Adelaide Hills Council, Alexandrina Council, The Barossa Council, Mount Barker (DC), Onkaparinga (City), Victor Harbor (DC) and Yankalilla (DC) Development Plans

COMMERCIAL FORESTRY

Development Plan Amendment

By the Minister

For Consultation

Declared by the Minister for Urban Development and Planning to come into operation on an interim basis pursuant to Section 28 of the Development Act 1993

Signature…………………………………

Date of operation………………………. 
# TABLE OF CONTENTS

## EXECUTIVE SUMMARY

- Introduction ........................................................................ i
- Need for the amendment ....................................................... i
- Proposed Policy Changes ...................................................... ii
- Areas Affected ..................................................................... ii
- Legal Requirements .......................................................... ii
- Interim Operation ................................................................ iv
- Consultation ........................................................................ iv
- The Final Stage ..................................................................... v

## ANALYSIS

1. **Background** ................................................................ 1

2. **The Strategic Context and Policy Directions** ............... 1
   - 2.1 Consistency with the Planning Strategy ....................... 1
   - 2.2 South Australia’s Strategic Plan 2007 ......................... 5

3. **Investigations previously undertaken** ......................... 6
   - 3.1 Better Development Plan (BDP) Module – Forestry ........ 6

4. **Investigations initiated to inform this DPA** .................... 9
   - 4.1 Review of current policy in affected Development Plans .. 9

5. **CONCLUSIONS AND RECOMMENDED POLICY CHANGES** ...... 12
   - 5.1 Recommended Planning Policy ................................. 12
   - 5.2 Amendment to Categories of Public Notification .......... 13

6. **LEGAL REQUIREMENTS** ........................................... 14
   - 6.1 Introduction .......................................................... 14
   - 6.2 Accords with the Planning Strategy ......................... 14
   - 6.3 Accords with other parts of the relevant councils’ Development Plan Accords . 15
6.4 Complements the policies in the Development Plans for adjoining Council Areas

6.5 Satisfies the requirements prescribed by the Regulations

REFERENCES/BIBLIOGRAPHY

THE AMENDMENT
EXECUTIVE SUMMARY

INTRODUCTION

The Development Act 1993 provides the legislative framework for undertaking amendments to a Development Plan. The Act allows either the relevant council or, under prescribed circumstances, the Minister for Urban Development and Planning to amend a Development Plan. In this case the Minister is undertaking the amendment pursuant to Section 24(1)(d) of the Act. Section 24(1)(d) allows the Minister to prepare an amendment where the same, or substantially the same, amendment is proposed to two or more Development Plans.

A Development Plan Amendment (DPA) (this document) explains what policy changes are being proposed and why, and how the amendment process will be conducted.

A DPA consists of:

- Executive Summary (this section)
- Analysis
- Conclusions and Recommended Policy Changes
- References/Bibliography
- The Amendment.

NEED FOR THE AMENDMENT

Commercial forestry is recognised as a growth industry in the Adelaide Hills and Fleurieu Peninsula regions due to suitable land and climatic conditions. This has been buoyed in recent times by proposals to establish new plantations and potential for future investment.

However, inconsistencies experienced in the processing and assessment of development proposals for commercial forestry plantations across these regions have caused some concern. Contributing factors include the fact that the regions cut-across multiple council jurisdictions, and the differences between each jurisdiction in terms of the land use policy framework and procedural matters that can impact on land use decisions.

In August 2007, changes were made to Schedule 10 of the Development Regulations 1993 making the Development Assessment Commission (DAC) responsible for decisions on commercial forestry applications for proposals of 20 hectares or more within prescribed areas. The prescribed areas include those seven (7) council areas affected by this DPA. This change supports greater consistency in the assessment of commercial forestry applications and balancing of competing land use policy issues.

Current Development Plans affecting the Adelaide Hills and Fleurieu Peninsula regions vary in their approach to commercial forestry in terms of both policy content and procedural matters (i.e. consent land use, Category of Public Notification). These differences appear incongruous when taking into account the council-wide and many rural zones provisions that recognise commercial forestry as one of a number of suitable primary production activities in the rural areas, subject to individual site assessment.

In order to underpin the recent changes to Schedule 10 and provide a consistent basis to guide the establishment of commercial forestry activities in the Adelaide Hills and Fleurieu Peninsula regions, there is a need to review established Development Plan policy. In this context, this DPA is proposing to introduce consistent land use policy and public notification categories for commercial forestry within the rural areas of affected Development Plans.
PROPOSED POLICY CHANGES

The DPA proposes the following policy changes:

- The inclusion of best practice policies within the relevant Development Plans in relation to:
  - appropriate locations where commercial forestry can be established (in particular relating to impacts on the natural environment)
  - required setbacks from dwellings, powerlines, water courses and environmentally sensitive areas
  - bushfire protection measures
- Removing existing Council-wide provisions from the Development Plan, where relevant, to avoid duplication with the new forestry provisions
- Designation of commercial forestry as a Category 2 form of development within Development Plan zones that generally envisage this form of activity.

AREAS AFFECTED

The areas affected by the DPA comprise rural areas within the following councils as indicated on Figure 1:

- The Barossa Council
- Adelaide Hills Council
- Alexandrina Council
- City of Victor Harbor
- District Council of Yankalilla
- District Council of Mt Barker
- Sections of the City of Onkaparinga located within the area covered by the Outer Metropolitan Planning Strategy.

LEGAL REQUIREMENTS

Prior to the preparation of this DPA, the Minister received advice from a person or persons holding prescribed qualifications pursuant to Section 101 of the Development Act 1993.

The DPA has assessed the extent to which the proposed amendment:

- accords with the Planning Strategy
- accords with other parts of the relevant councils' Development Plan
- complements the policies in Development Plans for adjoining areas
- satisfies the requirements prescribed by the Regulations.
INTERIM OPERATION

This Ministerial DPA is to be released on interim operation, which means that its policy intent is effective from the date it is gazetted for a period of 12 months. Interim operation is being used because the Minister is “of the opinion that this is necessary in the interests of the orderly and proper development of an area of the state” (Section 28 of the Development Act 1993).

In this case, the Minister considers that there is a need to introduce this policy immediately to ensure development that is contrary to the intent of the policy is not undertaken while public comment is sought.

CONSULTATION

The DPA will be released for concurrent council and public consultation for a period of at least two months. Preliminary consultation has already occurred with several key organisations and individuals including:

- representatives from the Plantation Forestry Industry
- The Mount Lofty Ranges Forestry & Water Interaction Technical Working Group
- The Department of Water, Land and Biodiversity Conservation
- The Department of Primary Industries and Resources, Forestry
- The Adelaide Hills and Mount Lofty Ranges Natural Resources Management Board.

Consultation with these and the following organisations and agencies will also be undertaken during the consultation period for the DPA:

- Department for Environment and Heritage
- Department of Trade and Economic Development
- ETSA Utilities
- The Barossa Council
- Adelaide Hills Council
- Alexandrina Council
- City of Victor Harbor
- District Council of Yankalilla
- District Council of Mt Barker
- City of Onkaparinga
- Conservation Council of South Australia

All written and verbal agency and public submissions made during the consultation phase will be recorded and considered by the Development Policy Advisory Committee (DPAC), which is an independent body responsible for conducting the consultation stage of Ministerial DPAs. Changes to the DPA may occur as a result of this consultation process. (See also ‘Have your say’ information box at the front of this DPA.)
THE FINAL STAGE

When DPAC has considered the comments received and heard all the public submissions, it will provide the Minister for Urban Development and Planning with a report on its findings.

