



DRAFT FOR CONSULTATION - 14/1/19

This practice direction is issued by the State Planning Commission under section 42 of the *Planning, Development and Infrastructure Act 2016*.

Introduction

Section 42 of the *Planning, Development and Infrastructure Act 2016* allows the State Planning Commission (the “Commission”) to issue practice directions for the purposes of the Act. Generally, practice directions specify procedural requirements or steps in connection with a matter arising under the Act. In certain cases, the Act requires a particular matter to be addressed or dealt with by a practice direction.

This practice direction is being made by the Commission to support the operation of section 125 (5) of the Act regarding deemed planning consent. A deemed consent notice may be given to the relevant authority if the relevant authority does not decide on an application within a prescribed time period. The deemed planning consent may include any conditions that a relevant authority imposes within 10 business days of receiving the notice, or if the relevant authority does not grant its own planning consent with conditions, any standard condition specified within a practice direction issued by the Commission will apply to the deemed planning consent.

This practice direction prescribes standard conditions that will apply to a deemed planning consent in cases where conditions are not imposed by the relevant authority, pursuant to section 125 (5) of the Act.

Practice direction

Part 1 – Preliminary

1 – Citation

This practice direction may be cited as the State Planning Commission Practice Direction (Deemed Planning Consent - Standard Conditions) 2019

2 – Commencement of operation

This practice direction will come into operation on the day on which it is published on the SA planning portal.

3 – Object of practice direction

The object of this practice direction is to prescribe standard conditions that will apply to deemed planning consents pursuant to section 125(5)(b) of the Act.

4 – Interpretation

In this practice direction, unless the contrary intention appears –

Act means the *Planning, Development and Infrastructure Act 2016*.

Note: Section 14 of the Acts Interpretation Act 1915 provides that an expression used in an instrument made under an Act has, unless the contrary intention appears, the same meaning as in the Act under which the instrument was made.

Part 2 – Deemed Planning Consent

5 – Cases where standard conditions apply

- (1) If a relevant authority does not decide an application for planning consent within the prescribed time, the applicant may, before the application is decided, give the relevant authority a deemed consent notice that states that planning consent should be granted. On the day that the relevant authority receives the deemed consent notice, the relevant authority is taken to have granted the planning consent (a deemed planning consent).
- (2) The deemed planning consent is taken to include any conditions that a relevant authority imposes within 10 business days of receiving the notice. Alternatively, if the relevant authority does not grant its own planning consent with conditions, any relevant standard condition specified within this practice direction will apply to the deemed planning consent.

6 – Conditions of Deemed Planning Consent

- (1) Standard conditions outlined in **Attachment 1** will apply as relevant to the proposed development.
- (2) Whether a condition will apply to the proposed development is specified in the column titled “where applicable”.
- (3) In addition, any conditions prescribed by a referral authority or agency pursuant to section 122 of the Act will apply to the deemed planning consent.
- (4) It is the responsibility of the applicant to ensure compliance with all conditions relevant to the proposed development as specified in this practice direction. Such conditions are binding on, and enforceable against—
 - (i) the person by whom the development is undertaken; and
 - (ii) any person who acquires the benefit of the decision or the development; and
 - (iii) the owners and occupiers of the land on which the development is undertaken.
- (5) All conditions continue to apply in relation to the development unless or until it is varied or revoked by the relevant authority in accordance with an application under the Act.

Attachments:

Attachment 1: Standard Conditions

Note: To the extent that section 125 (5) of the Planning, Development and Infrastructure Act 2016 applies as if it formed part of the repealed Act (being the Development Act 1993) –

- (a) a reference in this clause to a relevant authority will be taken to be a reference to a relevant authority under the repealed Act; and*
- (b) a reference in this clause to a development approval will be taken to be a reference to a development approval under the repealed Act.*

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STANDARD CONDITIONS OF DEEMED PLANNING CONSENT

General

Condition	Where applicable
Except where minor amendments may be required by other relevant Acts, or by conditions imposed by this application, the development must be established in strict accordance with the details, plans and supporting documentation submitted in Development Application No [---/---/--].	All applications
The building and site must be maintained in good condition at all times.	All applications

