

4 BERYL CT MODBURY SA 5092

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Property Zoning Details

Zone

General Neighbourhood

Overlay

- Airport Building Heights (Regulated) (All structures over 15 metres)
- Affordable Housing
- Building Near Airfields
- Defence Aviation Area (All structures over 45 metres)
- Hazards (Flooding - Evidence Required)
- Prescribed Wells Area
- Regulated and Significant Tree
- Stormwater Management
- Traffic Generating Development
- Urban Tree Canopy

Selected Development(s)

Tree-damaging activity

This development may be subject to multiple assessment pathways. Please review the document below to determine which pathway may be applicable based on the proposed development compliances to standards.

If no assessment pathway is shown this mean the proposed development will default to performance assessed. Please contact your local council in this instance. Refer to Part 1 - Rules of Interpretation - Determination of Classes of Development

Property Policy Information for above selection

Tree-damaging activity - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones

# General Neighbourhood Zone

## Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Low-rise, low and medium-density housing that supports a range of needs and lifestyles located within easy reach of services and facilities. Employment and community service uses contribute to making the neighbourhood a convenient place to live without compromising residential amenity.

### Table 5 - Procedural Matters (PM) - Notification

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

#### Interpretation

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

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

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

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

Class of Development (Column A)	Exceptions (Column B)
1. Development which, in the opinion of the relevant authority, is of a minor nature only and will not unreasonably impact on the owners or occupiers of land in the locality of the site of the development.	None specified.
2. All development undertaken by: <ul style="list-style-type: none"> <li>(a) the South Australian Housing Trust either individually or jointly with other persons or bodies</li> <li>or</li> <li>(b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.</li> </ul>	Except development involving any of the following: <ul style="list-style-type: none"> <li>1. residential flat building(s) of 3 or more building levels</li> <li>2. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>3. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ul>

<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) ancillary accommodation</li> <li>(b) dwelling</li> <li>(c) dwelling addition</li> <li>(d) residential flat building</li> <li>(e) retirement facility</li> <li>(f) student accommodation</li> <li>(g) supported accommodation.</li> </ul>	<p>Except development that:</p> <ul style="list-style-type: none"> <li>1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or</li> <li>2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> <li>(a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or</li> <li>(b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).</li> </ul> </li> </ul>
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) consulting room</li> <li>(b) office</li> <li>(c) shop.</li> </ul>	<p>Except development that:</p> <ul style="list-style-type: none"> <li>1. does not satisfy any of the following: <ul style="list-style-type: none"> <li>(a) General Neighbourhood Zone DTS/DPF 1.4</li> <li>(b) General Neighbourhood Zone DTS/DPF 4.1</li> </ul>  or</li> <li>2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> <li>(a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or</li> <li>(b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).</li> </ul> </li> </ul>
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) air handling unit, air conditioning system or exhaust fan</li> <li>(b) carport</li> <li>(c) deck</li> <li>(d) fence</li> <li>(e) internal building works</li> <li>(f) land division</li> <li>(g) outbuilding</li> </ul>	<p>None specified.</p>

<ul style="list-style-type: none"> <li>(h) pergola</li> <li>(i) private bushfire shelter</li> <li>(j) recreation area</li> <li>(k) replacement building</li> <li>(l) retaining wall</li> <li>(m) shade sail</li> <li>(n) solar photovoltaic panels (roof mounted)</li> <li>(o) swimming pool or spa pool and associated swimming pool safety features</li> <li>(p) temporary accommodation in an area affected by bushfire</li> <li>(q) tree damaging activity</li> <li>(r) verandah</li> <li>(s) water tank.</li> </ul>	
<p>6. Alteration of or addition to any development involving the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) child care facility</li> <li>(b) community facility</li> <li>(c) educational facility.</li> </ul>	<p>Except development that does not satisfy General Neighbourhood Zone DTS/DPF 1.5.</p>
<p>7. Demolition.</p>	<p>Except any of the following:</p> <ol style="list-style-type: none"> <li>1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ol>
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>

#### Placement of Notices - Exemptions for Performance Assessed Development

None specified.