The Minister will then either approve (with or without changes) or refuse the DPA.

Note: This Executive Summary is for information only and does not form part of the Amendment to the Development Plans.
ANALYSIS

1 BACKGROUND

Commercial forestry has been a form of primary production within South Australia since the late 1800s, with the first commercial forestry plantation being planted in 1876.

An early discovery was that Radiata Pine from California is one of best suited and fastest growing trees for South Australia in areas with more than 600 millimetres of rain each year. Consequently plantations of Radiata Pines have been established in many parts of South Australia, in particular throughout the Mount Lofty Ranges region. Since the 1970s, forestry development within this region has been generally limited to small-scale farm forestry and revegetation on existing cleared agricultural land or land previously used for commercial forestry. Recent applications for new forestry plantations in the Mount Lofty Ranges have, however, demonstrated a growing demand for, and interest in, the establishment of new forestry plantations in this area.

This growing market is, in part, due to the suitable climatic and land conditions of the region; amendments to the Forestry Property Act 2000 which increase economic incentives for the establishment of commercial forestry plantations; increasing export markets for plantation timber; and the pending release of a National Carbon Emissions Trading Scheme for which commercial forestry may play a key role.

To address this future demand and the current uncertainty in the assessment process for applications for commercial forestry, the Minister for Environment and Conservation and the Minister for Forests agreed on a range of actions to assist in the development of future commercial forestry in the Outer Metropolitan region.

One of the actions was to request the Minister for Urban Development and Planning to undertake a Ministerial Development Plan Amendment (DPA) to implement consistent land use policy and introduce public notification categories for commercial forestry within this region, which were considered lacking or imprecise in the relevant councils’ Development Plans.

2 THE STRATEGIC CONTEXT AND POLICY DIRECTIONS

2.1 Consistency with the Planning Strategy

The Planning Strategy for Outer Metropolitan Adelaide presents current State Government policy for development in South Australia. In particular, it seeks to guide and coordinate State Government activity in the construction and provision of services and infrastructure that influence the development of South Australia. It also indicates directions for future development to the community, the private sector and local government.

The following sections of the Planning Strategy for Outer Metropolitan Adelaide (August 2006) are considered relevant to this DPA:

<table>
<thead>
<tr>
<th>Strategy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>3.1 Water Sources</td>
<td>The inclusion of consistent land use policies within Development Plans seek to provide best practice guidelines for the establishment and continuing use of Commercial Forestry in the Outer Metropolitan region.</td>
</tr>
</tbody>
</table>


(b) Ensure that the areas mapped as 1, 2 and 3 in the Watershed (refer to Map 4) are identified as such. Establish planning and management policies, based on the water quality risk hierarchy associated with these areas, to ensure that new development results in a beneficial or at least neutral impact on water
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>quality in the Watershed. While some land uses with a high risk to water quality would remain incompatible with Watershed objectives, risk based policy would provide flexibility for a range of other uses.</td>
<td>Consistent policy and best practice guidelines have already been incorporated for other primary production such as Horticulture.</td>
</tr>
<tr>
<td>(c) Ensure the development of planning policy in the Watershed considers options for supporting the viability of existing land uses in the Watershed, particularly existing horticultural businesses.</td>
<td>While water usage issues are being further investigated for primary industries through water allocation plans for the region, the implementation of consistent Council Wide guidelines will provide immediate assistance in the assessment of Commercial Forestry applications.</td>
</tr>
</tbody>
</table>

| 3. Integrate the management, protection and use of water resources into broader land use planning and management. | Proposed policies of the BDP – Forestry module include setbacks from watercourses and environmentally sensitive areas. These policies have been widely consulted with agencies and stakeholders to provide standard setback distances. |
| (a) Protect and enhance the quality of underground and surface waters. | As identified above the proposed policies of the BDP – Forestry module do not seek to include specific policies relating to water usage until further investigations as part of the water allocation plans for the region are completed. |
| (b) Protect culturally significant water features. |  |
| (d) Design and manage development to: |  |
| - protect land from soil erosion, salinisation and contamination |  |
| - protect watercourses, wetlands, floodplains and water supply catchments from poor land use and management practices |  |
| - protect underground water resources from overuse and pollution |  |
| - allow the active recharge of underground water, for example, ASR, with harvested stormwater of a suitable quality |  |
| - maximise retention of remnant native vegetation. |  |
| (g) Ensure the maintenance and (if the opportunity arises) rehabilitation of hydrological processes and protection of water-dependent ecosystems, such as wetlands, streams and estuaries. |  |

<p>| 9. Ensure planning policy facilitates preservation of healthy water-dependent ecosystems. | The BDP – Forestry module will implement best practice guidance in relation to setbacks to environmentally sensitive areas. |
| (a) Use the relevant Natural Resources Management Plan or equivalent plans to inform planning policy. |  |
| (b) Recognise the location of water protection areas designated under the Environment Protection Act 1993 and the implications of this designation on development. |  |
| (c) Specify and clarify appropriate land uses and management of land near watercourses and wetlands through mechanisms such as concept plans in Development Plans. |  |</p>
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>(d) Protect water quality and water quantity, including recognising the importance of retaining and re-establishing native vegetation and the need to maintain the ecological processes, that preserve water quality.</td>
<td></td>
</tr>
<tr>
<td>(e) Assess and take into account the potential cumulative impact over time of land uses and land division on water quality when developing planning policy by taking into account the potential, intensity, scale and size of development.</td>
<td></td>
</tr>
<tr>
<td>(h) Ensure development preserves natural watercourses and drainage systems. Promote the natural provision of water and variability in water levels for the environment to sustain, and where necessary, restore ecosystem processes, habitats and biodiversity of water-dependent ecosystems.</td>
<td></td>
</tr>
<tr>
<td>(i) Promote land uses that will not exacerbate dryland salinity, irrigation-induced salinity or water salinity and encourage those that will assist to reduce salinity in affected areas.</td>
<td></td>
</tr>
<tr>
<td>(k) Ensure development avoids the mobilisation of salt including the rate of rise of saline underground water by promoting appropriate measures such as the planting of deep rooted native vegetation or crops.</td>
<td></td>
</tr>
<tr>
<td>10. Establish riparian buffer strips adjacent to watercourses and wetlands.</td>
<td>The BDP – Forestry module will implement best practice guidance in relation to setbacks to environmentally sensitive areas in particular watercourses and Environment Protection and Biodiversity Conservation (EPBC) affected areas.</td>
</tr>
<tr>
<td>(a) Consider the location, function, ownership and ongoing management of riparian buffer strips as part of strategic planning exercises.</td>
<td></td>
</tr>
<tr>
<td>(b) Determine buffer distances and appropriate land uses through investigations that consider buffer issues on both sides of a watercourse; the ecological value and condition of the riparian area; the impact of land division and boundary alignments; the risk of flood damage; and the style of fences and physical structures.</td>
<td></td>
</tr>
<tr>
<td>(c) Ensure land uses adjacent to watercourses and wetlands are compatible with the area’s function as a buffer between environmentally sensitive areas and incompatible land uses.</td>
<td></td>
</tr>
<tr>
<td>3.2 Biodiversity</td>
<td>The BDP – Forestry module highlights the importance of EPBC protected swamps within the Southern Fleurieu region.</td>
</tr>
<tr>
<td>1. Integrate the protection of biodiversity and ecosystem processes into development and planning policies and processes.</td>
<td></td>
</tr>
<tr>
<td>Strategy</td>
<td>Comment</td>
</tr>
<tr>
<td>----------</td>
<td>---------</td>
</tr>
<tr>
<td>(a) Identify areas of biological significance (including natural wetlands, wildlife habitats, heritage agreement areas, terrestrial and water-dependent ecosystems, wetlands and floodplains) and protect them from incompatible uses, fragmentation and degradation.</td>
<td></td>
</tr>
<tr>
<td>(c) Reflect relevant aspects of Natural Resource Management Plans and regional biodiversity plans and strategies in Development Plans.</td>
<td></td>
</tr>
<tr>
<td>(d) Ensure that planning policy and development assessment processes are informed by ecological investigations and impact assessment specific to the affected area and its biodiversity, especially when land is proposed to be rezoned for more intensive use.</td>
<td></td>
</tr>
</tbody>
</table>