Car parking and access

Condition	Where applicable
All vehicle car parks, driveways and vehicle entry and manoeuvring areas must be designed, constructed and maintained in accordance with Australian Standards (AS/NZS 2890.1:2004 and AS/NZS 2890.6.2009) and be constructed, drained and paved with bitumen, concrete or paving bricks in accordance with sound engineering practice and appropriately line marked to the reasonable satisfaction of the relevant authority prior to the occupation or use of the development.	Where any new car parking area or new/modified vehicle access to the site is proposed for a development (other than for single dwellings).
All loading and unloading, parking and/or manoeuvring areas must be designed and constructed to ensure that all vehicles can safely enter and exit the subject land in a forward direction.	Where any new car parking area or new/modified vehicle access to the site is proposed for a development (other than for single dwellings) adjoining an arterial road.
All bicycle parks must be designed and constructed in accordance with Australian Standard 2890.3-2015	Where bicycle parking is incorporated in the proposed development.

Landscaping

Condition	Where applicable
A detailed landscaping plan must be submitted to the relevant authority, to the reasonable satisfaction of the relevant authority, prior to development approval being granted for the proposed development. The landscaping plan must identify a mixture of native groundcovers, shrubs and trees to be planted throughout the development site.	Where landscaping anticipated by the Planning and Design Code but a landscaping plan is not included within the application documentation.

Landscaping in accordance with the approved plans must be established prior to the operation of the development and must be maintained and nurtured at all times with any diseased or dying plants being replaced.	Where landscaping is nominated in the application documentation.
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Site Management

Condition	Where applicable
The development and the site must be maintained in a serviceable condition and operated in an orderly and tidy manner at all times.	Where the application proposes development of an industrial or commercial nature.
All trade waste and other rubbish must be stored in covered containers prior to removal and must be kept screened from public view.	Where the application proposes development of an industrial or commercial nature.
At no time will any goods, materials or waste be stored in designated car parking areas, driveways, manoeuvring spaces or landscaping.	Where the application proposes development of an industrial or commercial nature.

Air Conditioning/Plant/Equipment

Condition	Where applicable
Any roof-mounted or external air conditioning, plant or equipment must be screened such that no unreasonable nuisance or loss of amenity is caused to residents and users of properties in the locality, to the reasonable satisfaction of the relevant authority.	Any development which incorporates plant or equipment external from a building.

External Lighting

Condition	Where applicable
All external lighting on the site must be designed and constructed to conform to Australian Standard (AS 4282-1997). Such lighting must be operational during the hours of darkness at all times.	Any non-residential development that incorporates a car park with capacity for 6 or more vehicles that is likely to be used during non-daylight hours.

Stormwater

Condition	Where applicable
All stormwater design and construction must be in accordance with Australian Standards to ensure that stormwater does not adversely affect any adjoining property or public road.	Any development which proposes a new roof area exceeding 15 square metres.

<p>A proprietary stormwater treatment device (i.e. Gross Pollutant Trap) must be installed within the carpark in accordance with Council and EPA Water Quality Guidelines. This system must be regularly inspected, cleaned and maintained in good working order, with gross pollutants, sediments, oil and grease removed by the facility operator (at regular intervals) for the life of the development.</p>	<p>Any commercial or industrial development which incorporates a proposed car parking area exceeding 200m² in area.</p>
<p>A Stormwater Management Plan must be submitted, in consultation with the relevant council, to the satisfaction of the relevant authority. The details of the plan must be submitted to the relevant authority for approval prior to the issue of development approval, and be implemented prior to occupation or use of the development.</p>	<p>Where the application proposes a commercial or industrial development on a site exceeding 1000 m².</p>

