has been assessed against the relevant provisions of the West Torrens Council Development Plan (consolidated 20 December 2018), which are contained in the **ATTACHMENTS**.

The proposed development was classified as a small-scale tourist accommodation. The classification was determined as the proposal did not fit the following definitions as listed in Schedule 1 of the *Development Regulations 2008*:

Hotel means premises licensed, or proposed to be licensed, as a hotel under the Liquor Licensing Act 1985, but does not include a motel;

Motel means a building or group of buildings providing temporary accommodation for more than 5 travellers, and includes an associated restaurant facility, but does not include a hotel or residential flat building;

Restaurant means land used primarily for the consumption of meals on the site;

Given that the proposed development does not include an associated restaurant facility, confirmed via email correspondence with the applicant, the proposal was determined to be a tourist accommodation and is now assessed on its merits against the City of Onkaparinga Development Plan below.

8.1 Land Use and Zoning

The application seeks development plan consent for the construction of a tourist accommodation including ancillary earthworks, car parking and landscaping located at 63 Armata Road, Onkaparinga Hills. The Hills Face Zone (HFZ) policies considers 'tourist facilities' an appropriate form of development. The Desired Character statement for the Zone states:

Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively.

The accommodation is to be provided on a temporary basis with a minimum 3 night stay. The premises would not offer meals on site as there is no proposed restaurant facility and would not require a liquor licensing for the serving alcohol.

The proposal is located within the Character Preservation District. It is considered the development would maintain the rural and natural landscape and amenity of the district as a result of appropriate design considerations that would not unreasonably change the appearance of the subject land. While the development does not relate to primary production, it directly contributes to small scale tourism activities in the area.

On this basis, it is considered that the proposal is suitable with respect to land uses envisaged for this location.

8.2 Siting and Visibility

The above provisions refer to the visibility of development within the natural landscape. The principles of the Zone in relation to visibility state:

14. Buildings, including structures, should be located in unobtrusive locations and, in particular, should:

- (a) Be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
- (b) Have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road
- (c) Be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
- (d) Be located well below the ridge line...

15. Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone, in particular:

- (a) Buildings should be of a single storey
- (b) The profile of buildings should be low and the roof lines should complement the natural form of the land
- (c) The mass of buildings should be minimised by variations in wall and roof line and by floor plans which complement the contours of the land
- (d) Large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings...

The general provisions in the Development Plan relating to visibility also include:

Siting and Visibility

7 The number of buildings and structures on land outside of urban areas should be limited to that necessary for the efficient management of the land.

8 Driveways and access tracks should be designed and surfaced to blend sympathetically with the landscape and to minimise interference with natural vegetation and landforms.

While the proposed tourist accommodation would present as a single built form with a total height of 4.7 metres above FFL, the building is considered 'low-scale' when considering its low profile and overall footprint on the subject land. The building would not be readily visible from Armata Road and adjoining properties other than from the adjacent allotments to the immediate east and west. Access to the site would be via an existing internal track, would only require minor levelling and would not require vegetation clearance as a result of its formalisation. In addition, the CFS has not raised any concerns with regard to access or the requirement for the clearance of any vegetation along the proposed internal road.



Figure 7: Ground level view from subject site to adjacent properties (468 Pimpala Road, Onkaparinga Hills)

The proposed development would be sited in an unobtrusive location that is clear of any native vegetation and on the lower portion of sloping land on the site that is not visible against the skyline when viewed from the metropolitan area or the Adelaide Plain. The proposed development would be significantly set back from Armata Road and adjacent boundaries which would assist in mitigating the overall visual impact from adjacent allotments and public roads.



Figure 9: Long view of subject site from Panalatinga Road – 3.3km from proposed development



Figure 8: Enlarged image of subject site from Panalatinga Road

The proposed development is screened by an abundance of existing trees and vegetation on the subject land and adjacent allotments, which would assist in minimising the impact of the proposed accommodation on the locality. The applicant also proposes additional landscaping along the allotment boundary, access road and

surrounding the subject site to provide additional screening and minimise the visual impacts on the amenity of the locality.

On balance, it is considered the proposed accommodation would comprise the necessary design and siting provisions to satisfy the Development Plan policies.

8.3 Hazards

The above provisions relate to the mitigation of associated risks to development in high bushfire risk areas by ensuring appropriate bushfire management strategies and design measures are taken to inhibit the impacts of bushfires. The policies in the Development Plan include the following:

Bushfire

10 Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:

- (a) Vegetation cover comprising trees and/or shrubs*
- (b) Poor access*
- (c) Rugged terrain*
- (d) Inability to provide an adequate building protection zone*
- (e) Inability to provide an adequate water supply for fire fighting purposes.*

11 Residential, tourist accommodation and other habitable buildings should:

- (a) Be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect*
- (b) Be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation*
- (c) Have a dedicated and accessible water supply available at all times for fire fighting.*

The development would be sited on an area clear of vegetation, located on the lower portion of sloping land on the allotment and provide adequate supply for firefighting purposes via the provision of two (2) 24kL dedicated firefighting water storage tanks.

A key issue raised by the majority of representations related to the potential reduction in safety of guests and surrounding landowners in the event of a bushfire and the increased burden the proposal could incur during an evacuation. It is noted that the CFS had no objection to the development relating to the mitigation of bushfire fighting risks with regard to appropriate access for firefighting vehicles to the habitable building, access to a dedicated water supply for firefighting purposes, the establishment of a vegetation management zone (VMZ) and the general siting of the proposed accommodation from property boundaries.

The proposed access and internal driveways satisfy the requirements of the Ministers Code for Undertaking Development in a Bushfire Protection Area, incorporating a 'Y' shaped firetruck turnaround space.

The applicant has noted in their response that they would prepare a Bushfire Survival Plan (BSP) to ensure all residents are adequately informed of the protective actions that must be undertaken in the event of a bushfire. The applicant also supports the installation of a manifest box at the entrance of the property to be used by the CFS.

It is considered the applicant adequately satisfies all the relevant bushfire hazard provisions within the Development Plan.

8.4 Transportation and Access

The above provisions relate to the implementation of appropriate access requirement for development. The policies in the Development Plan include the following:

Access

22 Development should have direct access from an all-weather public road

23 Development should be provided with safe and convenient access which:

- (a) Avoids unreasonable interference with the flow of traffic on adjoining roads*
- (b) Provides appropriate separation distances from existing roads or level crossings*
- (c) Accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision*
- (d) Is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.*

29 Driveways, access tracks and parking areas should be designed and constructed to:

- (a) Follow the natural contours of the land*
- (b) Minimise excavation and/or fill*
- (c) Minimise the potential for erosion from surface runoff*
- (d) Avoid the removal of existing vegetation*
- (e) Be consistent with Australian Standard AS: 2890 – Parking facilities.*

Tourism Development in Association with Dwelling(s)

8 Car parking for tourist accommodation with a dwelling should be provided at the rate of one space for each guest room or suite of rooms, and ensure that:

- (a) Parking areas are attractively developed and landscaped, or screen fenced, and do not dominate the street frontage.*
- (b) The bedrooms of residential neighbours are suitably shielded from noise and headlight glare associated with guest vehicle movement*
- (c) A domestic character is retained through the scale and appearance of landscaping and paving materials that provide a suitable all-weather surface.*

Vehicle Parking

40 On-site visitor parking spaces should be sited and designed to:

- (a) not dominate internal site layout nor be located at the front of a group dwelling or residential flat building development*
- (b) be clearly defined as visitor spaces and not assigned to a particular dwelling*
- (c) be accessible to visitors at all times.*

The development would be directly accessible from an existing continuous gravel driveway accessed via Armata Road. The driveway would be formalised for all-weather access to the proposed tourist accommodation at the centre of the allotment and upgraded with the planting of native shrubs (adjoining the driveway) to assist in the screening of vehicle movement and any dust impacts from vehicular traffic accessing the proposed development during construction or when operational.

The accommodation would allow for up to twelve (12) guests and seven (7) vehicles to stay on site at any one time. Considering the size of the proposed development, the proposal would not result in a detrimental increase in traffic visiting the site nor significantly inhibit the flow of traffic on the adjoining road network.

The full extent of the driveway would be 3 metres in width with an average slope of 11 degrees and includes a 6 metre wide passing bay at the halfway point which is considered appropriate for safe access to and from the site.

The Development Plan seeks one (1) car park per guest room for tourism development. The proposal provides seven (7) total vehicle parking spaces which includes one (1)

access park and satisfies the relevant parking provision criteria. The designated parking area would be sited appropriately located adjacent the tourist accommodation building and with suitable areas for vehicles to leave and enter the site in a forward direction at all times. The parking area would be surfaced with appropriate all-weather materials (compacted rubble) and would be appropriately delineated with precast concrete stops.

It is considered the proposal would not impact on existing traffic and access arrangements during construction or when operational.

8.5 Sloping Land

The above provisions relate to the appropriateness of development located on sloping land. The policies in the Development Plan include the following:

The principles of the Zone in relation to sloping land state:

3 The excavation and/or filling of land outside townships and urban areas should:

- (a) Be kept to a minimum and be limited to a maximum depth or height no greater than 1.5 metres so as to preserve the natural form of the land and native vegetation*
- (b) Only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment...*

The general provisions in the Development Plan relating to sloping land also include:

Sloping Land

1 Development and associated driveways and access tracks should be sited and designed to integrate with the natural topography of the land and minimise the need for earthworks.

2 Development and associated driveways and access tracks, including related earthworks, should be sited, designed and undertaken in a manner that:

- (a) Minimises their visual impact*
- (b) Reduces the bulk of the buildings and structures*
- (c) Minimises the extent of cut and/or fill*
- (d) Minimises the need for, and the height of, retaining walls*
- (e) Does not cause or contribute to instability of any embankment or cutting*
- (f) Avoids the silting of watercourses*
- (g) Protects development and its surrounds from erosion caused by water runoff.*

5 Development on steep land should include site drainage systems to minimise erosion and avoid adverse impacts on slope stability.

The development would require minimal earthworks to ensure a level bench via a 1.0 metre high battered fill, with the largest batter being north of the proposed car park. The proposed accommodation has been designed to follow the existing natural contours of the subject site, minimising the requirement for extensive earthworks.

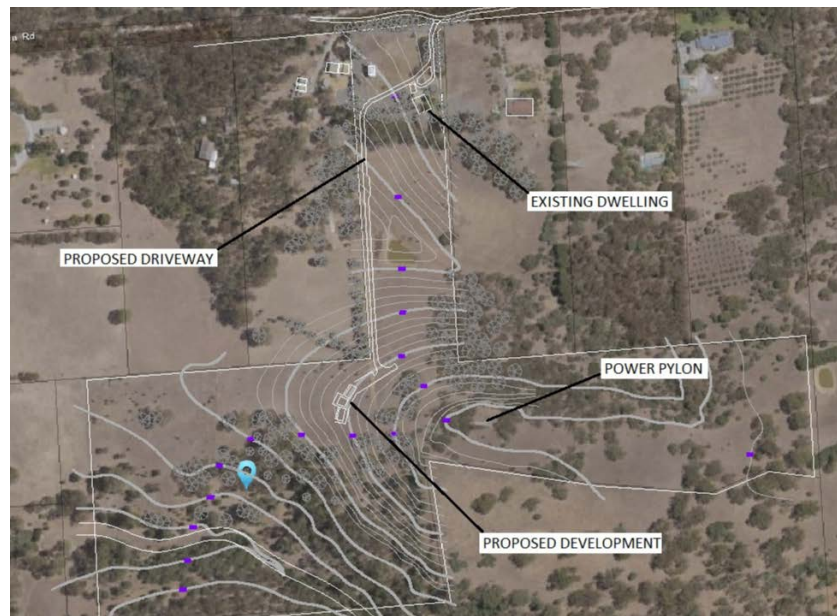


Figure 10: Site contours

8.6 Waste

The above provisions relate to the appropriate management and disposal of onsite waste. Provisions in the Development Plan relating to waste include the following:

Waste

1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:

- (a) Avoiding the production of waste*
- (b) Minimising waste production*
- (c) Reusing waste*
- (d) Recycling waste*
- (e) Recovering part of the waste for re-use*
- (f) Treating waste to reduce the potentially degrading impacts*
- (g) Disposing of waste in an environmentally sound manner.*

6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:

- (a) Screen and separated from adjoining areas*
- (b) Located to avoid impacting on adjoining sensitive environments or land uses*
- (c) Designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system*
- (d) Located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water*
- (e) Protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours*
- (f) Stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.*

Wastewater

7 The disposal of wastewater to land should only occur where methods of wastewater reduction and reuse are unable to remove the need for its disposal, and where its application to the land is environmentally sustainable.

The proposed accommodation provides a designated, freestanding on-site bin storage area for general waste and recycling. The storage area would be located to the rear of

the kitchen area and would be obscured by 1500mm high timber slat fencing and separated from adjoining areas to minimise any impacts to the amenity of visitors.

The site plans have indicated an area designated for soakage, west of the accommodation building that would be suitable for any wastewater generated. The soakage area is 120 metres from any watercourse on site and approximately 17 metres from the allotment boundary.

While engineered civil plans have not been submitted by the applicant, Council advised that they had reviewed the site and deemed they would be comfortable that an appropriate wastewater system could work acceptably in accordance with the *SA Public Health Act 2011*. This would be on the basis that plans would be resolved prior to development approval being granted.

8.7 Environmental Factors

8.7.1 Flooding

Two (2) watercourses have been identified on the site. The proposed accommodation building would be setback in excess of 50 metres from either watercourse identified. The applicant has advised that there is no known risk to flooding on the proposed development and on-site effluent disposal system have been strategically located a sufficient distance from the natural water bodies on site.

The bulk of water from the roof of the building would be captured in a series of large rainwater tanks with vegetated battered slopes. Engineered civil plans demonstrating appropriate stormwater management provisions are conditioned to be resolved prior to development approval being granted.

8.7.2 Existing Vegetation

The applicant has advised that the development does not necessitate the removal of any substantial vegetation. It is expected that any required clearing would be limited to the removal of minor, non-native species (bush olives) and would not impact on the aforementioned flora or detrimentally impact the visual appearance of the site. Should there be a requirement to remove any native



Figure 11: Vegetation to be removed on proposed site (bush olives)

vegetation on site, an advisory note has been attached to the consent to ensure the applicant follows the correct procedure, as stipulated in the *Native Vegetation Act 1991*.

9. CONCLUSION

The Hills Face Zone and Character Preservation District Overlay contemplate tourist facilities that are of a low-scale and are designed and sited to ensure the natural character of the area is maintained. At a Council-wide level, development that increases opportunities for visitors to stay overnight and that adds to the variety of accommodation is encouraged.

In having regard to the siting and visibility of the proposed development, the applicant has demonstrated the accommodation would constitute the appropriate design and siting considerations to minimise the impact of the building on the amenity of the locality and adjacent properties.

It is considered the applicant has undertaken the necessary precautions to ensure the development is capable of mitigating the impacts of bushfires, satisfying the necessary bushfire policies of the Development Plan and meeting the criteria for the Ministers Code for Undertaking Development in a Bushfire Protection Area.

It is considered the applicant has demonstrated the development would meet the appropriate access and parking requirements to ensure visitors are capable of safely and easily accessing the site at their discretion while ensuring no unreasonable burden is placed on the existing local traffic network.

With regard to waste, the applicant has provided suitable provisions for on-site storage. It is acknowledged that an engineered civil plan would be resolved prior to Development Approval for wastewater management provisions on site, which has been conditioned, accordingly.

Council has advised that it has no objection to the proposal, subject to conditions.

The CFS has raised no objections, subject to conditions.

On balance, it is considered that the proposed development generally accords with the relevant policy of the Development Plan and therefore warrants support.

Pursuant to Section 35(2) of the *Development Act 1993*, and having undertaken an assessment of the application against the relevant Development Plan, the application is NOT seriously at variance with the provisions of that plan.

10. RECOMMENDATION

It is recommended that the State Commission Assessment Panel:

- 1) RESOLVE that the proposed development is NOT seriously at variance with the policies in the Development Plan.
- 2) RESOLVE that the State Commission Assessment Panel is satisfied that the proposal generally accords with the related Objectives and Principles of Development Control of the Onkaparinga Council Development Plan (consolidated 20 December 2018); and
- 3) RESOLVE to grant Development Plan Consent to the proposal by Steve Layton Design for the construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping, subject to the following conditions of consent.

PLANNING CONDITIONS

1. The development granted Development Plan Consent shall be undertaken and completed in accordance with the stamped plans and documentation, except where varied by conditions below (if any).

Reason for condition: to ensure the development is constructed in accordance with endorsed plans and application details.

2. The building approved shall only be used for the purposes of tourist accommodation, and any alternative land use will require the approval of Council.

Reason for condition: to ensure the site is strictly used for its designated purpose.

3. The tourist accommodation units shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.

Reason for condition: to ensure the development has the necessary infrastructure prior to operation.

4. All external lighting on the site shall be designed and constructed to conform to Australian Standard (AS 4282-1997).

Reason for condition: to ensure relevant Australian standards are met.

5. During construction and at all times thereafter, effective measure be implemented in accordance with this consent to:
 - Prevent silt run-off from the land to adjoining properties, roads and drains
 - Control dust arising from the construction and other activities, so as not to, in the opinion of Council, be a nuisance to residents or occupiers on adjacent or nearby land
 - Ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site in a suitable covered bin or enclosure
 - Ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of Council, to the occupiers of the land.

Reason for condition: to ensure the site is appropriately managed to not cause unreasonable nuisance or loss of amenity in the locality.

6. All access points, car parking and vehicle manoeuvring areas shall be of an all-weather surface and must be maintained in a good condition at all times.

Reason for condition: to ensure access and parking facilities adhere to the necessary standards.

7. Landscaping shown on the approved plans shall be established prior to the operation of the development and shall be maintained and nurtured at all times with any diseased or dying plants being replaced.

Reason for condition: to ensure the proposed landscaping is established and consistent with the landscaping concept.

8. All stormwater design and construction shall be in accordance with Australian Standard AS/NZS 3500.3:2015 (Part 3) to ensure that stormwater does not adversely affect any adjoining property or public road.

Reason for condition: to ensure stormwater infrastructure is designed and constructed to minimise potential for flood risk to adjoining property or public roads associated with stormwater runoff in accordance with the necessary standard.

9. A final detailed Stormwater Management Plan shall be submitted, in consultation with the City of Onkaparinga to the satisfaction of the SCAP. The details of the plan shall be incorporated within the Building Rules Consent documentation, submitted for Development Approval, and be implemented prior to occupation or use of the development.

Reason for condition: to ensure Stormwater Management Plan is appropriately submitted and implemented prior to occupation or use of the development.

10. During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a Council approved stormwater drainage system.

Reason for condition: to ensure stormwater infrastructure is designed and constructed to the necessary standard to not cause unreasonable nuisance or loss of amenity in the locality.

11. Prior to occupation of the development, final details of the waste collection arrangements which identify how waste would be stored, transported and disposed of, shall be submitted in consultation with the City of Onkaparinga to the satisfaction of SCAP.

Reason for condition: to ensure the appropriate documentation is submitted and implemented prior to occupation.

12. All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the *South Australian Public Health Act 2011*.

Reason for condition: to ensure wastewater is appropriately discharged from the site.

13. All external finishes shall have surfaces which are of a low light reflective nature and be of dark natural colours.

Reason for condition: to ensure the natural elements of the locality remain dominant to the introduced elements of the development, and the scenic quality of the Hill's Face is protected.

14. All exposed cut and fill shall be rounded off to follow and blend with the natural contours of the land, covered with approximately 100mm of top soil immediately after excavation and seeded with ground covers and screened with trees and shrubs to avoid erosion and visual concerns within 6(six) months of the site being excavated.

Reason for condition: to ensure the impacts of any earthworks are mitigated through appropriate remediation practices.

CFS Directed Conditions

ACCESS TO HABITABLE BUILDING

15. The Code Part 2.3.3.1 requires the mandatory provision for 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - i. A loop road around the building, OR
 - ii. A turning area with a minimum radius of 12.5 metres, OR
 - iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.
- The all-weather road shall incorporate passing bays. The combined width of the passing bay & access track shall be 6m, and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to the public road or other passing bay, passing bays may be required at intervals of less than 200 metres.
- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

Reason for condition: to ensure bushfire fighting vehicles have appropriate access to buildings in the event of a bushfire.

ACCESS (to a dedicated water supply)

16. The Code Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.

- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

WATER SUPPLY

17. The Code Part 2.3.4.1 mandates a dedicated and accessible water supply to be made available at all times for fire-fighting purposes:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).

- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

Reason for condition: to ensure dedicated water supply provisions are available at all times for fire-fighting purposes.

VEGETATION

18. The Code Part 2.3.5 requires landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property:

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

Reason for condition: to ensure landscaping includes pre-emptive protective measures to prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

SITING

19. The Code Part 2.3.2 requires for buildings to be sited away from areas that pose an unacceptable bushfire risk. This includes areas with rugged terrain or hazardous vegetation.

- The dwelling shall be sited no less than 20 metres from property boundaries, for the establishment of an asset protection zone.

Reason for condition: to ensure buildings are sited appropriately to minimise the risk of damage to buildings in the event of a bushfire.

BUSHFIRE SURVIVAL PLAN

20. CFS further recommends:

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.
- This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event. The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS 'Bushfire Safety and Survival for Business and Organisations' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.
- The applicant should consider reducing operating hours and restrictions on days of extreme weather or bushfire events

Reason for condition: to ensure a visitors of the site are appropriately prepared in the event of a bushfire.

MANIFEST BOX (or similar)

21. Given the complexities that the subject site presents, SA CFS further recommends the installation of a Manifest Box at the entrance of the property. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the property. Containing a site plan highlighting vehicle access, turning ability, building location, water i.e. fill locations, and fire protection equipment, and on-site hazards or storage of dangerous materials i.e. LPG, fuels or chemicals with a list of emergency contact phone numbers.

Reason for condition: to ensure firefighters have adequate information of the site in the event of a bushfire.

ADVISORY NOTES

- a) The development must be substantially commenced within 12 months of the date of this Notification, unless this period has been extended by the SCAP.
- b) The authorisation will lapse if not commenced within 12 months of the date of this Notification.
- c) The applicant is also advised that any act or work authorised or required by this Notification must be completed within 3 years of the date of the Notification unless this period is extended by the SCAP.
- d) The applicant has a right of appeal against the conditions which have been imposed on this Development Plan Consent or Development Approval. Such an appeal must be lodged at the Environment, Resources and Development Court within two months from the day of receiving this notice or such longer time as the Court may allow. The applicant is asked to contact the Court if wishing to appeal. The Court is located in the Sir Samuel Way Building, Victoria Square, Adelaide (telephone number 8204 0289).
- e) A waste control application must be lodged with Council's Community Health Team and approved prior to the commencement of any building work. The owner/applicant must sign the application form and provide a contour site plan drawn to a scale of 1:200, with details of all drains shown including the method of disposal of the wastewater. The approved waste water system must be installed and constructed in accordance with the relevant provisions of the *South Australian Public Health Act 2011* & AS/NZS 3500, prior to habitation/occupation.
- f) Pursuant to the *South Australian Public Health Act 2011*, no building work, structures, paving, parking of vehicles or driving over an approved on-site waste water system is permitted.
- g) The proposed building work should not be located over, or within the minimum setback distances from the septic tank or waste water disposal areas as outlined in the table below.

	Septic tank/AWTS/Distribution Device			Wastewater disposal system	
	Septic tank Grease arrestor Pump sumps	Aerobic (AWTS) Grey water systems Sand filter Reed bed	Distribution devices	Subsurface Disposal i.e. trench, bed, ETA	Irrigation areas Surface or Shallow subsurface
Allotment boundaries	2.5 m	3.0 m	2.5 m	2.5 m	0.5 m
Buildings/Structures	2.5 m	3.0 m	2.5 m	3.0 m	1.5 m
Swimming pool	2.5 m	3.0 m	2.5 m	3.0 m 6.0 m upslope from pool	3.0 m* 6.0 m* upslope from pool

- h) Retaining walls constructed to retain a difference in ground levels exceeding (1) metres in height require development approval.
- i) The land owner/developer is responsible for ensuring that building work is sited in the approved position. This may necessitate a survey being carried out by a licensed land surveyor. Allotment boundaries will not be certified by council staff; however council may enforce removal of any encroachments over council land.
- j) You are further advised that Building Rules Consent is required for the application pursuant to the *Development Act 1993*.

- k) If there is an intention to clear native vegetation on the land at any time, the applicant should consult the Native Vegetation Council to determine relevant requirements under the *Native Vegetation Act 1991* and its Regulations, which may include the provision of a Significant Environmental Benefit. Note that 'clearance' means any activity that could cause any substantial damage to native plants, including cutting down and removing plants, burning, poisoning, slashing of understorey, removal or trimming of branches, severing roots, drainage and reclamation of wetlands, and in some circumstances grazing by animals. For further information contact the Native Vegetation Council on telephone 8303 9777 or visit: <http://www.nvc.sa.gov.au>.



NICHOLAS GIANNAKODAKIS
PLANNING OFFICER
PLANNING AND LAND USE SERVICES
DEPARTMENT OF PLANNING, TRANSPORT and INFRASTRUCTURE

GENERAL NOTES:

1. DRAWINGS SHOULD BE READ IN CONJUNCTION WITH ENGINEERS REPORT.
2. WRITTEN DIMENSIONS WILL TAKE PRIORITY OVER SCALED MEASUREMENTS. DIMENSIONS SHOULD BE VERIFIED ON SITE BY BUILDER OR CONTRACTOR PRIOR TO COMMENCEMENT OF ANY WORK.
3. ALL WORKS TO COMPLY WITH THE BUILDING CODE OF AUSTRALIA.
4. ALL WORKS TO BE CARRIED OUT IN ACCORDANCE WITH SA WORK AND SAFETY ACT, REGULATIONS AND CODES OF PRACTICE 2012.
5. ALL TIMBER WALL AND ROOFING MEMBERS TO COMPLY WITH THE NATIONAL TIMBER FRAMING CODE AS-1684.2
6. ALL WET AREAS TO COMPLY WITH BCA 3.8.1 AND AS3740-2010
7. IT WILL BE THE RESPONSIBILITY OF THE ROOFER TO ENSURE THAT THE WHOLE OF THE ROOF IS WATERTIGHT.
8. ALL FIXTURE AND APPLIANCES TO BE INSTALLED STRICTLY IN ACCORDANCE WITH THE MANUFACTURERS INSTRUCTIONS.
9. ALL STORMWATER SHOULD COMPLY WITH AS- 3500.2 NATIONAL PLUMBING CODE. 90dia UPVC STORMWATER SYSTEM TO BE CONNECTED TO DOWNPIPES AND DISCHARGED AWAY FROM FOOTINGS.
10. WIND SPEED AREA N3 48m/s. ALL WINDOWS AND DOORS TO COMPLY WITH AS 2047- WINDOWS AND DOORS IN BUILDING TO MEET N3 WIND SPEED REQUIREMENTS. ALL GLAZING TO COMPLY WITH AS1288 AND NCC PART 3.6.
11. DRAUGHT PROTECTION DEVICES TO BE FITTED TO EDGES OF EXTERNAL DOORS.
12. (S) SELF CONTAINED HARD WIRED SMOKE ALARM COMPLYING WITH AS3786 CONNECTED TO CONSUMER MAINS WITH BATTERY BACK UP. SMOKE ALARMS TO BE INTERCONNECTED COMPLYING WITH BCA 2014.
13. EFFLUENT TO DISCHARGE TO ON-SITE WASTEWATER SYSTEM IN ACCORDANCE WITH S.A. HEALTH COMMISSION & COUNCIL REQUIREMENTS. SYSTEM TBA.
14. NO BRUSH FENCES ARE TO BE WITHIN 3m OF THE BUILDING WORKS.
15. ALL ELECTRICAL WORKS SHALL COMPLY WITH AS 3000. ELECTRICAL REQUIREMENTS & LAYOUT TO BE DISCUSSED & CONFIRMED ON SITE WITH OWNER.
16. ALL EXPOSED STEELWORK, LINTELS ETC. SHALL BE HOT DIPPED GALVANISED. ALL BOLTS, NUTS AND WASHERS SHALL BE HOT DIPPED GALVANISED. ALL NAILS SHALL BE GALVANISED.
17. **PORTABLE FIRE EXTINGUISHERS:** DRY CHEMICAL POWDER PORTABLE FIRE EXTINGUISHER TYPE AB TO BE INSTALLED AS NOTED ON FLOOR PLAN IN ACCORDANCE WITH AS 2444 MINIMUM CLASSIFICATION AND RATING 2A:40B
18. **FIRE RESISTANCE:** FLOOR, WALL AND CEILING LINING MATERIALS AND COVERINGS TO HAVE A FIRE HAZARD PROPERTY IN ACCORDANCE SPECIFICATION C1.10 OF THE BCA.
19. **SANITARY FACILITIES IDENTIFICATION:** PROVIDE CLEAR AND LEGIBLE SIGNAGE INCORPORATING THE INTERNATIONAL SYMBOL FOR ACCESS SANITARY FACILITIES IN ACCORDANCE WITH AS 1428.1 AND GENERAL SIGNAGE IN ACCORDANCE WITH BCA D3.6
20. **ACCESSWAYS:**
 - PROVIDE A CONTINUOUS PATH OF TRAVEL TO THE BUILDING AND WITHIN THE BUILDING TO ACCESS FACILITIES
 - ALL ACCESSWAYS SHALL HAVE A MINIMUM WIDTH OF 1000mm AND UNOBSTRUCTED HEIGHT OF NOT LESS THAN 2000mm
 - ACCESS LANDING AND CIRCULATION AREAS TO HAVE MAXIMUM GRADIENT OF 1:40
 - ACCESSWAYS TO BE CONSTRUCTED WITH NO STEP AT JOINTS
 - A CIRCULATION SPACE SHALL BE PROVIDED AT ALL DOORWAYS IN ACCESS AREAS
21. **LATCH OPERATION:** ALL LATCH OPERATION TO COMPLY WITH BCA D2.21: A DOOR IN A REQUIRED EXIT, FORMING PART OF A REQUIRED EXIT OR IN THE PATH OF TRAVEL TO A REQUIRED EXIT MUST BE READILY OPENABLE WITHOUT A KEY FROM THE SIDE THAT FACES THE PERSON SEEKING EGRESS, BY A SINGLE HAND DOWNWARD ACTION OR PUSHING ACTION ON A SINGLE DEVICE WHICH IS LOCATED BETWEEN 900mm AND 1100mm FORM THE FLOOR.
22. **SLIDING DOOR OPERATION:** SLIDING DOORS OPERATING AS A REQUIRED EXIT MUST BE ABLE TO BE OPENED MANUALLY WITH A REQUIRED FORCE OF NO MORE THAN 110N.
23. **TACTILE INDICATORS:**
 - PROVIDE TACTILE SURFACE INDICATORS TO ALL STAIRS, RAMPS AND KERBS IN ACCORDANCE WITH BCA D3.8
24. **SIGNAGE:**
 - PROVIDE TACTILE SIGNAGE TO ALL SANITARY FACILITIES, DOORS AND EXITS IN ACCORDANCE WITH BCA D3.6

INSULATION:

ROOFING: R4.1 INSULATION TO CEILING WITH SARKING OVER ROOF PURLINS
WALLS: R2.5 WALL BATTS INSULATION TO EXTERNAL WITH SARKING WEATHER BARRIER WALLS UNLESS NOTED OTHERWISE.
R2.0 INSULATION TO INTERNAL WALLS UNLESS NOTED OTHERWISE.

BUSHFIRE BUILDING PROTECTION:

ADDITION AND EXISTING DWELLING TO COMPLY WITH AS3959-2009 AND BAL 19:

- ALL OPENING WINDOWS TO BE SCREENED EXTERNALLY WITH CORROSION RESISTANT BRONZE, STEEL OR ALUMINIUM SCREENS WITH MAXIMUM APERTURE OF 2mm.
- SHEET ROOFING TO BE LINED WITH SARKING WITH A FLAMMABILITY INDEX OF 5 OR LESS
- POSTS ARE TO BE ON STEEL STIRRUP BASES WITH 75mm MIN CLEARANCE TO GROUND OR TO HAVE 400MM HIGH FLASHING COVERING THE BASE OF THE POST OR BE FROM NON COMBUSTABLE MATERIAL.
- VENTS AND WEEP HOLES TO BE SCREENED WITH CORROSION RESISTANT BRONZE, STEEL OR ALUMINIUM SCREENS WITH MAXIMUM APERTURE OF 2mm.
- ALL EAVES TO BE CLOSED.
- ALL WINDOWS AND DOORS THAT ARE WITHIN 400mm OF THE GROUND OR A DECK SHALL HAVE GRADE A SAFETY GLASS OF BE FULLY SCREENED.
- SLIDING DOORS SHALL BE TIGHT FITTING IN FRAMES
- EXTERNAL DOORS TO BE NON COMBUSTABLE OR SOLID TIMBER 35mm MIN THICK OR COMPLIANT WITH BAL12.5
- DECKING TO HAVE 3mm GAPS AND IF ENCLOSED SHALL HAVE 6mm FIBRE CEMENT FITTED BEHIND CLADDING

TERMITE TREATMENT:

PROVIDE A TERMITE PROTECTION BARRIER TO AS3660.1 AND INSTALLED TO MANUFACTURER'S SPECIFICATIONS

NEW BUILDING AREAS:

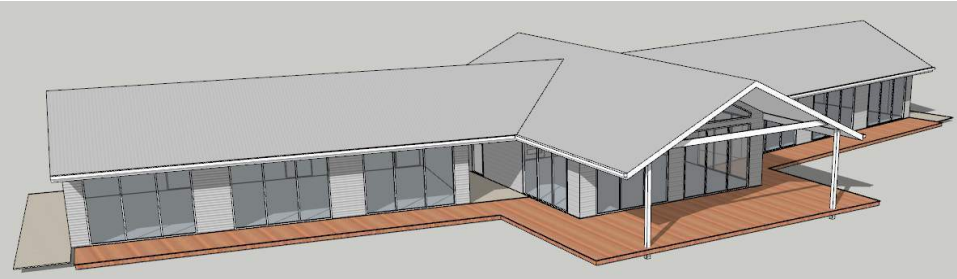
LIVING: 226m²
DECK / VERANDA: 120m²

CONSTRUCTION NOTES:


DURING CONSTRUCTION AND AT ALL TIMES THEREAFTER, STORMWATER GENERATED FROM THE DEVELOPMENT SHALL BE DIVERTED AWAY FROM ALL BUILDINGS, SHALL NOT POND AGAINST OR NEAR THE FOOTINGS, AND SHALL NOT BE DISCHARGED ONTO ADJOINING LAND.

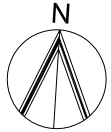
DURING CONSTRUCTION EFFECTIVE MEASURES MUST BE IMPLEMENTED TO :

- PREVENT SILT RUN OFF FROM THE LAND TO ADJOINING PROPERTIES ROADS AND DRAINS.
- CONTROL DUST ARISING FROM THE CONSTRUCTION AND OTHER ACTIVITIES, SO AS NOT TO, IN THE OPINION OF COUNCIL, BE A NUISANCE TO RESIDENTS OR OCCUPIERS ON ADJACENT OR NEARBY LAND.
- ENSURE THAT SOIL OR MUD IS NOT TRANSFERRED ONTO THE ADJACENT ROADWORKS BY VEHICLES LEAVING THE SITE.
- ENSURE THAT ALL LITTER AND BUILDING WASTE IS CONTAINED ON THE SUBJECT SITE IN A SUITABLE COVERED BIN OR ENCLOSURE.
- ENSURE NO SOUND IS EMITTED FROM ANY DEVICE, PLANT OR EQUIPMENT OR FROM ANY SOURCE OR ACTIVITY TO BECOME AN UNREASONABLE NUISANCE, IN THE OPINION OF COUNCIL, TO THE OCCUPIERS OF ADJACENT LAND.