2. **Increase the integrity and viability of areas of biological significance by management of land use impacts.**

   (a) Ensure land use changes and development are located and designed to minimise:
   - the breaking up of existing areas of native vegetation
   - edge effects around areas of remnant native vegetation by reducing the length of the overall edge (or boundary) as a proportion of the area to be protected
   - the impact on water-dependent ecosystems, groundwater recharge areas, surface water flows and flows within watercourses
   - the introduction of pest plants and animals near areas of biological significance
   - the number and length of allotment frontages to areas of biological significance, including water-dependent ecosystems.

   (b) Prevent incompatible activities from occurring within buffer zones to protect areas of biological significance and threatened species.

   The BDP Forestry module will provide clear direction in relation to the clearance of vegetation for Commercial Forestry.

   It will also introduce standard setbacks from existing vegetation to minimise potential impacts

---

**Business and Industry**

3.16 **Primary Industry**

1. **Identify and protect areas of primary production significance.**

   (a) Incorporate the Government's areas of primary production significance into Development Plans.

   (b) Prevent incompatible activity by applying stricter controls to forms of development not directly related to primary production and related value-adding activities.

   The DPA identifies commercial forestry as a desired primary production in the region and seeks to facilitate this through a standard Category 2 public notification level and consistent land use policies.
<table>
<thead>
<tr>
<th>Strategy</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>4. Identify and plan for future viable and sustainable primary industry.</td>
<td>The BDP – Forestry module will implement best practice guidance in relation to setbacks to environmentally sensitive areas in particular watercourses and Environment Protection and Biodiversity Conservation affected areas.</td>
</tr>
<tr>
<td>(a) Develop comprehensive, measurable planning policies that include primary industry requirements, land capabilities, environmental characteristics and ecologically sustainable development.</td>
<td></td>
</tr>
<tr>
<td>(b) Consider the impact primary industries development may have on road infrastructure and freight routes.</td>
<td></td>
</tr>
<tr>
<td>6. Manage the interface between primary industry and urban/rural residential areas.</td>
<td>The DPA will seek to recognise commercial forestry as a desired Primary Industry within the region by establishing consistent public notification categories (Category 2)</td>
</tr>
<tr>
<td>(a) Use separation, screening vegetation and appropriate alignment of allotment boundaries within new development to manage the interface between primary industry and urban/rural residential areas to protect the economic potential and viability of primary industry.</td>
<td></td>
</tr>
<tr>
<td>(b) Prevent incompatible and conflicting uses from locating in or near areas of primary industry activity.</td>
<td></td>
</tr>
<tr>
<td>(c) Protect primary industry through the identification of appropriate buffer areas that take into account anticipated future development.</td>
<td></td>
</tr>
<tr>
<td>The BDP – Forestry module will implement best practice guidance in relation to setbacks to environmentally sensitive areas in particular watercourses and Environment Protection and Biodiversity Conservation affected areas.</td>
<td></td>
</tr>
<tr>
<td>3.17 Employment and Business Focus Areas</td>
<td>The DPA will provide consistent land use policy within Development Plans providing certainty for developers and increase potential for Forestry investment</td>
</tr>
<tr>
<td>1. Ensure planning policy facilitates and supports business development.</td>
<td></td>
</tr>
<tr>
<td>(a) Ensure planning policy facilitates the establishment of new businesses based on the competitive advantages of the region, including providing access to major road and rail access routes, land, and separation distances from adjoining land uses.</td>
<td></td>
</tr>
<tr>
<td>2.2 South Australia’s Strategic Plan 2007</td>
<td></td>
</tr>
</tbody>
</table>

South Australia’s Strategic Plan sets out six objectives, each with its own suite of targets. Given the purpose of this DPA is to provide a consistent basis to guide the development of commercial forestry plantations in an important primary production area of South Australia, the following targets are considered to be relevant to this DPA.

**Objective 1 – Growing Prosperity**

**Economic Environment**

*T1.1* Economic growth: exceed the national economic growth rate by 2014.

*T1.2* Competitive business climate: maintain Adelaide’s rating as the least costly place to set up and do business in Australia and continue to improve our position internationally.
**T1.8** Performance in the public sector – government decision making: become, by 2010, the best performing jurisdiction in Australia in timelines and transparency of decisions which impact the business community (and maintain that rating).

**Exports**

**T1.14** Total exports: treble the value of South Australia’s export income to $25 billion by 2014.

The introduction of a common suite of policies to guide the establishment of commercial forestry operations, together with greater certainty surrounding public notification requirements and relevant authority, will provide a greater level of certainty for the forestry industry and act to foster investment.

**Objective 3 – Attaining Sustainability**

**Biodiversity**

**T3.1** Lose no species – lose no known native species as a result of human impacts.

**Water**

**T3.9** Sustainable water supply – South Australia’s water resources are managed within sustainable limits by 2018.

The DPA seeks to advance these ‘Attaining Sustainability’ targets by providing land use policies which establish clear requirements in relation to setbacks and buffers from water courses and environmentally sensitive areas under the *Environment Protection and Biodiversity Conservation Act 1999*.

3 INVESTIGATIONS PREVIOUSLY UNDERTAKEN

3.1 Better Development Plan (BDP) Module – Forestry

3.1.1 Background

The formulation of the Forestry BDP module was commenced in 2005 and has evolved significantly over the last 2 years through detailed investigations and consultation undertaken by Planning SA Better Development Plan Unit.

During the initial formulation of the module, the following issues surrounding the development of commercial forestry were highlighted for investigation.

- Slope
- Impacts to physical environment
- Proximity to sensitive land uses
  - dwellings
  - watercourses
  - powerlines
  - operation aspects
  - firebreaks
  - vehicle access tracks.