Construction Management

Condition	Where applicable
<p>A Waste Management Plan that details the proposed waste minimisation and resource recovery practices during demolition and construction must be prepared and implemented.</p>	<p>Where the application proposes a commercial or industrial development on a site exceeding 2000 m².</p>
<p>A Construction Environment Management Plan (CEMP) must be prepared and implemented in accordance with current industry standards – including the EPA publications “Handbook for Pollution Avoidance on Commercial and Residential Building Sites – Second Edition” and, where applicable, “Environmental Management of On-site Remediation” – to minimise environmental harm and disturbance during construction. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: http://www.epa.sa.gov.au.</p>	<p>Where the application proposes a commercial or industrial development on a site exceeding 2000 m².</p>
<p>An appropriate Soil Erosion and Drainage Management Plan (SEDMP) (as described in the “Stormwater Pollution Control, General Code of Practice for Local, State and Federal Government”) must be prepared and implemented which includes a range of strategies to collect, treat, store and dispose of stormwater during construction and from the final form of the development (i.e. from roofs, driveways, parking areas, lawns, etc) while minimising disposal into the environment.</p>	<p>Where the application proposes a commercial or industrial development on a site exceeding 2000 m².</p>

Waste Management

Condition	Where applicable
<p>Waste storage areas must be:</p> <ul style="list-style-type: none"> (a) where possible, undercover or contained within the building; (b) constructed or bunded to prevent the entry of external stormwater; and (c) constructed to drain to a stormwater treatment system/device capable of removing pollutants. 	<p>Where the application proposes a commercial or industrial development on a site exceeding 2000 m².</p>

The hours for waste collection vehicles to enter and exit the site must be restricted to Monday to Friday: 7am to 7pm; with no collection on a Saturday or Sunday.	Where the application proposes a development of a commercial or industrial nature on a site located within 100 metres of a zone that envisages residential development.
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Regulated / Significant Trees

Condition	Where applicable
<p>The applicant must undertake 1 of the following actions:</p> <p>a) Semi-mature native trees (>1m in height) indigenous to the local area must be planted on a 2 for 1 basis to compensate for the removal of each regulated tree and on a 3 for 1 basis for each significant tree. The replacement tree planting must occur within 3 months of a tree's removal and be in a suitable position greater than 10 metres distance from any existing dwelling or in-ground swimming pool. The replacement trees must not be a species listed in Regulation 3E(5)(b) of the <i>Planning, Development and Infrastructure Regulations 2019</i>, or a tree belonging to a class of plant declared by the Minister under Chapter 8 Part 1 of the <i>Natural Resources Management Act 2004</i>. The trees must be maintained in good condition at all times and replaced if necessary; or</p> <p>b) A payment in accordance with Regulation 64 of the <i>Planning, Development and Infrastructure Regulations 2017</i> must be made into the Planning and Development Fund within 3 months from the date of development approval being granted.</p>	Where the application proposes the removal of 1 or more regulated or significant trees.
All pruning work must be undertaken by a qualified arborist and in accordance with <i>Australian Standard 4373-2007: Pruning of Amenity Trees</i> .	Where the pruning of a regulated or significant tree is proposed.

Privacy

Condition	Where applicable
The portion of any upper floor windows less than 1.5m above the internal floor level (except windows facing a public road or reserve greater than 15 metres in width) must be treated prior to occupation of the building in a manner that permanently restricts views being obtained by a person within the room to the reasonable satisfaction of the relevant authority or its delegate. (Suggested treatments include, but are not restricted to, permanently fixed translucent glazing in any part of the window below 1.5 m above the internal floor level or a window sill height of 1.5 above the internal floor level.)	Where the application proposes a building of 2 or more storeys on a site adjacent to a zone which envisages residential development.
Any upper floor balcony that does not face a public road or reserve at least 15 metres in width must be fitted with screening on the sides of the balcony less than 1.5 metres above the floor level of the balcony. Such treatment must be	Where the application proposes a building of 2 or more storeys with an upper level balcony on a site adjacent

fitted prior to occupation of the building in a manner that permanently restricts views being obtained by a person from the balcony to the reasonable satisfaction of the relevant authority or its delegate. (Suggested treatments include, but are not restricted to, wing walls, solid or translucent panels or perforated panels or metal trellises which have a maximum of 24% openings).	to a zone which envisages residential development.
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Swimming pools

Condition	Where applicable
The swimming pool pump/filter/equipment must be enclosed in a solid structure that will have a material impact on the transmission of noise and not within 5 metres of a dwelling located on an adjoining allotment.	Where the development incorporates a swimming pool with a filtration system.