#### Placement of Notices - Exemptions for Restricted Development

None specified.

## Part 3 - Overlays

### Regulated and Significant Tree Overlay

#### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Tree Retention and Health	
PO 1.1 Regulated trees are retained where they: <ul style="list-style-type: none"> <li>(a) make an important visual contribution to local character and amenity</li> <li>(b) are indigenous to the local area and listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species and / or</li> <li>(c) provide an important habitat for native fauna.</li> </ul>	DTS/DPF 1.1 None are applicable.
PO 1.2 Significant trees are retained where they: <ul style="list-style-type: none"> <li>(a) make an important contribution to the character or amenity of the local area</li> <li>(b) are indigenous to the local area and are listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species</li> <li>(c) represent an important habitat for native fauna</li> <li>(d) are part of a wildlife corridor of a remnant area of native vegetation</li> <li>(e) are important to the maintenance of biodiversity in the local environment and / or</li> <li>(f) form a notable visual element to the landscape of the local area.</li> </ul>	DTS/DPF 1.2 None are applicable.
PO 1.3 A tree damaging activity not in connection with other development satisfies (a) and (b): <ul style="list-style-type: none"> <li>(a) tree damaging activity is only undertaken to:                             <ul style="list-style-type: none"> <li>(i) remove a diseased tree where its life expectancy is short</li> <li>(ii) mitigate an unacceptable risk to public or private safety due to limb drop or the like</li> <li>(iii) rectify or prevent extensive damage to a building of value as comprising any of the following:                                     <ul style="list-style-type: none"> <li>A. a Local Heritage Place</li> </ul> </li> </ul> </li> </ul>	DTS/DPF 1.3 None are applicable.

<p>B. a State Heritage Place C. a substantial building of value</p> <p>and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity</p> <p>(iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire</p> <p>(v) treat disease or otherwise in the general interests of the health of the tree and / or</p> <p>(vi) maintain the aesthetic appearance and structural integrity of the tree</p> <p>(b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.</p>	
<p>PO 1.4</p> <p>A tree-damaging activity in connection with other development satisfies all the following:</p> <p>(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible</p> <p>(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
Ground work affecting trees	
<p>PO 2.1</p> <p>Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
Land Division	
<p>PO 3.1</p> <p>Land division results in an allotment configuration that enables its subsequent development and the retention of regulated and significant trees as far as is reasonably practicable.</p>	<p>DTS/DPF 3.1</p> <p>Land division where:</p> <p>(a) there are no regulated or significant trees located within or adjacent to the plan of division or</p> <p>(b) the application demonstrates that an area exists to accommodate subsequent development of proposed allotments after an allowance has been made for a tree protection zone around any regulated tree within and adjacent to the plan of division.</p>

## Procedural Matters (PM) - Referrals

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

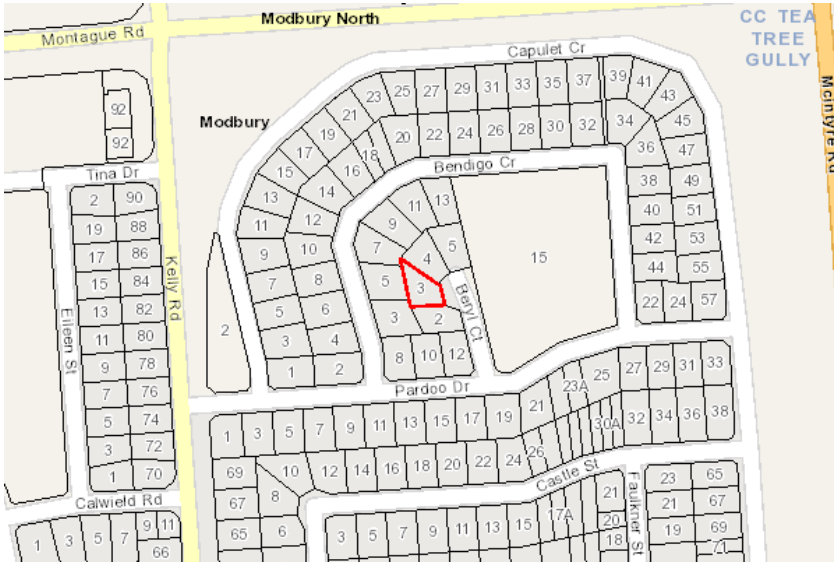
Class of Development / Activity	Referral Body	Purpose of Referral	Statutory Reference
None	None	None	None