SHEET 1 OF 9

PROJECT: Happiness Retreat of the Happiness & Wellbeing Institute of Australia (HWIA) CLIENT: Professor Grier Lin SITE ADDRESS: 63 Armata Road Onkaparinga Hills SA 5163	GENERAL NOTES SCALE: N/A DRAWN BY: S.LAYTON DATE: 10JUL2019	Rev.	Remarks	Date		10 WIGLEY DRIVE McLAREN VALE Mob: 0448 656 254 Email: stevelaytondesign@bigpond.com ABN: 40 248 246 245
		A	Issued for Planning Approval	10JUL19		
		B	Bench Level Changed, Entry Sign Removed	24OCT19		
		C	Clvtl Site Works Plan Added	10FEB20		
		D	Visibility Section Added	10MAR20		



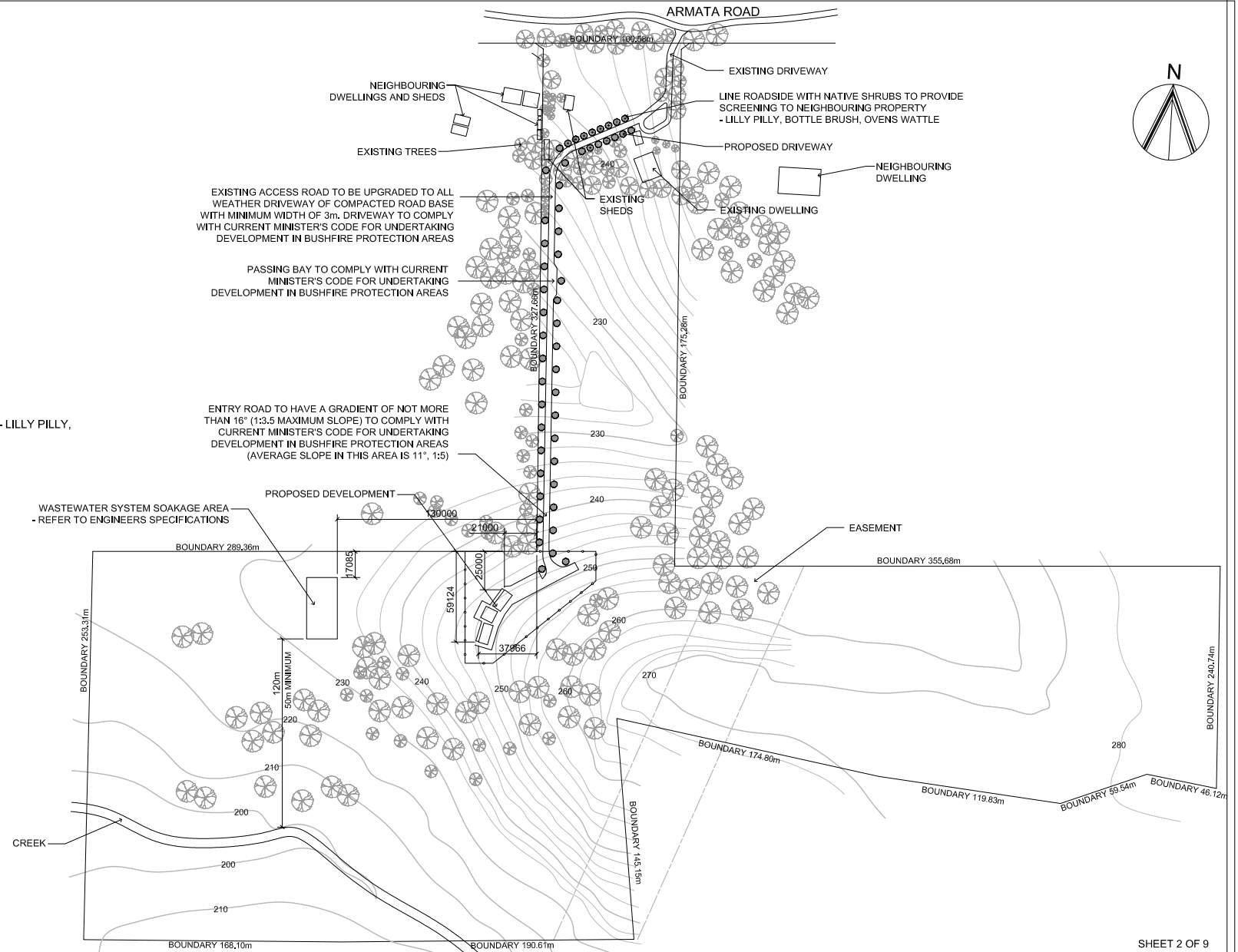
LEGEND



EXISTING NATIVES TREES



NEW PLANTINGS ALONG DRIVEWAY - LILLY PILLY,
BOTTLE BRUSH, OVENS WATTLE



PROJECT: Happiness Retreat of the Happiness & Wellbeing
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SITE PLAN

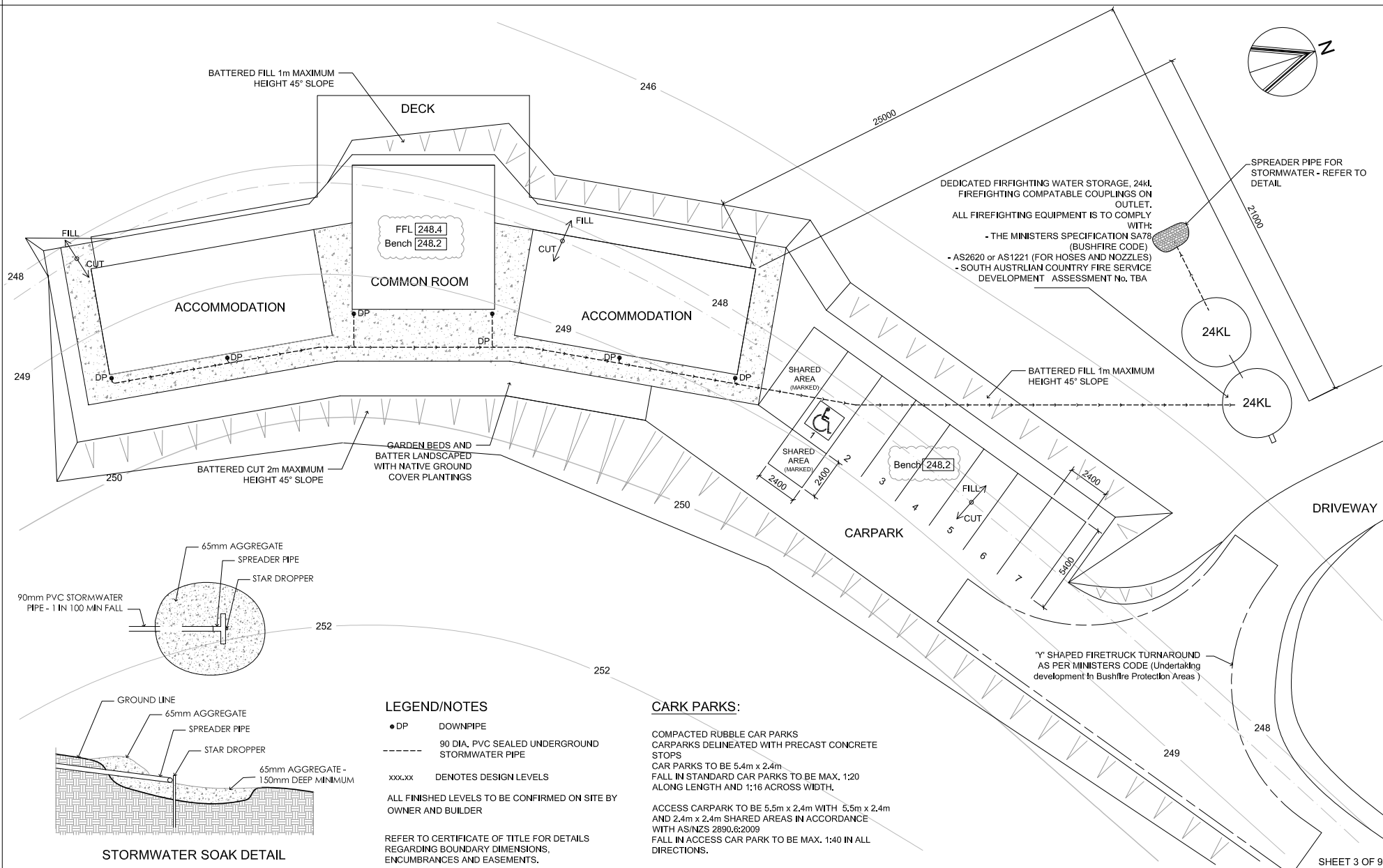
SCALE: 1:2500 UNO
DRAWN BY: S.LAYTON
DATE: 10JUL2019

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SHEET 2 OF 9



PROJECT: Happiness Retreat of the Happiness & Wellbeing
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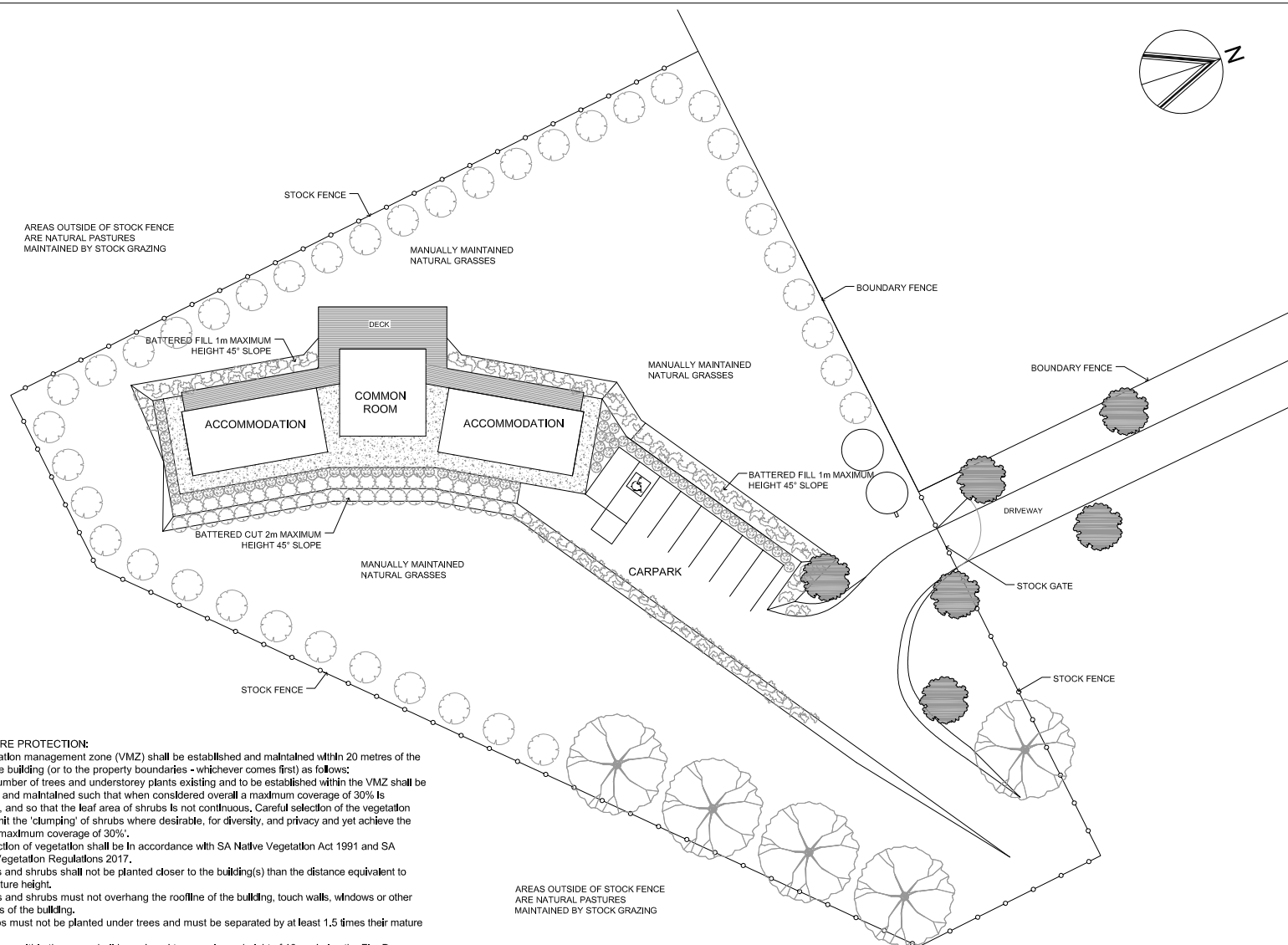
SITE PLAN

SCALE: 1:200 UNO
DRAWN BY: S.LAYTON
DATE: 10JUL2019

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PLANT SCHEDULE



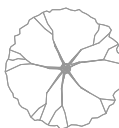
NATIVE GROUNDCOVERS
- Knife-leaved Wattle
- Silver Saltbush
- Inland Pigface



NATIVE SMALL SHRUBS
- Rosemary Damiera
- Grevillea Rosemarkii 'Nana'
- Hardenbergia violacea 'Happy Wanderer'



NATIVE MEDIUM SHRUBS
- Alyogyne huegelii 'Moorra' Native Hibiscus
- Nodding Banksia
- Correa reflexa Native Fuchsia



NATIVE TREES
- Lemon Scented Gums - to be planted no closer to the dwelling than 20m



NATIVE TREES ALONG DRIVE
- Lilly Pilly, Bottle Brush, Ovens Wattle

BUSHFIRE PROTECTION:

A vegetation management zone (VMZ) shall be established and maintained within 20 metres of the habitable building (or to the property boundaries - whichever comes first) as follows:

i. The number of trees and understorey plants existing and to be established within the VMZ shall be reduced and maintained such that when considered overall a maximum coverage of 30% is attained, and so that the leaf area of shrubs is not continuous. Careful selection of the vegetation will permit the 'clumping' of shrubs where desirable, for diversity, and privacy and yet achieve the 'overall maximum coverage of 30%'.
ii. Reduction of vegetation shall be in accordance with SA Native Vegetation Act 1991 and SA Native Vegetation Regulations 2017.

iii. Trees and shrubs shall not be planted closer to the building(s) than the distance equivalent to their mature height.
iv. Trees and shrubs must not overhang the roofline of the building, touch walls, windows or other elements of the building.

v. Shrubs must not be planted under trees and must be separated by at least 1.5 times their mature height.
vi. Grasses within the zone shall be reduced to a maximum height of 10cm during the Fire Danger Season.

vii. No understorey vegetation shall be established within 1 metre of the habitable building (understorey is defined as plants and bushes up to 2 metres in height).

viii. Flammable objects such as plants, mulches and fences must not be located adjacent to vulnerable parts of the building such as windows, decks and eaves

ix. The VMZ shall be maintained to be free of accumulated dead vegetation.

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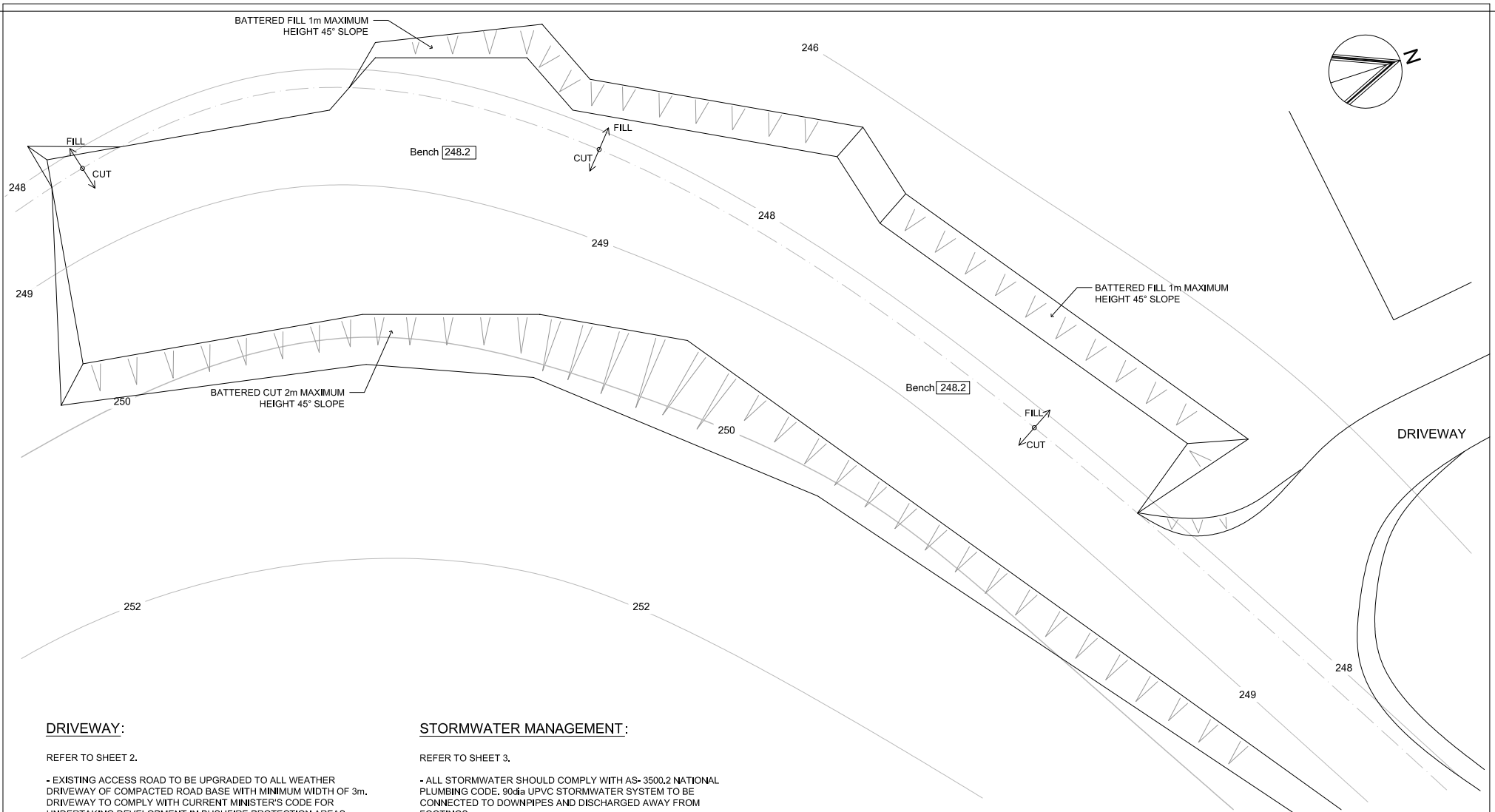
LANDSCAPING

SCALE: 1:400 UNO
DRAWN BY: S. LAYTON
DATE: 10JUL2019

Rev.	Remarks	Date
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DRIVEWAY:

REFER TO SHEET 2.

- EXISTING ACCESS ROAD TO BE UPGRADED TO ALL WEATHER DRIVEWAY OF COMPACTED ROAD BASE WITH MINIMUM WIDTH OF 3m. DRIVEWAY TO COMPLY WITH CURRENT MINISTER'S CODE FOR UNDERTAKING DEVELOPMENT IN BUSHFIRE PROTECTION AREAS.

- ENTRY ROAD TO HAVE A GRADIENT OF NOT MORE THAN 16° (1:3.5 MAXIMUM SLOPE) TO COMPLY WITH CURRENT MINISTER'S CODE FOR UNDERTAKING DEVELOPMENT IN BUSHFIRE PROTECTION AREAS (AVERAGE SLOPE IN THIS AREA IS 11°, 1:5)

STORMWATER MANAGEMENT:

REFER TO SHEET 3.

- ALL STORMWATER SHOULD COMPLY WITH AS-3500.2 NATIONAL PLUMBING CODE. 90da UPVC STORMWATER SYSTEM TO BE CONNECTED TO DOWNPIPES AND DISCHARGED AWAY FROM FOOTINGS.

PROJECT: Happiness Retreat of the Happiness & Wellbeing Institute of Australia (HWIA)
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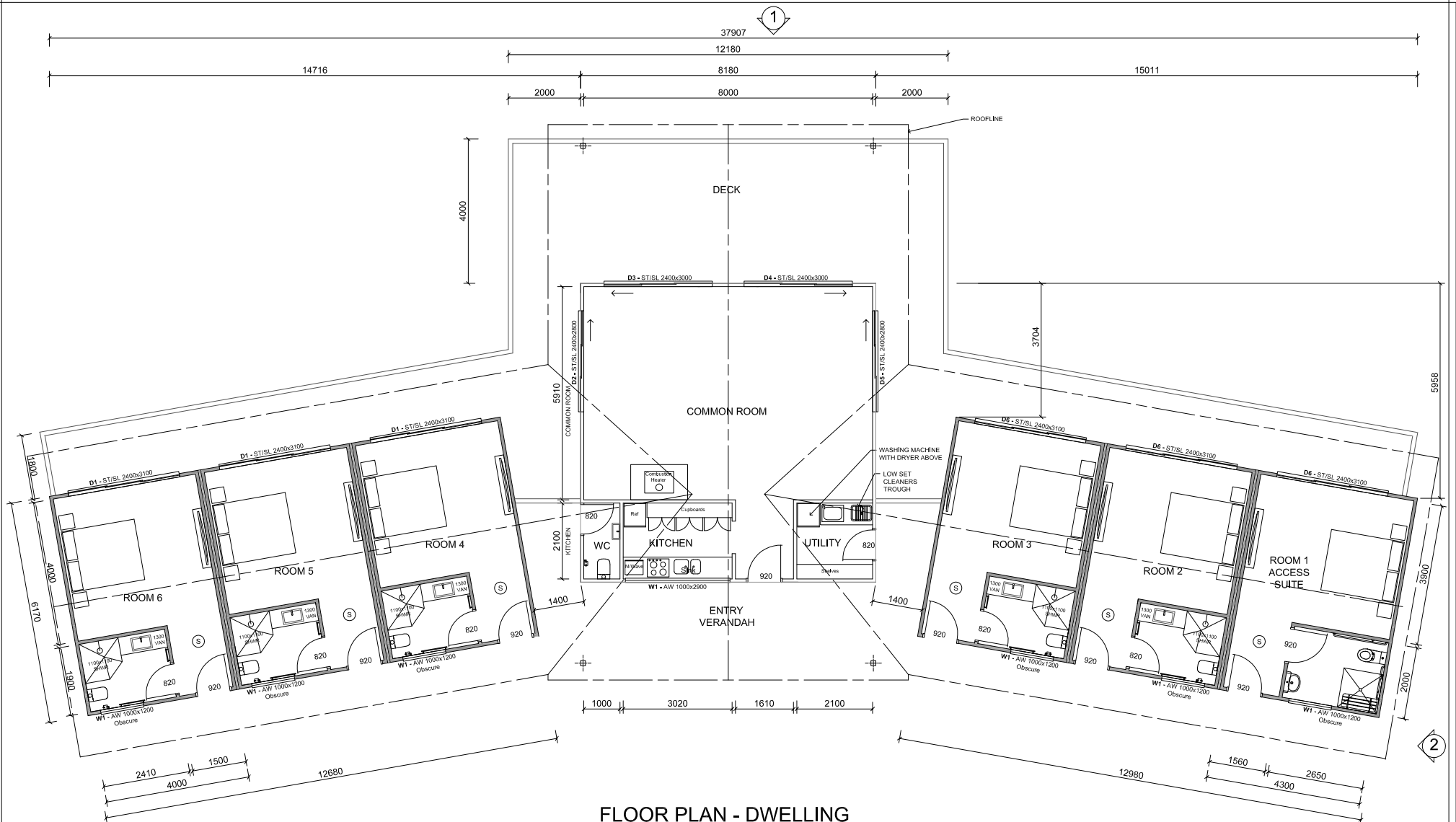
CIVIL SITE WORKS PLAN

SCALE: 1:200 UNO
DRAWN BY: S.LAYTON
DATE: 10JUL2019

Rev.	Remarks	Date
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FLOOR PLAN - DWELLING

SCALE 1:100

SHEET 6 OF 9

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FLOOR PLAN-DWELLING

SCALE: 1:100 UNO
DRAWN BY: S.LAYTON
DATE: 10JUL2019

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SHEET 7 OF 9

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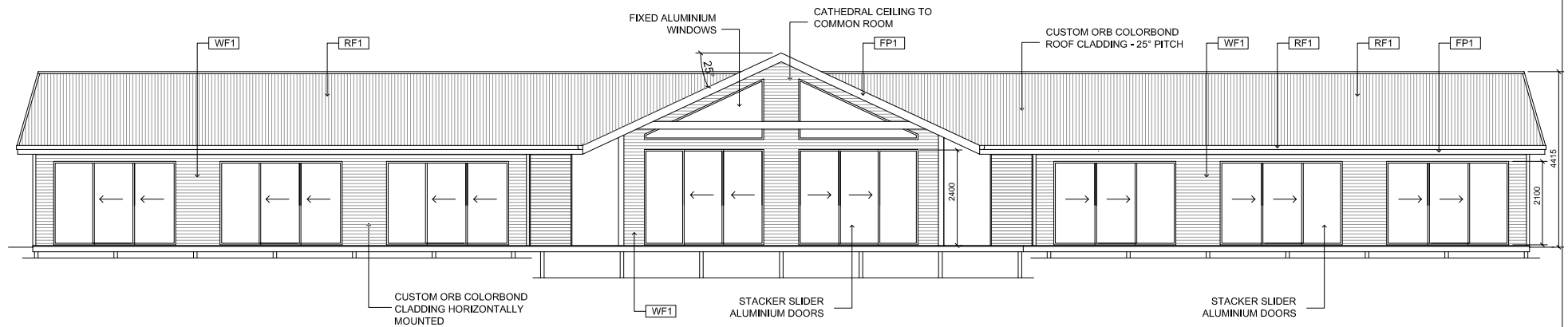
ARCHITECTURALS

SCALE: N.T.S
DRAWN BY: S.LAYTON
DATE: 10JUL2019

Rev.	Remarks	Date
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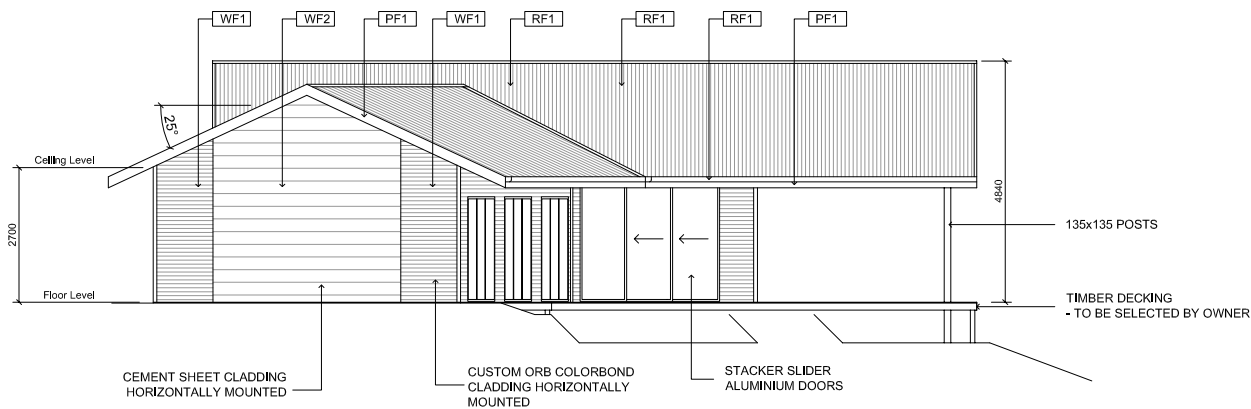
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ELEVATION 1

SCALE 1:100



ELEVATION 2

SCALE 1:100

EXTERIOR FINISHES SCHEDULE		
RF1	ROOF	CUSTOM ORB COLORBOND - SHALE GREY
RF1	GUTTERS	COLORBOND - SHALE GREY
PF1	FASCIAS AND TIMBERWORK	PAINTED WHITE
WF1	WALLS	CUSTOM ORB COLORBOND - WOODLAND GREY
WF2	WALLS	CEMENT SHEET CLADDING - PAINTED WHITE
W/D	WINDOWS AND DOOR FRAMES	POWDERCOAT SURFMIST

SHEET 8 OF 9

PROJECT: Happiness Retreat of the Happiness & Wellbeing
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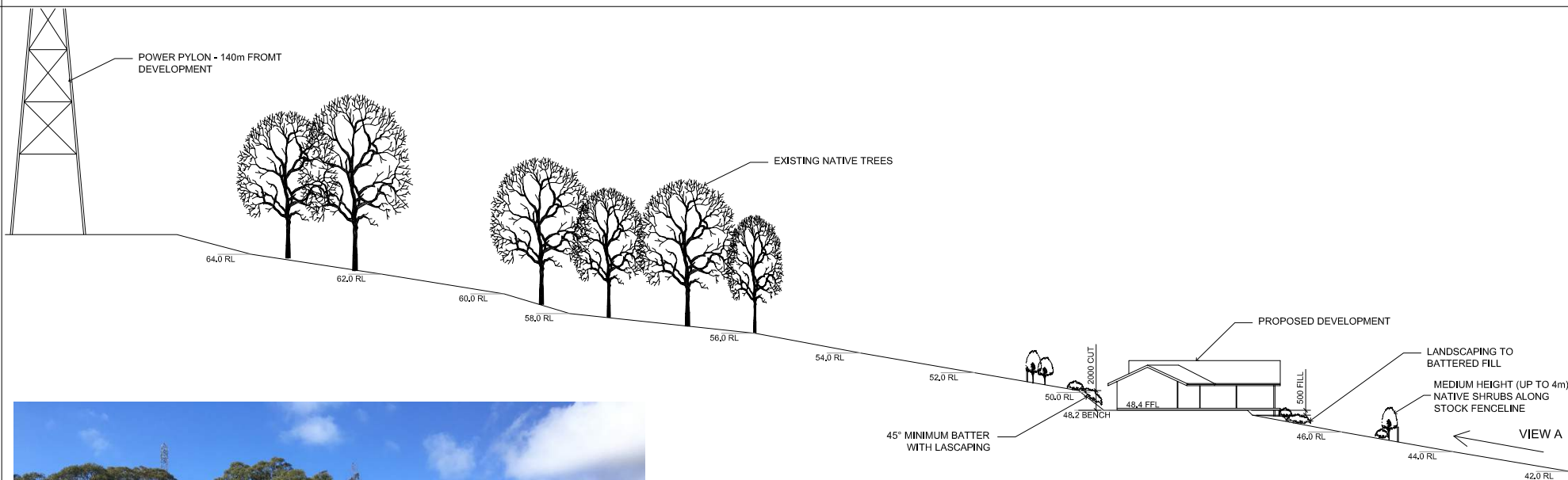
ELEVATIONS

SCALE: 1:100 UNO
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VIEW A

LOOKING AT DEVELOPMENT SITE
TREES BEHIND DEVELOPMENT ELIMINATE SILOUETTE AGAINST HORIZON

SHEET 9 OF 9

PROJECT: Happiness Retreat of the Happiness & Wellbeing
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SITE ADDRESS: 63 Armata Road Onkaparinga Hills SA 5163

VISIBILTY SECTION

SCALE: 1:400 UNO
DRAWN BY: S.LAYTON
DATE: 10JUL2019

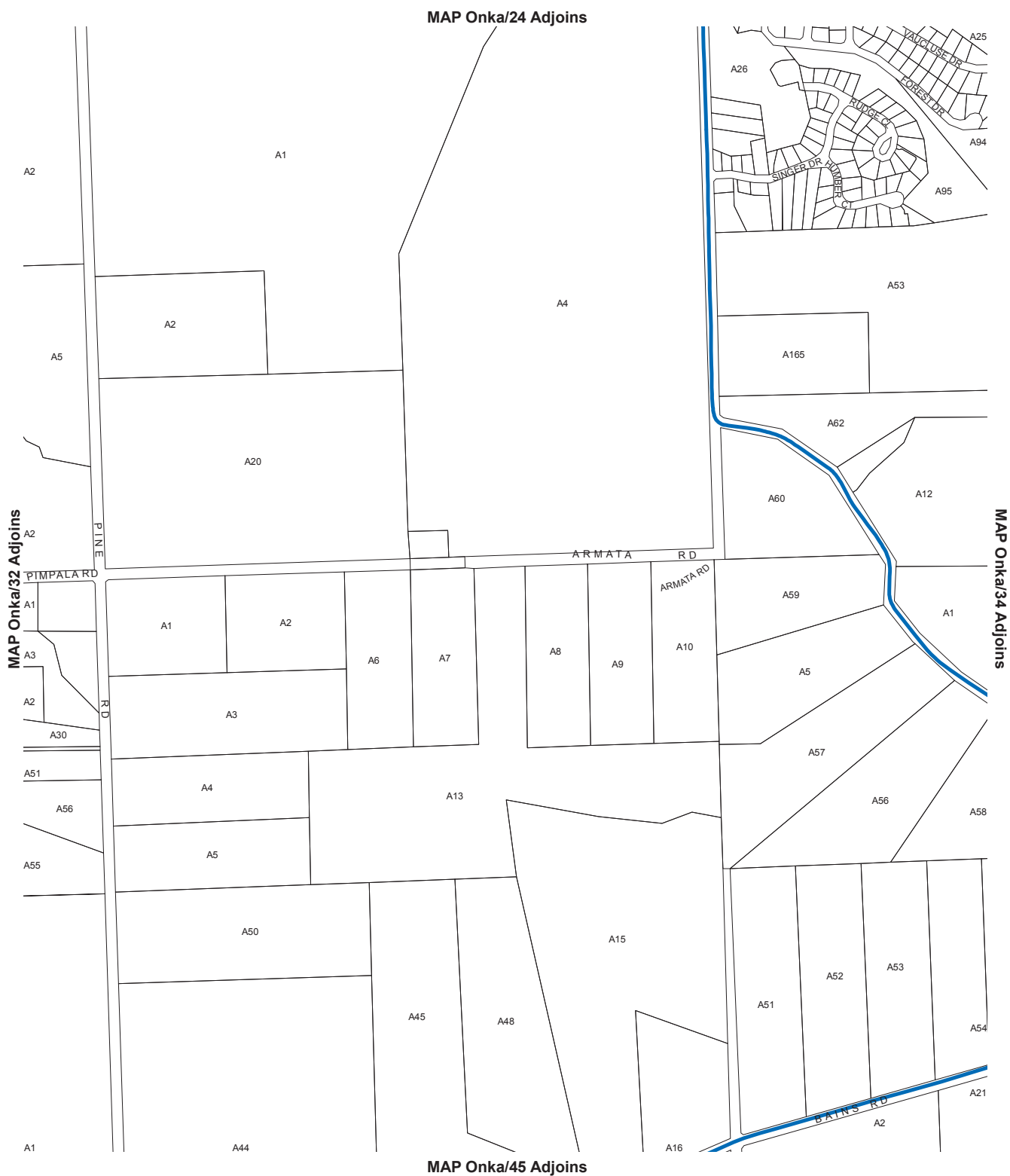
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Location Map Onka/33



Overlay Map Onka/33 TRANSPORT

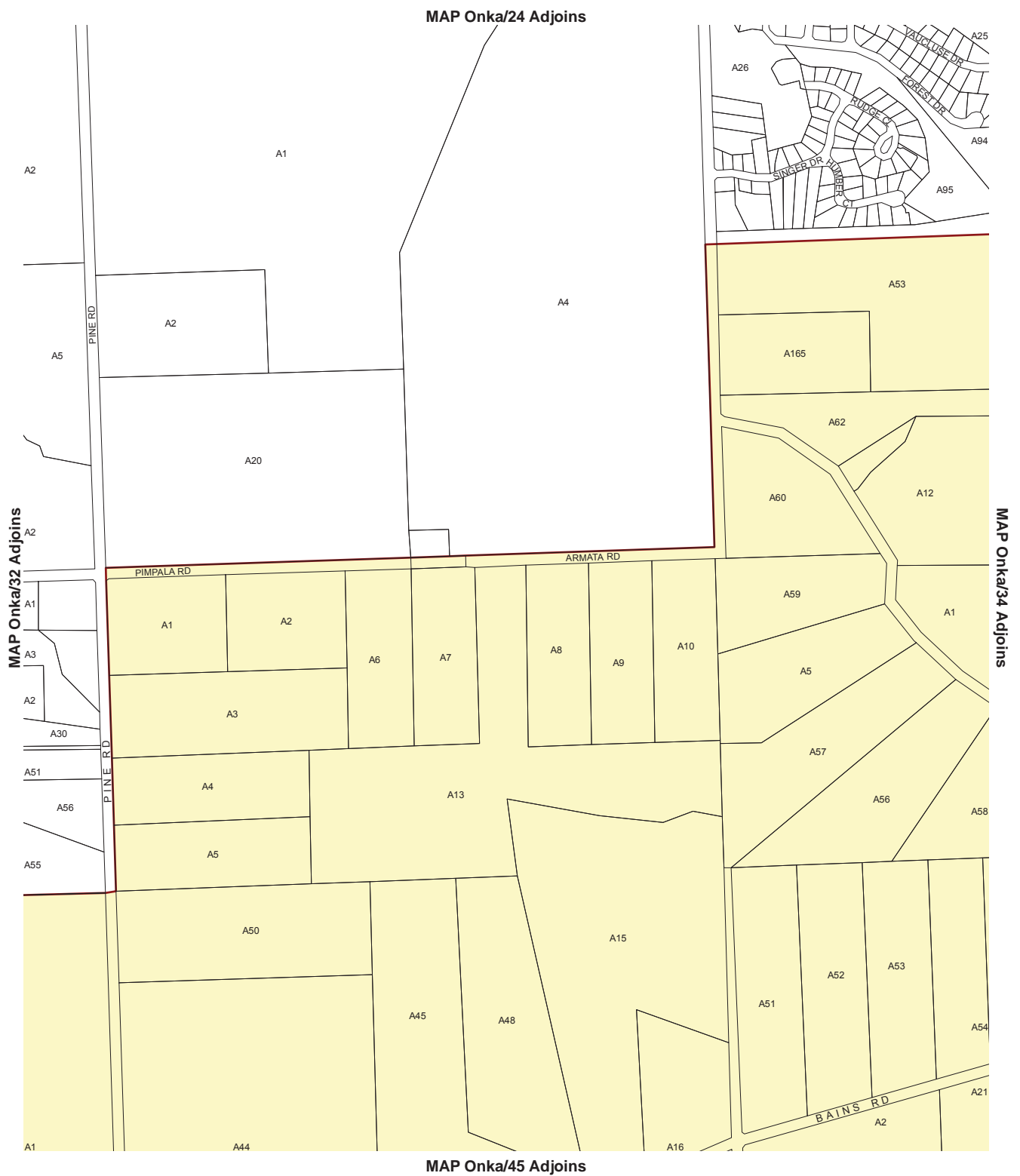
— Distributor Roads

ONKAPARINGA COUNCIL
Consolidated - 20 December 2018

This is a detailed plat map of Onka/32 Adjoins. The map shows numerous land parcels, each labeled with a unique identifier such as A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A12, A13, A15, A16, A20, A21, A25, A26, A30, A44, A45, A48, A50, A51, A52, A53, A54, A55, A56, A57, A58, A59, and A62. The map is bounded by several roads: PINE RD on the left, ARMATA RD running horizontally across the middle, and BAINS RD at the bottom right. A large purple-shaded area is located in the upper left quadrant. The map is bordered by 'MAP Onka/24 Adjoins' to the north, 'MAP Onka/34 Adjoins' to the east, and 'MAP Onka/45 Adjoins' to the south. The left edge is labeled 'MAP Onka/32 Adjoins'.