To gain an appreciation of the technical requirements of commercial forestry and to seek best practice guidance in relation to the above issues, the following documents were reviewed:
• Development in Rural Areas planning bulletin, released in 2001 by Planning SA

While the above documents represent documented best practice at that time, further appreciation of current standards was sought through consultation with the following working groups:

• Review of Environmental Management Guidelines for Plantation Forestry in SA—Industry Representatives meeting

A review was also conducted of all Development Plans throughout the state to identify current standards for commercial forestry. In particular, identified forestry regions were reviewed in relation to the level of policy provided for the assessment of commercial forestry.

In conducting this review, it was noted that a wide variety of standards and assessment criteria were provided within Development Plans for commercial forestry. In particular, Development Plans within the South East and Kangaroo Island provide for detailed assessment policies for commercial forestry while Development Plans within the Mount Lofty Ranges region provide general policies for commercial forestry which generally relate to the establishment of forestry on sloping land.

The review of the above documents, existing policies of Development Plans and consultation with the working groups culminated in a draft Forestry module being prepared. The draft BDP - Forestry module was released for agency consultation in November 2005.

As part of the consultation process, further best practice documentation was identified for inclusion within investigations for the module being:


At the conclusion of the preliminary agency consultation further amendments were undertaken by Planning SA (particularly with regard to firebreaks) for the Forestry module.

The BDP Forestry module was then included within the Policy Library and was released for public view in March 2006.

Since the initial release of the Forestry BDP module, further refinement and consultation has again occurred with PIRSA Forestry, the Country Fire Service, Natural Resources Management Boards and the Department for Water, Land and Biodiversity Conservation. During this consultation, further policies have been identified for potential inclusion into Development Plans within the Southern Fleurieu region regarding setbacks to protected ecosystems (swamps) under the Environment Protection and Biodiversity Conservation Act 1999.

In addition, amendments were made to recognise the importance of setbacks to existing watercourses and ecosystems maintain water quantity and quality.
The latest version of the BDP Forestry module (see below) is proposed to be inserted into the Council-wide section of the relevant Development Plans as part of this DPA. It provides general policies for the establishment of commercial forestry, and should be read in conjunction with other Council Wide policies in Development Plans. They provide overarching principles for the assessment of future applications rather than identify specific locations for the establishment of commercial forestry.

However, the module has been supplemented by more specific regional based requirements relating to the Fleurieu swamps, which is also provided below.

### 3.1.2 Forestry Module – BDP Policy Library

The latest version of the Forestry module was published on the Planning SA web site in November 2007. The module has been incorporated into this DPA, which is detailed below.

---

### FORESTRY

#### OBJECTIVES

1. Forestry development that is designed and sited to maximise environmental and economic benefits whilst managing potential negative impacts on the environment, transport networks and surrounding land uses and landscapes.

#### PRINCIPLES OF DEVELOPMENT CONTROL

1. Forestry plantations should not be undertaken if they will cause or require the clearance of valued trees or substantially intact strata of vegetation, or detrimentally affect the physical environment or scenic quality of the rural landscape.

2. Forestry plantations should not occur:
   
   (a) on land with a slope exceeding 20 degrees
   
   (b) within a separation distance (which may include forestry firebreaks and vehicle access tracks) of 50 metres of either of the following:
      
      (i) any dwelling including those on an adjoining allotment
      
      (ii) a reserve gazetted under the *National Parks and Wildlife Act 1972* or *Wilderness Protection Act 1992*.

3. Forestry plantations should:
   
   (a) not involve cultivation (excluding spot cultivation) in drainage lines or within 20 metres of a major watercourse (a third order or higher watercourse)
   
   (b) incorporate artificial drainage lines (ie culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas
   
   (c) retain a minimum 5 metre width separation distance immediately to either side of a watercourse (a first or second order watercourse). This separation distance should contain native vegetation (including grasses) and unmodified topography to ensure water flow.

4. Forestry plantations should incorporate:
   
   (a) 7 metre wide external boundary firebreaks for plantations of 40 hectares or less
   
   (b) 10 metre wide external boundary firebreaks for plantations of between 40 and 100 hectares
   
   (c) 20 metre wide external boundary firebreaks, or 10 metres with an additional 10 metres of fuel reduced plantation, for plantations of 100 hectares or greater.

5. Forestry plantations should incorporate vehicle access tracks:
   
   (a) within all firebreaks
   
   (b) of a minimum width of 7 metres with a vertical clearance of 4 metres
   
   (c) that are aligned to provide straight through access at junctions, or if they are a no through access track they are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles
   
   (d) that partition the plantation into units not exceeding 40 hectares in area.

6. Forestry plantations should ensure the clearances from power lines listed in the Table following are maintained when planting trees with an expected mature height of more than 6 metres:
<table>
<thead>
<tr>
<th>Voltage of transmission line</th>
<th>Tower or Pole</th>
<th>Minimum horizontal clearance distance between plantings and transmission lines (in metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 kV</td>
<td>Tower</td>
<td>38</td>
</tr>
<tr>
<td>275 kV</td>
<td>Tower</td>
<td>25</td>
</tr>
<tr>
<td>132 kV</td>
<td>Tower</td>
<td>20</td>
</tr>
<tr>
<td>132 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>66 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>Less than 66 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
</tbody>
</table>

The above policies are included in the ‘General’ section of the BDP policy library, and are intended to be applied across whole council areas in all relevant parts of the State. In terms of this DPA, the module has been included within the Council-wide section of each Development Plan, effectively overcoming the need to repeat the policy at the zone level given that a number of rural zones are affected in each council area.

In response to the protection of ecosystems (swamps) under the *Environment Protection and Biodiversity Conservation Act 1999* in the Southern Fleurieu region, the following policy is proposed to be included as part of the Forestry module referred to above.

7 For the purposes of protecting water quantity, forestry plantations should incorporate a minimum separation distance of:

(a) 50 metres between forestry plantations and Fleurieu swamps identified in the *Environment Protection and Biodiversity Conservation Act 1999*;

(b) 20 metres between forestry plantations and the top banks of streams above Fleurieu swamps identified in the *Environment Protection and Biodiversity Conservation Act 1999*;

(c) 2.5 metres between forestry plantations and the centre line of drainage lines above Fleurieu swamps identified in the *Environment Protection and Biodiversity Conservation Act 1999*.

Information about the swamps of the Fleurieu Peninsula can be found on the Commonwealth Department of the Environment and Water Resources web site and publications including the *Wetland Inventory for the Fleurieu Peninsula, South Australia*, Department for Environment & Heritage, Adelaide 2005.

The swamps are noted as being localised wetlands occurring in high rainfall areas in the local catchment areas of Tookayerta, Hindmarsh, Parawa, Myponga, Yankalilla, Onkparinga, Currency Creek and Finiss. They are densely vegetated and occur adjacent to waterlogged soils around low-lying creeks and flats. The swamps are typified by their reedy or heathy vegetation growing on peat, silt, peat silt, or black clay soils.

The swamps of the Fleurieu Peninsula are home to a number of plants and animals that are listed as endangered under the EPBC Act, and that are found nowhere else in Australia.