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Tree-damaging activity - Code Assessed - Performance Assessed

Part 2 - Zones and Sub Zones



# General Neighbourhood Zone

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### Table 5 - Procedural Matters (PM) - Notification

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#### Interpretation

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

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2. All development undertaken by: <ul style="list-style-type: none"> <li>(a) the South Australian Housing Trust either individually or jointly with other persons or bodies</li> <li>or</li> <li>(b) a provider registered under the Community Housing National Law participating in a program relating to the renewal of housing endorsed by the South Australian Housing Trust.</li> </ul>	Except development involving any of the following: <ul style="list-style-type: none"> <li>1. residential flat building(s) of 3 or more building levels</li> <li>2. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>3. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ul>

<p>3. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) ancillary accommodation</li> <li>(b) dwelling</li> <li>(c) dwelling addition</li> <li>(d) residential flat building</li> <li>(e) retirement facility</li> <li>(f) student accommodation</li> <li>(g) supported accommodation.</li> </ul>	<p>Except development that:</p> <ul style="list-style-type: none"> <li>1. does not satisfy General Neighbourhood Zone DTS/DPF 4.1 or</li> <li>2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> <li>(a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or</li> <li>(b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).</li> </ul> </li> </ul>
<p>4. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) consulting room</li> <li>(b) office</li> <li>(c) shop.</li> </ul>	<p>Except development that:</p> <ul style="list-style-type: none"> <li>1. does not satisfy any of the following: <ul style="list-style-type: none"> <li>(a) General Neighbourhood Zone DTS/DPF 1.4</li> <li>(b) General Neighbourhood Zone DTS/DPF 4.1</li> </ul>  or</li> <li>2. involves a building wall (or structure) that is proposed to be situated on (or abut) an allotment boundary (not being a boundary with a primary street or secondary street or an excluded boundary) and: <ul style="list-style-type: none"> <li>(a) the length of the proposed wall (or structure) exceeds 11.5m (other than where the proposed wall abuts an existing wall or structure of greater length on the adjoining allotment) or</li> <li>(b) the height of the proposed wall (or post height) exceeds 3m measured from the top of footings (other than where the proposed wall (or post) abuts an existing wall or structure of greater height on the adjoining allotment).</li> </ul> </li> </ul>
<p>5. Any development involving any of the following (or of any combination of any of the following):</p> <ul style="list-style-type: none"> <li>(a) air handling unit, air conditioning system or exhaust fan</li> <li>(b) carport</li> <li>(c) deck</li> <li>(d) fence</li> <li>(e) internal building works</li> <li>(f) land division</li> <li>(g) outbuilding</li> </ul>	<p>None specified.</p>

<ul style="list-style-type: none"> <li>(h) pergola</li> <li>(i) private bushfire shelter</li> <li>(j) recreation area</li> <li>(k) replacement building</li> <li>(l) retaining wall</li> <li>(m) shade sail</li> <li>(n) solar photovoltaic panels (roof mounted)</li> <li>(o) swimming pool or spa pool and associated swimming pool safety features</li> <li>(p) temporary accommodation in an area affected by bushfire</li> <li>(q) tree damaging activity</li> <li>(r) verandah</li> <li>(s) water tank.</li> </ul>	
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<p>7. Demolition.</p>	<p>Except any of the following:</p> <ol style="list-style-type: none"> <li>1. the demolition (or partial demolition) of a State or Local Heritage Place (other than an excluded building)</li> <li>2. the demolition (or partial demolition) of a building in a Historic Area Overlay (other than an excluded building).</li> </ol>
<p>8. Railway line.</p>	<p>Except where located outside of a rail corridor or rail reserve.</p>

#### Placement of Notices - Exemptions for Performance Assessed Development

None specified.