ONKAPARINGA COUNCIL
Consolidated - 20 December 2018

 Distributor (parcel identified for future road widening)



Heritage points are indicative only.
For further information on State and Local Heritage Places and Contributory
Items please refer to the relevant tables within this document.



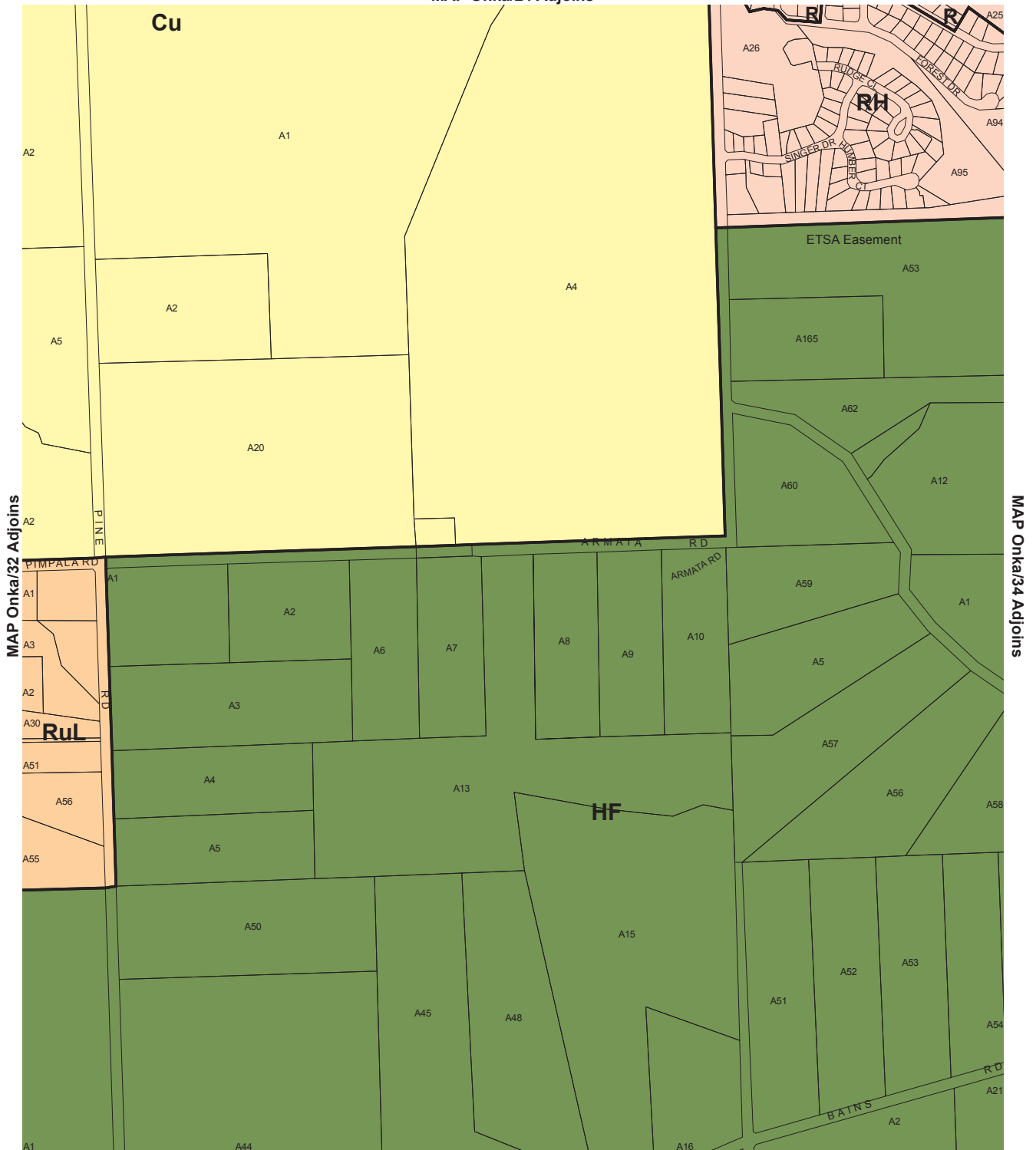
Overlay Map Onka/33

HERITAGE AND CHARACTER PRESERVATION DISTRICT

Character Preservation District

ONKAPARINGA COUNCIL
Consolidated - 20 December 2018

MAP Onka/24 Adjoins



Lamberts Conformal Conic Projection, GDA94



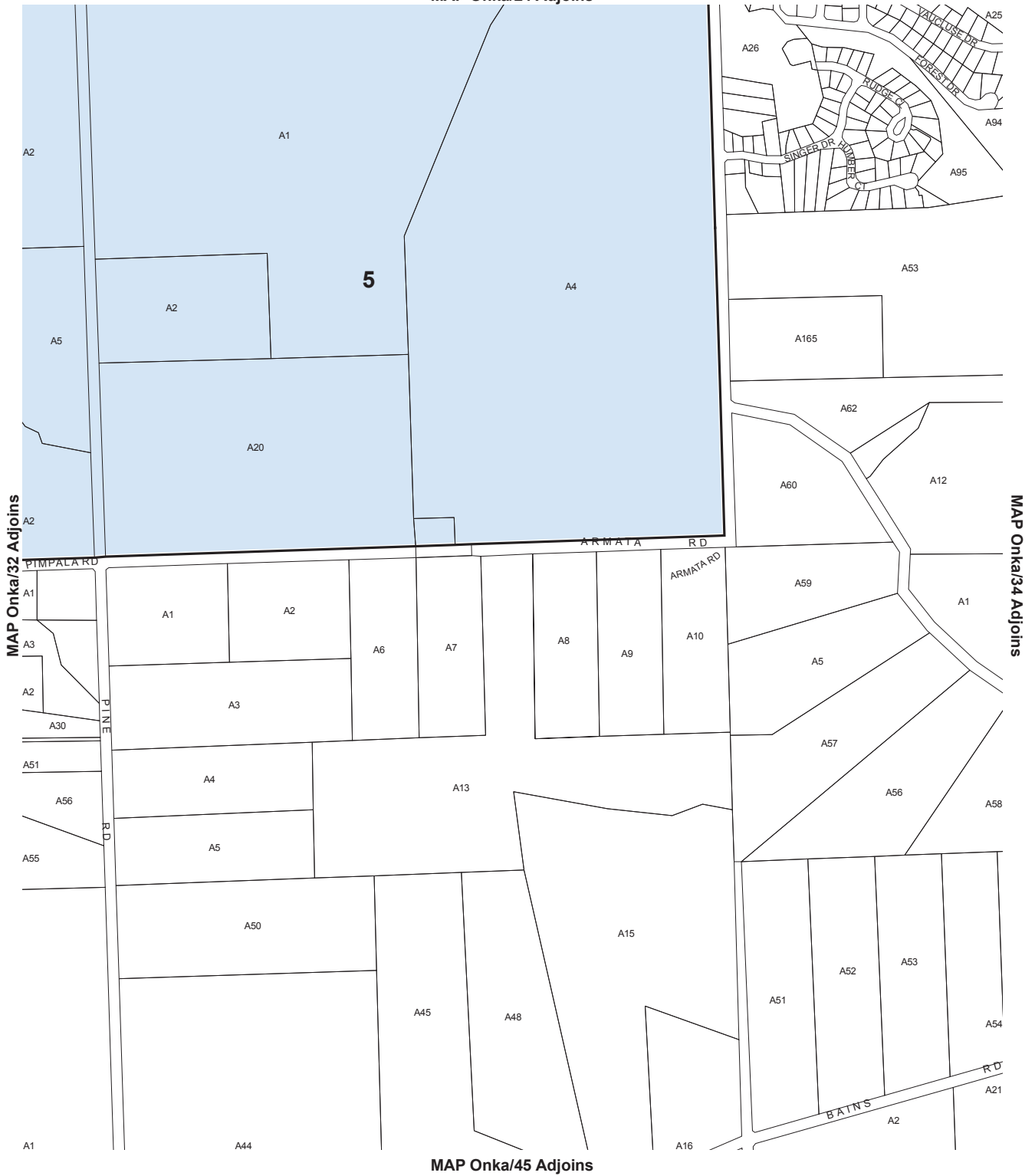
Zones

Cu	Community
HF	Hills Face
R	Residential
RH	Residential Hills
RuL	Rural Living
	Zone Boundary

Zone Map Onka/33

ONKAPARINGA COUNCIL
Consolidated - 20 December 2018

MAP Onka/24 Adjoins



Lamberts Conformal Conic Projection, GDA94

Policy Area

5 Recreation Policy Area



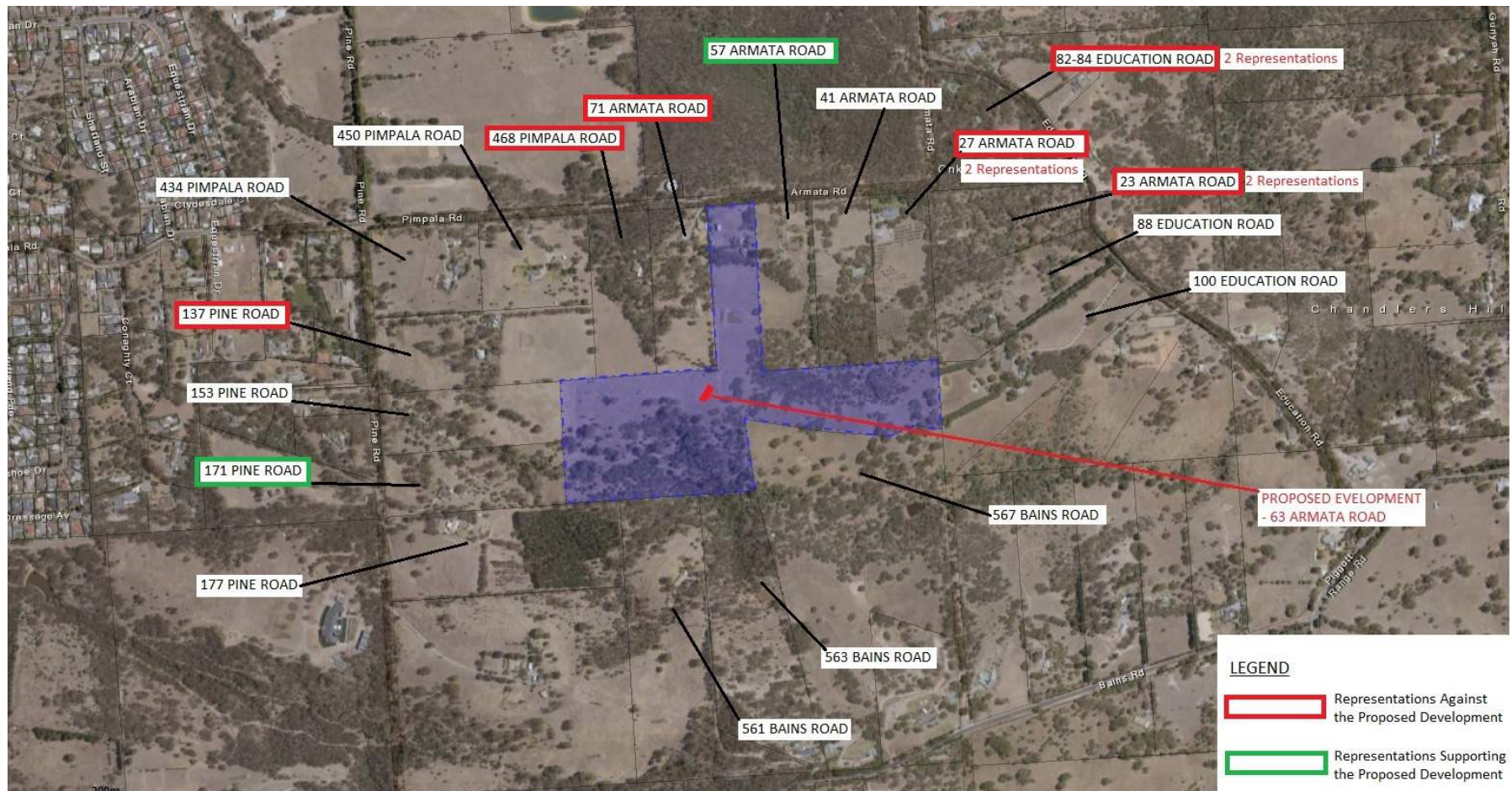
Policy Area Map Onka/33

 Policy Area Boundary

ONKAPARINGA COUNCIL
Consolidated - 20 December 2018

Proposed Development
63 Armata Rd Onkaparinga Hills

Proposed Development Site with Neighbouring Properties



Proposed Development Site

- CAD Data overlaid on Aerial Photo

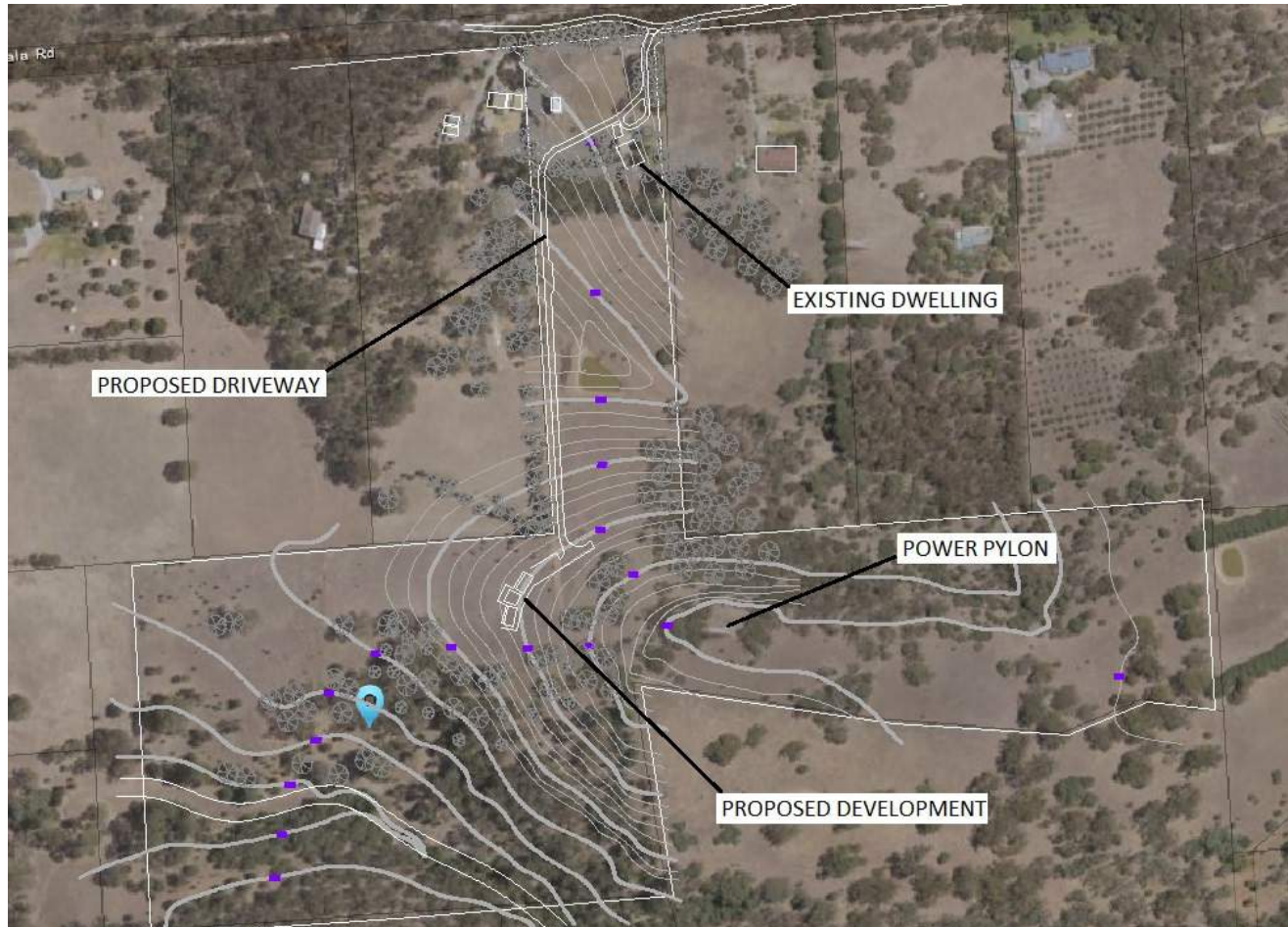
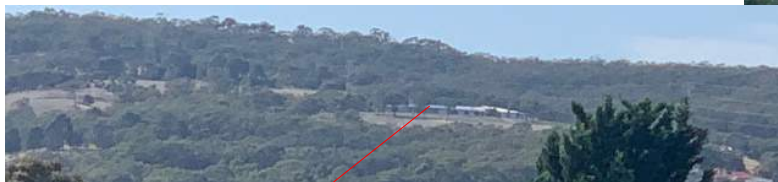


Photo Locations from Plains Looking at Proposed Development Site – Key Reference Points Nominated



Photo Location A

– Bunnings Carpark Panalatinga Rd. 3.3km to Subject Site



Large Development Referenced on Aerial Layout (ref)

Photo Location B

– Lennon Dr Woodcroft. 2.3km to Subject Site



Proposed Development Site



Photo Locations from Development Site Looking Back



DEVELOPMENT APPLICATION FORM

COUNCIL: City Of Onkaparinga

APPLICANT: Steve Layton Design

Postal Address: 10 Wigley Drive

McLAREN VALE SA 5171

OWNER: Grier Lin

Postal Address: 63 Armata Road

ONKAPARINGA HILLS SA 5163

BUILDER: TBA

Email Address:

Licence No:

CONTACT PERSON FOR FURTHER INFORMATION

Ben Green & Associates

Att: Mr Ben Green

PO Box 392

BRIGHTON SA 5048

0410 147 541

bengreen@bengreen.com.au

FOR OFFICE USE

Development No:

Previous Development No:

Assessment No:

☐ Complying

☐ Non complying

☐ Notification Cat 2

☐ Notification Cat 3

☐ Referrals/Concurrences

☐ DA Commission

Application forwarded to DA

Commission/Council on:

Decision:

Type:

Date:

	Decision required	Fees	Receipt No	Date
Planning:	X			
Building:	X			
Land Division:				
Additional:				
Development Approval:	X			

EXISTING USE: Rural Grazing / Detached Dwelling

DESCRIPTION OF PROPOSED DEVELOPMENT: TOURIST ACCOMMODATION

LOCATION OF PROPOSED DEVELOPMENT:

House No: 63

Lot No: 13

Street: Armata Road

Town/Suburb: Onkaparinga Hills

Deposited Plan No: 43618

Hundred: Noarlunga

Volume: 5321

Folio: 915

Section No (full/part):

Hundred:

Volume:

Folio:

LAND DIVISION

Site Area (m²)

Reserve Area (m²)

Number of additional allotments (excluding road and reserve):

No of existing allotments:

Lease YES ☐ NO ☐

BUILDING RULES CLASSIFICATION SOUGHT: 1

Presentation classification:

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

Male: Female:

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

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

DOES EITHER SCHEDULE 21 OR 22 OF THE DEVELOPMENT REGULATIONS 1993 APPLY?

NO

HAS THE CONSTRUCTION INDUSTRY TRAINING FUND ACT 1993 LEVY BEEN PAID:

NO

DEVELOPMENT COST (do not include any fit - out costs): \$350,000

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

SIGNATURE: _____

SSA

Dated: 17/09/2019



DEVELOPMENT REGULATIONS 1993

**Form of Declaration
(Schedule 5 clause 2A)**

To: City of Onkaparinga

From: Steve Layton Design

Ph: 0448 656 254

Date of Application: July 2019

Location of Proposed Development:

House No: 63 Lot No: 13 Street: Armata Road

Town/Suburb: Onkaparinga Hills

Deposited Plan No (full/part): 143618 Hundred: NOARLUNGA

Volume: 5321 Folio: 915

Nature of Proposed Development: TOURIST ACCOMMODATION

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

Date: 17/9/2019

Signed: 

Note 1

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

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

Note 2

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

- a) a fence that is less than 2.0 m in height; or
- b) a service line installed specifically to supply electricity to the building or structure by the operator of the transmission or distribution network from which the electricity is being supplied.

Note 3

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

Note 4

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

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

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

Note 5

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

Note 6

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



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 5321 Folio 915

Parent Title(s)	CT 5198/624			
Creating Dealing(s)	RTD 7962410			
Title Issued	01/02/1996	Edition 4	Edition Issued	24/01/2008

Estate Type

FEE SIMPLE

Registered Proprietor

GRIER CHENG LIN
CHIEN CHEN HUANG LIN
OF 10 PEPPER STREET MAGILL SA 5072
AS JOINT TENANTS

Description of Land

ALLOTMENT 13 DEPOSITED PLAN 43618
IN THE AREA NAMED ONKAPARINGA HILLS
HUNDRED OF NOARLUNGA

Easements

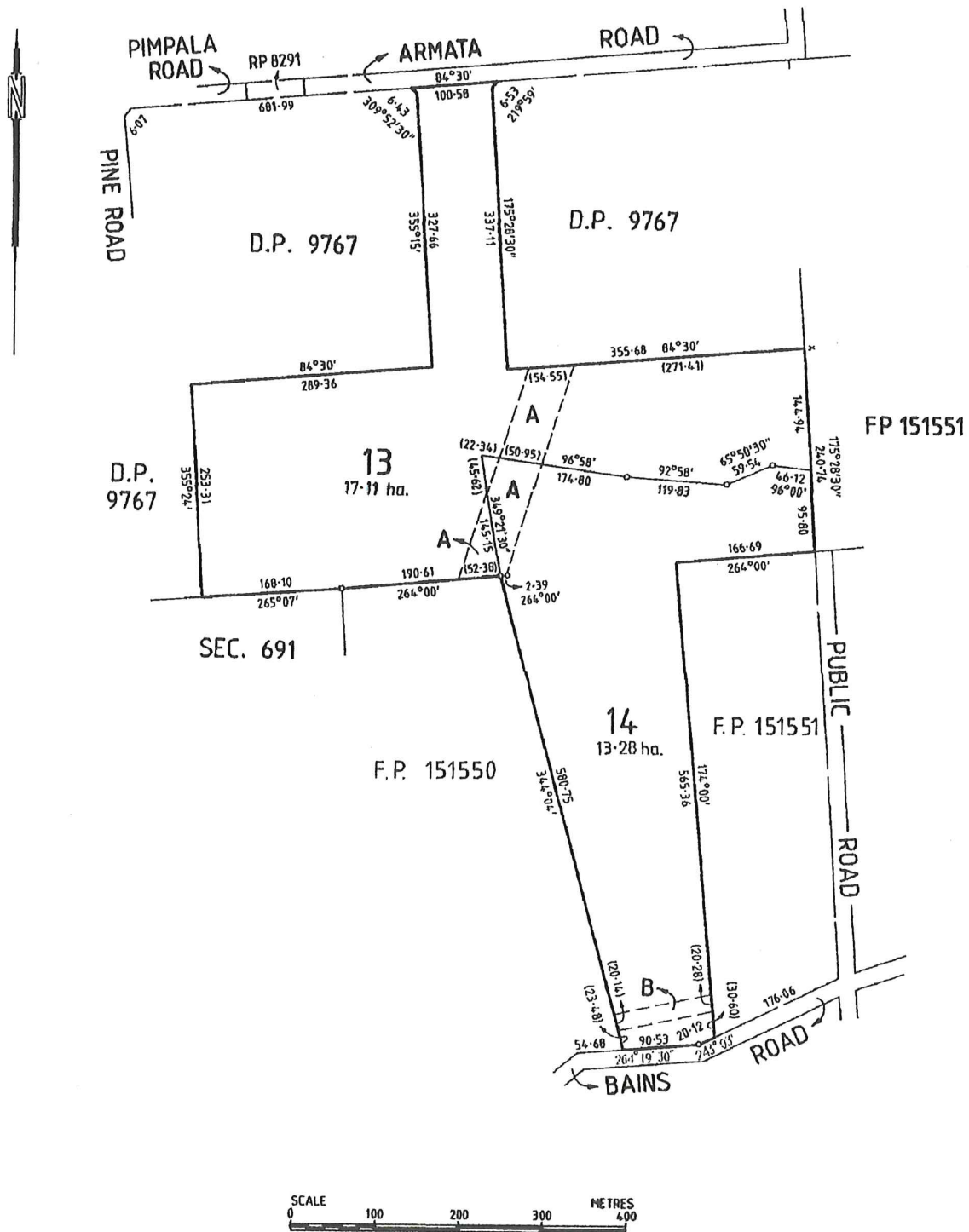
SUBJECT TO EASEMENT(S) OVER THE LAND MARKED A TO ETSA CORPORATION (T 3604939)

Schedule of Dealings

Dealing Number	Description
10868832	MORTGAGE TO COMMONWEALTH BANK OF AUSTRALIA

Notations

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



Mr Jeremy Wood

Team Leader – Development Assessment

Level 5, 50 Flindes Street,

Adelaide 5000

**HAPPINESS and WELLNESS RETREAT/TOURISM ACCOMMODATION – 63 ARMATA ROAD,
ONKAPARINGA HILLS**

Mr Grier Lin

Dear Mr Wood,

We wish to express our support for our neighbour, Grier Lin's proposal to construct a tourism accommodation/Happiness & Wellness Retreat building on the rear of his lovely serene property with formalized driveway access from Armata Road as a positive addition to the area.

We confirm that we support the proposal, providing there is no adverse effect to our lifestyle and the amenity of our property.

Kind regards,



Marianne & Charlie Burke

57 Armata Road, Onkaparinga Hills, SA 5163

9 September 2019

16 September 2019

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

By email – scapadmin@sa.gov.au / ben.williams2@sa.gov.au

Dear Ben,

**CONSTRUCTION OF A TOURIST ACCOMMODATION BUILDING TOGETHER WITH ANCILLARY
EARTHWORKS, CAR PARKING AND LANDSCAPING**

63 (A13) ARMATA ROAD, ONKAPARINGA HILLS

1.0 INTRODUCTION

Ben Green & Associates has been engaged by the applicant, Mr Grier Lin to prepare a planning application in relation to a proposed development involving the construction of a tourist accommodation building at 63 (Allotment 13) Armata Road, Onkaparinga Hills.

In undertaking an assessment of the proposed development, I have both reviewed and assisted in the preparation of the proposed plans and the most pertinent provisions of the Onkaparinga Council Development Plan. I have also inspected the subject land and locality and had preliminary discussions with both Council planners and yourself regarding the process path of the application (as tourist accommodation – Merit / Category 3) and the design requirements of such a proposal in the subject Hills Face Zone.

I provide my views and opinions in relation to the merits of the proposal below.

2.0 SUBJECT LAND AND LOCALITY

The subject land is located at 63 Armata Road, Onkaparinga Hills, which is formally described as Allotment 13 in Deposited Plan 43618, Certificate of Title reference Volume 5321 Folio 624.

The Certificate of Title does not identify any rights of way or land management agreements on the property. An easement is registered to the land which is in favour of ETSA (SA Power Networks) for overhead power supply purposes. The site of the proposed development does not conflict with the registered easement.

The subject land comprises a large irregular shaped allotment consisting of approximately 17.11 hectares of land with public road frontage to Armata Road on its northern boundary.

The topography of the land has a relatively steep gradient in-part with a general slope from the road down to the bottom of a valley before heading up again towards the rear of the property and also generally slopes upwards in an easterly direction. Vegetation surrounds the existing dwelling on site, and further areas of native vegetation are evident in the south-western and south-eastern portions of the land.



Other notable landscape features include a dam to the south of the dwelling and two watercourses that traverse the site.

The locality primarily consists of rural living style allotments of various sizes many of which contain detached dwellings at low densities.

3.0 THE PROPOSAL

The proposed development includes the construction of a single storey tourist accommodation building incorporating six ensuite rooms with a common area, and associated landscaping and car parking. The tourist accommodation building is proposed for the Australian Institute of Happiness & Wellbeing (AIHW) as a 'happiness retreat' for weekend and weeklong stays.

AIHAW is about the happiness and wellbeing of the individual, the community and nation. It is an organisation that is committed to making the nation a happier place for happier people to live in through science-based theoretical and empirical happiness research.

The applicant, Mr Grier Lin is a retired University lecturer who over the past 10 years has been a keynote speaker in Happiness Seminars world wide. Guests seeking happiness can stay and participate in a schedule of happiness activities conducted by positive psychology practitioners.

The site of the development is approximately 350 metres from Armata Road and situated on a central secluded part of the allotment.

The proposed building is clad (horizontally) in corrugated Colorbond cladding in the colour 'Windspray' together with light-weight fibre cement sheeting, and the 25 degree gable roof is clad in 'Shale Grey' Colorbond.

The proposed building includes floor to ceiling windows across the front elevation (Elevation 1) to enable natural light penetration and take advantage of the views. The proposed building will also incorporate a deck allowing views of the property and surrounding country side.

The proposed development includes the following attributes:

- Total site area – approx. 17.11 hectares
- Total floor area – 225.67m² approx.
 - Common Room with kitchen and fireplace – 65.5m²
 - External Access Toilet
 - External Access Utility Room
 - Six guest bedrooms of 24.68m² each with a queen bed and private ensuite
 - Deck –120m² approx.
- There will be no advertising signage for the tourist accommodation
- Hours of operation will be standard –
 - Check in at 2pm
 - Check out at 10am
 - Activities will generally operate in standard business hours 7am to 7pm – 7 days a week (and predominantly in doors)
- Construction of a new on-site car park AS2890 compliant, including 1 disabled access park and 6 standard car parks and formalisation of existing track with a 3.0 metre wide driveway from



Armata Road with passing bay to comply with the Minister's Code for Undertaking Development in Bushfire Protection Areas including 'Y' shaped firetruck turnaround.

- Additional landscaping and native ground cover planting clustered around the proposed building and although not shown on the landscape plan the driveway will also be lined with landscaping and can be conditioned as such.
- A concurrent on-site waste control system application will also be lodged via an experienced consultant that has confirmed there should be no issues in receiving the relevant approval.

4.0 PLANNING ASSESSMENT

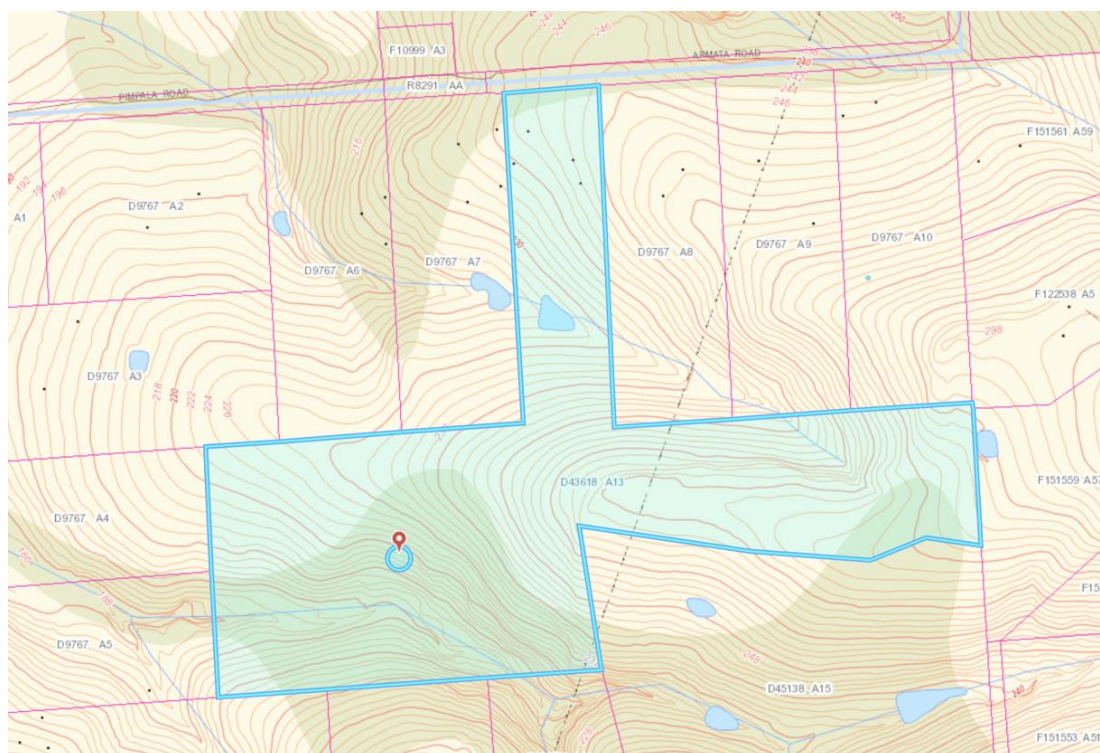
The subject land is located within the Hills Face Zone as depicted on Map Onka/33 of the Onkaparinga Council Development Plan consolidated 20 December 2019.

The Hills Face Zone seeks to ensure the western slopes of the South Mount Lofty Ranges in Metropolitan Adelaide are preserved and any development undertaken should enhance the natural character of the zone or assist in the reestablishment of a natural character. There is scope for associated 'value added' industries in appropriate locations, such as appropriately scaled tourism infrastructure.

Tourist facilities can be appropriate provided they are small in scale, sited unobtrusively and expand the economic base of the region. Development should complement the zone's character and enhance tourist or heritage activities and be compatible with local areas, particularly when located within the Character Preservation District, which the subject land is.

The area is located within a High Bushfire Protection Area in accordance with BPA Map Onka/5.

Department of Environment and Water (DEW) mapping indicates there are two watercourses that traverse the property. Both watercourse have been identified on the site plan and it is evident there are no watercourses or water bodies located on the site or within 50 metres of the proposed tourist accommodation building or waste disposal areas.



Source: NatureMaps (DEW)

4.1 Nature of development

The proposed development involves the construction of a single storey tourist accommodation building and associated earthworks, landscaping and car parking.

4.2 Form of Development

The proposed use is not one that is defined within Schedule 1 of *the Development Regulations 2008*. The South Australian Planning Policy Library Terminology List which is used to assist Planning policy writers identifies 'tourist accommodation' as a standalone and appropriate term for use within Development Plans.