Hills Face/ Rural Areas

Condition	Where applicable
All faces of cut and fill created by the excavation work must be covered with approximately 100 mm of top soil and re-vegetated to promote rapid regeneration of the site to its natural state.	Any development within a Hills Face zone/sub-zone/overlay as prescribed in the Planning and Design Code.
All scarring or physical disturbance of the land surface during any excavation work must be restricted to only that which is shown on the approved plan as required for building or access purposes. All exposed faces around such scarred areas and spoil must be screened with trees and shrubs and planted with suitable ground covers to the satisfaction of the Relevant Authority within 3 months of the date of undertaking the excavation work.	
External building materials must be colour coated or painted in a muted earthen colour of low light reflectivity within 3 months of erection, to the satisfaction of the relevant authority.	

Land Division

Condition	Where applicable
Prior to clearance being issued under section 138 of the <i>Planning, Development and Infrastructure Act 2016</i> , all existing buildings and deleterious materials such as concrete slabs, footings, retaining walls, irrigation pipes and other rubbish must be cleared from the subject land to the reasonable satisfaction of the relevant authority.	Any application incorporating the division of land where the resultant allotments are proposed to accommodate new development.

Temporary development

Condition	Where applicable
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At a future time as specified in the approved application documentation — (a) the previous use of the land will revive, and the proposed use of the land will cease; and (b) any person who has the benefit of the development will restore the land to the state in which it existed immediately before the development.	Where the application seeks approval for a temporary development
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Prescribed mining operations

Condition	Where applicable
The rubble pit must be screened so as to minimise its visibility from public roads.	Where the application proposes prescribed mining operations.
Access to the site must be maintained in a safe and trafficable condition at all times.	
The working operation of the pit must be managed so that it creates minimal impact on the amenity of the locality.	
All topsoil removed must be retained for use in rehabilitation.	
The pit area must be rehabilitated by contouring the land surface areas to be sympathetic with the natural ground, covered with top soil and seeded. Rehabilitation work must be done progressively as sections of the pit are exhausted and must be completed once the use has ceased.	

Electricity substations

Condition	Where applicable
The sound power level of the substation and any associated machinery or equipment must not exceed 70dB (A) maximum as operated at any intended regime.	Where the application proposes an electricity substation and is within 100 metres of a zone that anticipates residential development.
The installation and operation of any machinery or equipment on the substation site – including potentially noisy items of plant or switching gear - must be designed, sited and attenuated (where applicable) to comply with the <i>Environment Protection (Noise) Policy 2007</i> .	
Water from the bunded transformer area must be passed through a full retention separator with alarm that connects to a maintenance centre that operates 24 hours per day.	Where the application proposes an electricity substation and involves a transformer.
All waste/residuals must be disposed of to a facility licensed to take that waste.	Where the application proposes an electricity substation.

Animal Keeping

Condition	Where applicable
No more than the number of animals specified in the approved application documentation will be kept on the subject land at any one time, other than their progeny under the age of six (6) months.	Where the application involves animal keeping.

The floors of the kennels, buildings, runs and exercise yards must be of impervious materials drained to a septic tank system.	
The exercise yards attached to the kennels must be enclosed by a fence and gates to a height and of suitable materials capable of preventing any escape of any animal kept within the kennels or exercise yards, to the reasonable satisfaction of the relevant authority.	
All buildings, kennels and runs must be maintained and kept in good condition and repair to the reasonable satisfaction of the relevant council or its delegate.	
All reasonable disciplinary and sound attenuation measures must be undertaken to prevent any noise from the animals kept on the premises causing nuisance or annoyance to other persons living or working within the locality of the site of the kennels.	
Feed must be stored in suitable receptacles with self-closing tight fitting lids.	
Manure and other wastes generated by the keeping of animals must be collected and placed in a receptacle that is not affected by stormwater runoff or within 20 metres of a watercourse. The collected wastes must be removed at least once a week and disposed of so as to prevent any odour and the breeding of flies or general nuisance and insects.	

