



## INFORMATION SHEET NO. 21

# GENERAL INFORMATION FOR BUILDERS, DEVELOPERS & OWNER BUILDERS

Development Applications are assessed against the relevant zone and policies contained within Development Plans. The purpose of assessment is to ensure that the proposed development conforms with the Development Plan and zoning requirements. Applications are also assessed for compliance with the Building Code of Australia with respect to structural and life safety issues.

Below are some of the areas of assessment that need to be considered.

### **Development Plan**

There is an individual Development Plan for each of the 68 local council areas in South Australia.

Development Plans outline what sort of land use is and is not envisaged for particular zones within each Plan area or zone (eg residential, commercial, industrial, rural), and various objectives, principles and policies further controlling and affecting the design and other aspects of proposed developments. These policies can cover a range of social, environmental and economic matters.

Development Plans can also spell out the 'desired character' for different parts of the area they cover and are a tool used by Planners when assessing Development Applications for Planning Consent.

In summary, Development Plans:-

- Inform the community about how an area is expected to be developed;
- Inform neighbours as to the kinds of development they can expect in their neighborhood;
- Inform applicants as to the type of development that is encouraged (and not encouraged) in an area, and therefore the type of information that may be required in a development application;
- Provide the basis against which development assessment decisions are made (the zones, maps and policies provide the detailed criteria against which development applications for the relevant area are assessed); and
- Provide the basis upon which any appeal decisions are made.

Council's Development Plan can be found on the Planning SA website in a PDF format - visit [www.planning.sa.gov.au](http://www.planning.sa.gov.au) and follow the links to 'outer metropolitan plans' where you will find Light Regional Council.

### **Set Backs**

Front set backs including from side streets if building on a corner, can vary depending on the zone, use and location of the site, although generally, most front set backs in residential areas would be 8 metres, other than Hewett. Set backs from side boundaries for residential development is generally 1 metre unless the allotment is a corner property, whereby the minimum set back is generally 2.5 metres. Council's Development Plan and Planning Staff should be referred to for confirmation.

### **Private Open Space**

This may also vary depending on the use and zone of the property. Generally for housing in residential areas, the private open space required is 25m<sup>2</sup> per bedroom or room capable of being used as a bedroom, e.g. study.

## **Site Coverage**

Generally for housing development in Hewett, no more than 50% of the total site may be developed, this includes dwellings (35%), verandahs, sheds (15%) etc. In other areas within the Council district, site coverage is assessed taking into account the possible visual impact and affect on the amenity of the locality. The Development Plan or Planning Staff should be referred to for confirmation.

## **Bushfire Risk Areas**

The Light Regional Council area is within a proclaimed bushfire zone. Some of the township areas are exempt from compliance with the bushfire requirements, whilst other areas may be within a general or medium risk area. To determine which area the site may be within, the Development Plan includes maps which identify the areas. The Planning SA web site is also a useful tool to determine which bushfire area the site may be within and can also offer information on the requirements applicable for the various bushfire zones. The requirements for building within a bushfire risk area affect both planning and building assessment with referrals to the local fire authority necessary on occasions. Refer to Planning staff in the first instance.

## **Bushfire Protection Areas**

Along with approximately 39 other council areas, the Light Regional Council has been proclaimed as being within a Bushfire Risk Area and as such changes were made to the Council's Development Plan by the State Government. The changes for the Light Regional Council were affective as of 18 January 2007. This requires that from 18 January 2007 any application for building work of a residential nature (Class 1, 2 or 3 under the Building Code) must also be assessed against the relevant bushfire provisions for both Development Plan Consent and Building Rules Consent.

The requirements may include features such as having dedicated water supplies for fire fighting, buffer zones between homes and flammable or combustible vegetation, appropriate access roads and building features which increase bushfire protection (eg spark and ember protection).