The Terminology List confirms that an important distinction needs to be drawn between tourist accommodation and urban residential development and dwellings. The list states that *'in many matters considered by the ERD Court, tourist accommodation is recognised as a distinct land use and development type, supported by regular use of the term in Development Plans. Whilst not defined in the Act or Regulations or the Development Plan... it is to be distinguished from a dwelling, detached dwelling, residence – all permanent or semi-permanent places of abode for the owner/tenanted occupiers. A tourist accommodation unit or apartments, even if self contained is not a dwelling...'. 'Key distinctions are the purposes and intended activities of the use – temporary accommodation for visitors – tourists (people away from their regular places of abode) from one night to as much as a month or so...'*

Her Honour Judge Trenorden has also addressed the matter of whether tourist accommodation is a dwelling or a use in its own right in the decision of *Aedlik Nom P/L v DC Kingscote & Emu Bay Hol Homes No ERD-96-287 Judgment No OE393 [1997] SAERDC 393 (24 January 1997)* where Her Honour stated that *'...According also to The Macquarie Dictionary (second edition 1991) 'residence' continues to imply a place of permanent or regular abode. I am satisfied that the proposed holiday*



cabins cannot be described, in common parlance, as 'dwellings', even if they can be described as 'self-contained'. Neither will be a place of permanent or regular abode for any person'.

The proposed development is considered to be appropriately identified as 'tourist accommodation'.

Tourist accommodation is not listed as either a complying or non-complying form of development within in the Hills Face Zone and as such, the proposed development is considered to be a 'consent on-merit' form of development for assessment purposes.

Unless the State Commission Assessment Panel is of the opinion that the proposal is 'minor' in nature in accordance with Schedule 9 Part 1(2)(g) of the *Development Regulations 2008*, the proposed development will be Category 3 for the purposes of public notification pursuant to Section 38(2)(c) of the *Development Act 1993*.

In this regard the Applicant has already proactively spoken with all of his adjoining neighbours. There is general support for the proposal and at the time of lodgement he has received two letters of support from his adjoining eastern neighbour and south western neighbour and expects more to come through prior to the application being formally notified.

4.3 Intent of the Zone

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

The desired character acknowledges that tourist facilities can be appropriate depending on the scale, siting and design.

Desired Character Statement

"Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively."

The construction of a tourist accommodation building on the subject land will not inhibit or jeopardise the continuation of other uses present on adjoining sites. The activities associated with the accommodation are low in intensity and seek to celebrate the tranquillity of the locality, as opposed to be of a kind that will detrimentally affect the locality by way of noise nuisance and the like.

The character of the locality is predominately comprised of rural living type activities with limited examples of non-residential uses.

Given the scale and intensity of the proposed development I am of the view that the proposed land use is generally consistent with the intent of the Zone and that the use can occur without threatening the character of the locality and/or the attainment of the Desired Character of Objectives.

4.4 Siting and Visibility

In respect to the Development Plan provisions relating to the appearance of land and buildings, these policies seek to ensure good quality outcomes that do not despoil the amenity of a locality. To this end, the Development Plan seeks new buildings to be compatible with the rural scenic views in the locality and preservation of the natural landscape.

It is not considered the proposed tourist accommodation building will have a detrimental impact upon the appearance of land and buildings in the locality. The existing high level of vegetation on the



development site assists in screening the building from public view in line with the below principles of development control:

**General Section
Siting and Visibility**

- PDC 9:** Development should be screened through the establishment of landscaping using locally indigenous plant species:
- (a) around buildings and earthworks to provide a visual screen as well as shade in summer, and protection from prevailing winds
 - (b) along allotment boundaries to provide permanent screening of buildings and structures when viewed from adjoining properties and public roads
 - (c) along the verges of new roads and access tracks to provide screening and minimise erosion.

Hills Face Zone

- PDC 14:** Buildings, including structures, should be located in unobtrusive locations and, in particular, should:
- (a) be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
 - (b) have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road
 - (c) be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
 - (d) be located well below the ridge line
 - (e) be located within valleys or behind spurs
 - (f) be set well back from public roads, particularly when the allotment is on the high side of the road
 - (g) be sited on excavated, rather than a filled site in order to reduce the vertical profile of the building
 - (h) not be sited on landfill which would interfere with the flow of flood waters
 - (i) not have a septic tank drainage field located in such a way as to pollute watercourses
 - (j) be located in such a way as to maximise the retention of existing native vegetation and retain watercourses in their natural state.
- PDC 15:** Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:
- (a) buildings should be of a single storey
 - (b) the profile of buildings should be low and the roof lines should complement the natural form of the land
 - (c) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
 - (d) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings
 - (e) the mass of buildings should be minimized by having separate vehicle storage areas.

The building will not be constructed above the ridgeline, so will not 'skyline' from any perspective, or be constructed of highly reflective materials or bright and colourful inappropriate colours within the locality but complementary colours and materials to the surrounds. The design and style of tourist accommodation building seeks to achieve the relevant provisions of the Development Plan for the Hills Face Zone by blending in with its natural location amongst the trees overlooking the views on the subject land and beyond.

- PDC 20:** The external materials of buildings should:
- (a) have surfaces which are of a low light-reflective nature
 - (b) be of dark natural colours such as brown and green so as to be unobtrusive, blend with a natural rural landscape and minimise any visual intrusion.

- PDC 21:** Buildings should be grouped together.

Visibility of the subject site is minimal from the surrounding road network. Limited views of the site are obtainable as a result of vegetation (both roadside and on private property) and the topography of the land more generally. Given this and the topography of the surrounding landscape, the tourist accommodation building will be nestled into the hillside and will be unobtrusive when viewed from Armata Road, distant vantage points and surrounding landowners.

The proposed development will result in a limited change to the character of the locality and region and it is suggested that the existing levels of amenity enjoyed by others within the locality will be maintained.



4.5 Transportation and Access

The Development Plan seeks to ensure the safe and efficient movement of people and goods and that an appropriate level of car parking/access can be provided for all activities.

- PDC 8:** Car parking for tourist accommodation associated with a dwelling should be provided at the rate of one space for each guest room or suite of rooms, and ensure that:
- (a) parking areas are attractively developed and landscaped, or screen fenced, and do not dominate the street frontage
 - (b) the bedrooms of residential neighbours are suitably shielded from noise and headlight glare associated with guest vehicle movements
 - (c) a domestic character is retained through the scale and appearance of landscaping and paving materials that provide a suitable all-weather surface.

Furthermore, the Development Plan specifies in *Table Onka/3 – Off Street Vehicular Parking Requirements* of the Development Plan as per below:

Tourist accommodation	1 per 3 beds or 1 per room plus 1 per employee whichever is greater
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As such, the proposed car parking for tourist accommodation required for the site should be provided at a rate of 1 per room. The proposed tourist accommodation building has 6 bedrooms and therefore generates a theoretical parking demand of 6 off-street car parks which are provided for onsite.

The proposed car parking area to be constructed of compacted rubble contains suitable area for vehicles to manoeuvre within the site to ensure vehicles enter and exit the site in a forward direction.

Access to the site will be maintained from the existing gravel driveway from Armata Road with the existing track being formalised for all-weather access to the proposed tourist accommodation building site. The existing driveway access is to be upgraded to all weather driveway with a minimum width of 3 metres the length of the driveway and a 6 metre wide passing bay at the halfway point. The driveway is to have a gradient of not more than 16 degrees and it is noted the average slope in this area is only 11 degrees.

The access points and internal driveways satisfy the requirements of the Ministers Code for Undertaking Development in a Bushfire Protection Area.

Given the nature of the proposed development and the number of guests accommodated, the proposal will not result in a detrimental increase in traffic visiting the site or locality nor substantially interfere with the free flow of traffic on the existing road network.

4.6 Natural Resources and Hazards

The Development Plan, as a whole, strongly supports conservation within the South Mount Lofty Ranges Region. Consideration has been given to the physical appearance of the site including the preservation of native vegetation, extent of landscaping proposed, the amount of earthworks required for the development of the building.

Earthworks

Minimal earthworks are required to achieve a level bench. The building has been designed to follow the natural contour of the land, hence the slight curvature of the building. The building achieves a level bench and a suspended deck area. The bench will be achieved through a combination of cut and fill earthworks that will be battered and landscaped. The largest batter is to the north of the proposed car park which will be approximately 1.0 metre high. The batter to achieve the bench for the built form will also be approximately 1.0 metre high.



The driveway has also been designed to follow natural contours as much as possible and will require minor levelling.

Bushfire

The area is located within a High Bushfire Protection Area in accordance with BPA Map Onka/5. A dedicated water supply for fire fighting purposes in accordance with the Ministers (Bushfire) Code is located in the two 24,000L tanks depicted. The site plan identifies a proposed driveway incorporating passing bays at the specified distances in accordance within the Ministers (Bushfire) Code. Landscaping within the zone also complies with the Code.

Flooding

Mapping obtained from Department of Environment and Water (DEW) indicates there are two identified watercourses on the site. The proposed tourist accommodation building is to be setback well in excess of 50 metres from the watercourses and water bodies identified. As such there is not known risk of flooding to the proposed development and on-site effluent disposal systems being located a sufficient distance from natural water resources.

Native Vegetation

Although present on site, no native vegetation is required to be removed as part of the proposed development.

Additional landscaping has been identified with a detailed plant selection. The applicant's propose a native variety to compliment the existing native vegetation on the site and the proposed tourism venture for wellbeing. Please refer to the landscape legend for detailed plant species and locations.

5.0 CONCLUSION

The proposed development comprises the construction of a single storey tourist accommodation building which is considered to be appropriate within the Hills Face Zone given the small-scale nature and the chosen location.

In this instance, the merits of the proposed tourist accommodation building include:

- The development can occur without diminishing the existing character of the locality;
- the proposed tourist accommodation will not inhibit or jeopardise the continuation of other uses present on adjoining sites;
- the site of the development is relatively well screened by a combination of existing mature trees and vegetation and the planting of new vegetation along the boundaries of the site as well as the slope of the land;
- additional landscape vegetation proposed surrounding the car park area and built form will assist in improving the appearance of the site;
- given the low capacity for guests at any one time, I am of the opinion the development represents a 'small-scale' activity which is unlikely to cause impact to adjacent landholders.
- the siting, design and appearance of the proposed tourist accommodation building is considered appropriate and therefore unlikely to have an adverse visual impact on the existing rural landscape and Hills Face Zone.



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

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

Yours faithfully

Ben Green & Associates

A handwritten signature in blue ink, appearing to read 'Ben Green', with a long horizontal flourish extending to the right.

Ben Green, CPP MP
bengreen@bengreen.com.au

cc: Mr Grier Lin



AERIAL SITE PLAN – 63 ARMATA ROAD, ONKAPARINGA HILLS



Source – DPTI Property Location Browser

AERIAL LOCALITY PLAN – 63 ARMATA ROAD, ONKAPARINGA HILLS



Source – DPTI Property Location Browser

DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 145/L025/19
Our Ref: Onkaparinga DA
Please refer to: 20191212-02lb

12 December 2019

DPTI Development Division
Level 3, 77 Grenfell Street
ADELAIDE SA 5000

ATTN: B WILLIAMS

Dear Benjamin,

**RE: BUSHFIRE ATTACK LEVEL (BAL) ASSESSMENT – LIN
LOT 13 (63) ARMATA ROAD ONKAPARINGA HILLS**

An officer of the SA Country Fire Service (SA CFS) Development Assessment Service, has assessed the proposed development site, allotment and adjoining areas.

A site bushfire attack assessment was conducted in accordance with the National Construction Code of Australia [NCC] and Australian Standard™ 3959 (AS3959) "Construction of Buildings in Bushfire Prone Areas".

This report shall not be considered as SA CFS endorsement of any subsequent development.

This BAL report is considered relevant at the date of assessment.

ASSESSMENT DETAILS:

Category of Bushfire Attack	BAL 19
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BUILDING CONSIDERATIONS

Please refer to the NCC, relevant standards and state provisions for construction requirements and performance provisions.

Compliance with the fire protection requirements is not a guarantee the dwelling will not burn, but its intent is to provide a '*measure of protection*' from the approach, impact and passing of a bushfire.

Should there be any need for further information please contact the undersigned at the SA CFS Development Assessment Service on (08) 8115 3372.

Yours sincerely,



LEAH BERTHOLINI

BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE

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DEVELOPMENT ASSESSMENT SERVICE

Your Ref: 145/L025/19
Our Ref: Onkaparinga DA
Please refer to: 20191212-021b

12 December 2019

DPTI Development Division
Level 3, 77 Grenfell Street
ADELAIDE SA 5000

ATTN: B WILLIAMS

Dear Benjamin,

**RE: DEVELOPMENT APPLICATION (PLANNING ASSESSMENT) – LIN
LOT 13 (63) ARMATA ROAD ONKAPARINGA HILLS**

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) as published under Regulation 106 of the *Development Regulations 2008* applies.

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.1 states *"When submitting an application it is important to remember that the information provided with an application forms the basis upon which the application will be assessed. If the information is inadequate or insufficient (incomplete, incorrect), the application may be delayed."*

An officer of the SA Country Fire Service [SA CFS] Development Assessment Service has assessed the proposed development site, allotment and adjoining areas.

The Bushfire Protection Zone for the area has been designated as **HIGH**

The SA Country Fire Service has no objection to the proposed development.

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) provides mandatory Bushfire Protection planning requirements as conditions of consent for the development as follows:

ACCESS TO HABITABLE BUILDING

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.3.1 describes the mandatory provision for 'Private' roads and driveways to buildings shall provide safe and convenient access/egress for large Bushfire fighting vehicles, where the furthest point to the building from the nearest public road is more than 30 metres.

SA CFS has no objection to the proposed access driveway as detailed on drawing named Site Plan sheet 2 & 3 of 6 dated at last revision (A) 10 July 2019, with the following conditions:-

- Access to the building site shall be of all-weather construction, with a minimum formed road surface width of 3 metres and must allow forward entry and exit for large fire-fighting vehicles.
- The all-weather road shall allow fire-fighting vehicles to safely enter and exit the allotment in a forward direction by incorporating either –
 - i. A loop road around the building, OR

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- ii. A turning area with a minimum radius of 12.5 metres, OR
- iii. A 'T' or 'Y' shaped turning area with a minimum formed length of 11 metres and minimum internal radii of 9.5 metres.
- Private access shall have minimum internal radii of 9.5 metres on all bends.
- Vegetation overhanging the access road shall be pruned to achieve a minimum vehicular clearance of not less than 4 metres in width and a vertical height clearance of 4 metres.
- Understorey vegetation either side of the access road shall be reduced to a maximum height of 10cm for a distance of 3 metres. Mature trees within this fuel reduced zone may remain.
- The all-weather road shall incorporate passing bays. The combined width of the passing bay & access track shall be 6m, and a minimum formed length of 17 metres. The passing bays should be constructed at 200 metre intervals along the road or driveway. Where it is necessary to provide adequate visibility, such as the nearest point to the public road or other passing bay, passing bays may be required at intervals of less than 200 metres.
- The gradient of the access road shall not exceed 16 degrees (29%), in steep terrain the construction of the public road or driveway shall be a sealed surface.
- Solid crossings over waterways shall be provided to withstand the weight of large bushfire appliances (GVM 21 tonnes).

ACCESS (to dedicated water supply)

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 requires a dedicated and accessible water supply to be made available at all times for fire-fighting.

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

SA CFS has no objection to the proposed location for the dedicated water supply as detailed on drawing named Site Plan sheet 2 & 3 of 6 dated at last revision (A) 10 July 2019, providing the outlet is positioned to comply with the following conditions:

- The water supply outlet shall be easily accessible and clearly identifiable from the access way and at a distance of no greater than 30 metres from the proposed dwelling.
- The dedicated water supply and its location should be identified with suitable signage (i.e. blue sign with white lettering "FIRE WATER").
- Access to the dedicated water supply shall be of all-weather construction, with a minimum formed road surface width of 3 metres.
- Provision shall be made adjacent to the water supply for a flat hardstand area (capable of supporting fire-fighting vehicles with a gross vehicle mass (GVM) of 21 tonnes) that is a distance equal to or less than 6 metres from the water supply outlet.
- SA CFS appliance inlet is rear mounted; therefore the outlet/water storage shall be positioned so that the SA CFS appliance can easily connect to it rear facing.
- A gravity fed water supply outlet may be remotely located from the tank to provide adequate access.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- All water supply pipes for draughting purposes shall be capable of withstanding the required pressure for draughting.

CFS Mission

To protect life, property and the environment from fire and other emergencies whilst protecting and supporting our personnel and continuously improving.

WATER SUPPLY

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.4.1 prescribes the mandatory provision of a dedicated and accessible water supply to be made available at all times for fire-fighting.

Ministers Specification SA78 provides the technical details of the dedicated water supply for bushfire fighting for the bushfire zone. The dedicated bushfire fighting water supply shall also incorporate the installation of a pumping system, pipe-work and fire-fighting hose(s) in accordance with Minister's Specification SA78:

- A minimum supply of 22,000 litres of water shall be available at all times for bushfire fighting purposes.
- The minimum requirement of 22,000 litres may be combined with domestic use, providing the outlet for domestic use is located above the 22,000 litres of dedicated fire water supply in order for it to remain as a dedicated supply.
- The bushfire fighting water supply shall be clearly identified and fitted with an outlet of at least 50mm diameter terminating with a compliant SA CFS fire service adapter, which shall be accessible to bushfire fighting vehicles at all times.
- The water storage facility (and any support structure) shall be constructed of non-combustible material.
- The dedicated fire-fighting water supply shall be pressurised by a pump that has –
 - i. A minimum inlet diameter of 38mm, AND
 - ii. Is powered by a petrol or diesel engine with a power rating of at least 3.7kW (5hp), OR
 - iii. A pumping system that operates independently of mains electricity and is capable of pressurising the water for fire-fighting purposes.
- The dedicated fire-fighting water supply pump shall be located at or adjacent to the habitable building to ensure occupants safety when operating the pump during a bushfire. An 'Operations Instruction Procedure' shall be located with the pump control panel.
- The fire-fighting pump and any flexible connections to the water supply shall be protected by a non-combustible cover that allows adequate air ventilation for efficient pump operation.
- All bushfire fighting water pipes and connections between the water storage facility and a pump shall be no smaller in diameter than the diameter of the pump inlet.
- All non-metal water supply pipes for bushfire fighting purposes (other than flexible connections and hoses for fire-fighting) shall be buried below ground to a minimum depth of 300mm with no non-metal parts above ground level.
- A fire-fighting hose (or hoses) shall be located so that all parts of the building are within reach of the nozzle end of the hose and if more than one hose is required they should be positioned to provide maximum coverage of the building and surrounds (i.e. at opposite ends of the habitable building).
- All fire-fighting hoses shall be capable of withstanding the pressures of the supplied water.
- All fire-fighting hoses shall be of reinforced construction manufactured in accordance with AS 2620 or AS 1221.
- All fire-fighting hoses shall have a minimum nominal internal diameter of 18mm and a maximum length of 36 metres.
- All fire-fighting hoses shall have an adjustable metal nozzle, or an adjustable PVC nozzle manufactured in accordance with AS 1221.
- All fire-fighting hoses shall be readily available at all times.

VEGETATION

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.5 mandates that landscaping shall include Bushfire Protection features that will prevent or inhibit the spread of bushfire and minimise the risk to life and/or damage to buildings and property.

The proposed landscaping has not been detailed on drawings provided.

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

SITING

Minister's Code 2009 "Undertaking development in Bushfire Protection Areas" (as amended October 2012) Part 2.3.2 describes the requirements for buildings to be sited away from areas that pose an unacceptable bushfire risk. This includes areas with rugged terrain or hazardous vegetation.

- The dwelling shall be sited no less than 20 metres from property boundaries, for the establishment of an asset protection zone.

Temporary structures for accommodation use are not suitable in this location unless built to the assessed Bushfire Attack Level (BAL), or associated with a building built to relevant bushfire protection building standards.

TOURIST ACCOMMODATION - BUSHFIRE SURVIVAL PLAN

CFS further recommends:

- The applicants to prepare and display a BUSHFIRE SURVIVAL PLAN (BSP) designed specifically for the purpose of any guests that may be in residence during a bushfire event, especially during the Fire Danger Season.

- This BSP should give clear directions to persons that may be unfamiliar with the area/locality and unfamiliar with what protective actions they may need to take to protect their lives during a bushfire event, including when to take such protective actions.
- The BSP should address the possibility that the owners may not be present at the time of the bushfire event.
- The BSP should not expect guests to be involved in fire-fighting operations.
- The SA CFS 'Bushfire Safety and Survival for Business and Organisations' document (refer to CFS website) should be utilised as a basis for information and the drafting of the (GUEST) BSP.
- The applicant should consider reducing operating hours and restrictions on days of extreme weather or bushfire events

MANIFEST BOX (or similar)

Given the complexities that the subject site presents, SA CFS further recommends the installation of a Manifest Box at the entrance of the property. This box (which looks a bit like a small meter box), should be red with white writing 'Fire Protection system' or similar, and clearly visible to fire crews as they access the property. Containing a site plan highlighting vehicle access, turning ability, building location, water i.e. fill locations, and fire protection equipment, and on-site hazards or storage of dangerous materials i.e. LPG, fuels or chemicals with a list of emergency contact phone numbers.

Compliance with the fire protection requirements is not a guarantee the habitable building will not burn, but its intent is to provide a '*measure of protection*' from the approach, impact and passing of a bushfire.

Should there be any need for further information, please contact the undersigned at the Development Assessment Service on (08) 8115 3372.

Yours sincerely,



LEAH BERTHOLINI

**BUSHFIRE SAFETY OFFICER
DEVELOPMENT ASSESSMENT SERVICE**

26 November 2019

State Commission Assessment Panel
Attention: Nicholas Giannakodakis
GPO Box 1815
ADELAIDE SA 5001
Email: nicholas.giannakodakis@sa.gov.au

Dear Nicholas

Development Application No. : 145/7016/2019
SCAP Reference No. : 2019/12921/01
Proposed Development : change of use to tourist accommodation
including the construction of one (1) single-
storey outbuilding with ancillary earthworks, car
parking and landscaping
Location of Proposed Development : 63 Armata Road, ONKAPARINGA HILLS SA 5163
Property Identification : Allot 13 Sec 680 DP 43618

Further to previous correspondence regarding the above application, for which the Commission is the relevant authority, Council advises that it has considered this matter and provides the following report pursuant to Regulation 38(2) of the Development Regulations, 2008 to assist the Commission in reaching its decision:

- Council has no objection to the development and provides its comments in the enclosed report

Please contact Duncan Shearer, Development Officer (Planning) on (08) 8488 2005 if further information is required.

Yours sincerely


Renee Mitchell
Manager Development Services

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Aberfoyle Park
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Willunga Office
St Peters Terrace
Willunga

Woodcroft Office
175 Bains Road
Morphett Vale

Category ③

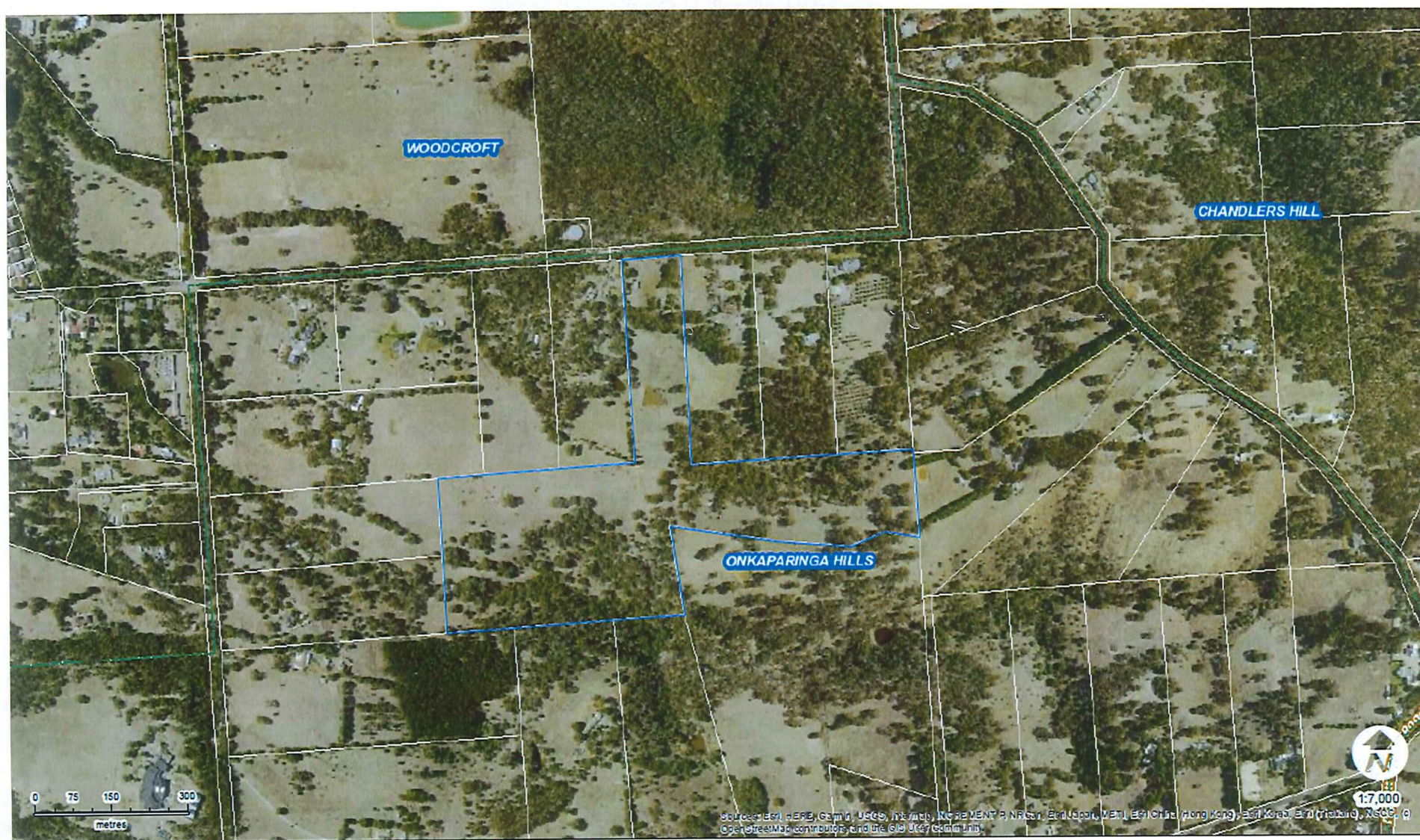
Delegated development applications

To	Renee Mitchell, Manager Development Services
From	Duncan Shearer
Date	21/11/2019
Ref	Development application 145/7016/2019
Subject	Planning assessment and recommendation/decision

Description	Comments issued to the State Planning Commission Assessment Panel regarding the change of use to tourist accommodation including the construction of one (1) single-storey outbuilding with ancillary earthworks, car parking and landscaping, at 63 Armata Road, Onkaparinga Hills.
Process	As determined by SCAP
Development Plan	20 December 2018
Public Notification Category	SCAP determined Category 3 notification required.
Zone	<ul style="list-style-type: none"> Hills Face Zone
Site/Locality	<ul style="list-style-type: none"> The property is identified as 63 Armata Road, Onkaparinga Hills and within the Certificate of Title Volume 5321 Folio 915. The subject site is irregular in shape (t-shaped) and comprised of some 17.7 hectares in area with a frontage of 193 metres to Armata Road. The allotment contains an easement for SA Power Networks and does not have any encumbrances or Land Management Agreements. The subject land is contained in the McLaren Vale Protection District and the <i>Character Preservation (McLaren Vale) Act 2012</i> applies. There is currently a single storey detached dwelling located on the allotment. There is various sheds located on the site and large areas of trees and natural vegetation. The property is bound by Armata Road to the north, large rural living allotments to the north, south, east and west. The land slopes downward from the east to west of the subject site. Buildings in this locality are generally single storey

	<p>detached dwellings with abundant natural vegetation and on generally sloping land. There is also a small tourist accommodation (DA 1935/2016) located at 100 Education Road.</p> <ul style="list-style-type: none"> The nearest residential dwelling not associated with the subject site or proposed development is located at 468 Pimpala Road and is approximately 275 metres away from the proposed building site.
Background	<p>DA 145/230/1981 – Dwelling and shed – approved DA 145/323/1982 – Tool shed – approved DA 145/5414/1985 – Hayshed - approved DA 145/1261/1987 – Cladding shed – approved DA 145/4078/1994 – Land division – approved</p>

Referrals	
Internal	External
<p><u>Environmental Health</u> A referral has been made to Councils Environmental Health team who have noted that a waste water application needs to be lodged and assessed before the proposal can be supported.</p> <p>It was noted that limited or no information was provided on the proposed location of wastewater disposal or septic tank. There was also no information on the existing onsite waste system for the existing residence. This information would need to be provided for assessment by the Environmental Health team.</p>	<p><u>Country Fire Service</u> A referral to the CFS is required due to the allotment being located wholly within a high bushfire risk area.</p>
<p><u>SDF</u> Proposal considered at SDF meeting on 12/11/19. Following confirmed:</p> <ul style="list-style-type: none"> Tourism accommodation envisaged. Proposal appears to fit the definition of a 'motel' and is therefore considered a non-complying form of development. CFS referral required. Review site history. Recommend additional information for SCAP to consider in assessment of the application. 	



Assessment		
Primary Development Objectives and Principles of Development Control		
Development Plan Reference Consider the relevant DP policy under each heading and list the most important)	What the Development Plan requires?	Assessment Does the proposal comply with what the Development Plan requires? Yes or No – if not, explain why it is acceptable or not
Land Use		
Hills Face Zone Objective 2	<ul style="list-style-type: none"> A zone accommodating low intensity agricultural activities and public/private open space and one where structures are sited and designed in such a way as to: <ul style="list-style-type: none"> (a) preserve and enhance the natural character or assist in the re-establishment of a natural character in the zone (b) limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plain (c) not create, either in themselves, or in association with other developments, a potential demand for the provision of services at a cost to the community (d) prevent the loss of life and property resulting from bushfires. 	<p>Yes</p> <ul style="list-style-type: none"> The subject land is not currently being used for agricultural purposes. The proposal does however relate to promoting private open space for the purpose of tourism. <p>The location of the proposed tourist accommodation buildings appears to be situated in a relatively unobtrusive location. There is an abundance natural vegetation located through the locality (internal and external to the site) and on council's verge positioned along the length of Armata and Pimpala Roads and will provide adequate screening from views into the site. This will assist in reducing visual intrusion on the locality.</p> <p>It is considered that the proposal will not require additional demand on or cost to the community.</p> <p>It is recommended that SCAP refer the proposal to the Country Fire Service for comment.</p>
PDC 1	<ul style="list-style-type: none"> Development should not be undertaken unless it is associated with a low intensity agricultural activity, a public open space area or a private use of an open character, or is a detached single storey dwelling, 	<p>Yes</p> <ul style="list-style-type: none"> The proposal relates to promoting private open space for the purpose of tourism.

PDC 2	<p>including outbuildings and structures normally associated with such dwellings, on a single allotment.</p> <ul style="list-style-type: none"> • Development listed as non-complying is generally inappropriate and not acceptable unless it can be demonstrated that it does not undermine the objectives and principles of the Development Plan. 	<p>Yes</p> <ul style="list-style-type: none"> • Tourist accommodation is not listed as being non-complying. Small scale tourism development is also an envisaged form of development within the Zone. <p>Excavation or fill can trigger development as being non-complying. The site plans indicate that cut and fill meets the exemptions.</p> <p>It has been considered by council that the proposal may be defined as being a 'motel', which is considered to be a non-complying form of development within the Hills Face Zone.</p> <p>Additional information should be provided by the applicant to SCAP in order to demonstrate that the proposal does not undermine the objectives and principles of the Onkaparinga Council Development Plan.</p> <p>Further consideration should be made by SCAP on any non-complying triggers for the development.</p>
PDC 3	<ul style="list-style-type: none"> • The excavation and/or filling of land outside townships and urban areas should: <ul style="list-style-type: none"> (a) be kept to a minimum and be limited to a maximum depth or height no greater than 1.5 metres so as to preserve the natural form of the land and the native vegetation 	<p>Yes</p> <ul style="list-style-type: none"> • The site plans indicate that a maximum battered fill will be 1 metre and maximum battered cut will be 2 metres. <p>Additional information should be provided (siteworks plan with proposed excavation and fill) by the applicant to SCAP to determine accurately if the required earthworks are considered a non-</p>

	<p>(b) only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment</p> <p>(c) only be undertaken if the resultant slope can be stabilised to prevent erosion, and result in stable scree slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character of the area.</p>	<p>complying form of development.</p>
Desired Character	<ul style="list-style-type: none"> • Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively. 	<p>Yes</p> <ul style="list-style-type: none"> • The proposed tourist accommodation is considered 'low scale' and is sited in an unobtrusive location. The location of the proposed development is clear of vegetation and is on the lower side of the sloping land, with the highest point being situated to south east of the building site, meaning it will not be sited above the skyline when viewed from the north, north east, east. Views into the site from the north, north west, west, and south are not likely possible given the topography of the land. <p>There is also an abundance of natural vegetation within the locality, which in turn limits views into the subject site.</p>
Non-complying Development	<ul style="list-style-type: none"> • Motel 	<p>No</p> <ul style="list-style-type: none"> • It is councils view that the proposal is considered to be a 'motel'. The Development Regulations 2008 define a motel to mean "a building or group of buildings providing temporary accommodation for more than five travellers, and includes an

		<p>associated restaurant facility, but does not include a hotel or residential flat building".</p> <p>While the definition does not include 'an associated restaurant facility', it has been considered in <i>Pohl & Ors v Adelaide Hills Council & Anor (No. 1 [2009] SAERDC 44)</i> that "any restaurant facility associated with a motel will be part of the motel" and that "it is irrelevant for present purposes that the proposed development does not include an associated restaurant facility".</p> <p>As the proposal is to have a capacity of greater than 5 travellers, it is councils view that the proposal meets the definition for a 'motel'. The proposal should therefore be considered as a non-complying form of development within the Hills Face Zone.</p> <p>It is recommended that SCAP consider if the proposal is considered to be a non-complying form of development.</p> <p>It is however acknowledged that SCAP is the relevant authority for assessing and determining the nature of development in this instance.</p>
	<ul style="list-style-type: none"> Excavation <p>Except where one or more of the following applies: (a) the depth of the excavation is less than two metres below natural ground level (b) the excavation is directly required for the portion of a</p>	<p>Yes</p> <ul style="list-style-type: none"> The site plans indicate that excavation meets the exemptions for non-complying development within the hills face zone. <p>Additional information (siteworks and stormwater management plan) should be provided by the applicant to SCAP to determine if any proposed earthworks exceed these provisions.</p>

	<p>building that is fully underground, an underground home; pool, underground tank, cellar, pipeline or waste disposal and treatment system.</p> <p>Filling</p> <p>Except where one or more of the following applies: (a) the height of filling is less than one metre above natural ground level (b) the filling is directly required for an underground home, underground tank, or cellar.</p>	
<p>General Section Orderly and Sustainable Development PDC1</p> <p>Tourism Development Objective 7</p> <p>Tourism Development – PDC 1</p>	<ul style="list-style-type: none"> • Development should not prejudice the development of a zone for its intended purpose. • Increased opportunities for visitors to stay overnight. • Tourism development should have a 	<p>Yes</p> <ul style="list-style-type: none"> • The proposal does not prejudice the zone to be further developed for other uses. The Zone itself is quite large so many other development opportunities exist within the zone. <p>Small scale tourism development is also an envisaged form of development within the Zone.</p> <p>Yes</p> <ul style="list-style-type: none"> • The proposal provides opportunities for visitors to stay overnight. <p>Yes</p>

Tourism Development – PDC 3	<p>functional or locational link with its natural, cultural or historical setting.</p> <ul style="list-style-type: none"> Tourism development should ensure that its scale, form and location will not overwhelm, over commercialise or detract from the intrinsic natural values of the land on which it is sited or the character of its locality. 	<ul style="list-style-type: none"> The proposal provides a locational link to the natural setting. <p>Yes</p> <ul style="list-style-type: none"> The proposed tourist accommodation is well setback from allotment boundaries and is considered small in scale with a total floor area of 216 square metres and a total height of 4.7 metres above FFL. The structures are also well screened by existing vegetation, and when viewed from the north and west (from the road). These culminating factors reduce the overall impact on the surrounding landscape so to not detract from the intended natural character of the locality. <p>The proposed exterior colour schedule, being shale grey, white, windspray, surf mist, may cause some visual intrusion however this can be overcome with an alternate muted earth colour choice.</p>
Tourism Development – PDC 4	<ul style="list-style-type: none"> Tourism development should add to the range of services and accommodation types available in an area. 	<p>Yes</p> <ul style="list-style-type: none"> The proposal provides opportunities for visitors to the Onkaparinga Hills area overnight.
Character Built form, external appearance and site layout		
General section Siting and Visibility Objective 1	<ul style="list-style-type: none"> Protection of scenically attractive areas, particularly natural, rural and coastal landscapes. 	<p>Yes</p> <ul style="list-style-type: none"> The proposed tourist accommodation will be situated on a cleared portion of land, no existing trees and vegetation have been removed as result. This should not have an unreasonable impact on the existing natural landscape of the locality.
PDC 1	<ul style="list-style-type: none"> Development should be sited and designed to minimise its visual impact on: 	<p>Yes</p> <ul style="list-style-type: none"> The proposed development is not considered to

	<p>(b) external materials, patterns, colours and decorative elements</p> <p>(c) roof form and pitch</p> <p>(d) façade articulation and detailing</p> <p>(e) verandas, eaves, parapets and window screens.</p>	<p>The proposed exterior colour schedule, being shale grey, white, windspray, surf mist, may cause some visual intrusion however this can be overcome with an alternate muted earth colour choice.</p>
PDC 4	<ul style="list-style-type: none"> Where a building is sited on or close to a side or rear boundary, the boundary wall should minimise: <ul style="list-style-type: none"> (a) the visual impact of the building as viewed from adjacent properties (b) overshadowing of adjacent properties and allow adequate sunlight access to neighbouring buildings. 	<p>Yes</p> <ul style="list-style-type: none"> The visual impact of the proposal is minimised due to the proposed setbacks and natural screening both along the roads edge, internally and externally of the subject allotment.
PDC 5	<ul style="list-style-type: none"> The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties, drivers or cyclists. 	<p>Yes</p> <ul style="list-style-type: none"> The external walls and roof materials are non-reflective.
Character Preservation District Overlay Objective 1	<ul style="list-style-type: none"> A district where: <ul style="list-style-type: none"> (a) scenic and rural landscapes are highly valued, retained and protected (b) development near entrances to towns and settlements does not diminish the rural setting, character and heritage values associated with those towns and settlements (c) the long term use of land for primary production and associated value adding 	<p>Yes</p> <ul style="list-style-type: none"> The proposed tourist accommodation contributes positively to tourism in the area and is considered to not have a significant impact on the scenic value of the locality. This is given the small scale nature of the proposal.