#### Placement of Notices - Exemptions for Restricted Development

None specified.

## Part 3 - Overlays

### Regulated and Significant Tree Overlay

#### Assessment Provisions (AP)

Desired Outcome (DO)

Desired Outcome	
DO 1	Conservation of regulated and significant trees to provide aesthetic and environmental benefits and mitigate tree loss.

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

Performance Outcome	Deemed-to-Satisfy Criteria / Designated Performance Feature
Tree Retention and Health	
PO 1.1 Regulated trees are retained where they: <ul style="list-style-type: none"> <li>(a) make an important visual contribution to local character and amenity</li> <li>(b) are indigenous to the local area and listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species and / or</li> <li>(c) provide an important habitat for native fauna.</li> </ul>	DTS/DPF 1.1 None are applicable.
PO 1.2 Significant trees are retained where they: <ul style="list-style-type: none"> <li>(a) make an important contribution to the character or amenity of the local area</li> <li>(b) are indigenous to the local area and are listed under the <i>National Parks and Wildlife Act 1972</i> as a rare or endangered native species</li> <li>(c) represent an important habitat for native fauna</li> <li>(d) are part of a wildlife corridor of a remnant area of native vegetation</li> <li>(e) are important to the maintenance of biodiversity in the local environment and / or</li> <li>(f) form a notable visual element to the landscape of the local area.</li> </ul>	DTS/DPF 1.2 None are applicable.
PO 1.3 A tree damaging activity not in connection with other development satisfies (a) and (b): <ul style="list-style-type: none"> <li>(a) tree damaging activity is only undertaken to:                             <ul style="list-style-type: none"> <li>(i) remove a diseased tree where its life expectancy is short</li> <li>(ii) mitigate an unacceptable risk to public or private safety due to limb drop or the like</li> <li>(iii) rectify or prevent extensive damage to a building of value as comprising any of the following:                                     <ul style="list-style-type: none"> <li>A. a Local Heritage Place</li> </ul> </li> </ul> </li> </ul>	DTS/DPF 1.3 None are applicable.

<p>B. a State Heritage Place C. a substantial building of value</p> <p>and there is no reasonable alternative to rectify or prevent such damage other than to undertake a tree damaging activity</p> <p>(iv) reduce an unacceptable hazard associated with a tree within 20m of an existing residential, tourist accommodation or other habitable building from bushfire</p> <p>(v) treat disease or otherwise in the general interests of the health of the tree and / or</p> <p>(vi) maintain the aesthetic appearance and structural integrity of the tree</p> <p>(b) in relation to a significant tree, tree-damaging activity is avoided unless all reasonable remedial treatments and measures have been determined to be ineffective.</p>	
<p>PO 1.4</p> <p>A tree-damaging activity in connection with other development satisfies all the following:</p> <p>(a) it accommodates the reasonable development of land in accordance with the relevant zone or subzone where such development might not otherwise be possible</p> <p>(b) in the case of a significant tree, all reasonable development options and design solutions have been considered to prevent substantial tree-damaging activity occurring.</p>	<p>DTS/DPF 1.4</p> <p>None are applicable.</p>
Ground work affecting trees	
<p>PO 2.1</p> <p>Regulated and significant trees, including their root systems, are not unduly compromised by excavation and / or filling of land, or the sealing of surfaces within the vicinity of the tree to support their retention and health.</p>	<p>DTS/DPF 2.1</p> <p>None are applicable.</p>
Land Division	
<p>PO 3.1</p> <p>Land division results in an allotment configuration that enables its subsequent development and the retention of regulated and significant trees as far as is reasonably practicable.</p>	<p>DTS/DPF 3.1</p> <p>Land division where:</p> <p>(a) there are no regulated or significant trees located within or adjacent to the plan of division or</p> <p>(b) the application demonstrates that an area exists to accommodate subsequent development of proposed allotments after an allowance has been made for a tree protection zone around any regulated tree within and adjacent to the plan of division.</p>

## Procedural Matters (PM) - Referrals

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

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