Whilst the whole of the Light Regional Council is within a proclaimed Bushfire Prone Area, it is divided into areas that are classified as being low risk (general) or medium risk. Some townships are also within an exempt area. There are different requirements for the different risk areas. (Please note that Hewett, Gawler Belt, parts of Roseworthy and Kapunda are not exempt and are within a General risk area).

## **Light Regional Council Development Plan - Bushfire Protection Provisions**

Bushfire Protection principles of development control apply to the General, Medium and High Bushfire Risk areas shown on Bushfire Protection Area Figures Lig(BPA)/1 to 15, except where exempted.

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; or
- (e) inability to provide an adequate supply of water for fire-fighting purposes.

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; and

- (c) have a dedicated water supply available at all times for fire fighting which:
- i) is located adjacent to the building or in another convenient location on the allotment accessible to fire fighting vehicles,
  - ii) comprises a minimum of 5,000 litres in areas shown as General or Medium Bushfire Risk on Bushfire Protection Area figures; or
  - iii) comprises a minimum of 22,000 litres in areas shown as High Bushfire Risk on Bushfire Protection Area figures.

## ***Development Regulations 2008***

Regulation 78 identifies where a building is in a bushfire zone (ie it is referred to within Schedule 18) and requires that if building work is proposed of a Classification 1, 2 or 3 (residential) in the Building Code of Australia, then Ministers Specification SA78 must be complied with as well as Appendix F8 of the South Australian Housing Code. (The Ministers Specification is attached as Appendix ?)

## ***South Australian Housing Code - Appendix F8***

Provides the structural requirements when constructing a building. Most of the additional requirements for construction relate to buildings within a Medium, High or Extreme risk area, however there are also construction requirements applicable for Low/General areas. These relate to flooring systems, supporting posts and columns, vents and weepholes and verandahs and decks.

## **Waste Water Disposal (Septic Tank) Applications**

With the exception of Hewett which is serviced by an SA Water sewer line, a septic tank application is required for all developments within the council area. Most townships have connections available to the Community Waste Management Scheme (CWMS), however a septic application is still required. Properties that do not have access to the CMWS require on site effluent disposal which can be achieved a number of ways. As developments within the Council area continue, additional sewer connections may become available within other townships or areas. Contact Council's Environmental Health Officer for further details

## **Energy Efficiency Requirements**

The Building Code of Australia (BCA) contains details for compliance with the energy efficiency provisions. Since May 2006, all new homes and additions are required to achieve a 5 star energy rating and in September 2010 all new homes and additional will be required to achieve a 6 star energy rating. The requirements vary depending on the climate zone but have an impact on construction materials, design and orientation of the building, and insulation requirements. The whole of the Light Regional Council area is within Climate Zone 6. Refer to the BCA for requirements. Council's Development Plan also contains requirements for energy efficient developments such as facing living areas with a northern aspect.

## **Finished Floor Levels**

To ensure requirements for termite barriers, flood gullies and other building requirements are met, generally the finished floor level of a dwelling should be a minimum of 300mm above the top of the kerb, and a minimum of 200mm above the surrounding ground level to assist in minimizing the impact of localized flooding on the building and provide adequate falls for stormwater disposal.

Where there is no water table, swale or crown of road available to refer to, generally the finished floor level of the dwelling is to be 250mm above the highest contour point or spot level located in the location of the proposed concrete slab.

In determining site levels, consideration should also be given to overlooking, overshadowing and retaining wall requirements.

## **Rainwater Tanks**

Since 1 July 2006 in South Australia building rules have required new dwellings (and some extensions or alterations) to have an additional water supply to supplement the mains water.

All new Class 1a buildings are required to have all connections made for the supply of water from all sources prior to the occupation of the dwelling. That is, all sources of water identified in the development approval (mains, rainwater tank, third pipe scheme) must be connected before the dwelling is occupied.