PDC 1	<p>enterprises is assured and promoted</p> <p>(d) activities positively contribute to tourism</p> <p>(e) the heritage attributes of the district are preserved</p> <p>(f) buildings and structures complement the landscape.</p> <ul style="list-style-type: none"> • Development in the district should: <ul style="list-style-type: none"> (a) when located near townships, contribute towards and maintain the identity of those townships (b) retain the predominant rural landscape character and function • foster primary production and associated value adding enterprises and tourism activities. 	<p>Yes</p> <ul style="list-style-type: none"> • While the development does not relate to primary production, it directly contributes to small scale tourism activities in the area.
Hills Face Zone PDC 14	<ul style="list-style-type: none"> • Buildings, including structures, should be located in unobtrusive locations and, in particular, should: <ul style="list-style-type: none"> (a) be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain (b) have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road (c) be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain (d) be located well below the ridge line (e) be located within valleys or behind spurs (f) be set well back from public roads, particularly when the allotment is on the high side of the road 	<p>Yes</p> <ul style="list-style-type: none"> • It has been considered that the location of the proposed development is on the lower portion of land, with the highest point of land being situated to south east of the building site, meaning it will not be sited above the skyline and below the ridge line. <p>The accommodation buildings will be well setback from public roads and set will inside the property boundaries.</p> <p>There will be predominately more exaction (cut) than fill on the site, with 1 metres fill proposed when compared to 2 metre excavation.</p> <p>A waste water application will need to be lodged for assessment.</p> <p>The area where construction will occur is clear of</p>

<p>PDC 15</p>	<p>(g) be sited on excavated, rather than a filled site in order to reduce the vertical profile of the building (h) not be sited on landfill which would interfere with the flow of flood waters (i) not have a septic tank drainage field located in such a way as to pollute watercourses (j) be located in such a way as to maximise the retention of existing native vegetation and retain watercourses in their natural state.</p> <ul style="list-style-type: none"> Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular: <ul style="list-style-type: none"> (a) buildings should be of a single storey (b) the profile of buildings should be low and the roof lines should complement the natural form of the land (c) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land (d) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings (e) the mass of buildings should be minimized by having separate vehicle storage areas. 	<p>any substantial vegetation and does not impact any water courses.</p> <p>Yes</p> <ul style="list-style-type: none"> The tourist accommodation will be single storey and considered to be 'low' in profile, achieving a total height of 4.7 metres above ground level. <p>The structure in its self includes eaves and verandahs so to create shadowed areas and reduce the bulky appearance of buildings.</p> <p>It has been considered that overall the structures are unobtrusive and would not detract from the desire character of the zone.</p> <p>Yes</p> <ul style="list-style-type: none"> A waste water application needs to be lodged and
<p>PDC 16</p>	<ul style="list-style-type: none"> Buildings should have a: <ul style="list-style-type: none"> (a) year round water supply and a safe 	

PDC 2	<p>(e) light spill (f) glare (g) hours of operation (h) traffic impacts.</p> <ul style="list-style-type: none"> Development should be sited and designed to minimise impacts on existing and potential land uses desired in the locality. 	<p>Yes</p> <ul style="list-style-type: none"> Buffer and separation distance between the proposed tourist accommodation building and the adjacent northern, southern and western allotments is considered adequate and minimises negative impacts on existing and potential future land uses. The development has been sited and designed to minimise impacts on surrounding land uses. The proposed tourist accommodation is to be located an adequate distance from the nearest residential property to the north west (approximately 275 metres). Further, there is a high level vegetation on the southern, eastern and western portions of the subject site, as such offers a buffer by an existing screen of vegetation. The adjacent allotments to the north and west have substantial native vegetation acting as a natural buffer. <p>Separation distances in combination with existing vegetation, both on the subject site and on adjacent allotments, act as an effective buffer from potential visual impact as well as land use impacts.</p>
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Car parking		
Table Onka/3	Tourist accommodation 1 per 3 beds or 1 per room plus 1 per employee whichever is greater	Yes <ul style="list-style-type: none">The tourist accommodation configuration is comprised of six bedrooms and six beds. Therefore, the proposal would require 6 - 7 car parks (1 per room, plus 1 per employee). Minimum carparking provisions have been provided.
Conclusion		
	<ul style="list-style-type: none">The proposed tourist accommodation is captured as an envisaged use in the desired character of the Hills Face Zone. Further, the proposed use is ancillary to the existing residential land use and will have limited impacts upon the character and amenity of the locality.The proposal is small scale in nature and will only provide accommodation for a limited number of guests, maximum of six guest bedrooms.There is sufficient vegetation and distance between the proposed tourist accommodation buildings and all adjacent allotments of the subject site so that the likelihood of interface issues between the differing land uses are accounted for and minimised.An approved waste water application is required.Given the subject site is located within a High Bushfire Risk Area, referral to the Country Fire Service should be performed.Having considered the proposal, it is councils view that given the development is expecting greater than five visitors, the proposal appears to be consistent with the definition of a 'motel', which is listed as being non-complying in the Hills Face Zone.It is recommended that the following additional information be provided to SCAP for the continued assessment of the application:	

	<ul style="list-style-type: none"> ○ A fully engineered site works and drainage plan (method of stormwater disposal). Stormwater management plan should be in accordance with council standards. The level of excavation and fill needs to be confirmed, this may impact nature of development (non-complying) depending the level of earthworks to occur. <p>It should be demonstrated that drainage to existing dam will not be impacted by the access track to the proposed tourist accommodation. It appears there are concrete swales directing surface run off to the dam.</p> <ul style="list-style-type: none"> ○ Confirm likely times of deliveries to and from the site and methods of waste collection. ○ Show any external storage areas, including any outdoor waste bin areas and associated screening proposals on site plans.
--	--

Accordingly and on balance, the proposal is not considered to be seriously at variance and sufficiently complies with the provisions of the Development Plan, should the State Commission Assessment Panel issue Development Plan Consent, the following conditions and notes should be considered:

Conditions

1. GCAD02

All development shall be completed and maintained in accordance with the plan(s) and documents submitted with and forming part of the development application except where varied by the following condition(s).

2. PCUL01

The building approved herein shall only be used for the purposes of tourist accommodation, and any alternative land use will require the approval of Council.

3. PCUL08

The tourist accommodation units shall not be occupied until all necessary infrastructure has been provided to the site of the dwelling, including but not limited to a formed and sealed road and watertable, water supply and sewerage services, drainage/stormwater disposal and electricity services.

4. PCDG15

During construction and at all times thereafter, stormwater generated from the development shall be diverted away from all buildings, shall not pond against or near the footings and shall not be discharged onto adjoining land. Where drainage is directed to the street water table, this shall be by way of a council approved stormwater drainage system.

5. PCNN05

There is to be no detrimental effect on the amenity of the neighbourhood by reason of the creation of excessive noise, lighting, nuisance or other emissions.

6. PCMP08

That effective measures be implemented during the construction of the development and on-going use of the land in accordance with this consent to:

- prevent silt run-off from the land to adjoining properties, roads and drains
- control dust arising from the construction and other activities, so as not to, in the opinion of council, be a nuisance to residents or occupiers on adjacent or nearby land
- ensure that soil or mud is not transferred onto the adjacent roadways by vehicles leaving the site
- ensure that all litter and building waste is contained on the subject site in a suitable covered bin or enclosure
- ensure that no sound is emitted from any device, plant or equipment or from any source or activity to become an unreasonable nuisance, in the opinion of council, to the occupiers of adjacent land.

7. HCWM02

Adequate litter bins, waste storage facilities and waste disposal systems shall be installed for use by owners and users of the subject site so as to be regularly collected and placed in appropriate waste receptacles.

8. HCWM04

All wastewater from the premises must be discharged to a waste control system that complies with the provisions of the *South Australian Public Health Act 2011*.

Notes

1. HNWM02

A waste control application must be lodged with Council's Community Health Team and approved prior to the commencement of any building work. The owner/applicant must sign the application form and provide a contour site plan drawn to a scale of 1:200, with details of all drains shown including the method of disposal of the wastewater. The approved waste water system must be installed and constructed in accordance with the relevant provisions of the *South Australian Public Health Act 2011* & AS/NZS 3500, prior to habitation/occupation.

2. HNWM18

Pursuant to the *South Australian Public Health Act 2011*, no building work, structures, paving, parking of vehicles or driving over an approved on-site waste water system is permitted.

3. HNWM05

The proposed building work should not be located over, or within the minimum setback distances from the septic tank or waste water disposal areas as outlined in the table below.

	Septic tank/AWTS/Distribution Device			Wastewater disposal system	
	Septic tank Grease arrestor Pump sumps	Aerobic (AWTS) Grey water systems Sand filter Reed bed	Distribution devices	Subsurface Disposal i.e. trench, bed, ETA	Irrigation areas Surface or Shallow subsurface
Allotment boundaries	2.5 m	3.0 m	2.5 m	2.5 m	0.5 m
Buildings / Structures	2.5 m	3.0 m	2.5 m	3.0 m	1.5 m
Swimming pool	2.5 m	3.0 m	2.5 m	3.0 m 6.0 m upslope from pool	3.0 m* 6.0 m* upslope from pool

4. GNBOUN

The land owner/developer is responsible for ensuring that building work is sited in the approved position. This may necessitate a survey being carried out by a licensed land surveyor. Allotment boundaries will not be certified by council staff; however council may enforce removal of any encroachments over council land.

5. GNRW01

Retaining walls constructed to retain a difference in ground levels exceeding (1) metre in height require development approval.

6. GNBR01

You are further advised that Building Rules Consent is required for the application pursuant to the *Development Act 1993*.

7. GNCC01

Development is to be substantially commenced within 12 months and substantially completed within 3 years of the date of this approval.

.....
Endorsed by Manager Development Services

.....
Print Name

..... 22/11/19
Date



Level 5, 50 Flinders Street
Adelaide SA 5000

GPO Box 1815
Adelaide SA 5001

Telephone: 08 7109 7060
ABN 92 366 288 135

<http://www.saplanningcommission.sa.gov.au/scap>

11 December 2019

Mr Ben Green
Ben Green & Associates
PO Box 392
BRIGHTON SA 5048

Dear Mr Green

Applicant:	Steve Layton Design
Application Number:	145/L025/19
Proposed Development:	Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Subject Land:	63 Armata Road, Onkaparinga Hills SA 5163

I refer to the above development proposal forwarded to the State Commission Assessment Panel (SCAP) by the City Of Onkaparinga.

In order that a proper assessment can be made of your proposal, you are requested to provide the following additional information:

1. Please confirm the site plans you want considered (6 person wing or 12 person wing), confirmation of the driveway width, material, screening to neighbours and additional landscaping.
2. Provide a Civil Site Works Plan including stormwater management, FFLs, cut and fill, driveway gradient/design
3. Provide information relating to onsite waste management

If you have any questions relating to this matter, please contact Nicholas Giannakodakis of this office by telephone on +61871097441 or email nicholas.giannakodakis@sa.gov.au

Yours sincerely,

Nicholas Giannakodakis
On behalf of the
STATE COMMISSION ASSESSMENT PANEL

Giannakodakis, Nicholas (DPTI)

From: Ben Green <bengreen@bengreen.com.au>
Sent: Thursday, 12 December 2019 7:45 AM
To: Giannakodakis, Nicholas (DPTI)
Cc: Grier Lin; stevelaytondesign stevelaytondesign
Subject: RE: Tourist Accommodation - Reps, SCAP Date and Site Visit
Attachments: RFI - Tourist Accommodation at 63 Armata Road, Onkaparinga Hills.docx

Thank you Nick

I provide a further response below.

Regards

Ben Green
Director



PO Box 392, Brighton SA 5048
Office 53a Broadway, Glenelg South SA 5045
M 0410 147 541
E bengreen@bengreen.com.au
W www.bengreen.com.au

From: Giannakodakis, Nicholas (DPTI) <Nicholas.Giannakodakis@sa.gov.au>
Sent: Wednesday, 11 December 2019 4:16 PM
To: Ben Green <bengreen@bengreen.com.au>
Subject: RE: Tourist Accommodation - Reps, SCAP Date and Site Visit

Hi Ben,

Thank you for providing further information. The site visit was certainly helpful in giving us further context regarding the proposed tourist accommodation.

To answer your questions:

1. We are confident in our determination concerning the nature of the development and see no need to revisit this particular question. This however does not preclude you from obtaining your own independent advice so as to provide you with a level of comfort. APPRECIATE THE CONFIRMATION... WE ARE CONFIDENT ALSO BUT THE POHL CASE DOES THROUGH AN ELEMENT OF DOUBT ON IT.
2. See attached for RFI. WE ARE CURRENTLY WORKING ON THE UPDATED INFORMATION... THE SCALE IS STILL BEING CONSIDERED
3. We have yet to receive a referral response from the CFS, however we will send it through as soon as it arrives. THANKS
4. A meeting is proposed to be held in February. We will confirm the time and date. In regards to the Panel Members visiting the subject site, we will confirm with you shortly if they have an intention to attend the subject site for a visit. WE CAN ONLY ADVISE AGAIN THAT WE STRONGLY ENCOURAGE THE PANEL MEMBERS TO INSPECT THE SITE.

Kind regards,

Nicholas Giannakodakis

Planning Officer

Planning and Development

Department of Planning, Transport and Infrastructure

T 08 7109 7441 (97682) • E nicholas.giannakodakis@sa.gov.au

Level 5, 50 Flinders Street, Adelaide, South Australia 5000



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From: Ben Green [<mailto:bengreen@bengreen.com.au>]

Sent: Monday, 9 December 2019 2:43 PM

To: Giannakodakis, Nicholas (DPTI) <Nicholas.Giannakodakis@sa.gov.au>; Williams, Ben (DPTI) <Ben.Williams2@sa.gov.au>

Cc: Grier Lin <grier.lin@ili.edu.au>; stevelaytondesign stevelaytondesign <stevelaytondesign@bigpond.com>; Tom Gregory <tomgregory@bengreen.com.au>

Subject: RE: Tourist Accommodation - Reps, SCAP Date and Site Visit

Hi Nick / Ben

Firstly, thank you for taking the time to meet with us on this unique site last week.

As you are aware tourist accommodation is envisaged in the Hills Face Zone so long as it is low in scale and sited unobtrusively.

From inspection, you can see that with careful siting the proposed building is not visible from any neighbours and care has been made to orientate the driveway as far away from the adjoining neighbours dwelling as possible. In regard to being low scale we will also consider this further and are likely to remove one accommodation wing to reduce the scale and capacity from 12 to 6 people maximum.

Process –

1. Judicial Review – could you please have Crown Law confirm that the application IS for Tourist Accommodation... and that it is a Merit / Category 3 application?
2. Could you please provide a concise Further Information Letter as to what information SCAP require?
3. CFS – they have been on site and advised they have no issues but can you please send through the referral when it arrives?
4. SCAP Meeting – we are thinking maybe the late February Meeting in order to address all information required and to try and ensure that with the provision of sufficient time the SCAP can undertake a site inspection of the site and locality that we feel is paramount to this application, as you witnessed on site?

Further Information –

1. Amended Plans – removal of an accommodation wing (12 to 6 people maximum), confirmation of the driveway width, material, screening to neighbours and additional landscaping
2. Civil Site Works Plan – stormwater management, ffls, cut and fill, driveway gradient / design
3. On Site Waste Water Management Plan
4. Acoustic Report – do you feel that this is necessary given the separation distances to adjoining dwellings for a use that is not proposing functions, music etc etc.

Look forward to hearing from you.

Regards

Ben Green

Director



PO Box 392, Brighton SA 5048

Office 53a Broadway, Glenelg South SA 5045

M 0410 147 541

E bengreen@bengreen.com.au

W www.bengreen.com.au

From: Giannakodakis, Nicholas (DPTI) <Nicholas.Giannakodakis@sa.gov.au>

Sent: Monday, 2 December 2019 12:05 PM

To: Ben Green <bengreen@bengreen.com.au>

Cc: Williams, Ben (DPTI) <Ben.Williams2@sa.gov.au>

Subject: RE: Tourist Accommodation - Reps, SCAP Date and Site Visit

Hi Ben,

We have received some representations for the Tourist Accommodation at 63 Armata Road.

I have attached them for your perusal (Part 2 will follow).

As proposed, the application will be put before SCAP on 23 January 2020.

Ben Williams and I would like to arrange to visit the site on Friday, 6 December 2019. Would you be able to organise a suitable time with the landowner to access the site? We're looking at arriving any time between 1:30pm and 3pm.

Kind regards,

Nicholas Giannakodakis

Planning Officer

Planning and Development

Department of Planning, Transport and Infrastructure

T 08 7109 7441 (97682) • E nicholas.giannakodakis@sa.gov.au

Level 5, 50 Flinders Street, Adelaide, South Australia 5000



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Giannakodakis, Nicholas (DPTI)

From: Ben Green <bengreen@bengreen.com.au>
Sent: Thursday, 12 March 2020 12:00 PM
To: Giannakodakis, Nicholas (DPTI)
Cc: Williams, Ben (DPTI); stevelaytondesign stevelaytondesign; grier.lin@ili.edu.au; Grier Lin
Subject: RE: DA 145/L025/19 - Tourist Accommodation
Attachments: 11Mar2020- Additional Info for DAC.zip

Hi Nick

Please find updated planning documentation in response to staffs further information request and also to qualify some of the questions raised on the site visits.

I now need to finalise the Response to Representations that will be with you prior to COB tomorrow, or preferably, before you arrive at work on Monday the 16th of March?.

Hoping this is sufficient time for this application to still be heard at the March SCAP Meeting?

Happy to discuss.

Regards

Ben Green
Director



PO Box 392, Brighton SA 5048
Office 53a Broadway, Glenelg South SA 5045
M 0410 147 541
E bengreen@bengreen.com.au
W www.bengreen.com.au

From: Giannakodakis, Nicholas (DPTI) <Nicholas.Giannakodakis@sa.gov.au>
Sent: Tuesday, 10 March 2020 10:32 AM
To: Ben Green <bengreen@bengreen.com.au>
Cc: Williams, Ben (DPTI) <Ben.Williams2@sa.gov.au>
Subject: RE: DA 145/L025/19 - Tourist Accommodation

Hi Ben,

Noting that the SCAP Meeting is scheduled for 26 March 2020, would we able to get the RFI documents and response to reps before the end of the week as we need to finalise the report ASAP.

The SCAP schedule is quite backed up at the moment, so if we were to push the meeting date back further, there could be a considerable wait time.

Looking forward to hearing from you.

Kind regards,

Nicholas Giannakodakis

Planning Officer

Planning and Development

Department of Planning, Transport and Infrastructure

T 08 7109 7441 (97682) • E nicholas.giannakodakis@sa.gov.au

Level 5, 50 Flinders Street, Adelaide, South Australia 5000

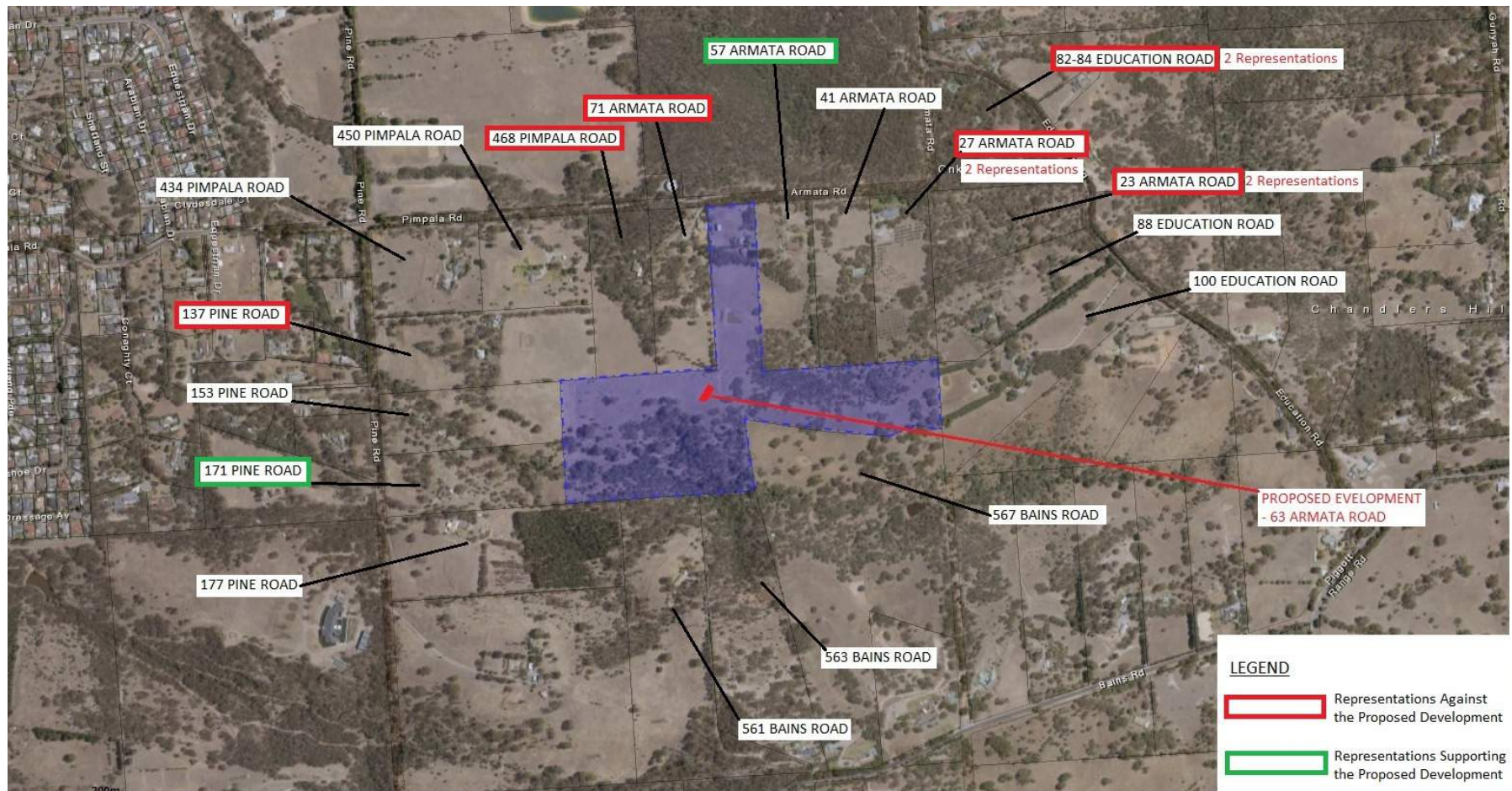


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Proposed Development
63 Armata Rd Onkaparinga Hills

Proposed Development Site with Neighbouring Properties



Proposed Development Site

- CAD Data overlaid on Aerial Photo

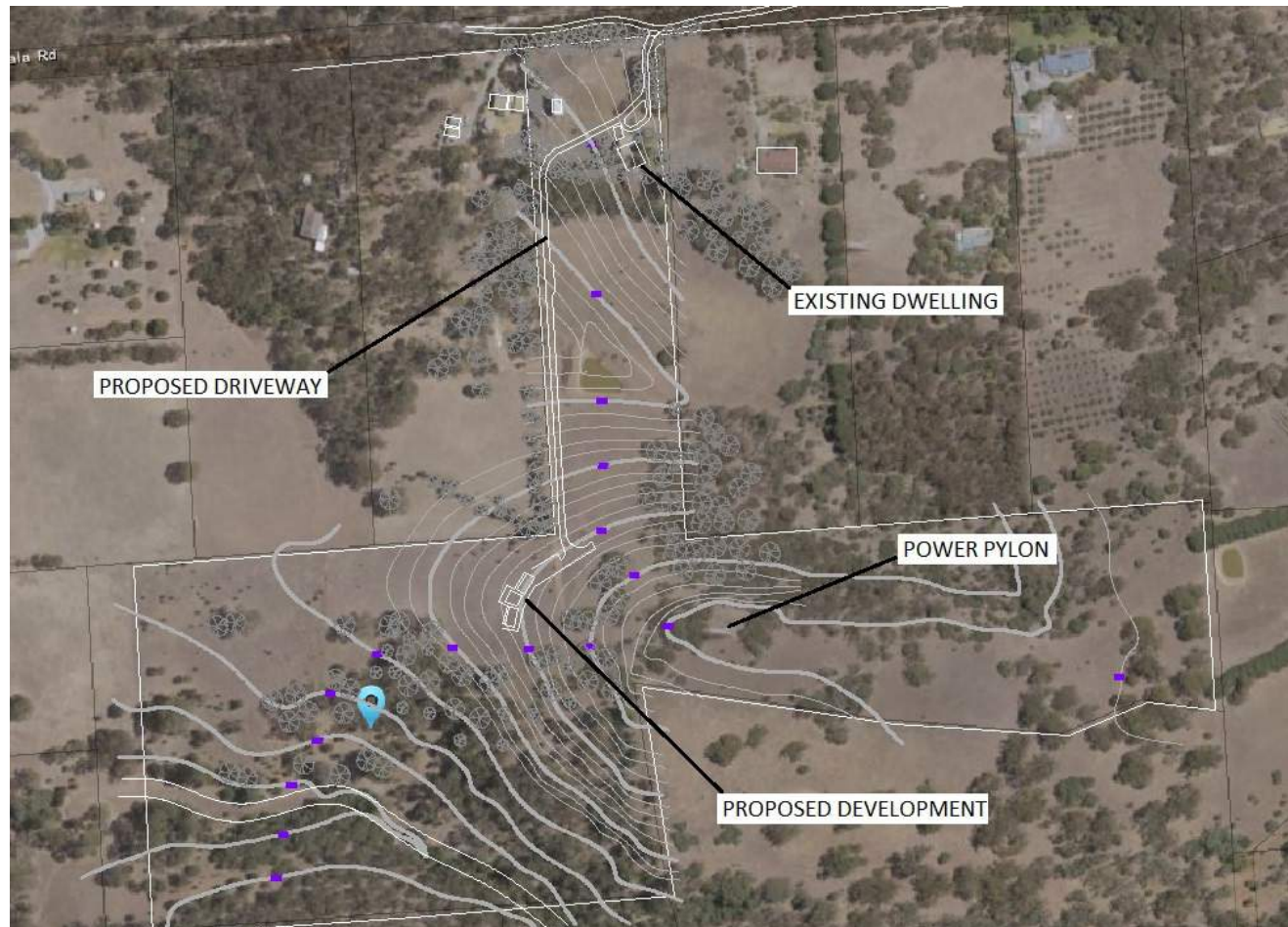
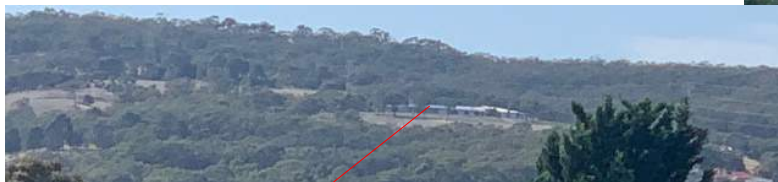


Photo Locations from Plains Looking at Proposed Development Site – Key Reference Points Nominated



Photo Location A

– Bunnings Carpark Panalatinga Rd. 3.3km to Subject Site



Large Development Referenced on Aerial Layout (ref)

Photo Location B

– Lennon Dr Woodcroft. 2.3km to Subject Site



Proposed Development Site



Photo Locations from Development Site Looking Back



Giannakodakis, Nicholas (DPTI)

From: John Mason <John.Mason@onkaparinga.sa.gov.au>
Sent: Tuesday, 4 February 2020 12:02 PM
To: Giannakodakis, Nicholas (DPTI); Fyffe, Brianna (DPTI)
Cc: stevelaytondesign@bigpond.com; Ben Green (bengreen@bengreen.com.au); Duncan Shearer
Subject: FW: DA145/7016/2019 (SCAP ref: 2019/12921/01) Wastewater Application Concession
Attachments: Plans_Elevations_63 Armata Road Onkaprainga Hills_Rev B_25Oct2019.pdf

Hey Nicholas,

Sorry to bother you. Sounds like a question has been raised with the applicant regarding wastewater management.

We have briefly reviewed the wastewater and are comfortable that a system can work acceptably and in accordance with the SA Public Health Act 2011. We don't believe it should hold up the planning assessment, but would need to be resolved and approved prior to development approval being granted.

Call me or Duncan if you want to discuss further.

Regards

John Mason
Senior Development Officer Planning
Corporate & City Services
Ph: 8384 0549
Website: www.onkaparingacity.com



From: Duncan Shearer
Sent: Tuesday, 4 February 2020 11:56 AM
To: John Mason <John.Mason@onkaparinga.sa.gov.au>
Subject: FW: DA145/7016/2019 (SCAP ref: 2019/12921/01) Wastewater Application Concession

FYI

Kind regards,

Duncan Shearer
Development Officer (Planning)
Corporate and City Services
Ph (08) 8488 2005
www.onkaparingacity.com



From: stevelaytondesign stevelaytondesign <stevelaytondesign@bigpond.com>
Sent: Monday, 3 February 2020 4:32 PM

To: Duncan Shearer <Duncan.Shearer@onkaparinga.sa.gov.au>

Cc: Ben Green <bengreen@bengreen.com.au>

Subject: DA145/7016/2019 (SCAP ref: 2019/12921/01) Wastewater Application Concession

Hi Duncan,

Thankyou for your time this afternoon.

As discussed, there is a development application which has been referred to the State Planning Commission Assessment Panel for the proposed development at 63 Armata Road Onkaparinga Hills DA145/7016/2019 (SCAP ref: 2019/12921/01) .

One of the comments in the recommendations from council to the SCAP is that a 'waste water application needs to be lodged and assessed before the proposal can be supported'.

There has been a number of representations from neighbours following the public notification process and there is very real possibility that the application will not be granted planning approval in it's current form.

Given that, I am reluctant to engage a wastewater engineer to design a system that may never be used.

The wastewater design and application fees will be approximately \$1650 and the owner has already invested significant funds to get to this point.

I am requesting that council allow for the planning approval to proceed without a fully designed wastewater solution, and that a condition of planning approval be set that a wastewater application is to be submitted and approved prior to full development approval. This would need to be communicated to the SCAP Planning Officer Nicholas Giannakodakis.

In regards to the proposed wastewater management, I have nominated an area on the drawings for a soakage area (see attached). The preferred system is a septic tank with sub surface soakage however, if the soil is not suitable for a sub-surface soakage system there is more that adequate land available on this site to provide a suitable solution for an on-site wastewater management system.

I appreciate your consideration of this request.

If you require further information please let me know.

Regards

Steve Layton

McLaren Vale

0448 656 254

Steve Layton Design



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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: DAVID HUTCHINSON **My phone number:** 0414440953

Primary method(s) of contact: **Email:** DAVID@RHBS.COM.AU
Postal Address: Box 127 **Postcode:** 5161
REYNELLA SA

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

My interests are:
(please tick one)

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

The address of the property affected is:

468 PIMPANA ROAD ONKAPARINGA HILLS SA **Postcode** 5163

My interests are:
(please tick one)


☐ I support the development
☐ I support the development with some concerns
☒ I oppose the development

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

SEE ATTACHED

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

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

Signature: 
Date: 28/11/19

I OPPOSE THE DEVELOPMENT ON THE FOLLOWING BASIS

- 1/ CURRENTLY STOCK KEEP THE LAND/VEGETATION UNDER CONTROL. ONCE THE MOTEL IS BUILT HOW WILL VEGETATION BE CONTROLLED
- 2/ THE LARGE FOOTPRINT OF THE PROPOSED MOTEL WILL NOT BE A NATURAL BACKDROP TO THE ADELAIDE PLAIN. WE MOVED INTO OUR PROPERTY EXPECTING THE HILLS FACE ZONE TO BE UPHOLD NOT COMPROMISED BY LARGE DEVELOPMENTS

IF THE OWNERSHIP OF THE PROPERTY WAS TO CHANGE HANDS (CURRENTLY ELDERLY OWNER) THERE IS THE OPTION TO CHANGE ITS USE IMPACTING ON NEIGHBOURING PROPERTIES. THIS IS A BUSINESS VENTURE

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: GRAHAM PEARCE My phone number: 0447 448 050

Primary method(s) of contact: Email: pearceg23@outlook.com
Postal Address: PO Box 64 Postcode: 5159
HAPPY VALLEY

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

My interests are:
(please tick one)

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

The address of the property affected is:

23 ARMATA ROAD, ONKAPARINGA HILLS Postcode 5163

My interests are:
(please tick one)

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

The specific aspects of the application to which I make comment on are: Inappropriate development in high fire risk area and Hills Face zone. This is at the end of a narrow no through road. Extra traffic will cause congestion.

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

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

Signature:

Date:

G. Pearce
28/11/2019

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: PETER JOHN HUGHES **My phone number:** 0411064439
(08) 83836221

Primary method(s) of contact: **Email:** peterpandd@aol.com
Postal Address: PO BOX 68 **Postcode:** 5159
HAPPY VALLEY S.A.

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

My interests are:
(please tick one)

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

The address of the property affected is:

82-84 EDUCATION RD. ONKAPARINGA HILLS. S.A. **Postcode** 5163

My interests are:
(please tick one)

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

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

There are many aspect of the application I wish to comment on. My submission is provided with this form. The 250m western boundary of my property abuts Armata Road.