Viticulture/ Olive Farming

Condition	Where applicable
Any vegetation buffer/s as defined on the approved plan must be planted with a mixture of upper, middle and lower plant species with predominantly long, thin and rough leaves, capable of forming a dense vegetation buffer, and must be established before the vines are planted.	Where the application involves viticulture or olive farming.
With the exception of during the grape-harvesting season, farm machinery activities on-site must be limited to 7am to 7pm, Monday to Saturday inclusive.	
No audible bird scaring devices are to be used.	
Watercourses on or adjacent to the subject site must be not be interfered with in any way.	
No spraying of any chemicals is to be undertaken when weather conditions will carry spray drift onto adjoining property.	
A pasture sward between the rows (of trees) must be established and maintained to prevent soil erosion.	
Ducted or multi-headed spray equipment must be used for applying chemicals.	
A spray log book must be kept of all chemical spraying on the land showing the operator, the spray type and dilution rate,	

time and date of spraying, wind speed and direction and must be signed and made available upon request.	
Management of the site must include appropriate measures and signage to protect the viticulture industries from pests and diseases, particularly phylloxera. Further information is available from the Department of Primary Industries and Resources SA, and the Phylloxera and Grape Industry Board of South Australia.	Where the application involves viticulture.
Should the olive orchard cease to be actively farmed at any time in the future, or harvesting not takes place for more than two successive seasons, the olive trees must be removed totally from the site.	Where the application involves olive farming.
No flammable vegetation is permitted beneath the olive trees during the Fire Danger season.	
The olive orchard must maintain a minimum 4-metre spacing between the leaf canopy and the property boundaries in order to ensure safe access for fire fighting vehicles and provide a firebreak.	
A management plan must be prepared and implemented to prevent the spread of olive growth beyond the subject site. The management plan is to comply with the objectives of “Planning Advisory Notice 4 on Olive Growing” (Planning SA) and “Risk Assessment and Management of Olives” (Animal and Plant Control Commission).	

Wineries

Condition	Where applicable
The winery herein approved must have a maximum crush capacity of per annum of not more than specified in the approved application documentation.	Where the application involves the construction of or alteration to a winery.
The winery wastewater tanks must be bunded with an impervious material and have a total storage capacity equivalent to at least 120% of the largest container within the bunded area.	
Visual and audible alarms must be installed in the wastewater tanks to provide warning against any overflow. Such alarms must be set to activate simultaneously at the wastewater tanks and inside the winery office.	
A dry detention basin must be constructed immediately below the wastewater storage tank and which has bunding to capture any wastewater which may accidentally drain from the wastewater tank or its associated bunding.	

Display Home

Condition	Where applicable
This consent is valid for a period in accordance with the application documentation, commencing from the date of development approval. At the conclusion of the period of consent, the approved use and building classification of the building must revert to Class 1A (dwelling).	Where the application involves the use of a building as a display home for a temporary period.
The car park must be surfaced with compacted gravel to a depth of 100mm, and maintained and kept in good condition at all times.	
Car park directional signs must be erected at the entrance of the site to ensure that the location of the car parking area is readily apparent.	
All side and rear fences must be constructed of colour coated steel to a height of 1800 mm from the ground level of the subject site.	
External lighting and security lighting must be directed in such a manner so as to not create unreasonable overspill onto any adjoining property or roadway which may create a nuisance to any neighbour or road user.	

ADVISORY NOTES

Applications incorporating the division of land

- The development must be substantially commenced or application for certificate made within 12 months of the date of the operative authorisation, unless this period has been extended by the relevant authority.
- The authorisation will lapse if not commenced within 12 months of the date of operative authorisation.
- The applicant is also advised that the final land division certificate must be obtained from the relevant authority to complete the development within 3 years of the date of the notification unless this period is extended by the relevant authority.