The Council areas impacted by the Fleurieu Peninsula swamps potentially extend to the southern parts of the Adelaide Hills and Mount Barker council areas. The only council that is clearly not affected by them is The Barossa Council.

### INVESTIGATIONS INITIATED TO INFORM THIS DPA

#### 4.1 Review of current policy in affected Development Plans

A search was conducted on each Development Plan to determine the current status of development policy governing commercial forestry activity throughout the affected regions and hence the potential implications for this DPA. This involved a review of Objectives and Principles of Development Control at the council-wide and zone levels to identify specific references to ‘forestry’, including complying and non-complying development and public notification category lists.
4.1.1 Commercial Forestry Provisions

Most of the affected Development Plans provide general guidance in relation to forestry activities. Council wide Objectives and Principles of Development Control (PDC) often refer to forestry as one of a number of primary land uses anticipated in rural areas. A typical example of a Council-wide Objective is provided in the Adelaide Hills Development Plan which states:

*The retention of rural areas primarily for forestry, primary production and conservation purposes and the maintenance of the natural character and rural beauty of such areas.*

The same or similar wording can be found in the Development Plans for Alexandrina, Barossa, Mount Barker, Victor Harbor, and Yankalilla councils.

These general expectations about the use of rural land are, in most cases, reinforced by council-wide and/or zone PDC. In this regard the following PDC is common to all affected council areas (either applying across whole councils, to the Mount Lofty Ranges region or within specific zones):

*Development should primarily be limited to that which is essential for the maintenance of sustainable grazing, commercial forestry and primary production or (mixed agricultural) activities.*

By their nature, provisions like those mentioned above are not specific to commercial forestry, but relate broadly to the use of rural land. However, some Development Plans also contain requirements specific to commercial forestry. The Yankalilla Development Plan stands out in this regard by virtue of the fact that it provides a more extensive range of policies to guide commercial forestry when compared to other Development Plans in the Adelaide Hills and Fleurieu Peninsula regions.

The Yankalilla Development Plan provides the following Council-wide policies under the heading ‘Commercial Forestry’:

140 Commercial forestry plantations should not be established unless a land capability assessment has been undertaken to prove site suitability by reference to soil texture, soil structure, slope, rainfall, erosion potential, and impacts on surface water drainage systems.

141 In the establishment of commercial forestry plantations:
   (a) a firebreak not less than twenty metres wide should be established between the forestry plantation and land in the ownership of another person;
   (b) the firebreak referred to in (a) above should comprise of either a twenty metre wide break (inclusive of a fire track), or a ten metre wide break (inclusive of a fire track) plus a ten metre wide fuel modified area within the plantation;
   (c) large plantations should be divided into units not exceeding 400 hectares by firebreaks referred to in (a) and (b) above;
   (d) access tracks should be a minimum of 7 metres in width to allow for the simultaneous access of two fire fighting vehicles;
   (e) vehicular access tracks should enclose individual plantation units generally not exceeding 40 hectares and of such dimensions that a hose lay can reach any point in the unit;
   (f) firetracks should be provided around individual plantation units of not less than 25 hectares;
   (g) firetracks should be aligned to provide “straight-through” access at junctions; and
   (h) dead-end firetracks should be sign posted and provide a turn-around area for firefighting vehicles.

142 Commercial forestry plantations should be set-back:
   (a) a minimum of 50 metres from the edge of stands of remnant native vegetation greater than 5.0 hectares in area, and a minimum of 50 metres from native vegetation associated with swamps, bogs or wetlands;
   (b) not less than 100 metres from a habitable dwelling; and
   (c) from overhead electricity power lines in accordance with the requirements of the Regulations under the ETSA Act 1996.
Other existing forestry specific polices observed include:

- in the Adelaide Hills, Mt Barker, and Onkaparinga Development Plans:

  Forestry plantations should only occur on land that has an average slope not exceeding 20° (36.4% or 1 in 2.75) and located and of a scale and intensity so as to avoid significant risk to the functioning of wetlands and their dependent ecosystems.

  Aside from the reference to slope, this policy provides limited guidance for forestry development and relies on a subjective test in relation to proximity to existing water bodies. Issues such as bushfire protection measures, general impacts to the physical environment and setbacks to sensitive land uses are not addressed by this policy.

- in The Barossa Council Development Plan:

  Forestry should incorporate all reasonable precautions to reduce fire risk to adjoining land and land uses.

While the Development Plans of Victor Harbor and Alexandrina contain general references to forestry, no specific guidance is provided for the assessment of commercial forestry.

### 4.1.2 Categories of notification

Investigations carried out as part of this DPA highlight that commercial forestry, although being a ‘consent use’ in a majority of rural zones, involves varying levels of public notification. A review of Development Plans within the region highlights that commercial forestry can potentially be deemed as any of the following:

- Category 1: (no notification) in situations where this land use could be considered minor
- Category 2: requiring only adjoining property notification
- Category 3: requiring full community public notification (a default category if not considered either of the above categories).

In a majority of zones within the affected Development Plans, the determination between commercial forestry as being a Category 1 or a Category 3 form of development rests with a subjective impact assessment of the proposed development. If deemed minor, an application for commercial forestry can be assessed as a Category 1 form of development. If failing to meet the subjective impact assessment of the council then an application will default to Category 3.

However, within councils such as the Barossa and Yankalilla, commercial forestry has been designated a Category 2 form of development within a majority of zones, requiring notification to only adjoining landowners/occupiers.

Summary of current public notification categories throughout the region:

<table>
<thead>
<tr>
<th>Council</th>
<th>Public Notification Category for Commercial Forestry</th>
</tr>
</thead>
<tbody>
<tr>
<td>Yankalilla</td>
<td>Category 2 within all main Rural Zones</td>
</tr>
<tr>
<td>Alexandrina</td>
<td>Category 1 or 3 depending on intensity and location</td>
</tr>
<tr>
<td>Victor Harbor</td>
<td>Category 1 or 3 depending on intensity and location</td>
</tr>
<tr>
<td>City of Onkaparinga</td>
<td>Category 1 or 3 depending on intensity and location</td>
</tr>
<tr>
<td>Adelaide Hills</td>
<td>Category 1 or 3 depending on intensity and location</td>
</tr>
<tr>
<td>Mt Barker</td>
<td>Category 1 or 3 depending on intensity and location</td>
</tr>
<tr>
<td>Barossa</td>
<td>Category 2 within northern portions of Council Area (e.g. Valley Floor) and Category 1 or 3 within southern areas (e.g. ranges)</td>
</tr>
</tbody>
</table>
As illustrated above, notification categories for commercial forestry differ across the Adelaide Hills and Fleurieu Peninsula. The subjectivity surrounding the application of Category 1 and Category 3 public notification for forestry development in most councils creates uncertainty for both the community and proponents in relation to this form of development.

Category 2 development ensures that adjoining land owners will be consulted during the development assessment process, and provides greater certainty for proponents regarding decisions on applications. Notably, Category 2 does not limit the capacity of the assessing authority in undertaking any consultation with relevant State agencies if it is considered necessary.