The additional water supply has to be plumbed to a toilet, to a water heater or to all cold water outlets in the laundry of a new home. The same rules will apply to new extensions or alterations where the area of the extension or alteration is greater than 50m<sup>2</sup> and includes a toilet, water heater or laundry cold water outlet.

If rainwater tanks are to be used to provide the additional water supply, new homes will need to be designed to ensure that rainwater from not less than 50m<sup>2</sup> of the roof is:-

- Collected by gutters and downpipes;
- Stored in a rainwater tank; and
- Plumbed to a toilet or a water heater or all laundry cold water outlets.

If the roof catchment area of the building is less than 50m<sup>2</sup> all the water run-off from the roof must be collected, stored and plumbed.

### ***What size rainwater tank should be installed?***

The rainwater tank must have a storage capacity not less than 1 kilolitre (1000 litres). The requirement for a minimum one kilolitre plumbed rainwater tank is additional to any other water storage tank requirements that might be required (eg other tanks are required in some areas for bushfire fighting purposes).

### ***Are there any other requirements for the rainwater tank?***

- An overflow device must be fitted; and
- A mosquito proof, non-degradable screen must be attached to protect the water quality.

## **Plumbing requirements**

The plumbing aspects of the policy are regulated by the South Australian Water Corporation (SA Water) in accordance with the Waterworks Act 1932 and Waterworks Regulations 1996. SA Water require all plumbing work to comply with AS/NZS 3500:2003, the National Plumbing and Drainage Code and any SA Variations published by SA Water. The technical requirements for rainwater tanks are contained in Section 14 of AS/NZS 3500:2003 Part 1 and the SA Water Variations.

A licensed plumber must:-

- Install the piping system delivering the rainwater to the water closet, water heater or cold water laundry outlets and
- Complete a Certificate of Compliance certifying that the installation has been installed in accordance with AS/NZS 3500 and the SA Variations. The Certificate of Compliance must be provided to SA Water and the home owner within 7 days of completion of the work.

## **Occupying a Dwelling**

Regulation 83A of the Development Regulations 2008 specifies that a Class 1a building cannot be occupied unless;

- The building is structurally sound and weatherproof; and
- The building work has been carried out in accordance with the relevant approval; and

- The building includes:-
  - A kitchen sink and facilities for the preparation of food;
  - A bath or shower;
  - Clothes washing facilities comprising at least one washtub and space in the same room for a washing machine; and
  - A closet pan and washbasin.
- All connections relating to the supply of water from all sources (including required rainwater tanks) and the disposal of all water and effluent have been made;
- If the building is in a bushfire prone area under regulation 78, the building is to be provided with the required fire prevention equipment and construction methods and materials; and
- All required hard wired smoke alarms have been installed and tested.

A Statement of Compliance in accordance with Regulation 83AB must be submitted within 10 business days of occupation of the dwelling, with both Part A and B completed and signed by the builder and owner respectively.

## **Further Information**

[www.planning.sa.gov.au](http://www.planning.sa.gov.au)

Further general information may be sourced from the Planning in South Australia web site provided by the Department for Planning and Local Government. This is the State Government site for information about South Australia's planning and development system and associated services, including the building rules.

On this site you will find an overview of how South Australia's land use planning and development system works, plus detail on the various parts that make up the system.

<http://www.planning.sa.gov.au/go/bushfire-protection>

Any person may also access the government web site to determine if a property falls within a bushfire prone area. There are also links available that explain the necessary requirements for the property and zone selected.

## **Summary**

The requirements may vary between the different local government areas and as such some basic information is provided to assist developers, builders and owner builders.

The information provided is designed to assist when preparing Development Applications for assessment, and is not a comprehensive list of all legislative requirements. Engaging the services of a reputable architect, designer or builder will assist with the preparation of Development Applications as these professionals have an understanding of the Development Act and Regulations and other applicable legislation.

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*Please note the information contained herein is intended as a guide only.  
Further clarification may be obtained by contacting the Council on 8525 3200.*