Applications proposing building work or a change in land use

- This Planning Consent will expire after 12 months from the date of the Deemed Consent Notice, unless final Development Approval from the relevant authority has been received within that period or this consent has been extended by the relevant authority.
- The applicant is also advised that any act or work authorised or required by this development authorisation must be substantially commenced within 1 year of the final Development Approval issued by the relevant authority and substantially completed within 3 years of the date of final development approval issued by the relevant authority unless that development approval is extended by the relevant authority.

- The granting of this consent does not remove the need for the applicant to obtain all other consents that may be required by other statutes and regulations. The applicant is also reminded that unless specifically stated, conditions from previous relevant development approvals remain active.
- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Site contamination

- If, in carrying out the activity, contamination is identified which poses actual or potential harm to the health or safety of human beings or the environment or potential harm to the health or safety of human beings or the environment that is not trivial (taking land use into account), the applicant may need to remediate the site in accordance with EPA guidelines.
- If, at any stage, contamination is identified which poses actual or potential harm to water that is not trivial, a notification of contamination which affects or threatens groundwater (pursuant to section 83A of the *Environment Protection Act 1993*) must be submitted to the EPA.
- Continual monitoring of soil condition and appearance must be undertaken during any site works including the excavation of footings and the trenching of services. In the event that any potential soil contamination is detected (discoloured soil or odour) the applicant must undertake appropriate testing and remediation/removal of the soil in accordance with standard industry procedures and as advised by an appropriately qualified person. Upon completion of all earthworks, a statement from an appropriately qualified person must be submitted to the Relevant Authority confirming the completion of remediation works in accordance with industry procedures.

Other approvals may be required

- An environmental authorisation in the form of a licence may be required for the operation of the development. The applicant is required to contact the Environment Protection Authority before acting on this approval to ascertain licensing requirements.
- The *Environment Protection (Water Quality) Policy 2003* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to avoid the discharge or deposit of waste from that activity or land into any waters or onto land in a place from which it is likely to enter any waters (including the stormwater system).
- 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>.

- Any proposed works with the public realm adjacent to the site, including the installation of street furniture, bicycle parking infrastructure and planting of street trees must be undertaken in consultation with the relevant council.
- An authorisation may be required under section 221 of the *Local Government Act 1999* for any works or encroachment in, on, across, under or over the public road, include any new or modified vehicle access point.
- The applicant is advised of the following requirements of the *Heritage Places Act 1993*:
 - If an archaeological artefact believed to be of heritage significance is encountered during excavation works, disturbance in the vicinity must cease and the SA Heritage Council must be notified.
 - Where it is known in advance (or there is reasonable cause to suspect) that significant archaeological artefacts may be encountered, a permit under section 27 of the *Heritage Places Act 1993* is required prior to commencing excavation works.
 - For further information contact the State Heritage Unit (Department of Environment and Water) on 8124 4960.
- The Applicant is advised of the following requirements of the Aboriginal Heritage Act 1988:
 - If Aboriginal sites, objects or remains are discovered during excavation works, the Aboriginal Heritage Branch of the Aboriginal Affairs and Reconciliation Division of the Department of the Premier and Cabinet (as delegate of the Minister) should be notified under section 20 of the *Aboriginal Heritage Act 1988*.
- Approval for the proposed building height and construction methodology may be required by the Commonwealth Secretary for the Department of Transport and Regional Services in accordance with the *Airports Act 1996* and the *Airports (Protection of Airspace) Regulations 1996*.
- For development in areas without connection to a sewerage system, the applicant must obtain approval from the relevant council or Department of Health for the waste control system prior to the commencement of building work.
- The proponent must coordinate with SA Power Networks on electrical power connection and meter installation works to ensure that on the day of connection, having already received/checked the Certificate of Compliance from the electrician (who has undertaken the works on the site to be connected), the connection is only then made via an Authorised Connection Officer who is responsible to SA Power Networks under their Distribution Licence with the Essential Services Commission of South Australia (ESCOSA).
- The applicant is reminded of its general environmental duty, as required by section 25 of the *Environment Protection Act 1993 (SA)*, to take all reasonable and practical measures to ensure that the activities on the whole site, including during construction, do not pollute the environment in a way which causes or may cause environmental harm.