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

By: ☐ appearing personally

(please tick one)

☒ being represented by the following person

(Please tick one)

Michael Hodgson
71 Armata Rd Onkaparinga Hills. 5163

Signature:

P. Hughes

Date:

29/11/2019

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

STATEMENT DETAILING OBJECTION TO PROPOSED DEVELOPMENT NUMBER 145/LO2/19

I **Peter John Hughes** oppose and object to proposed **Development Number 145/LO219** which would not only destroy the rural nature of the Armata Road section of the Hills Face Zone and the amenity of Armata Road residents but could also endanger their lives and the lives of others accommodated in the proposed building. This is not an emotional claim:

Armata Road is bordered to the west and north by Tangari Park. That area of the park has been razed by bush and grass fires over a number of years – some of which were deliberately lit (as court and other records show). The fire peril is so great residents abutting the property proposing the development (and others residents close by) have been issued with keys to a locked gate across Armata Road - to enable them to escape the area via a rough track west of the locked gate. If approval is granted for **Development Number 145/LO219** will the owner of the property seeking to build an accommodation block of some 400 square metres be issued with keys to enable his paying guests to flee the area in an emergency? I add that the description “Outbuilding” for what is proposed at 63 Armata Road is a misnomer: what is proposed is a motel - with the number of occupants of its beds and a large “Common Room” with kitchen etc at any one time not known. Other unknowns include the increased vehicular traffic on part-bitumen, part-dirt-and-gravel Armata Road to the proposed “Wellness Centre” - and at what time of day or night? Will a tripling of traffic result in the deterioration of approximately half of Armata Road to such an extent that the City of Onkaparinga will be called upon to expend funds on a total remake of the road for safety reasons and others including dust and noise?

It is the consensus of the majority of Armata Road residents that approval of the proposed development would destroy the quiet amenity and enjoyment of their locality. They chose to purchase their properties precisely because of the locality's unspoiled rural nature without commercial activities or a number of the woes of life which can be found in suburbia.

It is also the majority opinion of residents that they oppose **Development Number 145/LO219** on grounds including its inappropriate commercial nature, its size, its appearance including colour, traffic and noise concerns, adequacy of water supplies. (It is understood that water supply to the property seeking the development is via a privately-owned run of ¾ inch poly pipe through several properties including one property whose elderly owner may sell up in the not too distant future and has no responsibility for the pipe running through his property. A new owner would be within his rights to terminate that pipeline or change its functions - which would see the applicant seeking approval for his Armata Road “Wellness Centre” (as well as a number of other Armata Road property owners) without a water supply.

It is SA Water/ SA Government policy not to facilitate any further connections to its supply lines other than **directly** to a meter on properties seeking supply.

The existing water supply to Armata Road is an **indirect service** via the privately installed poly pipeline with no legal standing which is connected to an SA Water meter at the eastern end of Education Road 1.5 kilometres from Armata Road.

As detailed above, there is very real risk of a fire emergency in the Armata Road area and surrounds. If an influx of temporary residents and an unknown number of visitors were present at the proposed "Wellness Centre" when such an emergency occurred., injury or worse could double or triple.

Evacuation east and north up Armata Road to Education Road would be ruled out if a fire emergency occurred in that area of Tangari Park on the western border of Armata Road.

Evacuation west from Armata Road if a fire occurred in that area of Tangari Park on the northern border of Armata Road would likely see chaos at the locked gate which is referenced above. And chaos on the dirt track on the western side of the gate.

I agree with all objections to the proposed development at 63 Armata Road, Onkaparinga Hills by the majority of existing members of the Armata Road community which have been conveyed to me.

P. Hughes 29/11/2019

Peter John Hughes

**Joint owner of the property at 82-84 Education Road , Onkaparinga Hills
(corner of Armata Road and Education Road with western boundary abutting
Armata Road).**

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: DAVID JOESEPH BARTOLO **My phone number:** 0413860235
(08) 83836221

Primary method(s) of contact: Email: peterpandd@aol.com
Postal Address: PO BOX 68 Postcode: 5159
HAPPY VALLEY S.A.

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

My interests are:
(please tick one)

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

The address of the property affected is:

82-84 EDUCATION RD. ONKAPARINGA HILLS. S.A. Postcode 5163

My interests are:
(please tick one)

☐ I support the development
☐ I support the development with some concerns
☒ I oppose the development

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

There are many aspect of the application I wish to comment on. My submission is provided with this form. The 250m western boundary of my property abuts Armata Road.

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

By: ☐ appearing personally

(please tick one) ☒ being represented by the following person Michael Hodgson
(Please tick one) 71 Armata Rd Onkaparinga Hills. 5163

Signature: 

Date: 29/11/2019

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

**STATEMENT DETAILING OBJECTION TO PROPOSED DEVELOPMENT
NUMBER 145/LO2/19**

I David Joseph Bartolo oppose and object to proposed **Development Number 145/LO219** for the identical reasons as set out in a submission forwarded by **Peter John Hughes**.

We are the joint owners of the property at **82-84 Education Road, Onkaparinga Hills (corner of Armata Road and Education Road with our western boundary of 250 metres - a quarter of a kilometre – abutting the southern border of Armata Road)**).

We purchased and occupied this property some 51 years ago. At that time Armata Road was a dirt track as was Education Road - with no residents abutting Armata Road and perhaps three on that section of Education Road a kilometre from the junction of Education Road and Piggot Range Road.

For many years we conducted a native plant nursery on our property and are now retired.

For many years the possibility of fires in Tangari Park on its southern and eastern local borders has been a constant concern, particularly as dry seasons have increased dramatically.

There have been more than a few fires in these areas in these past 51 years. One recent night fire which seriously threatened our property resulted in a conviction for arson.

Approval of the application to invite more residents, temporary or otherwise, to a "Wellness" place at 63 Armata Road Onkaparinga Hills would cause us considerable anxiety.

I believe it would be a huge mistake to approve the proposed commercial enterprise on Hills Face land.

A more suitable site for such an enterprise would be in a commercial area of one of the nearby suburbs where the likelihood of a serious fire emergency is much less.

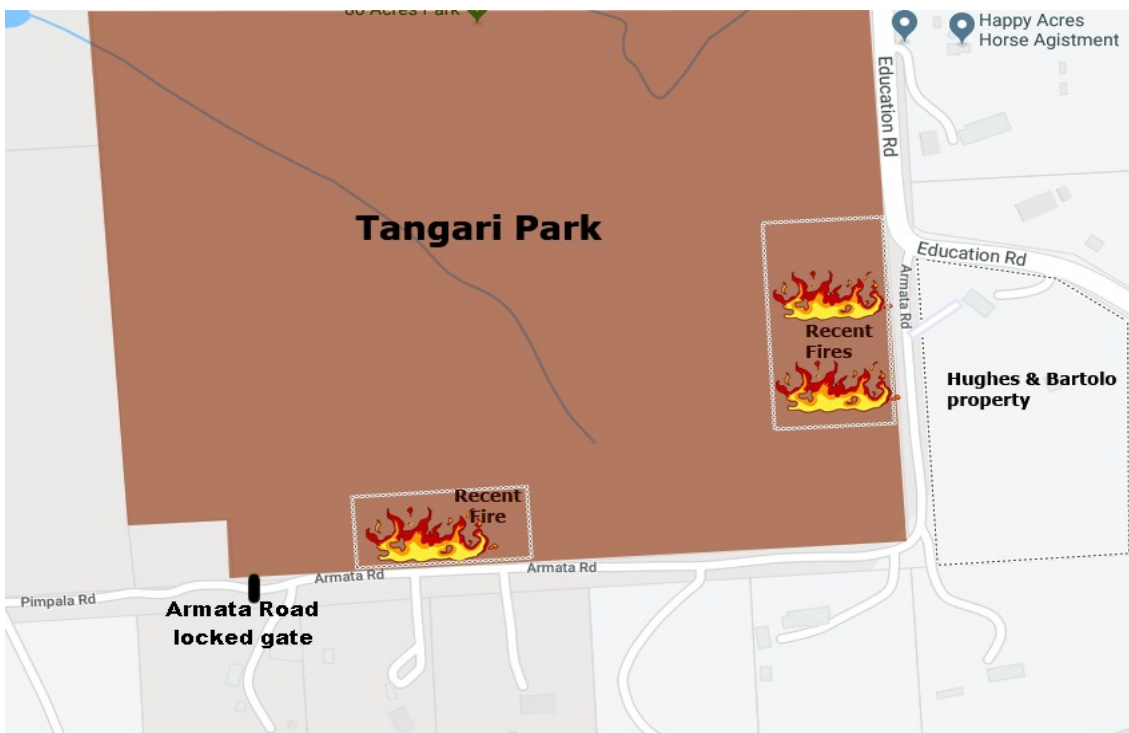
I provide with this message photographic evidence 27/11/19 re the Armata Road locked gate and escape from the road in a fire emergency ; and photographic evidence of the single lane section of the road leading to the gate .

I also provide a map which I believe should be a wake-up call to those charged with assessing **Development Number 145/LO219** .

I would appreciate confirmation of receipt of this message.



David Bartolo 29/11/2019



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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: JOHN TWIGDEN My phone number: 0418 846 916
CHERYL TWIGDEN 0400 422 255

Primary method(s) of contact: Email: JOHN TWIGDEN @ bigpond.com
Postal Address: P.O. Box 215 HAPPY VALLEY Postcode: 5159

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

My interests are:
(please tick one)

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

The address of the property affected is: 27 ARMATA RD
ONKAPARINGA HILLS

Postcode 5163

My interests are:
(please tick one)

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

The specific aspects of the application to which I make comment on are: INCREASED TRAFFIC
ON ARMATA RD HIGH RISK FIRE AREA EVACUATION PROBLEMS
HILLS FACE RESTRICTIONS APPLY TO ALL PROPERTY OWNERS
DANGEROUS ROAD FUNCTION REDUCTION TO ARMATA RD.

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

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

Signature:

Date:

John Twigden Cheryl Twigden
30-11-19

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: GLENYS PEARCE **My phone number:** 0490 739 545

Primary method(s) of contact: **Email:** gpearce2a@gmail.com

Postal Address: _____ **Postcode:** _____

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

My interests are:
(please tick one)

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

The address of the property affected is:

23 Armata Rd, Onkaparinga Hills **Postcode** 5163

My interests are:
(please tick one)

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

The specific aspects of the application to which I make comment on are: Unsuitable roadway for commercial development; narrow, twisting, no through road; high fire risk; E.I.S. (Environmental Impact Study) needed for remnant protected grey box grasslands; future impact?

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

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

Signature: G Pearce

Date: 1/12/2019

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: AMY CJ HILLIARD My phone number: 0400408966

Primary method(s) of contact: Email: achilliard@bigpond.com.au
Postal Address: _____ Postcode: _____

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

My interests are:
(please tick one)

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

The address of the property affected is:

137 PINE ROAD, ONKAPARINGA HILLS SA Postcode 5163

My interests are:
(please tick one)

☐ I support the development
☐ I support the development with some concerns
☒ I oppose the development

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

SEE ATTACHED LETTER

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

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

Signature: [Signature]
Date: 2ND DECEMBER 2019

From: Anne & Christopher Hilliard
Address: 137 Pine Road, Onkaparinga Hills SA 5163
Email: achilliard@bigpond.com.au
Phone: 0400408966/ 0409808966

2nd December 2019

To: Nicholas Giannakodakis
Unit Manager Development Assessment
State Commission Assessment Panel
Email: scapreps@sa.gov.au

Dear Nicholas

This letter is written regarding the Applicant: Steve Layton Design for Application Number: 145/L025/19 for the Proposed Development: Construction of one (1) single story outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping on the Subject Land: 63 Armata Road, Onkaparinga Hills.

We write as adjoining land owner's and oppose the development application.

Our comments on the application are as follows:

Being land owners & residents of the adjoining rural property for over 30 years, we have always been aware of the Hills Face Zone ruling and as such, anyone else buying a property in the Adelaide Hills should be aware of the restrictions that are placed on building development with the main objective being to preserve the Adelaide Hills face.

It is apparent that through engaging the services of a Planning Consultant the Objectives of the Onkaparinga Council for Hill Face Zone can be misconstrued to try and get around current planning guidelines.

There is argument in the application that the proposed building structure should not be classed as a dwelling and be granted building approval based on merit. The nature of the application has been presented as one of "Tourist Accommodation". The definition of "tourism" is one that is generally viewed as something that everyone can benefit from. Often "tourism" makes reference to an activity that expands the economic base of the region. It is for these reasons that we believe the applicant has no right to apply under the guise of "tourism" as the business proposition does not include the wider community. We view the current proposal as a commercial development, operating 7 days a week, resulting in a permanent structure that will accommodate 12 people. A more fitting but non complying classification could be a motel.

The application mentions that the proposed development would be in a secluded part of the allotment. To get to the secluded part of the allotment it would involve access via the proposed driveway that would run directly alongside Mr Lin's adjoining neighbour's property. It would not be unrealistic to envisage six different vehicles going back and forth, 7 days a week. Not only is this obtrusive to the adjoining land owner, the traffic flow would cause significant erosion & dust. The size & design of the building, whilst not being obtrusive to Mr Lin at his vantage point, would be very

obtrusive from the Western Plain and neighbouring properties. The proposed building plans show heavy use of glass across the frontage, which would result in glare. Also to be considered is the additional noise (which is easily carried down the hill to the western neighbours) created by having possibly over twelve people being located in the middle of a paddock.

The proposed development also raises concern given that it would be located within a High Bush Fire Zone with only one access road. Whilst firefighting provisions have been included in the proposed plan it would be unrealistic to expect that "tourists" would be capable of using any equipment, given a bush fire situation. It is probably important also to consider that "tourists" would not share the same level of vigilance during bush fire season that a resident or land owner would, thus posing a risk to all properties in the area.

Whilst the applicant lists the purpose and intended activities in the proposal, these are exclusive to Mr Lin. There is nothing in the application that addresses future ownership of the property or a change of circumstance for the current owner. One would think this should be seriously addressed as the current building proposal would provide financial attraction to gain an income through using the building as a second dwelling, motel or student accommodation.

We would be very disappointed in those who are responsible for upholding the legislation regarding the Adelaide Hills, should this application progress. We are of the belief that the Hills Face Zone should be preserved and as such this business venture involving building a large permanent accommodation building on the one property should not be granted approval. We would feel happier if Mr Lin considered providing a less permanent structure to accommodate his guests; in an area that is more readily accessible, which doesn't impinge on his neighbours and that is within the current planning guidelines for Hills Face Zone.

We would be personally available to attend a meeting, should this be required.

Yours sincerely



Anne Hilliard & Christopher Hilliard

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

Applicant: Steve Layton Design
Development Number: 145/L025/19
Nature of Development: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking and landscaping
Development Type: Merit
Zone / Policy Area: Hills Face Zone
Subject Land: 63 Armata Road, Onkaparinga Hills
Contact Officer: Nicholas Giannakodakis
Phone Number: 7109 7441
Close Date: 5:00 PM Wednesday 4 November 2019

My Name: MICHAEL HODGSON My phone number: 0499 304 446

Primary method(s) of contact: Email: MEH1306@GMAIL.COM
Postal Address: P.O. Box 159 Postcode: 5046
OAKLANDS PARK

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

My interests are:
(please tick one)

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

The address of the property affected is:

71 ARMATA ROAD, ONKAPARINGA HILLS Postcode 5046

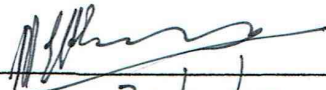
My interests are:
(please tick one)

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

The specific aspects of the application to which I make comment on are: ADVERSELY AFFECT THE AMENITY OF HILLS FACE ZONE. IT IS A LARGE, OBTRUSIVE, COMMERCIAL PROPOSAL. DISRUPTIVE TO LOCALS, COMPROMISING OF SAFETY AND VISUALLY INAPPROPRIATE TO THE ZONE.

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

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

Signature: 

Date: 30/11/19

Return Address: The Secretary, State Commission Assessment Panel, GPO Box 1815, Adelaide, SA 5001 /or
Email: scapreps@sa.gov.au



**PETER MELINE & ASSOCIATES,
TOWN & COUNTRY PLANNERS.
PO BOX 1508, MT BARKER. S.A. 5251.
petermeline@bigpond.com
ph. 0448 395 299**

3/12/19

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

Attn- Nicholas Giannakodakis

Dear Nicholas,

REPRESENTATION

Applicant: Steve Layton Design

Development Number: 145/L025/19

Nature of Development: Construction of one (1) single-storey
outbuilding

for tourist accommodation including ancillary
earthworks, car parking and landscaping

Type of Development: Building works

Zone / Policy Area: Hills Face Zone

Subject Land: 63 Armata Road, Onkaparinga Hills SA 5163

I act for a neighbour to this development application as follows-

Michael Hodgson, 71 Armata Rd, Onkaparinga Hills SA

I hereby submit this response pursuant to Section 38(7) of the Development Act 1993 to the above development that has been exhibited as a "Category 3" development.

Pursuant to Section 38(10)(b) of the Development Act 1993 I wish to address the S.C.A.P. in regard to this Development Application when the development application is considered by the panel for determination pursuant to Section 40 of the Development Act 1993.

Having reviewed the documented as exhibited I have to conclude that the development application does not find sufficient support in the development plan to warrant its approval, indeed it is considered that this proposal, is seriously at variance with the Development Plan and should be refused.

ASSESSMENT

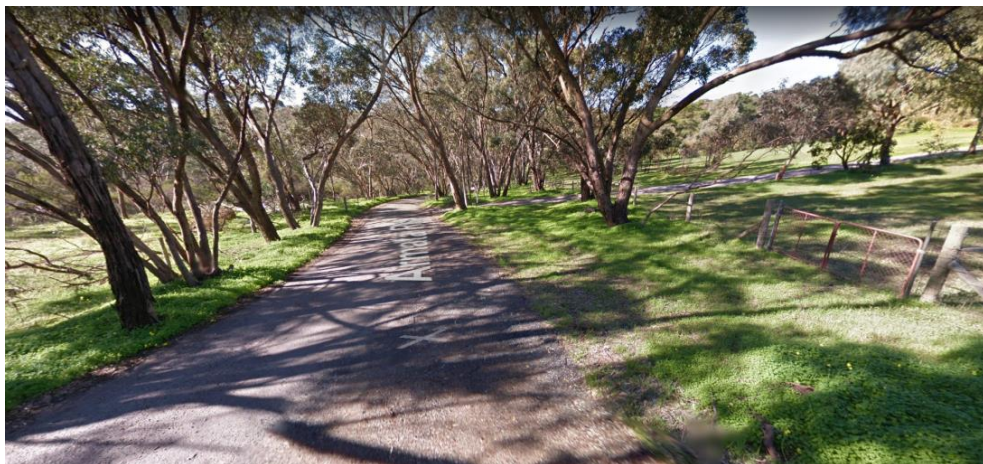
Relevant provisions of the Development Plan consolidated 20 December 2018 are as follows-

Desired Character Statement

The Desired Character Statement provides inter alia that-

"Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively."

In the context of Armata which is a very minor road it is submitted that this proposal is not "Low Scale".



Hills Face Zone

Refer to the *Map Reference Tables* for a list of the maps that relate to this zone.

OBJECTIVES

1 A zone in which the natural character is preserved and enhanced or re-established in order to:

- (a) provide a natural backdrop to the Adelaide Plain and a contrast to the urban area
- (b) preserve biodiversity and restore locally indigenous vegetation and fauna habitats close to metropolitan Adelaide
- (c) provide for passive recreation in an area of natural character close to the metropolitan area

REPRESENTATION TO DA 145/L025/19

(d) provide a part of the buffer area between metropolitan districts and prevent the urban area extending into the western slopes of the Mount Lofty Ranges

(e) ensure that the community is not required to bear the cost of providing services to and within the zone.

2 A zone accommodating low intensity agricultural activities and public/private open space and one where structures are sited and designed in such a way as to:

(a) preserve and enhance the natural character or assist in the re-establishment of a natural character in the zone

(b) limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plain

(c) not create, either in themselves, or in association with other developments, a potential demand for the provision of services at a cost to the community

(d) prevent the loss of life and property resulting from bushfires.

3 Development that contributes to the desired character of the zone.

It is submitted that the proposal flies in the face of the 3 Zone Objectives above. A development of this scale is totally out of context with the locality of Armata Road. Nothing in the Objectives gives support to this proposal.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

1 Development should not be undertaken unless it is associated with a low intensity agricultural activity, a public open space area or a private use of an open character, or is a detached single storey dwelling, including outbuildings and structures normally associated with such dwellings, on a single allotment.

It is considered that the proposal offends Principle 1 above, the proposal clearly does not fit any of the contingencies listed in the Principle.

Form and Character

11 Development should not be undertaken unless it is consistent with the desired character for the zone.

12 Development should not be undertaken if it is likely to result in:

(a) pollution of underground or surface water resources

(b) over exploitation of underground or surface water resources

(c) adverse impact on underground or surface water resources, including any environmental flows required to sustain the natural environment

(d) unnecessary loss or damage to native vegetation including the full range of tree, understorey and groundcover species/native grasses so as to maintain and enhance environmental values and functions, including conservation, biodiversity and habitat

(e) denudation of pastures

(f) the introduction of or an increase in the number of pest plants or vermin

(g) adverse impacts from chemical spray drift, chemical run-off or chemical residue in soils

(h) the erection of structures or construction of access tracks and parking areas in a manner which detracts from the landscape character and visual amenity of the zone

(i) increased hazard to the locality from bushfires

(j) loss of amenity to adjoining land or surrounding localities from:

(i) the visual impact of buildings, structures or earthworks

(ii) the intensity of activity associated with any such use, including significant adverse impacts arising from chemical spray drift, use of audible bird or animal deterrent devices, and the use of associated vehicles and machinery.

It is submitted that the proposal will result in a loss of amenity to the residents of the Armata Road Locality, as such it offends Principle 12(j) above.

14 Buildings, including structures, should be located in unobtrusive locations and, in particular, should:

- (a) be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
- (b) have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road
- (c) be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
- (d) be located well below the ridge line
- (e) be located within valleys or behind spurs
- (f) be set well back from public roads, particularly when the allotment is on the high side of the road
- (g) be sited on excavated, rather than a filled site in order to reduce the vertical profile of the building
- (h) not be sited on landfill which would interfere with the flow of flood waters
- (i) not have a septic tank drainage field located in such a way as to pollute watercourses
- (j) be located in such a way as to maximise the retention of existing native vegetation and retain watercourses in their natural state.

15 Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:

- (a) buildings should be of a single storey
- (b) the profile of buildings should be low and the roof lines should complement the natural form of the land
- (c) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
- (d) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings
- (e) the mass of buildings should be minimized by having separate vehicle storage areas.

The Scale of the proposal is such that it cannot be considered as unobtrusive in the context of the Armata Road locality.

16 Buildings should have a:

- (a) year round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health
- (b) safe, clean, tidy and unobtrusive area for the storage and disposal of refuse so that the desired natural character of the zone is not adversely affected.

The proposal would appear to be deficient in that it gives no details of effluent management and as such appear to ignore Principle 16 above.

17 Driveways and access tracks should follow contours of the land to reduce their visual impact and erosion from water runoff and be surfaced with dark materials.

Access to the facility is especially concerning, Armata is a very minor local road and its nature is very serpentine. With the appreciable additional traffic movements from the guests of 6 proposed rooms who will for the most part have little local knowledge of the road. Local residents have expressed concern with the prospect of increased volume of visitor traffic given the serpentine nature of Armata Road and the numerous tight and blind spots.

21 Buildings should be grouped together.

It is submitted that the location of the proposed Tourist Accommodation is at variance with the above provision. The proposed building is far removed from the existing dwelling on the allotment and clearly offends the above principle.

REPRESENTATION TO DA 145/L025/19

28 Locally indigenous plant species should be established to screen development, including scree slopes created as a result of excavation and/or filling of land, in such a way that the bushfire hazard is not increased. Screening mounds may also be appropriate.

Nothing in the documents exhibited shows any regard to the above Principle regarding establishment of Locally Indigenous Species.

CONCLUSION-

It is clear that the proposal fails on several points to demonstrate sufficient merit to be granted Development Plan Consent-

1. The application as submitted is incompetent as it fails to in any way address the following relevant heads of consideration:

- Character and loss of amenity.
- Traffic and parking,
- Noise nuisance
- Effluent management
- Stormwater management

2. The proposal pays little regard to the desired character statement for the Zone and will plainly conflict with the adjoining and adjacent properties due in large part to its scale and conflict with the existing character of the locality.

3. Traffic and Parking ---given that Armata Road is narrow with very short sightlines on several curves. Traffic and parking- a comprehensive traffic and parking report has not been exhibited. The proposed entrance track will have an adverse impact on the occupants and the visitors to the neighbouring properties.

4. The proposal will have a marked negative impact on the amenity of adjoining allotments and be of profound adverse impact on the adjoining land uses.

It is clear that the proposal is seriously at variance with the Onkaparinga Development Plan (consolidated 2018) and should be refused pursuant to Section 35(2) of the Development Act 1993.

Regards,



Peter Meline
RPIA, MAIBS, JP.

11 March 2020

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

Att: Nick Giannakodakis – *Planning Officer*

RESPONSE TO REPRESENTATIONS

DA Number: 145/L025/19
Applicant: Steve Layton Design
Location: 63 (A13) Armata Road, Onkaparinga Hills
Proposal: Construction of one (1) single-storey outbuilding for tourist accommodation including ancillary earthworks, car parking, formalised driveway & landscaping

1.0 INTRODUCTION

I refer to your correspondence to the Applicant, Steve Layton Design, providing a copy of the eight (8) representations received by the State Commission Assessment Panel (SCAP), following public notification of the abovementioned application. I have been requested by the applicant to review the representations and provide a response to SCAP as appropriate.

In providing this response, I can confirm that I reviewed the proposed plans and accompanying documentation along with the most pertinent provisions of the Onkaparinga Council Development Plan. I have also inspected the subject land and its locality and met the SCAP Planners and Panel Members on site so that they can understand the circumstances of the subject land and locality.

I advise of my opinions as follows.

2.0 DEVELOPMENT PROPOSAL AMENDMENTS

In considering the further information request from SCAP, the applicant has sought to address the key concerns raised and thereby satisfy the relevant provisions of the Onkaparinga Council Development Plan. As a result, the development proposal has been amended to incorporate the following changes:

- An aerial image of the subject land along with confirmation of those neighbours in support and against the proposal
- Photo imagery from vantage points on the plains to confirm the visibility of the proposed development (both from the naked eye and zoomed)
- Updated site plan to demonstrate location of existing outbuildings on subject land and adjoining land along with native vegetation (none of which is to be removed)



- Updated landscaping plan incorporating a strip of roadside native vegetation screening along the proposed driveway, battered slopes and generally around the proposed tourism accommodation building
- Stormwater management detail on the plans (not engineered at this stage – large site)
- A vegetation management zone to reflect bushfire protection criteria of the CFS
- A cross section plan including civil site works detail
- Remove any signage from the proposed development
- On-site Waste Control System conceptual detail (not engineered at this stage – large site)
- Waste generated will be minimal and be stored in two standard waste bins and a recycling bin and be managed by the applicant / landowner who resides on the property. The waste bins will be located in free-standing screened bin enclosure behind the common room to the rear of the kitchen area on the flat land cut into the bank of the hill.
- There will be no specific deliveries to the tourist accommodation as the applicant would be providing all services to the accommodation building through his house on the site.

3.0 CONSIDERATION OF THE REPRESENTATION

I have considered the eight (8) representations received by SCAP for which each raised some queries and concerns with the proposal. I note that five representors have indicated that they or their representative would like to be heard by the Panel with three of the representors being heard by the same representative.

An overview of the representations is provided below -

- (1) Anne and Christopher Hilliard – 137 Pine Road, Onkaparinga Hills
 - Against the proposal
 - Wish to be heard
- (2) John and Cheryl Twigden – 27 Armata Road, Onkaparinga Hills
 - Against the proposal
 - Wish to be heard
- (3) David Joeseeph Bartolo – 82-84 Education Road, Onkaparinga Hills
 - Against the proposal
 - Wishes to be represented by Michael Hodgson (note: see #5)
- (4) Peter John Hughes – 82-84 Education Road, Onkaparinga Hills
 - Against the proposal
 - Wishes to be represented by Michael Hodgson (note: see #5)
- (5) Michael Hodgson – 71 Armata Road, Onkaparinga Hills
 - Against the proposal
 - Wishes to be represented by Peter Meline
- (6) David Hutchinson – 468 Pimpala Road, Onkaparinga Hills
 - Against the proposal
 - Does not wish to be heard
- (7) Glenys Pearce – 23 Armata Road, Onkaparinga Hills
 - Against the proposal
 - Does not wish to be heard
- (8) Graham Pearce – 23 Armata Road, Onkaparinga Hills
 - Against the proposal
 - Does not wish to be heard



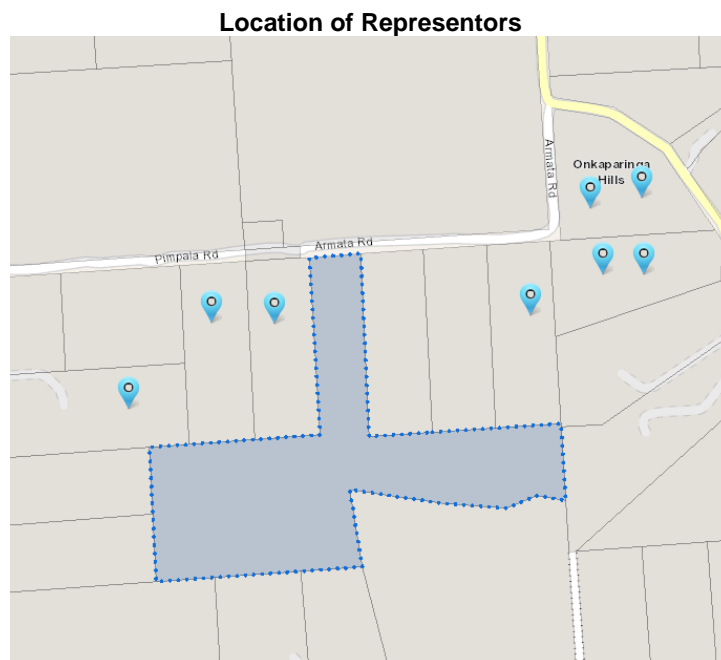
The concerns with the project raised are summarised below –

- Not in accordance with the provisions of the Hills Face Zone – not low scale and not sited unobtrusively
- Inappropriate classification of proposed tourist accommodation development ie commercial / motel
- Out of character and loss of amenity (disrupt locals visually / dust / noise / glare etc)
- Increase in traffic - unsuitable road to accommodate commercial development
- Bushfire risk – High bushfire risk area / compromise safety
- Protection of existing vegetation / not sufficient indigenous landscaping
- Provision of water supply
- On-site waste control / effluent disposal
- Future Uses / Property values

A response to the issues raised within the representation is provided below.

I further note that two submissions were received in support of the proposal prior to lodgement, both of which are direct neighbours to the proposal located at 57 Armata Road and 171 Pine Road.

An aerial plan of the objectors and supporters of the proposal has been prepared and is attached to this submission. For ease in response I have also shown with blue pin point on a map below the location of those who lodged a representation against the proposal.



3.1 Inappropriate land use in Hills Face Zone

The Hills Face Zone seeks to ensure that the 'natural character' of the area is preserved, enhanced or established, and to provide a natural backdrop to the Adelaide Plains. The 'natural character' is defined as being the natural topography, native vegetation and natural colours of the landscape.



The desired character statement of the Hills Face Zone acknowledges that tourist facilities can be *appropriate* depending on the scale, siting and design and more specifically:

Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively.

The construction of a tourist accommodation building on the subject land will simply not inhibit or jeopardise the continuation of other uses present on adjoining sites. The activities associated with the accommodation are low in intensity (maximum 12 person - within 6 small single bed accommodation rooms for either couples or singles) and it is very likely that the full 12 person capacity would not be on-site at any one time. It is also likely that weekends and holidays would typically be busier than weekdays that are generally used on a more infrequent basis. Furthermore, the accommodation is only offered for a minimum of 3 night stays to ensure that the turnover of guests is reduced and to the guests have time to truly relax. The essence of this accommodation is for the guests to celebrate the tranquillity of the locality, as opposed to a more intensive activity that would detrimentally affect the locality by way of noise nuisance or increased traffic impacts.

The building is to be located on one of the larger allotments in the subject Hills Face Zone locality and is to be single storey and 226m² in area. Given the larger scale of the subject land holding and space around the built form, coupled with the fact the subject siting of the building is not visible from any of the sites neighbours echoes the applicants happiness retreat mantra ie it is a place of tranquillity, small in scale and not visible to anyone whilst offering a place to stay with amazing views.

Given the deliberate low scale and reduced intensity of the proposed development, I am of the view that the proposed land use is generally consistent with the intent of the Zone and that the use can occur without threatening the character of the locality and/or the attainment of the Desired Character or Objectives of the Hills Face Zone.





3.2 Classification of Proposed Development

A number of representors have raised concerns with the nature of the development being classed as an 'outbuilding for tourist accommodation'. Instead it has been suggested that the proposed development is more akin to a 'commercial' development or a 'motel'.

Prior to the public consultation period, the applicant and officers of DPTI discussed at length the nature of the proposed development. As part of these deliberations, officers of SCAP sought confirmation from the applicant about various aspects of the proposal and namely whether a restaurant is being proposed as part of the proposal, which it is not.

We were subsequently advised that DPTI's Unit Manager of Development Assessment, Mr Jason Cattonar confirmed the proposed development should be considered as a tourist accommodation and thus the application has been considered accordingly. This advice is supported.

Furthermore, the accommodation is being marketed by the applicant, as a happiness retreat for clientele to come and relax and enjoy the tranquillity. The applicant himself lectures in the art of being happy in his retirement and will offer to discuss how he thinks being happy can be achieved only if the clientele is interested.

There is no classes offered or functions or food offered / served or provided or any form of liquor license for alcohol or retail commercial transactions taking place apart from paying the fee to stay in a quiet and tranquil small scale bedroom with ensuite with some small scale common facilities to cook if you want to, or do the laundry or meet other guests.

Schedule 1 of the Development Regulations 2008 lists a "hotel", "motel" and a "restaurant" as the following:

Hotel means premises licensed, or proposed to be licensed, as a hotel under the Liquor Licensing Act 1985, but does not include a motel;

Motel means a building or group of buildings providing temporary accommodation for more than 5 travellers, and includes an associated restaurant facility, but does not include a hotel or residential flat building;

Restaurant means land used primarily for the consumption of meals on the site;

To be clear, there are no meals to be offered for breakfast / lunch or dinner and/or any liquor or drinks and as such there is no restaurant facility proposed.

The accommodation is to be provided on a temporary basis with a minimum 3 night stay with no food or drinks offered for clientele to enjoy the peace and quiet of the subject site and locality whilst enjoying the amazing views as a place to retreat and be happy from the busy lives most of us live.

3.3 Out of Character & Loss of Amenity

Representors have raised concerns that the proposed development will have an adverse impact upon the existing character and amenity of the locality.

The proposed development has been carefully designed to ensure that both the building and vehicular access will not have a detrimental impact upon the appearance of the land and buildings in the locality.

The building will not be constructed above the ridgeline, so will not 'skyline' from any perspective, or be constructed of highly reflective materials or bright and inappropriate colours within the locality but



complementary colours and materials to the surrounds. The design and style of tourist accommodation building seeks to achieve the relevant provisions of the Development Plan for the Hills Face Zone by blending in with its natural location amongst the trees overlooking the views on the subject land and beyond.

The existing high level of vegetation in the locality assists in screening the building from public view. Additional landscaping is proposed along the proposed driveway – closest to the adjoining dwellings to the west – with native shrubs chosen with a matured height of approximately 6.0 metres.

Visibility of the subject site is minimal from the surrounding road network and neighbours that can only be truly evaluated when you are standing at the location of the proposed building. Limited views of the site are obtainable as a result of vegetation (both roadside and on private property) and the topography of the land more generally. Given this and the topography of the surrounding landscape, the tourist accommodation building will be nestled into the hillside and will be unobtrusive when viewed from Armata Road, distant vantage points and surrounding landowners as shown in the accompanying documentation

The orientation of the access road has also been carefully designed to extend out from the existing dwelling driveway behind existing outbuildings and without removing any native vegetation to provide adequate screening and separation to the closest neighbour to the west. The driveway then links with current more informal driveway to the site of the proposed development that will be further screened by landscaping planted on either side.

As such, it is my opinion that the proposed development will result in a limited change to the character of the locality and region and it is suggested that the existing levels of amenity enjoyed by adjoining land owners within the locality will be maintained.

3.4 Increase in Traffic and Erosion/Dust

A number of representations have raised concerns about the potential increased in traffic volumes and its potential impacts upon adjoining land owners.

Vehicular access to and from the proposed building will be obtained from the existing driveway that connects to Armata Road which is a bitumen sealed road to the driveway on the subject land. The existing gravel driveway will be upgraded to an all-weather access road (compacted road base) with a width of 3.0 metres and a 6.0 metre wide passing bay at the halfway point. The upgrade to this existing driveway will minimise dust and with its location reduce impacts on adjoining allotments.