The designation of commercial forestry as a Category 2 form of development in some rural areas would also recognise the historical development and value of forestry within the region. It would also complement the introduction of a consistent and more comprehensive land use policy framework for the assessment of commercial forestry.

The zones of particular Development Plans which are proposed to be amended to include commercial forestry as Category 2 form of development are highlighted later in this report.

4.1.3 Nature of Development

Development can be prescribed as complying or non-complying. If development is neither complying nor non-complying, it is referred to as ‘merit’ development. Complying and non-complying forms of development are designated within the Development Plan usually as a list of activities for a particular zone or area. However, additional complying forms of development are also assigned by the Development Regulations.

Complying forms of development must be approved by the relevant planning authority and hence is a form of development that is encouraged within a particular area.

Non-complying development is generally a form of development that is not desired. In such cases, and depending on who the consent authority is, the granting of consent requires the Development Assessment Commission (DAC), Planning Minister and/or Council to concur with the granting of consent. No rights of appeal exist for proponents of non-complying development.

Merit development is an ‘on-balance’ assessment against the provisions of the relevant Development Plan.

In respect to commercial forestry, the Development Regulations do not prescribe it as a complying form of development. Hence, the ‘nature’ of commercial forestry will be affected by its status in the relevant Development Plan. A review of the rural zones in each council reveals that commercial forestry is predominantly a merit form of development.

The extent to which commercial forestry is therefore appropriate to a particular zone will depend on the intent and purpose of the provisions relevant to the particular area and an assessment against the relevant provisions of the Development Plan.

5 CONCLUSIONS AND RECOMMENDED POLICY CHANGES

5.1 Recommended Planning Policy

Existing policy and procedural matters for commercial forestry are inconsistent and lacking across the Adelaide Hills and Fleurieu Peninsula regions. To address the current inadequacies and provide a more comprehensive and uniform basis for the assessment of commercial forestry, this DPA seeks to introduce the BDP – Forestry module (including policy relating to the Fleurieu swamps, with the exception of The Barossa Council) into the Council Wide sections of the Development Plans for the following councils:
The Forestry module does not identify specific locations for the establishment of commercial forestry but rather provides overarching principles in the assessment of future applications.

The introduction of the Forestry module has necessitated a review of existing provisions within affected Development Plans, as mentioned in section 4.1.1 above, in order to:
- reduce policy repetition with the provisions of the Forestry module
- remove provisions that would be at odds with the establishment of a consistent suite of requirements for commercial forestry.

In this regard, existing policy specific to commercial forestry has been ‘replaced’ by module policy whereas more general provisions relating to the use of rural land (inclusive of commercial forestry) have been retained.

### 5.2 Amendment to Categories of Public Notification

The extent to which Category 2 public notification changes are proposed to each Development Plan took into account several factors: existing notification requirements, and the characteristics of the zone.

The table below identifies all those zones or areas where it is proposed to introduce commercial forestry as a Category 2 form of development.

<table>
<thead>
<tr>
<th>Council</th>
<th>Affected Zone/Areas</th>
</tr>
</thead>
<tbody>
<tr>
<td>Adelaide Hills</td>
<td>Watershed (Primary Production)</td>
</tr>
<tr>
<td>Alexandrina</td>
<td>Watershed Protection</td>
</tr>
<tr>
<td></td>
<td>Horticulture (Strathalbyn)</td>
</tr>
<tr>
<td></td>
<td>Grazing</td>
</tr>
<tr>
<td></td>
<td>General Farming (Port Elliot and Goolwa)</td>
</tr>
<tr>
<td></td>
<td>Watershed 2</td>
</tr>
<tr>
<td></td>
<td>General Farming (Strathalbyn)</td>
</tr>
<tr>
<td></td>
<td>Horticulture (Port Elliot and Goolwa)</td>
</tr>
<tr>
<td>Barossa</td>
<td>Rural 1 (Outside Watershed)</td>
</tr>
<tr>
<td></td>
<td>Watershed Zone</td>
</tr>
<tr>
<td>Mount Barker</td>
<td>Rural Kamantoo</td>
</tr>
<tr>
<td></td>
<td>Rural Kondoparinga</td>
</tr>
<tr>
<td></td>
<td>Rural Mt Barker</td>
</tr>
<tr>
<td></td>
<td>Rural Watershed Protection</td>
</tr>
<tr>
<td>Onkaparinga</td>
<td>Rural Zone – Primary Production Policy Areas 61 and Watershed Policy Area 62</td>
</tr>
</tbody>
</table>
The rural zones in some Council areas already list commercial forestry as Category 2 development and are therefore unaffected. This is the case for most rural type zones in the Barossa Council, and all those in the District Council of Yankalilla.

Some rural area zones are not proposed to be altered by this DPA, even though notification requirements are not included in the zone policy. This includes zones where:

- the primary purpose or intent of the zone does not particularly envisage primary production activities.

  The Rural Fringe Zone in the Alexandrina Council, for example, anticipates land uses that would not prejudice the future use of the land for urban development. Other zones like the Landscape (Port Elliot and Goolwa District) Zone also in the Alexandrina Council area, the Rural (Hills Face) Zone in the Barossa Council and the Landscape Zone in Mount Barker Council seek to retain open landscape characteristics and serve as backdrops to lower lying areas.

- the location and/or pattern of development would not be supportive to forestry activities

  The Water Protection (Mount Compass) Zone, which contains a number of smaller rural residential landholdings and lies adjacent to the Mount Compass township, and the Rural (Currency Creek) Zone, comprising the ‘paper’ township of Currency Creek, both in Alexandrina Council are two examples.

Nevertheless, the vast majority of rural land throughout the Adelaide Hills and Fleurieu Peninsula regions will provide Category 2 notification requirements for commercial forestry as a result of this DPA.

6 LEGAL REQUIREMENTS

6.1 Introduction

Section 26 of the Development Act 1993, prescribes that a Development Plan Amendment must assess the extent to which the proposed amendment:

a) accords with the Planning Strategy
b) accords with other parts of the Development Plan
c) complements the policies in the Development Plans for adjoining areas
d) satisfies the requirements prescribed by the Regulations.

6.2 Accords with the Planning Strategy

Relevant strategies from the Planning Strategy for Metropolitan Adelaide (2006) are summarised in Section 2.1 of these investigations along with comments as to how the DPA accords with these strategies. As indicated, the DPA complies with the Strategies set out in the Planning Strategy for Outer Metropolitan Adelaide and it is the intent of the DPA to support the achievement of the Planning Strategy policies.
6.3 **Accords with other parts of the relevant councils' Development Plan**

The policies in this DPA are consistent with the format, content and structure of each of the affected Development Plans.

The proposed insertion of the BDP Forestry module into the Council-wide section of the affected Development Plans has necessitated the deletion or replacement of existing policy to avoid repetition and provide a consistent basis for the assessment of forestry proposals. Changes to public notification requirements have also been undertaken in a manner that complements the existing Development Plan structure.

6.4 **Complements the policies in the Development Plans for adjoining Council Areas**

The DPA has had regard to the existing objectives of the adjoining Development Plans. However, the amendment does not affect the Development Plan policies of adjoining Council areas as the amendments simply provide a more consistent policy framework to guide the assessment and development of commercial forestry in rural areas of the affected Council. In addition, because the DPA introduces forestry provisions in the Council-wide section of the Development Plan, the land use expectations at the zone level have not changed.