Compliance required with other policies/acts

- Mechanical plant or equipment, must be designed, sited and screened to minimise noise impact on adjacent premises or properties in accordance with the *Environment Protection (Noise) Policy 2007*.

- The *Environment Protection (Noise) Policy 2007* requires any person who is undertaking an activity, or is an occupier of land to take all reasonable and practicable measures to meet indicative noise factors for different land use categories. The policy creates offences that can result in on-the spot fines or legal proceedings. EPA information sheets, guidelines documents, codes of practice, technical bulletins etc can be accessed on the following website: <http://www.epa.sa.gov.au>.

Commercial/industrial developments

- Due consideration should be given to the residential context of the subject site. In particular, consideration should be given to management of noise associated with patron behaviour, vehicle movements etc. outside of normal operating business hours.

Regulated/significant trees

- If regulated or significant trees are to be retained, the applicant is advised to consult *Australian Standard AS 4970 – 2009 Protection of Trees on Development Sites* to ensure the incorporation of protective fencing, mulch and appropriate remedial treatments.

Requirements of the standard include:

- The establishment of Tree Protection Zones to restrict activities including the dumping of waste, machine excavation, storage and preparation of chemicals, and physical damage to trees;
- The erection of protective fencing around a Tree Protection Zone prior to machinery or materials brought onto the site;
- The use of approved signs to identify the Tree Protection Zone;
- Mulching, watering and weed removal recommendations to maintain the tree protection zone.
- Regular monitoring of tree protection measures should be undertaken throughout the development and construction process to ensure that any trees to be retained on the site are carefully managed to ensure their long-term survival and growth.
- The applicant is encouraged to select native tree species of local provenance that are considered suitable replacements for the tree(s) to be removed (i.e. amenity / shade trees, provision of habitat etc.). For information on appropriate species to be planted, please contact your local Council or State Flora within Belair National Park on telephone 8278 7777, at Murray Bridge on telephone 8539 2105, or visit www.stateflora.sa.gov.au. Replacement trees should also be selected on the basis of their intended location and longer-term growth / maturity level (i.e. suitability for a school playground or activity area, not close to buildings or other infrastructure etc.).

Construction management

- All council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development must be reinstated to council, utility or state agency specifications. All costs associated with these works must be met by the proponent.
- The applicant should ensure there is no objection from any of the public utilities in respect of underground or overhead services and any alterations that may be required are to be at the applicant's expense.

- As work is being undertaken on or near the boundary, the applicant should ensure that the boundaries are clearly defined, by a Licensed Surveyor, prior to the commencement of any building work.
- Building sites can also be major contributors of suspended solids, concrete wash, building materials and wastes, to stormwater and, potentially, receiving waters, if there are inappropriate management practices. Construction work and site preparation must be undertaken in a manner that does not allow the escape of soil, sediment or other pollutants by wind or water to the stormwater system at levels that breach the EPA's *Environment Protection (Water Quality) Policy 2003*.
- During construction the applicant must ensure that every effort is made to minimise noise and dust emissions generated from site works, particularly by use of heavy machinery and vehicular movements.
- Construction must be carried out so that it complies with the Construction Noise provisions of Part 6, Division 1 of the *Environment Protection (Noise) Policy 2007*. A copy of the Policy can be viewed at: <http://www.legislation.sa.gov.au>
- All council, utility or state-agency maintained infrastructure (i.e. roads, kerbs, drains, crossovers, footpaths etc.) that is demolished, altered, removed or damaged during the construction of the development should be reinstated to council, utility or state agency specifications. All costs associated with these works must be met by the proponent.