It should also be noted that the amended plans have shown a number of outbuildings sited on the adjoining western allotment. The combination of the existing structures, upgrades to the driveway and planting of native shrubs (adjoining the driveway) will assist to screen the occupants of the adjoining allotment from both the visual and any dust impacts from the proposed development.

The access points and internal driveways seek to utilise the existing driveway and tracks to ensure that disruption to existing grazing activities on the subject land does not occur. The access points and driveways also satisfy the requirements of the Ministers Code for Undertaking Development in a Bushfire Protection Area.

The size of the proposed development has been kept to a manageable size whereby vehicular access to and from the site is not expected to be significant. The tourist accommodation building is proposed as a 'happiness retreat' for weekend and weeklong stays. Once guests arrive at the proposed development, they may not even leave the accommodation or may do so infrequently as they visit local attractions, cafes and restaurants etc. The emphasis of the accommodation is its tranquillity, rest and be happy and slow down and enjoy the views to significantly reduce the number of vehicular trips to and from the site, ensuring that it will not result in a detrimental increase in traffic



visiting the site or locality nor substantially interfere with the free flow of traffic on the existing road network.

3.5 Bushfire Risk

A key issue raised by the majority of representations related to the subject land being located within a high bushfire risk area.

It is acknowledged that the subject land is located within a High Bushfire Protection Area is depicted in BPA Map Onka/5 of the Onkaparinga Council Development Plan. The building design, siting, water supply and vehicle access has all been undertaken in accordance with the Ministers (Bushfire) Code.

The upgrading of the existing access road to an all-weather driveway, 6m wide passing bay, minimal slope (an average of 11 degrees compared with the maximum 16 degrees) and 'Y' shaped fire truck turnaround area all comply with the vehicular access and manoeuvrability requirements of the Ministers (Bushfire) Code.

Importantly, but not raised in correspondence is the CFS upon inspection of the land commented that they welcomed the improved driveway link to the subject site on the opposite side of the ridge to enable fire fighting vehicles to easily access this hillside and provide increased ability to be able to fight fires at the rear of a number of dwellings in the subject locality.

The proposed development also provides 2 x 24,000 litre dedicated firefighting water storage tanks. Landscaping has been chosen from a list of suitable species compiled by the Australian Plants Society (Victorian division) that have been found to have a higher fire resistance.

As part of this application process, a mandatory referral to the Country Fire Service (CFS) was required. On 12 December 2019, the CFS confirmed that they have no objection to the proposed development, subject to a number of standard conditions.

The CFS has also recommended (although not conditional) that a Bushfire Survival Plan (BSP) and a manifest box be prepared. The BSP is designed specifically for future guests that may in residence during a bushfire event and provides clear directions of what protective actions should be undertaken. The applicant supports this recommendation and will prepare a BSP to ensure all residents are adequately informed and increase their overall safety.

Similarly, the applicant supports the installation of a manifest box at the entrance of the property. The manifest box is to be used (in the event of a bushfire event) by the CFS and contains details of the subject land, vehicle access map, turning areas, location of buildings and where to locate various firefighting equipment).

As the CFS supports the measures incorporated into the proposed development, it is my opinion that the proposal satisfies all the relevant bushfire related provisions within the Onkaparinga Council Development Plan.

3.6 Protection of Existing Vegetation

Although concerns have been raised in a submission about the loss of existing native vegetation, it is clearly shown in the provided documentation that no vegetation (native or otherwise) is to be removed as part of this development proposal.

The proposed building is to be sited in an area devoid of existing strands of matured vegetation and the paddock is on pasture for the grazing of cattle. The proposed driveway follows the existing driveway and extends to the existing track to the rear of the property and does not result in the removal of any vegetation.



The applicants are in fact, increasing the extent of native vegetation, with the proposed screening landscaping to be planted adjoining the neighbouring dwelling along the driveway and all around the proposed tourist accommodation. This will have a net benefit of increased native vegetation and supports the Development Plan by enhancing the visual and environmental amenity of the locality.

3.7 Provisions of Water Supply / Stormwater Management

A representor has raised concerns about the provision of dedicated water supply to the subject land. While this concern is acknowledged, the existing dwelling on the subject land (in addition to other adjoining dwellings), has been connected to potable water supply for an extended period of time. The proposed development at the rear of the existing dwelling is intended to also be connected to this water supply along with water harvested in rain water tanks from the roof of the proposed building with no other changes proposed to the existing water connection.

The bulk of the water from the roof of the building will be captured in a series of large rainwater tanks with vegetated battered slopes and triangular vegetated area around the accommodation all proposed to retain any stormwater generated from the proposed development. Engineered civil plans are able to be developed once planning approval is granted and prior to development approval with relevant conditions to this effect supported by the applicant.

3.8 Effluent Disposal

A submission has raised concerns about the provision of infrastructure to manage waste water disposal. The Site Plan demonstrates an area allocated to the west of the proposed development that will adequately cater for the key area of soakage. Located approximately 17 metres from the allotment boundary and 120 metres from a watercourse, the location is suitable to cater for any waste generated by the proposed development.

It is acknowledged that engineering specifications have yet to be undertaken and a water application yet to be submitted to the City of Onkaparinga for approval. However, the building designer has been in discussions with the City of Onkaparinga and on 4th February 2020, officers of SCAP were advised by Council that:

“We have briefly reviewed the wastewater and are comfortable that a system can work acceptably and in accordance with the SA Public Health Act 2011. We don’t believe it should hold up the planning assessment, but would need to be resolved and approved prior to development approval being granted.”

The applicants recognise that waste water will need to be resolved prior to development approval being granted. A Condition of Approval to reflect this is supported by the applicant.

3.9 Future Uses / Property values

Respectfully, any future use of the land over and above what has been applied for would need to be lodged as an application with the relevant authority. The perceived impacts of property values whether they be an increase or decrease in direct relation to a specific development has been considered by the Courts and confirmed not to be a relevant planning consideration during an assessment of an application against the relevant provisions of the Development Plan.



4.0 CONCLUSION

After careful consideration of the issues raised within the representations, it is my view that the application is not 'seriously at variance' with the provisions of the Development Plan.

The applicant has sought to respond to the concerns raised by the representors, particularly with regards to the overall design, visual impacts, traffic impacts and bushfire risk.

The proposed single storey tourist accommodation proposal is considered appropriate within the Hills Face Zone given its relatively small-scale, careful siting and retention / provision of landscaping. It is in my opinion that this proposal will not diminish the existing character of the locality nor jeopardise the continuation of existing uses on the subject land or adjoining allotments.

The design and appearance of the proposed tourist accommodation building is unlikely to have an adverse visual impact on the existing rural landscape and Hills Face zoned area due to the siting of the development as it is well screened by a combination of existing mature trees and vegetation in addition to the planting of new vegetation.

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

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

Yours faithfully

Ben Green & Associates

Ben Green, CPP MPiA
bengreen@bengreen.com.au

enc – Amended plans

cc: Mr Grier Lin / Steve Layton Design

Development Plan

Onkaparinga Council

Consolidated – 20 December 2018

Please refer to the Onkaparinga Council page at www.sa.gov.au/developmentplans to see any amendments not consolidated.



Government of South Australia

Department of Planning,
Transport and Infrastructure

Consolidated - 20 December 2018

General Section

Design and Appearance

OBJECTIVES

- 1 Development of a high design standard and appearance that responds to and reinforces positive aspects of the local environment and built form.
- 2 Roads, open spaces, paths, buildings and land uses laid out and linked so that they are easy to understand and navigate.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Buildings should reflect the desired character of the locality while incorporating contemporary designs that have regard to the following:
 - (a) building height, mass and proportion
 - (b) external materials, patterns, colours and decorative elements
 - (c) roof form and pitch
 - (d) façade articulation and detailing
 - (e) verandas, eaves, parapets and window screens.
- 2 In repetitive building types, such as row housing, the appearance of building facades should provide some variation, but maintain an overall coherent expression such as by using a family of materials, repeated patterns, façade spacings and the like.
- 3 Windows and doors, awnings, eaves, verandas or other similar elements should be used to provide variation of light and shadow and contribute to a sense of depth in the building façade.
- 4 Where a building is sited on or close to a side or rear boundary, the boundary wall should minimise:
 - (a) the visual impact of the building as viewed from adjacent properties
 - (b) overshadowing of adjacent properties and allow adequate sunlight access to neighbouring buildings.
- 5 The external walls and roofs of buildings should not incorporate highly reflective materials which will result in glare to neighbouring properties, drivers or cyclists.
- 6 Structures located on the roofs of buildings to house plant and equipment should be screened from view and should form an integral part of the building design in relation to external finishes, shaping and colours.
- 7 Balconies should:
 - (a) be integrated with the overall form and detail of the building
 - (b) include balustrade detailing that enables line of sight to the street
 - (c) be recessed where wind would otherwise make the space unusable
 - (d) be self-draining and plumbed to minimise runoff

- (e) allow views and casual surveillance of the street or any thoroughfare while providing for safety and visual privacy of nearby living spaces and private outdoor areas
 - (f) be of sufficient size, particularly depth, to accommodate outdoor seating where it acts as the primary area of private open space for a dwelling.
- 8 Transportable buildings and buildings which are elevated on stumps, posts, piers, columns or the like, should have their suspended footings enclosed around the perimeter of the building, and the use of verandas, pergolas and other suitable architectural detailing to give the appearance of a permanent structure.

Development Adjacent Heritage Places

- 9 The design of multi-storey buildings should not detract from the form and materials of adjacent State and local heritage places listed in [Table Onka/10 - State Heritage Places](#) or in [Table Onka/9 - Local Heritage Places](#).
- 10 Development on land adjacent to a State or local heritage place, as listed in [Table Onka/10 - State Heritage Places](#) or in [Table Onka/9 - Local Heritage Places](#), should be sited and designed to reinforce the historic character of the place and maintain its visual prominence.

Overshadowing

- 11 Except where otherwise specified in a zone, policy area or precinct, development should ensure that:
- (a) north-facing windows to living rooms of existing dwelling(s) on the same allotment, and on adjacent allotments, receive at least 3 hours of direct sunlight over a portion of their surface between 9 am and 3 pm during the winter solstice (21 June)
 - (b) ground level private open space of existing dwellings receives direct sunlight for a minimum of 2 hours between 9 am and 3 pm on 21 June to at least the smaller of the following:
 - (i) half of the existing ground level private open space
 - (ii) 35 square metres of the existing ground level private open space
 - (c) where ground level private open space is already overshadowed by an amount greater than allowed in part (b), development should not increase the area overshadowed by more than 20 per cent
 - (d) overshadowing of upper-level private balconies that provide the primary open space area for a dwelling is minimised
 - (e) unreasonable overshadowing of existing solar collectors (such as solar hot water systems and photovoltaic cells) is avoided to ensure their efficient ongoing operation.

Visual Privacy

- 12 Development should minimise direct overlooking of habitable rooms and private open spaces of dwellings through measures such as:
- (a) off-setting the location of balconies and windows of habitable rooms with those of other buildings so that views are oblique rather than direct
 - (b) providing adequate spatial separation between balconies or windows of habitable rooms with those of other buildings
 - (c) providing screening devices (including fencing, obscure glazing, screens, external ventilation blinds, window hoods and shutters) that are integrated into the building design and have minimal negative effect on residents' or neighbours' amenity.

- 13 Permanently fixed external screening devices should be designed and coloured to complement the associated building's external materials and finishes.

Relationship to the Street and Public Realm

- 14 Buildings (other than ancillary buildings, group dwelling(s) or residential flat buildings with no direct street frontage or buildings on allotments with a battle axe configuration or similar) should be designed so that the main façade faces the primary street frontage of the land on which they are situated unless where dwellings are designed to front public open space with a laneway used for vehicle access purposes.
- 15 Buildings, landscaping, paving and signage should have a co-ordinated appearance that maintains and enhances the visual attractiveness of the locality.
- 16 Buildings should be designed and sited to avoid extensive areas of uninterrupted walling facing areas exposed to public view or from adjoining dwellings in residential areas.
- 17 Building design should emphasise pedestrian entry points to provide perceptible and direct access from public street frontages and vehicle parking areas.
- 18 The ground floor of mixed use buildings should comprise non-residential land uses.
- 19 In mixed use areas, development facing the street should be designed to activate the street frontage(s):
- (a) including features that attract people to the locality such as frequent doors and display windows, retail shopfronts and/or outdoor eating or dining areas
 - (b) minimising the frontage for fire escapes, service doors, plant and equipment hatches
 - (c) avoiding undercroft or ground floor vehicle parking that is visible from the primary street frontage
 - (d) using colour, vertical and horizontal elements, roof overhangs and other design techniques to provide visual interest and reduced massing.
- 20 Where zero or minor setbacks are desirable, development should incorporate shelter over footpaths to enhance the quality of the pedestrian environment.

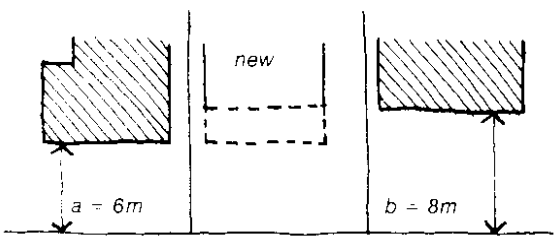
Outdoor Storage and Service Areas

- 21 Outdoor storage, loading and service areas should be:
- (a) screened from public view by a combination of built form, solid fencing and/or landscaping
 - (b) conveniently located and designed to enable the manoeuvring of service and delivery vehicles
 - (c) sited away from sensitive land uses.

Building Setbacks from Road Boundaries

- 22 Except in areas where a new character is desired, the setback of buildings from public roads should:
- (a) be similar to, or compatible with, setbacks of buildings on adjoining land and other buildings in the locality
 - (b) contribute positively to the function, appearance and/or desired character of the locality
 - (c) not result in or contribute to a detrimental impact upon the function, appearance or character of the locality.

- 23 Except where **otherwise** specified in a particular zone, policy area or precinct, buildings and structures should be set back from road boundaries having regard to the requirements set out in [Table Onka/2 - Building Setbacks from Road Boundaries](#).
- 24 Lesser set-back distances to those stipulated in [Table Onka/2 - Building Setbacks from Road Boundaries](#) may be considered where (a) or (b) or (c) is satisfied:
- (a) the set back of the proposed building is consistent with the set back of existing buildings on adjoining or nearby land
 - (b) the proposed building will be substantially screened by existing vegetation, natural form and features of the land or by the adjacent existing buildings
 - (c) where the reduced set back will not result in or contribute to a detrimental impact upon the function of the road or the appearance and character of the locality.
- 25 Except where **otherwise** specified in a particular zone, policy area, precinct **or table** the main face of a building should be set back from the primary road frontage in accordance with the following table:

Setback difference between buildings on adjacent allotments	Setback of new building
Up to 2 metres	The same setback as one of the adjacent buildings, as illustrated below:
 <p>When $b - a \leq 2$, setback of new dwelling = a or b</p>	
Greater than 2 metres	At least the average setback of the adjacent buildings

- 26 Except in areas where a new character is desired or where specified in a zone, policy area or precinct, the setback of development from a secondary street frontage should reflect the setbacks of the adjoining buildings and other buildings in the locality.
- 27 All setbacks from the road frontage should be additional to the road widening setback established under the *Metropolitan Adelaide Road Widening Plan Act 1972* **or any road widening setbacks required by council.**

Hazards

OBJECTIVES

- 1 Maintenance of the natural environment and systems by limiting development in areas susceptible to natural hazard risk.
- 2 Development located away from areas that are vulnerable to, and cannot be adequately and effectively protected from the risk of natural hazards.
- 3 Critical community facilities such as hospitals, emergency control centres, major service infrastructure facilities, and emergency service facilities located where they are not exposed to natural hazard risks.
- 4 Development located and designed to minimise the risks to safety and property from flooding.
- 5 Development located to minimise the threat and impact of bushfires on life and property.
- 6 Expansion of existing non-rural uses directed away from areas of high bushfire risk.
- 7 The environmental values and ecological health of receiving waterways and marine environments protected from the release of acid water resulting from the disturbance of acid sulphate soils.
- 8 Protection of human health and the environment wherever site contamination has been identified or is suspected to have occurred.
- 9 Appropriate assessment and remediation of site contamination to ensure land is suitable for the proposed use and provides a safe and healthy living and working environment.
- 10 Minimisation of harm to life, property and the environment through appropriate location of development and appropriate storage, containment and handling of hazardous materials.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be excluded from areas that are vulnerable to, and cannot be adequately and effectively protected from, the risk of hazards.
- 2 Development located on land subject to hazards as shown on the *Overlay Maps - Development Constraints* should not occur unless it is sited, designed and undertaken with appropriate precautions being taken against the relevant hazards.
- 3 There should not be any significant interference with natural processes in order to reduce the exposure of development to the risk of natural hazards.
- 4 The location of critical community facilities or key infrastructure in areas of high natural hazard risk should be avoided.

Flooding

- 5 Development should not occur on land where the risk of flooding is likely to be harmful to safety or damage property.
- 6 Development should not be undertaken in areas liable to inundation by tidal, drainage or flood waters unless the development can achieve all of the following:
 - (a) it is developed with a public stormwater system capable of catering for a 1-in-100 year average return interval flood event

- (b) buildings are designed and constructed to prevent the entry of floodwaters in a 1-in-100 year average return interval flood event.
- 7 Development, including earthworks associated with development, should not do any of the following:
 - (a) impede the flow of floodwaters through the land or other surrounding land
 - (b) increase the potential hazard risk to public safety of persons during a flood event
 - (c) aggravate the potential for erosion or siltation or lead to the destruction of vegetation during a flood
 - (d) cause any adverse effect on the floodway function
 - (e) increase the risk of flooding of other land
 - (f) obstruct a watercourse.

Bushfire

- 8 The following bushfire protection principles of development control apply to development of land identified as General, Medium and High bushfire risk areas as shown on the *Bushfire Protection Area BPA Maps - Bushfire Risk*.
- 9 Development in a Bushfire Protection Area should be in accordance with those provisions of the *Minister's Code: Undertaking development in Bushfire Protection Areas* that are designated as mandatory for Development Plan Consent purposes.
- 10 Buildings and structures should be located away from areas that pose an unacceptable bushfire risk as a result of one or more of the following:
 - (a) vegetation cover comprising trees and/or shrubs
 - (b) poor access
 - (c) rugged terrain
 - (d) inability to provide an adequate building protection zone
 - (e) inability to provide an adequate supply of water for fire fighting purposes.
- 11 Residential, tourist accommodation and other habitable buildings should:
 - (a) be sited on the flatter portion of allotments and avoid steep slopes, especially upper slopes, narrow ridge crests and the tops of narrow gullies, and slopes with a northerly or westerly aspect
 - (b) be sited in areas with low bushfire hazard vegetation and set back at least 20 metres from existing hazardous vegetation
 - (c) have a dedicated and accessible water supply available at all times for fire fighting.
- 12 Extensions to existing buildings, outbuildings and other ancillary structures should be sited and constructed using materials to minimise the threat of fire spread to residential, tourist accommodation and other habitable buildings in the event of bushfire.
- 13 Buildings and structures should be designed and configured to reduce the impact of bushfire through using simple designs that reduce the potential for trapping burning debris against the building or structure, or between the ground and building floor level in the case of transportable buildings.
- 14 Land division for residential or tourist accommodation purposes within areas of high bushfire risk should be limited to those areas specifically set aside for these uses.

- 15 Where land division does occur it should be designed to:
- (a) minimise the danger to residents, other occupants of buildings and fire fighting personnel
 - (b) minimise the extent of damage to buildings and other property during a bushfire
 - (c) ensure each allotment contains a suitable building site that is located away from vegetation that would pose an unacceptable risk in the event of bushfire
 - (d) ensure provision of a fire hazard separation zone isolating residential allotments from areas that pose an unacceptable bushfire risk by containing the allotments within a perimeter road or through other means that achieve an adequate separation.
- 16 Vehicle access and driveways to properties and public roads created by land division should be designed and constructed to:
- (a) facilitate safe and effective operational use for fire fighting and other emergency vehicles and residents
 - (b) provide for two-way vehicular access between areas of fire risk and the nearest public road.
- 17 Olive orchards should be located and developed in a manner that minimises their potential to fuel bushfires.

Salinity

- 18 Development should not increase the potential for, or result in an increase in, soil and water salinity.
- 19 Preservation, maintenance and restoration of locally indigenous plant species should be encouraged in areas affected by dry land salinity.
- 20 Irrigated horticulture and pasture should not increase groundwater induced salinity.

Acid Sulfate Soils

- 21 Development and activities, including excavation and filling of land, that may lead to the disturbance of potential or actual acid sulfate soils should be avoided unless such disturbances are managed in a way that effectively avoids the potential for harm or damage to any of the following:
- (a) the marine and estuarine environment
 - (b) natural water bodies and wetlands
 - (c) agricultural or aquaculture activities
 - (d) buildings, structures and infrastructure
 - (e) public health.
- 22 Development, including primary production, aquaculture activities and infrastructure, should not proceed unless it can be demonstrated that the risk of releasing acid water resulting from the disturbance of acid sulfate soils is minimal.

Site Contamination

- 23 Development, including land division, should not occur where site contamination has occurred unless the site has been assessed and remediated as necessary to ensure that it is suitable and safe for the proposed use.

Containment of Chemical and Hazardous Materials

- 24 Hazardous materials should be stored and contained in a manner that minimises the risk to public health and safety and the potential for water, land or air contamination.
- 25 Development that involves the storage and handling of hazardous materials should ensure that these are contained in designated areas that are secure, readily accessible to emergency vehicles, impervious, protected from rain and stormwater intrusion and other measures necessary to prevent:
 - (a) discharge of polluted water from the site
 - (b) contamination of land
 - (c) airborne migration of pollutants
 - (d) potential interface impacts with sensitive land uses.

Landslip

- 26 Land identified as being at risk from landslip should not be developed.
- 27 Development, including associated cut and fill activities, should not lead to an increased danger from land surface instability or to the potential of landslip occurring on the site or on surrounding land.
- 28 Development on steep slopes should promote the retention and replanting of vegetation as a means of stabilising and reducing the possibility of surface movement or disturbance.
- 29 Development in areas susceptible to landslip should:
 - (a) incorporate split level designs to minimise cutting into the slope
 - (b) ensure that cut and fill and heights of faces are minimised
 - (c) ensure cut and fill is supported with engineered retaining walls or are battered to appropriate grades
 - (d) control any erosion that will increase the gradient of the slope and decrease stability
 - (e) ensure the siting and operation of an effluent drainage field does not contribute to landslip
 - (f) provide drainage measures to ensure surface stability is not compromised
 - (g) ensure natural drainage lines are not obstructed.

Interface Between Land Uses

OBJECTIVES

- 1 Development located and designed to minimise adverse impact and conflict between land uses.
- 2 Protect community health and amenity from adverse impacts of development.
- 3 Protect desired land uses from the encroachment of incompatible development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should not detrimentally affect the amenity of the locality or cause unreasonable interference through any of the following:
 - (a) the emission of effluent, odour, smoke, fumes, dust or other airborne pollutants
 - (b) noise
 - (c) vibration
 - (d) electrical interference
 - (e) light spill
 - (f) glare
 - (g) hours of operation
 - (h) traffic impacts.
- 2 Development should be sited and designed to minimise negative impacts on existing and potential future land uses desired in the locality.
- 3 Development adjacent to a **Residential Zone** or residential area within a **Township Zone** should be designed to minimise overlooking and overshadowing of adjacent dwellings and private open space.
- 4 Residential development adjacent to non-residential zones and land uses should be located, designed and/or sited to protect residents from potential adverse impacts from non-residential activities.
- 5 Sensitive uses likely to conflict with the continuation of lawfully existing developments and land uses desired for the zone should be designed to minimise negative impacts.
- 6 Non-residential development on land abutting a residential zone should be designed to minimise noise impacts to achieve adequate levels of compatibility between existing and proposed uses.

Noise Generating Activities

- 7 Development that emits noise (other than music noise) should include noise attenuation measures that achieve the relevant *Environment Protection (Noise) Policy* criteria when assessed at the nearest existing noise sensitive premises.
- 8 Development with the potential to emit significant noise (e.g. industry) should incorporate noise attenuation measures that prevent noise from causing unreasonable interference with the amenity of noise sensitive premises.

- 9 Outdoor areas (such as beer gardens or dining areas) associated with licensed premises should be designed or sited to minimise adverse noise impacts on adjacent existing or future noise sensitive development.
- 10 Development proposing music should include noise attenuation measures that achieve the following desired noise levels:

Noise level assessment location	Desired noise level
Adjacent existing noise sensitive development property boundary	Less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum and Less than 5 dB(A) above the level of background noise ($LA_{90,15min}$) for the overall (sum of all octave bands) A-weighted level
Adjacent land property boundary	Less than 65dB(Lin) at 63Hz and 70dB(Lin) in all other octave bands of the sound spectrum or Less than 8 dB above the level of background noise ($L_{90,15min}$) in any octave band of the sound spectrum and 5 dB(A) overall (sum of all octave bands) A-weighted level

Air Quality

- 11 Development with the potential to emit harmful or nuisance-generating air pollution should incorporate air pollution control measures to prevent harm to human health or unreasonable interference with the amenity of sensitive uses within the locality.
- 12 Chimneys or exhaust flues associated with commercial development (including cafes, restaurants and fast food outlets) should be designed to ensure they do not cause a nuisance or health concerns to nearby sensitive receivers by:
 - (a) incorporating appropriate treatment technology before exhaust emissions are released to the atmosphere
 - (b) ensuring that the location and design of chimneys or exhaust flues maximises dispersion and takes into account the location of nearby sensitive uses.

Rural Interface

- 13 The potential for adverse impacts resulting from rural development should be minimised by:
 - (a) not locating horticulture or intensive animal keeping on land adjacent to townships
 - (b) maintaining an adequate separation between horticulture or intensive animal keeping and townships, other sensitive uses and, where desirable, other forms of primary production.
- 14 Traffic movement, spray drift, dust, noise, odour and the use of frost fans and gas guns associated with primary production should not lead to unreasonable impact on adjacent land uses.
- 15 Existing primary production and mineral extraction should not be prejudiced by the inappropriate encroachment of sensitive uses such as urban development.
- 16 Development that is adjacent to land used for primary production (within either the zone or adjacent zones) should include appropriate setbacks and vegetative plantings designed to minimise the potential impacts of chemical spray drift and other impacts associated with primary production.

- 17 New urban development should **allow for** a buffer of at least 40 metres wide (inclusive of any fuel break, emergency vehicle access or road) separating urban and rural activities.
- 18 Development located within 300 metres of facilities for the handling, transportation and storage of bulk commodities should:
 - (a) not prejudice the continued operation of those facilities
 - (b) be located, designed and developed having regard to the potential environmental impact arising from the operation of such facilities and the potential extended hours of operation.

Landscaping, Fences and Walls

OBJECTIVES

- 1 The amenity of land and development enhanced with appropriate planting and other landscaping works, using locally indigenous plant species where possible.
- 2 Functional fences and walls that enhance the attractiveness of development.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should incorporate open space and landscaping and minimise hard paved surfaces in order to:
 - (a) complement built form and reduce the visual impact of larger buildings (eg taller and broader plantings against taller and bulkier building components)
 - (b) enhance the appearance of road frontages
 - (c) screen service yards, loading areas and outdoor storage areas
 - (d) minimise maintenance and watering requirements
 - (e) enhance and define outdoor spaces, including car parking areas
 - (f) maximise shade and shelter
 - (g) assist in climate control within and around buildings
 - (h) minimise heat absorption and reflection
 - (i) maintain privacy
 - (j) maximise stormwater re-use
 - (k) complement existing vegetation, including native vegetation
 - (l) contribute to the viability of ecosystems and species
 - (m) promote water and biodiversity conservation.
- 2 Landscaping should:
 - (a) include the planting of locally indigenous species where appropriate
 - (b) be of a sufficient mature height and oriented towards the street frontage where it should screen buildings (except for entry doors and foyer areas) and enhance the appearance of development
 - (c) result in the appropriate clearance from powerlines and other infrastructure being maintained
 - (d) provide summer shade to reduce urban heat loading and where appropriate allow winter sun penetration and improve micro-climate conditions.
- 3 Landscaping should ensure that the entry doors or foyers areas of residential development facing the street are clearly visible and be designed to assist wayfinding for residents and visitors.

- 4 Landscaping should not:
 - (a) unreasonably restrict solar access to adjoining development
 - (b) cause damage to buildings, paths and other landscaping from root invasion, soil disturbance or plant overcrowding
 - (c) introduce pest plants
 - (d) increase the risk of bushfire
 - (e) remove opportunities for passive surveillance
 - (f) increase leaf fall in watercourses
 - (g) increase the risk of weed invasion
 - (h) obscure driver sight lines
 - (i) create a hazard for train or tram drivers by obscuring sight lines at crossovers.
- 5 Fences and walls, including retaining walls, should:
 - (a) not result in damage to neighbouring trees
 - (b) be compatible with the associated development and with existing predominant, attractive fences and walls in the locality
 - (c) enable some visibility of buildings from and to the street to enhance safety and allow casual surveillance
 - (d) incorporate articulation or other detailing where there is a large expanse of wall facing the street
 - (e) assist in highlighting building entrances
 - (f) be sited and limited in height, to ensure adequate sight lines for motorists and pedestrians especially on corner sites
 - (g) in the case of side and rear boundaries, be of sufficient height to maintain privacy and/or security without adversely affecting the visual amenity or access to sunlight of adjoining land
 - (h) be constructed of non-flammable materials.
- 6 Front fencing should be open in form to allow cross ventilation and access to sunlight.
- 7 Landscaping for non-residential development should be undertaken in accordance with [Table Onka/6 - Landscaping Guidelines for Non-Residential Development](#).

Siting and Visibility

OBJECTIVES

- 1 Protection of scenically attractive areas, particularly natural, rural and coastal landscapes.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be sited and designed to minimise its visual impact on:
 - (a) the natural, rural or heritage character of the area
 - (b) areas of high visual or scenic value, particularly rural and coastal areas
 - (c) views from the coast, near-shore waters, public reserves, tourist routes and walking trails
 - (d) the amenity of public beaches
- 2 Buildings should be sited in unobtrusive locations and, in particular, should:
 - (a) be grouped together
 - (b) where possible be located in such a way as to be screened by existing vegetation when viewed from public roads and especially from the Mount Lofty Ranges Scenic Road as shown on *Overlay Maps - Transport*.
- 3 Buildings outside of urban areas and in undulating landscapes should be sited in unobtrusive locations and in particular should be:
 - (a) sited below the ridgeline
 - (b) sited within valleys or behind spurs
 - (c) sited in such a way as to not be visible against the skyline when viewed from public roads, and especially from the Mount Lofty Ranges Scenic Road as shown on *Overlay Maps - Transport*
 - (d) set well back from public roads, particularly when the allotment is on the high side of the road, or **especially from** to the Mount Lofty Ranges Scenic Road as shown on *Overlay Maps - Transport*.
- 4 Buildings and structures should be designed to minimise their visual impact in the landscape, in particular:
 - (a) the profile of buildings should be low and the roof lines should complement the natural form of the land
 - (b) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
 - (c) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas that reduce the bulky appearance of buildings.
- 5 The nature of external surface materials of buildings should not detract from the visual character and amenity of the landscape.

- 6 The number of buildings and structures on land outside of urban areas should be limited to that necessary for the efficient management of the land or the harvesting of wind resources for the generation of renewable energy.
- 7 The number of buildings and structures on land outside of urban areas should be limited to that necessary for the efficient management of the land.
- 8 Driveways and access tracks should be designed and surfaced to blend sympathetically with the landscape and to minimise interference with natural vegetation and landforms.
- 9 Development should be screened through the establishment of landscaping using locally indigenous plant species:
 - (a) around buildings and earthworks to provide a visual screen as well as shade in summer, and protection from prevailing winds
 - (b) along allotment boundaries to provide permanent screening of buildings and structures when viewed from adjoining properties and public roads
 - (c) along the verges of new roads and access tracks to provide screening and minimise erosion.

Sloping Land

OBJECTIVES

- 1 Development on sloping land designed to manage visual impacts, minimise impacts on the natural environment and protect soil stability and water quality.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development and associated driveways and access tracks should be sited and designed to integrate with the natural topography of the land and minimise the need for earthworks.
- 2 Development and associated driveways and access tracks, including related earthworks, should be sited, designed and undertaken in a manner that:
 - (a) minimises their visual impact
 - (b) reduces the bulk of the buildings and structures
 - (c) minimises the extent of cut and/or fill
 - (d) minimises the need for, and the height of, retaining walls
 - (e) does not cause or contribute to instability of any embankment or cutting
 - (f) avoids the silting of watercourses
 - (g) protects development and its surrounds from erosion caused by water runoff.
- 3 Driveways and access tracks across sloping land should be accessible and have a safe, all-weather trafficable surface.
- 4 Development sites should not be at risk of landslide.
- 5 Development on steep land should include site drainage systems to minimise erosion and avoid adverse impacts on slope stability.
- 6 Steep sloping sites in un-sewered areas should not be developed unless the physical characteristics of the allotments enable the proper siting and operation of an effluent drainage field suitable for the development intended.
- 7 The cutting and/or filling of land outside townships and urban areas should:
 - (a) be kept to a minimum and be limited to a maximum depth or height no greater than 1.5 metres so as to preserve the natural form of the land and the native vegetation
 - (b) only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment
 - (c) only be undertaken if the resultant slope can be stabilised to prevent erosion
 - (d) result in stable scree slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character of the area.

Tourism Development

OBJECTIVES

- 1 Environmentally sustainable and innovative tourism development.
- 2 Tourism development that assists in the conservation, interpretation and public appreciation of significant natural and cultural features including State or local heritage places.
- 3 Tourism development that sustains or enhances the local character, visual amenity and appeal of the area.
- 4 Tourism development that protects areas of exceptional natural value, allows for appropriate levels of visitation, and demonstrates an environmental analysis and design response which enhances environmental values.
- 5 Tourism development in rural areas that does not adversely affect the use of agricultural land for primary production.
- 6 Tourism development that contributes to local communities by adding vitality to neighbouring townships, regions and settlements.
- 7 Increased opportunities for visitors to stay overnight.
- 8 Ensure new development, together with associated bushfire management minimise the threat and impact of bushfires on life and property while protecting the environment.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Tourism development should have a functional or locational link with its natural, cultural or historical setting.
- 2 Tourism development and any associated activities should not damage or degrade any significant natural and cultural features.
- 3 Tourism development should ensure that its scale, form and location will not overwhelm, over commercialise or detract from the intrinsic natural values of the land on which it is sited or the character of its locality.
- 4 Tourism development should, where appropriate, add to the range of services and accommodation types available in an area.
- 5 Any upgrading of infrastructure to serve tourism development should be consistent with the landscape and the intrinsic natural values of the land and the basis of its appeal.
- 6 Major tourism developments should generally be located within designated areas and existing townships, towns or cities.

Tourism Development in Association with Dwelling(s)

- 7 Tourist facilities developed on the site of a dwelling should not detrimentally affect residential amenity.
- 8 Car parking for tourist accommodation associated with a dwelling should be provided at the rate of one space for each guest room or suite of rooms, and ensure that:

- (a) parking areas are attractively developed and landscaped, or screen fenced, and do not dominate the street frontage
- (b) the bedrooms of residential neighbours are suitably shielded from noise and headlight glare associated with guest vehicle movements
- (c) a domestic character is retained through the scale and appearance of landscaping and paving materials that provide a suitable all-weather surface.

Tourism Development Outside Townships

- 9 Tourist developments should demonstrate excellence in design to minimise potential impacts or intrusion on primary production activities and on areas of high conservation, landscape and cultural value.
- 10 Tourism developments in rural areas should be sited and designed to minimise impacts and have a functional or locational link with either of the following:
 - (a) the surrounding agricultural production or processing
 - (b) the natural, cultural or historical setting of the area.
- 11 Tourism developments in rural areas should primarily be developed in association with one or more of the following:
 - (a) agricultural, horticultural, viticultural or winery development
 - (b) heritage places and areas
 - (c) public open space and reserves
 - (d) walking and cycling trails
 - (e) interpretive infrastructure and signs.
- 12 Where appropriate, tourism developments in areas outside townships should:
 - (a) adapt and upgrade existing buildings of heritage value
 - (b) seek to improve conditions in disturbed or degraded areas on the site.
- 13 Advertisements associated with tourism developments should:
 - (a) not exceed 0.5 square metres in area for each display
 - (b) be limited to no more than 2 per site
 - (c) be located on the same site as the tourist development
 - (d) not be internally illuminated.
- 14 Tourism development in rural areas should occur only where it:
 - (a) incorporates a separation distance or buffers to avoid conflict with existing rural industries or agriculture or otherwise is designed to overcome the potential impacts associated with the adjoining land use (such as noise, dust, spray drift, odour and traffic)
 - (b) will not give rise to demands for infrastructure and services, especially on public lands, that are inappropriate to the primary purpose of the zone and/or policy area.