6.5 **Satisfies the requirements prescribed by the Regulations**

The requirements for public consultation (Regulation 11) and the public hearing (Regulation 12) associated with this Development Plan Amendment will be met.

*Note:* This Analysis is for information only and does not form part of the Amendment to the Development Plan.
REFERENCES/BIBLIOGRAPHY

- *Planning Strategy for Outer Metropolitan Adelaide – August 2006*
- *Forest Owners Conference Plantation Design Guidelines – 2003*
- *Environmental Management Guidelines for Plantation Forestry in South Australia;*
- *Wetland Inventory, Fleurieu Peninsula, South Australia Department for Environment and Heritage 2005*
Adelaide Hills Council, Alexandrina Council, The Barossa Council, Mount Barker (DC), Onkaparinga (City), Victor Harbor (DC) and Yankalilla (DC) Development Plans

COMMERCIAL FORESTRY

Development Plan Amendment

By the Minister

The Amendment
The following amendment instructions (at the time of drafting) relate to the Adelaide Hills Council Development Plan consolidated on 28 June 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>In the first column</th>
<th>In the second column</th>
<th>In the third column</th>
<th>Is renumbering required?</th>
<th>Consequential amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>detail the method of change.</td>
<td>detail what it is to be AMENDED, REPLACED, DELETED or INSERTED.</td>
<td>provide the instruction detail, noting that the use of attachments is recommended when text passages are lengthy.</td>
<td>YES / NO</td>
<td>YES / NO (detail at end of each section)</td>
</tr>
</tbody>
</table>

**COUNCIL WIDE PROVISIONS** (including figures and illustrations contained in the text)

<table>
<thead>
<tr>
<th>Insert</th>
<th>New Objective</th>
<th>Insert the contents of Attached A immediately before Objective 65, renumbering the new objective accordingly.</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replace</td>
<td>PDC 176</td>
<td>Replace PDC 176 with the contents of Attachment B, renumbering the new PDC accordingly.</td>
<td>Yes</td>
<td>No</td>
</tr>
</tbody>
</table>

**ZONE AND/OR POLICY AREA PROVISIONS** (including figures and illustrations contained in the text)

**Watershed (Primary Production) Zone**

| Insert | PDC 70 (Category 2) | Insert the words ‘Commercial Forestry’ in alphabetical order in the list of uses assigned as Category 2 development. | No | No |
The following amendment instructions (at the time of drafting) relate to the Alexandrina Council Development Plan consolidated on 20 September 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>In the first column</th>
<th>In the second column</th>
<th>In the third column</th>
<th>Is renumbering</th>
<th>Consequential</th>
<th>detail the method of</th>
<th>detail what it is to be</th>
<th>provide the instruction detail, noting that</th>
<th>required?</th>
<th>amendments</th>
</tr>
</thead>
<tbody>
<tr>
<td>change</td>
<td>AMEND</td>
<td>DELETE</td>
<td>REPLACE</td>
<td>INSERT</td>
<td>AMENDED, REPLACED,</td>
<td>OBJECTIVE, PRINCIPLE</td>
<td>the use of attachments is recommended when text passages are lengthy.</td>
<td>- YES - NO</td>
<td>YES</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>DELETED or INSERTED</td>
<td>OF DEVELOPMENT</td>
<td></td>
<td></td>
<td>NO</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>CONTROL, MAPPING,</td>
<td>OTHER SPECIFY</td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**COUNCIL WIDE PROVISIONS** (including figures and illustrations contained in the text)

- **Insert** New Objective
  - Insert the contents of Attachment A immediately after the explanatory text following Objective 48, renumbering the new Objective accordingly. Yes No

- **Insert** New PDC
  - Insert contents of Attachment B under a new heading 'Commercial Forestry' immediately after PDC 150, renumbering the new PDC accordingly. Yes No

**ZONE AND/OR POLICY AREA PROVISIONS** (including figures and illustrations contained in the text)

**General Farming (Port Elliot and Goolwa District)**

- **Insert** PDC 6 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**General Farming (Strathalbyn District)**

- **Insert** PDC 9 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**Grazing Zone**

- **Insert** PDC 11 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**Horticulture (Port Elliot and Goolwa District)**

- **Insert** PDC 6 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**Horticulture (Strathalbyn District)**

- **Insert** PDC 7 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**Watershed Protection Zone**

- **Insert** PDC 13 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No

**Watershed Protection 2**

- **Insert** PDC 9 (Category 2)
  - Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. No No
**Amendment Instructions Table**

**Name of Local Government Area:**
The Barossa Council

**Name of Development Plan(s):**
The Barossa Council

**Name of DPA:**
Commercial Forestry - Ministerial

The following amendment instructions (at the time of drafting) relate to The Barossa Council Development Plan consolidated on 15 March 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>COUNCIL WIDE PROVISIONS (including figures and illustrations contained in the text)</th>
<th>Insert New Objective</th>
<th>Insert the contents of Attached A immediately following Rural Areas - Objective 19, renumbering the new Objective accordingly.</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Replace Heading 'Forestry' and PDC 66</td>
<td>Replace the heading ‘Forestry’ with ‘Commercial Forestry’ and replace associated PDC 66 with the contents of Attachment C, renumbering the new PDC accordingly.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>ZONE AND/OR POLICY AREA PROVISIONS (including figures and illustrations contained in the text)</th>
<th>Delete PDC 2</th>
<th>Delete PDC 2, renumbering the remaining PDC accordingly</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert PDC 36 (Category 2)</td>
<td>Insert the words ‘Commercial Forestry’ in alphabetical order in the list of uses assigned as Category 2 development.</td>
<td>No</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Watershed Zone</th>
<th>Delete PDC 2</th>
<th>Delete PDC 2, renumbering the remaining PDC accordingly</th>
<th>Yes</th>
<th>No</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rural 1 (Outside Watershed)</td>
<td>Insert PDC 9 (Category 2)</td>
<td>Insert the words ‘Commercial Forestry’ in alphabetical order in the list of uses assigned as Category 2 development.</td>
<td>No</td>
<td>No</td>
</tr>
</tbody>
</table>
### Development Act 1993

**Amendment Instructions Table**

<table>
<thead>
<tr>
<th>Name of Local Government Area:</th>
<th>The District Council of Mount Barker</th>
</tr>
</thead>
<tbody>
<tr>
<td>Name of Development Plan(s):</td>
<td>Mount Barker (DC)</td>
</tr>
<tr>
<td>Name of DPA:</td>
<td>Commercial Forestry - Ministerial</td>
</tr>
</tbody>
</table>

The following amendment instructions (at the time of drafting) relate to the Mount Barker (DC) Development Plan consolidated on 18 October 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

| Procedure | Method | What | Instruction | Renumbering Required? | Consequential Amendments?
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert</td>
<td>New Objective</td>
<td>Insert the contents of Attached A immediately following Rural Areas - Objective 67 and before the paragraph commencing “Pressures for the division….”, renumbering the new Objective accordingly.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
<tr>
<td>Replace and Insert</td>
<td>PDC 297</td>
<td>Replace PDC 297 with the contents of Attachment B, renumbering the new PDC accordingly.</td>
<td>Yes</td>
<td>No</td>
<td></td>
</tr>
</tbody>
</table>