- 15 Tourism development, particularly in remote areas should be designed to minimise energy and water demands and incorporate alternative, sustainable technologies that use renewable energy sources and/or treat and re-use stormwater and wastewater to minimise reliance on mains services.
- 16 Natural features, signs and walkways should be used to manage and minimise potential risks of visitors damaging areas of cultural or natural significance, fragile areas, and areas of highest environmental value.
- 17 The visual and ambient impact of vehicles should be minimised by placing roadways and parking areas in unobtrusive locations.

Residential Parks and Caravan and Tourist Parks

- 18 Residential parks which are principally designed for residents should be located in areas with access to employment, shops, schools, public transport and community and recreation facilities.
- 19 Residential parks and Caravan and Tourist parks should be designed to:
 - (a) minimise potential conflicts between long-term residents and short-term tourists
 - (b) protect the privacy and amenity of occupants through landscaping and fencing
 - (c) minimise traffic speeds and provide a safe environment for pedestrians
 - (d) include centrally located recreation areas
 - (e) include extensive landscaping that enhances the appearance of the locality, with a landscape buffer around the perimeter of the site
 - (f) ensure that adequate amenity blocks (showers, toilets, laundry and kitchen facilities) and service facilities (eg public telephones, kiosks and restaurants) are provided to serve the population to be accommodated by the facility.
- 20 Visitor car parking should be provided at the rate of:
 - (a) one space per 10 sites to be used for accommodation for parks with less than 100 sites
 - (b) one space per 15 sites to be used for accommodation for parks with greater than 100 sites.
- 21 On-site visitor parking in Caravan and Tourist parks should:
 - (a) be designed and located to be accessible to visitors at all times
 - (b) not dominate the internal site layout
 - (c) be clearly defined as visitor spaces and not specifically associated with any particular accommodation site.
- 22 Long-term occupation of Caravan and Tourist parks should not lead to the displacement of existing tourist accommodation, particularly in important tourist destinations, such as in coastal or riverside locations.
- 23 A minimum of 12.5 per cent of a park should comprise communal open space, landscaped areas and recreation areas.
- 24 Landscaping should comprise locally indigenous species that are appropriate to the development and the subject land, and facilitate amenity and environmental sustainability.

Transportation and Access

OBJECTIVES

- 1 A comprehensive, integrated, affordable and efficient air, rail, sea, road, cycle and pedestrian transport system that will:
 - (a) provide equitable access to a range of public, community and private transport services for all people
 - (b) ensure a high level of safety
 - (c) effectively support the economic development of the State
 - (d) have minimal negative environmental and social impacts
 - (e) maintain options for the introduction of suitable new transport technologies.
- 2 Development that:
 - (a) provides safe and efficient movement for all transport modes
 - (b) ensures access for vehicles including emergency services, public infrastructure maintenance and commercial vehicles
 - (c) provides off-street parking
 - (d) is appropriately located so that it supports and makes best use of existing transport facilities and networks
 - (e) provides convenient and safe access to public transport stops.
- 3 A road hierarchy that promotes safe and efficient transportation in an integrated manner throughout the State.
- 4 Provision of safe, pleasant, accessible, integrated and permeable pedestrian and cycling networks that are connected to the public transport network.
- 5 Safe and convenient freight and people movement throughout the State.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 Land uses arranged to support the efficient provision of sustainable transport networks and encourage their use.

Movement Systems

- 2 Development should be integrated with existing transport networks, particularly major rail, road and public transport corridors as shown on *Location Maps* and *Overlay Maps - Transport*, and designed to minimise its potential impact on the functional performance of the transport network.
- 3 Transport corridors should be sited and designed so as to not unreasonably interfere with the health and amenity of adjacent sensitive land uses.

- 4 Roads should be sited and designed to blend with the landscape and be in sympathy with the terrain.
- 5 Land uses that generate large numbers of visitors such as shopping centres, places of employment, schools, hospitals and medium to high density residential uses should be located so that they can be serviced by the public transport network and encourage walking and cycling.
- 6 Development generating high levels of traffic, such as schools, shopping centres and other retail areas, and entertainment and sporting facilities should incorporate passenger pick-up and set-down areas. The design of such areas should minimise interference to existing traffic and give priority to pedestrians, cyclists and public and community transport users.
- 7 The location and design of public and community transport set-down and pick-up points should maximise safety and minimise the isolation and vulnerability of users.
- 8 Development should provide safe and convenient access for all anticipated modes of transport.
- 9 Development at intersections, pedestrian and cycle crossings, and crossovers to allotments should maintain or enhance sightlines for motorists, cyclists and pedestrians to ensure safety for all road users and pedestrians.
- 10 Driveway crossovers affecting pedestrian footpaths should maintain the level and surface colour of the footpath.
- 11 Driveway crossovers should be **arranged** and the number minimised to optimise:
 - (a) the provision of on-street visitor parking (where on-street parking is appropriate)
 - (b) **pedestrian movement and safety**
 - (c) **kerbside access for waste collection**
 - (d) **retention of existing street trees, stobie poles and street furniture.**
- 12 Development should be designed to discourage commercial and industrial vehicle movements through residential streets and adjacent other sensitive land uses.
- 13 Industrial/commercial vehicle movements should be separated from passenger vehicle car parking areas.
- 14 Development should provide for the on-site loading, unloading and turning of all traffic likely to be generated.

Cycling and Walking

- 15 Development should ensure that a permeable street and path network is established that encourages walking and cycling through the provision of safe, convenient and attractive routes with connections to adjoining streets, paths, open spaces, schools, pedestrian crossing points on arterial roads, public and community transport stops and activity centres.
- 16 Development should provide access, and accommodate multiple route options, for pedestrians and cyclists by enhancing and integrating with:
 - (a) open space networks, recreational trails, parks, reserves, and sport and recreation areas
 - (b) Adelaide's principal cycling network (Bikedirect), which includes arterial roads, local roads and off-road paths as depicted in *Overlay Maps - Transport*.
- 17 New developments should give priority to and not compromise existing designated bicycle routes.

- 18 Where development coincides with, intersects or divides a proposed bicycle route or corridor, development should incorporate through-access for cyclists.
- 19 Development should encourage and facilitate cycling as a mode of transport by incorporating end-of-journey facilities including:
 - (a) showers, changing facilities and secure lockers
 - (b) signage indicating the location of bicycle facilities
 - (c) bicycle parking facilities provided at the rate set out in [Table Onka/4 - Off Street Bicycle Parking Requirements](#).
- 20 On-site secure bicycle parking facilities should be:
 - (a) located in a prominent place
 - (b) located at ground floor level
 - (c) located undercover
 - (d) located where surveillance is possible
 - (e) well lit and well signed
 - (f) close to well used entrances
 - (g) accessible by cycling along a safe, well lit route.
- 21 Pedestrian and cycling facilities and networks should be designed and provided in accordance with relevant provisions of the *Australian Standards and Austroads Guides*.

Access

- 22 Development should have direct access from an all-weather public road.
- 23 Development should be provided with safe and convenient access which:
 - (a) avoids unreasonable interference with the flow of traffic on adjoining roads
 - (b) provides appropriate separation distances from existing roads or level crossings
 - (c) accommodates the type and volume of traffic likely to be generated by the development or land use and minimises induced traffic through over-provision
 - (d) is sited and designed to minimise any adverse impacts on the occupants of and visitors to neighbouring properties.
- 24 Development should not restrict access to publicly owned land such as recreation areas.
- 25 The number of vehicle access points onto arterial roads shown on *Overlay Maps - Transport* should be minimised and, where possible, access points should be:
 - (a) limited to local roads (including rear lane access)
 - (b) shared between developments.
- 26 Development with access from roads with existing or projected traffic volumes exceeding 6000 vehicles per day should be sited to avoid the need for vehicles to reverse onto or from the road.

- 27 Development with access from arterial roads or roads as shown on *Overlay Maps - Transport* should be sited to avoid the need for vehicles to reverse onto or from the road.
- 28 Structures such as canopies and balconies that encroach onto the footpath of an arterial road should not cause visual or physical obstruction to:
 - (a) signalised intersections
 - (b) heavy vehicles
 - (c) street lighting
 - (d) overhead electricity lines
 - (e) street trees
 - (f) bus stops.
- 29 Driveways, access tracks and parking areas should be designed and constructed to:
 - (a) follow the natural contours of the land
 - (b) minimise excavation and/or fill
 - (c) minimise the potential for erosion from surface runoff
 - (d) avoid the removal of existing vegetation
 - (e) be consistent with *Australian Standard AS: 2890 - Parking facilities*.

Access for People with Disabilities

- 30 Development should be sited and designed to provide convenient access for people with a disability.
- 31 Where appropriate and practical, development should provide for safe and convenient access to the coast and beaches for disabled persons.

Vehicle Parking

- 32 Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with [Table Onka/3 - Off Street Vehicle Parking Requirements](#) unless all the following conditions are met:
 - (a) an agreement is reached between the Council and the applicant for a reduced number of parking spaces
 - (b) a financial contribution is paid into the Council Car Parking Fund specified by the Council, in accordance with the gazetted rate per car park.
- 33 Development should be consistent with *Australian Standard AS: 2890 - Parking facilities*.
- 34 Vehicle parking areas should be sited and designed to:
 - (a) facilitate safe and convenient pedestrian linkages to the development and areas of significant activity or interest in the vicinity of the development
 - (b) include safe pedestrian and bicycle linkages that complement the overall pedestrian and cycling network
 - (c) not inhibit safe and convenient traffic circulation

- (d) result in minimal conflict between customer and service vehicles
 - (e) avoid the necessity to use public roads when moving from one part of a parking area to another
 - (f) minimise the number of vehicle access points onto public roads
 - (g) avoid the need for vehicles to reverse onto public roads
 - (h) where practical, provide the opportunity for shared use of car parking and integration of car parking areas with adjoining development to reduce the total extent of vehicle parking areas and the requirement for access points
 - (i) not dominate the character and appearance of a site when viewed from public roads and spaces
 - (j) provide landscaping that will shade and enhance the appearance of the vehicle parking areas
 - (k) include infrastructure such as underground cabling and connections to power infrastructure that will enable the recharging of electric vehicles.
- 35 Where vehicle parking areas are not obviously visible or navigated, signs indicating the location and availability of vehicle parking spaces associated with businesses should be displayed at locations readily visible to users.
- 36 Vehicle parking areas that are likely to be used during non-daylight hours should provide floodlit entry and exit points and site lighting directed and shaded in a manner that will not cause nuisance to adjacent properties or users of the parking area.
- 37 Vehicle parking areas should be sealed or paved to minimise dust and mud nuisance.
- 38 To assist with stormwater detention and reduce heat loads in summer, outdoor vehicle parking areas should include landscaping *in accordance with [Table Onka/6 - Landscaping Guidelines for Non-Residential Development](#)*.
- 39 Vehicle parking areas should be line-marked to delineate parking bays, movement aisles and direction of traffic flow.
- 40 On-site visitor parking spaces should be sited and designed to:
- (a) not dominate internal site layout nor be located *at the front of a group dwelling or residential flat building development*
 - (b) be clearly defined as visitor spaces and not assigned to a particular dwelling
 - (c) be accessible to visitors at all times.

Vehicle Parking for Residential Development

- 41 On-site vehicle parking should be provided having regard to:
- (a) the number, nature and size of proposed dwellings
 - (b) proximity to centre facilities, public and community transport within walking distance of the dwellings
 - (c) the anticipated mobility and transport requirements of the likely occupants, particularly groups such as aged persons.
- 42 Vehicle parking areas servicing more than one dwelling should be of a size and location to:
- (a) serve users, including pedestrians, cyclists and motorists, efficiently, conveniently and safely

- (b) provide adequate space for vehicles, including emergency service vehicles, to manoeuvre between the street and the parking area
 - (c) reinforce or contribute to attractive streetscapes.
- 43 The provision of ground level vehicle parking areas, including garages and carports (other than where located along a rear lane access way), should:
- (a) not face the primary street frontage
 - (b) be located to the rear of buildings with access from a shared internal laneway
 - (c) ensure vehicle park entries are recessed at least 0.5 metres behind the main face of the building.

Vehicle Parking for Mixed Use and Corridor Zones

- 44 Development should provide off-street vehicle parking and specifically marked accessible car parking places to meet anticipated demand in accordance with [Table Onka/3 - Off Street Vehicle Parking Requirements](#).
- 45 Loading areas and designated parking spaces for service vehicles should:
- (a) be provided within the boundary of the site
 - (b) not be located in areas where there is parking provided for any other purpose.
- 46 Vehicle parking spaces and multi-level vehicle parking structures within buildings should:
- (a) enhance active street frontages by providing land uses such as commercial, retail or other non-car park uses along ground floor street frontages
 - (b) complement the surrounding built form in terms of height, massing and scale
 - (c) incorporate facade treatments along major street frontages that are sufficiently enclosed and detailed to complement neighbouring buildings consistent with the desired character of the locality.
- 47 In mixed use buildings, the provision of vehicle parking may be reduced in number and shared where the operating hours of commercial activities complement the residential use of the site.

Undercroft and Below Ground Garaging and Parking of Vehicles

- 48 Undercroft and below ground garaging of vehicles should only occur where envisaged in the relevant zone or policy area or precinct and ensure:
- (a) the overall height and bulk of the undercroft structure does not adversely impact on streetscape character of the locality or the amenity of adjacent properties
 - (b) vehicles can safely enter and exit from the site without compromising pedestrian or cyclist safety or causing conflict with other vehicles
 - (c) driveway gradients provide for safe and functional entry and exit
 - (d) driveways and adjacent walls, fencing and landscaping are designed to provide adequate sightlines from vehicles to pedestrians using the adjacent footpath
 - (e) openings to undercroft areas are integrated with the main building so as to minimise visual impact
 - (f) landscaping, mounding and/or fencing is incorporated to improve its presentation to the street and to adjacent properties

- (g) the overall streetscape character of the locality is not adversely impaired (e.g. visual impact, building bulk, front setbacks relative to adjacent development)
 - (h) the height of the car park ceiling does not exceed 1 metre above the finished ground level.
- 49 In the case of undercroft and below ground car parks where cars are visible from public areas, adequate screening and landscaping should be provided.

Waste

OBJECTIVES

- 1 Development that, in order of priority, avoids the production of waste, minimises the production of waste, re-uses waste, recycles waste for re-use, treats waste and disposes of waste in an environmentally sound manner.
- 2 Development that includes the treatment and management of solid and liquid waste to prevent undesired impacts on the environment including, soil, plant and animal biodiversity, human health and the amenity of the locality.

PRINCIPLES OF DEVELOPMENT CONTROL

- 1 Development should be sited and designed to prevent or minimise the generation of waste (including wastewater) by applying the following waste management hierarchy in the order of priority as shown below:
 - (a) avoiding the production of waste
 - (b) minimising waste production
 - (c) reusing waste
 - (d) recycling waste
 - (e) recovering part of the waste for re-use
 - (f) treating waste to reduce the potentially degrading impacts
 - (g) disposing of waste in an environmentally sound manner.
- 2 The storage, treatment and disposal of waste materials from any development should be achieved without risk to health or impairment of the environment.
- 3 Development should avoid as far as practical, the discharge or deposit of waste (including wastewater) onto land or into any waters (including processes such as seepage, infiltration or carriage by wind, rain, sea spray, stormwater or by the rising of the water table).
- 4 Untreated waste should not be discharged to the environment, and in particular to any water body.
- 5 Development should include appropriately sized area to facilitate the storage of receptacles that will enable the efficient recycling of waste.
- 6 Development that involves the production and/or collection of waste and/or recyclable material should include designated collection and storage area(s) that are:
 - (a) screened and separated from adjoining areas
 - (b) located to avoid impacting on adjoining sensitive environments or land uses
 - (c) designed to ensure that wastes do not contaminate stormwater or enter the stormwater collection system
 - (d) located on an impervious sealed area graded to a collection point in order to minimise the movement of any solids or contamination of water

- (e) protected from wind and stormwater and sealed to prevent leakage and minimise the emission of odours
- (f) stored in such a manner that ensures that all waste is contained within the boundaries of the site until disposed of in an appropriate manner.

Wastewater

- 7 The disposal of wastewater to land should only occur where methods of wastewater reduction and reuse are unable to remove the need for its disposal, and where its application to the land is environmentally sustainable.
- 8 Wastewater lagoons should not be sited in any of the following areas:
 - (a) within land subject to a 1-in-100 year average return interval flood event
 - (b) within 50 metres of the top of the bank of a watercourse
 - (c) within 500 metres of the coastal high water mark
 - (d) where the base of the lagoon would be below any seasonal water table.
- 9 Artificial wetland systems for the storage of treated wastewater, such as wastewater lagoons, should be:
 - (a) sufficiently separated from adjoining sensitive uses to minimise potential adverse odour impacts
 - (b) sited and designed to minimise potential public health risks arising from the breeding of mosquitoes.

Waste Treatment Systems

- 10 Development that produces any sewage or effluent should be connected to a waste treatment system that complies with (or can comply with) the relevant public and environmental health legislation applying to that type of system.
- 11 The methods for, and siting of, effluent and waste storage, treatment and disposal systems should minimise the potential for environmental harm and adverse impacts on:
 - (a) the quality of surface and groundwater resources
 - (b) public health
 - (c) the amenity of a locality
 - (d) sensitive land uses.
- 12 Waste treatment should only occur where the capacity of the treatment facility is sufficient to accommodate likely maximum daily demands including a contingency for unexpected high flows and breakdowns.
- 13 Any on-site wastewater treatment system/ re-use system or effluent drainage field should be located within the allotment of the development that it will service.
- 14 A dedicated on-site effluent disposal area should not include any areas to be used for, or could be reasonably foreseen to be used for, private outdoor open space, driveways, car parking or outbuildings.
- 15 The spreading or discharging of treated liquid or solid waste onto the ground should only occur where the disposal area consists of soil and vegetation that has the capacity to store and use the waste without contaminating soil or surface or ground water resources or damaging crops.

- 16 Stock slaughter works, poultry processors, saleyards, piggeries, cattle feedlots, milking sheds, milk processing works, fish processing works, wineries, distilleries, tanneries and fellmongeries, composting works, waste or recycling depots and concrete batching works should have a wastewater management system that is designed so as not to discharge wastes generated by the premises:
- (a) into any waters
 - (b) onto land in a place where it is reasonably likely to enter any waters by processes such as:
 - (i) seepage
 - (ii) infiltration
 - (iii) carriage by wind, rain, sea spray, or stormwater
 - (iv) the rising of the watertable.
- 17 Winery waste management systems should be designed to ensure:
- (a) surface runoff does not occur from the wastewater irrigation area at any time
 - (b) wastewater is not irrigated onto waterlogged areas, land within 50 metres of a creek, or swamp or domestic or stock water bore, or land subject to flooding, steeply sloping land, or rocky or highly permeable soil overlaying an unconfined aquifer
 - (c) wastewater is not irrigated over an area which is within 50 metres of any residence on neighbouring land or 10 metres of any type of publicly owned land
 - (d) wastewater is released using low trajectory low pressure sprinklers, drip irrigators or agricultural pipe, and is not sprayed more than 1.5 metres into the air or in fine droplets if there is a potential for the spread of diseases from the wastewater
 - (e) stormwater runoff from areas which are contaminated with grape or grape products is drained to winery waste management systems during vintage periods
 - (f) stormwater from roofs and clean hard paved surfaces is diverted away from winery waste management systems and disposed of in an environmentally sound manner or used for productive purposes.

Overlay Section

Character Preservation District Overlay

Refer to the [Map Reference Tables](#) for a list of maps that relate to this overlay.

The following policies apply to the 'Character Preservation District' shown on the relevant *Overlay Maps - Heritage and Character Preservation District*.

INTERPRETATION

Where the Objectives and or Principles of Development Control that apply in relation to the Character Preservation District shown on this Overlay are in conflict with the relevant General Section Objectives and/or Principles of Development Control in the Development Plan, the Overlay will prevail.

OBJECTIVES

- 1 A district where:
 - (a) scenic and rural landscapes are highly valued, retained and protected
 - (b) development near entrances to towns and settlements does not diminish the rural setting, character and heritage values associated with those towns and settlements
 - (c) the long term use of land for primary production and associated value adding enterprises is assured and promoted
 - (d) activities positively contribute to tourism
 - (e) the heritage attributes of the district are preserved
 - (f) buildings and structures complement the landscape.
- 2 Residential development is located inside townships, settlements and rural living areas.
- 3 No expansion of rural living and settlement zones outside township areas.

PRINCIPLES OF DEVELOPMENT CONTROL

Form of Development

- 1 Development in the district should:
 - (a) when located near townships, contribute towards and maintain the identity of those townships
 - (b) retain the predominant rural landscape character and function
 - (c) foster primary production and associated value adding enterprises and tourism activities.

Zone Section

Hills Face Zone

Refer to the [Map Reference Tables](#) for a list of the maps that relate to this zone.

OBJECTIVES

- 1 A zone in which the natural character is preserved and enhanced or re-established in order to:
 - (a) provide a natural backdrop to the Adelaide Plain and a contrast to the urban area
 - (b) preserve biodiversity and restore locally indigenous vegetation and fauna habitats close to metropolitan Adelaide
 - (c) provide for passive recreation in an area of natural character close to the metropolitan area
 - (d) provide a part of the buffer area between metropolitan districts and prevent the urban area extending into the western slopes of the Mount Lofty Ranges
 - (e) ensure that the community is not required to bear the cost of providing services to and within the zone.
- 2 A zone accommodating low intensity agricultural activities and public/private open space and one where structures are sited and designed in such a way as to:
 - (a) preserve and enhance the natural character or assist in the re-establishment of a natural character in the zone
 - (b) limit the visual intrusion of development in the zone, particularly when viewed from roads within the zone or from the Adelaide Plain
 - (c) not create, either in themselves, or in association with other developments, a potential demand for the provision of services at a cost to the community
 - (d) prevent the loss of life and property resulting from bushfires.
- 3 Development that contributes to the desired character of the zone.

DESIRED CHARACTER

The western slopes of the South Mount Lofty Ranges in Metropolitan Adelaide are an important natural asset to both the population of the urban area and the tourism industry. Development which is undertaken in this zone should not only preserve but should also enhance the natural character of the zone or assist in the re-establishment of a natural character. The term 'natural character' refers to the natural topography, native vegetation and colours, such as greens and browns of non-reflective earthen tones, normally associated with a natural landscape. Additionally, natural character refers to the open character of the land in those areas of the zone where open grazing currently predominates.

In those parts of the zone where, prior to 1975, concentrations of smaller than average allotments were created, special attention needs to be paid to the scale, design and landscaping of development because there are fewer siting options for development on these allotments.

The extent of native vegetation and open grassland, the steep slopes and the difficulty of access combine to make this zone a high fire risk area. It is important that developments incorporate fire protection measures to minimize the fire risk. While vegetation management is an important part of minimizing the fire risk, the destruction of existing native vegetation and failure to provide landscaping as to screen buildings and improve the amenity of the zone are not considered acceptable fire protection measures.

The zone is not a residential zone and so services provided in an urban area will not be provided in this zone. Accordingly, development should not be undertaken if it is likely, in itself or in association with other development, to create a potential demand for such services. Activities and projects by State and local agencies which are considered necessary in this zone should be located, sited, constructed and maintained to promote the objectives for the zone and complement the principles of development control relating to this zone. Tourist facilities are appropriate provided they are of a low-scale and are sited unobtrusively.

PRINCIPLES OF DEVELOPMENT CONTROL

Land Use

- 1 Development should not be undertaken unless it is associated with a low intensity agricultural activity, a public open space area or a private use of an open character, or is a detached single storey dwelling, including outbuildings and structures normally associated with such dwellings, on a single allotment.
- 2 Development listed as non-complying is generally inappropriate and not acceptable unless it can be demonstrated that it does not undermine the objectives and principles of the Development Plan.
- 3 The excavation and/or filling of land outside townships and urban areas should:
 - (a) be kept to a minimum and be limited to a maximum depth or height no greater than 1.5 metres so as to preserve the natural form of the land and the native vegetation
 - (b) only be undertaken in order to reduce the visual impact of buildings, including structures, or in order to construct water storage facilities for use on the allotment
 - (c) only be undertaken if the resultant slope can be stabilised to prevent erosion, and result in stable scree slopes which are covered with top soil and landscaped so as to preserve and enhance the natural character or assist in the re-establishment of the natural character of the area.
- 4 New mines and quarries should not be developed within the zone.
- 5 Extensions to existing mines and quarries should only be undertaken within the zone where:
 - (a) the overall benefit to the community from the minerals produced together with the planned after-use of the site outweighs any loss of amenity or other resources resulting from the extractive operations
 - (b) the site contains minerals of the necessary quality and, for reasons of location, quality or other factors, no practical alternative source is available
 - (c) the proposed operation would maximize the utilisation of the resource but minimize the adverse impacts of extraction
 - (d) the proposed workings cannot be seen from any part of the Adelaide Plain; from any arterial road, scenic road or other substantial traffic route
 - (e) an effective buffer of land and native trees exists around the site to protect adjoining land users from effects of the operation
 - (f) the operation is to be conducted in accordance with a staged development and rehabilitation scheme which:
 - (i) ensures that danger and unreasonable damage or nuisance does not arise from workings or any operations associated with them
 - (ii) provides for progressive rehabilitation of disturbed areas and for landscaping with locally indigenous plant species in order to produce a site which assists in the re-establishment of a natural character

- (iii) provides for the removal of buildings, plant, equipment and rubbish when operations are completed
 - (iv) provides scope for suitable after-uses.
- 6 Landfill operations should not be developed within the Mount Lofty Ranges Watershed.
- 7 Landfill operations should not be developed outside the Mount Lofty Ranges Watershed, unless the site meets at least one of the following criteria:
 - (a) is a disused quarry
 - (b) has ground slopes no greater than 10 per cent and has adequate separation distances from any above ground and underground water resource and from any potentially incompatible land uses and activities.
- 8 Outside the Mount Lofty Ranges Watershed, small-scale transfer stations may be appropriate in unobtrusive locations.
- 9 Horticultural activities should:
 - (a) be located a minimum distance of 50 metres from the edge of stands of significant native vegetation, including native grasses
 - (b) be located no closer than 50 metres of a lake, watercourse or wetland.
- 10 Horticultural activities located within 300 metres of a dwelling, tourist accommodation facility or any other sensitive receptor should incorporate a suitably sized vegetated buffer area/strip to minimise any adverse impacts from the horticultural activity (including noise, chemical spray drift and run-off) on the sensitive receptor.

Form and Character

- 11 Development should not be undertaken unless it is consistent with the desired character for the zone.
- 12 Development should not be undertaken if it is likely to result in:
 - (a) pollution of underground or surface water resources
 - (b) over exploitation of underground or surface water resources
 - (c) adverse impact on underground or surface water resources, including any environmental flows required to sustain the natural environment
 - (d) unnecessary loss or damage to native vegetation including the full range of tree, understorey and groundcover species/native grasses so as to maintain and enhance environmental values and functions, including conservation, biodiversity and habitat
 - (e) denudation of pastures
 - (f) the introduction of or an increase in the number of pest plants or vermin
 - (g) adverse impacts from chemical spray drift, chemical run-off or chemical residue in soils
 - (h) the erection of structures or construction of access tracks and parking areas in a manner which detracts from the landscape character and visual amenity of the zone
 - (i) increased hazard to the locality from bushfires

- (j) loss of amenity to adjoining land or surrounding localities from:
 - (i) the visual impact of buildings, structures or earthworks
 - (ii) the intensity of activity associated with any such use, including significant adverse impacts arising from chemical spray drift, use of audible bird or animal deterrent devices, and the use of associated vehicles and machinery.
- 13 Development should not occur on land where the slope poses an unacceptable risk of soil movement, land slip or erosion.
- 14 Buildings, including structures, should be located in unobtrusive locations and, in particular, should:
 - (a) be located not to be visible against the skyline when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
 - (b) have the roof line below the lowest point of the abutting road when the allotment is on the low side of the road
 - (c) be screened by existing native vegetation when viewed from roads within the zone or from the metropolitan area particularly the Adelaide Plain
 - (d) be located well below the ridge line
 - (e) be located within valleys or behind spurs
 - (f) be set well back from public roads, particularly when the allotment is on the high side of the road
 - (g) be sited on excavated, rather than a filled site in order to reduce the vertical profile of the building
 - (h) not be sited on landfill which would interfere with the flow of flood waters
 - (i) not have a septic tank drainage field located in such a way as to pollute watercourses
 - (j) be located in such a way as to maximise the retention of existing native vegetation and retain watercourses in their natural state.
- 15 Buildings, including structures should be unobtrusive and not detract from the desired natural character of the zone and, in particular:
 - (a) buildings should be of a single storey
 - (b) the profile of buildings should be low and the roof lines should complement the natural form of the land
 - (c) the mass of buildings should be minimised by variations in wall and roof lines and by floor plans which complement the contours of the land
 - (d) large eaves, verandas and pergolas should be incorporated into designs so as to create shadowed areas which reduce the bulky appearance of buildings
 - (e) the mass of buildings should be minimized by having separate vehicle storage areas.
- 16 Buildings should have a:
 - (a) year round water supply and a safe and efficient effluent disposal system which will not pollute watercourses or underground water resources or be a risk to health
 - (b) safe, clean, tidy and unobtrusive area for the storage and disposal of refuse so that the desired natural character of the zone is not adversely affected.

- 17 Driveways and access tracks should follow contours of the land to reduce their visual impact and erosion from water runoff and be surfaced with dark materials.
- 18 Development should not in itself, or in association with other development, create a potential demand for the provision of services at a cost to the community.
- 19 Additions to buildings should maintain the single storey profile of the building and be sited on the side of the dwelling which minimises the obtrusiveness of the completed building.
- 20 The external materials of buildings should:
 - (a) have surfaces which are of a low light-reflective nature
 - (b) be of dark natural colours such as brown and green so as to be unobtrusive, blend with a natural rural landscape and minimise any visual intrusion.
- 21 Buildings should be grouped together.
- 22 Retaining walls should be constructed as a stepped series of low walls constructed of dark, natural coloured materials and screened by landscaping using locally indigenous plant species where possible.
- 23 Fences, if required, should be sited to minimize their visual impact and should be of post and wire or other materials which can be seen through. Obtrusive gateways, particularly of brick or masonry, should not be constructed.
- 24 When solid fences are essential, particularly rear and side fences in closely divided areas within the zone, they should be of materials which are of a low light reflective nature and of dark natural colours to blend with the natural landscape and minimize any visual intrusion. Such fences should not increase the fire risk near buildings.
- 25 Communication towers and masts should be sited and designed to minimize their visual impact. The number of masts should be contained by shared use of facilities.
- 26 Telephone lines and electricity mains and services of less than 33 kV should be located underground. All new lines, mains and services should be located and designed in such a way as to minimize their visual intrusion and any adverse effect on the desired natural character of the zone.
- 27 Development should only be undertaken if it can be located and designed to maximize the retention of existing native vegetation and, where possible, increase the extent of locally indigenous plant species.
- 28 Locally indigenous plant species should be established to screen development, including scree slopes created as a result of excavation and/or filling of land, in such a way that the bushfire hazard is not increased. Screening mounds may also be appropriate.
- 29 Any essential clearance of native vegetation should be accompanied by conservation initiatives, such as replanting with indigenous native vegetation, to ensure the overall result is a biodiversity gain.

PROCEDURAL MATTERS

Complying Development

Complying developments are prescribed in Schedule 4 of the *Development Regulations 2008*.

In addition, the following forms of development are designated as complying, [subject to compliance with the conditions contained in Table Onka/1 - Conditions for Complying Development:](#)

- farming.

Non-complying Development

Development (including building work, a change in the use of land, or division of an allotment) for the following is non-complying:

Form of development	Exceptions
Abattoir	
Advertisement	
Advertising hoarding	
Amusement machine centre	
Auction room	
Builders yard	
Bus depot	
Bus station	
Caravan park	
Community centre	
Consulting room	
Crematorium	
Dwelling	<p>Except where it achieves all of the following criteria:</p> <ul style="list-style-type: none"> (a) it will not result in more than one dwelling on an allotment and: <ul style="list-style-type: none"> (i) no other dwelling exists on the allotment (ii) no valid development authorisation to erect a dwelling on that allotment exists (iii) no other development application has been made for a dwelling on that allotment and has yet to be determined. (b) the scale and design is such that: <ul style="list-style-type: none"> (i) the vertical distance between any point at the top of any external wall and the finished ground level immediately below that point on the wall is less than 3 metres, other than gable ends of the dwelling where the distance is less than 5 metres (ii) there is no floor level directly above another floor level, except where the upper floor level is located wholly at or below finished ground level (iii) the depth of excavation and/or height of filling of land is less than 1.5 metres (iv) access to a new dwelling is provided by a private vehicular access track that is less than 30 metres in length and which has a gradient of less than 16 degrees (1-in-3.5) at any point (v) it does not involve the clearance of native vegetation comprising trees and/or shrubs.
Dog track	
Drive-in theatre	
Educational establishment	

Form of development	Exceptions
Electricity generating station	
Excavation	<p>Except where one or more of the following applies:</p> <ul style="list-style-type: none"> (a) the depth of the excavation is less than two metres below natural ground level (b) the excavation is directly required for the portion of a building that is fully underground, an underground home; pool, underground tank, cellar, pipeline or waste disposal and treatment system.
Filling	<p>Except where one or more of the following applies:</p> <ul style="list-style-type: none"> (a) the height of filling is less than one metre above natural ground level (b) the filling is directly required for an underground home, underground tank, or cellar.
Fuel depot	
Gas infrastructure	
Hall	
Horticulture	<p>Except where one of the following applies:</p> <ul style="list-style-type: none"> (a) a change of use from one form of horticulture to another, except where the change in use is for the purpose of an olive orchard (b) the expansion of horticultural activities, excluding an olive orchard, on an allotment where horticulture currently takes place provided it does not involve the clearance of native vegetation comprising trees and/or shrubs.
Hospital	
Hotel	
Indoor recreation centre	
Industry	
Intensive animal keeping	
Landfill that constitutes solid waste disposal required to be licensed as a waste depot under the <i>Environment Protection Act 1993</i>	<p>Except where:</p> <ul style="list-style-type: none"> (a) the proposed landfill operation is located on a site outside the Mount Lofty Ranges Watershed (b) other than on the site of a disused quarry, the proposed landfill is located on a site with ground slopes of no greater than 10 per cent (c) the land to be used for the deposition of the landfill and the operation of the waste handling facilities is at least a distance of 500 metres from the boundaries of the landfill site (d) the proposed landfill operation is located a minimum of three kilometres from the boundary of any airport used by commercial aircraft (e) the proposed landfill operation is located a minimum distance of 100 metres from any creek, river, inlet, wetland or marine estuarine area and not within the area of a 1-in-100 year average return interval flood event (f) the interface between any engineered landfill liner and the natural soil achieves one of the following:

Form of development	Exceptions
	<ul style="list-style-type: none"> (i) is greater than 15 metres from unconfined aquifers bearing ground water with a water quality of less than 3000 milligrams per litre of total dissolved salts (ii) is greater than five metres from ground water with a water quality between 3000 milligrams per litre of total dissolved salts and 12 000 milligrams per litre of total dissolved salts (iii) is greater than two metres from ground water with a water quality exceeding 12 000 milligrams per litre of total dissolved salts.
Land division	
Motel	
Motor race track	
Motor repair station	
Office	
Office and dwelling	
Petrol filling station	
Place of worship	
Post office	
Pre-school	
Prescribed mining operations	
Primary school	
Major public service depot	
Radio or TV studio	
Residential flat building	
Road transport terminal	
Service trade premises	
Shop	
Shop and dwelling	
Showground	
Stadium	
Stock sales yard	
Stock slaughter works	
Store	
Telecommunications facility exceeding 30 metres in height	
Warehouse	

Form of development	Exceptions
Wastewater treatment plant	
Waste reception, storage, treatment or disposal	
Welfare institution	
Wind farm	Except where the turbine generates power to be used wholly for activities on the property upon which the turbine is situated and the turbine does not exceed 10 metres in height.
Wind monitoring mast	
Wrecking yard	

Public Notification

Categories of public notification are prescribed in Schedule 9 of the *Development Regulations 2008*.