#### COUNCIL WIDE PROVISIONS (including figures and illustrations contained in the text)

- **Insert**
  - **New Objective**
  - **PDC 132 (Category 2)**
  - **PDC 112 (Category 2)**
  - **PDC 116 (Category 2)**

#### ZONE AND/OR POLICY AREA PROVISIONS (including figures and illustrations contained in the text)

- **Rural Watershed Protection Zone**
  - Insert PDC 132 (Category 2) Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. | No | No |

- **Rural (Mt Barker) Zone**
  - Insert PDC 112 (Category 2) Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. | No | No |

- **Rural Kanmantoo and Kondoparinga Zone**
  - Insert PDC 116 (Category 2) Insert the words 'Commercial Forestry' in alphabetical order in the list of uses assigned as Category 2 development. | No | No |
Amendment Instructions Table

Name of Local Government Area:
The City of Onkaparinga

Name of Development Plan(s):
Onkaparinga (City)

Name of DPA:
Commercial Forestry - Ministerial

The following amendment instructions (at the time of drafting) relate to the Onkaparinga (City) Development Plan consolidated on 29 March 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>In the first column</th>
<th>In the second column</th>
<th>In the third column</th>
<th>Is renumbering</th>
<th>Consequential</th>
<th>COUNCIL WIDE PROVISIONS (including figures and illustrations contained in the text)</th>
</tr>
</thead>
<tbody>
<tr>
<td>detail the method of</td>
<td>detail what it is to be</td>
<td>provide the instruction detail, noting that</td>
<td>required?</td>
<td>amendments</td>
<td>Insert</td>
</tr>
<tr>
<td>change. • AMEND</td>
<td>AMENDED, REPLACED, DELETED or INSERTED.</td>
<td>the use of attachments is recommended when text passages are lengthy.</td>
<td>• YES • NO</td>
<td>(detail at end of each section)</td>
<td>Replace</td>
</tr>
</tbody>
</table>

ZONE AND/OR POLICY AREA PROVISIONS (including figures and illustrations contained in the text)

<table>
<thead>
<tr>
<th>Rural Zone</th>
</tr>
</thead>
<tbody>
<tr>
<td>Insert</td>
</tr>
<tr>
<td>Insert</td>
</tr>
</tbody>
</table>
The following amendment instructions (at the time of drafting) relate to the Victor Harbor (City) Development Plan consolidated on 15 March 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>In the first column</th>
<th>In the second column</th>
<th>In the third column</th>
<th>Is renumbering required?</th>
<th>Consequential amendments required?</th>
</tr>
</thead>
<tbody>
<tr>
<td>detail the method of change.</td>
<td>AMEND</td>
<td>INSERT</td>
<td>YES</td>
<td>YES</td>
</tr>
<tr>
<td>DELETE</td>
<td>REPLACE</td>
<td></td>
<td>NO</td>
<td>NO</td>
</tr>
<tr>
<td>OBJECTIVE</td>
<td>PRINCIPLE OF DEVELOPMENT</td>
<td>CONTROL</td>
<td>MAPPING</td>
<td>OTHER SPECIFY</td>
</tr>
</tbody>
</table>

**COUNCIL WIDE PROVISIONS** (including figures and illustrations contained in the text)

- **Insert New Objective**
  - Insert contents of Attachment A after Council Wide Rural Development Objective 72, renumbering the new Objective accordingly.
  - Yes
  - No

- **Insert New PDC**
  - Insert contents of Attachment B under a new heading ‘Commercial Forestry’ immediately after PDC 252, renumbering the new PDC accordingly.
  - Yes
  - No

- **Insert in PDC 373 (Category 2)**
  - Insert the words ‘Commercial Forestry’ in alphabetical order in the list of uses assigned as Category 2 development.

- **Insert in PDC 375 (Category 2)**
  - Insert the words ‘Commercial Forestry’ in alphabetical order in the list of uses assigned as Category 2 development.

**ZONE AND/OR POLICY AREA PROVISIONS** (including figures and illustrations contained in the text)

**General Farming Zone**

- **Insert New PDC**
  - Insert the following after PDC 19:
    
    '20 The following kinds of development are listed as Category 2 in the General Farming Zone except where non complying:

    Commercial Forestry'

  - Yes
  - No

**Water Protection Zone**

- **Insert New PDC**
  - Insert the following after Principle 6:
    
    '7 The following kinds of development are listed as Category 2 in the Water Protection Zone except where non complying:

    Commercial Forestry'

  - Yes
  - No

**Rural Coastal Zone**

- **Insert New PDC**
  - Insert the following after Principle 14:
    
    '15 The following kinds of development are listed as Category 2 in the Rural Coastal Zone except where non complying:

    Commercial Forestry'

  - Yes
  - No
Amendment Instructions Table

Name of Local Government Area:
District Council of Yankalilla

Name of Development Plan(s):
Yankalilla (DC)

Name of DPA:
Commercial Forestry - Ministerial

The following amendment instructions (at the time of drafting) relate to the Yankalilla (DC) Development Plan consolidated on 15 March 2007. Where amendments to this Development Plan(s) have been authorised after the aforementioned consolidation date, consequential changes to the following amendment instructions will be made as necessary to give effect to this amendment.

<table>
<thead>
<tr>
<th>In the first column</th>
<th>In the second column</th>
<th>In the third column</th>
<th>Is renumbering required?</th>
<th>Consequential amendments required?</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>AMEND</strong></td>
<td><strong>DELETE</strong></td>
<td><strong>INSERT</strong></td>
<td><strong>OBJECTIVE</strong></td>
<td><strong>PRINCIPLE OF DEVELOPMENT CONTROL</strong></td>
</tr>
</tbody>
</table>

**COUNCIL WIDE PROVISIONS** (including figures and illustrations contained in the text)

* Insert New Objective
  * Insert contents of Attachment A after Objective 34, renumbering the new Objective accordingly. Yes No

* Replace PDC 140-142 (Commercial Forestry)
  * Replace PDC 140 to 142 with the contents of Attachment B, renumbering the new PDC accordingly. Yes No

**ZONE AND/OR POLICY AREA PROVISIONS** (including figures and illustrations contained in the text)

No
ATTACHMENT A

(Objective)
Objective 1: Forestry development that is designed and sited to maximise environmental and economic benefits whilst managing potential negative impacts on the environment, transport networks and surrounding land uses and landscapes.
ATTACHMENT B

(Principles of Development Control – Adelaide Hills Council, Alexandrina Council, Mount Barker (DC), Onkaparinga (City), Victor Harbor (DC) and Yankalilla (DC))
PRINCIPLES OF DEVELOPMENT CONTROL

1 Forestry plantations should not be undertaken if they will cause or require the clearance of valued trees or substantially intact strata of vegetation, or detrimentally affect the physical environment or scenic quality of the rural landscape.

2 Forestry plantations should not occur:
   (a) on land with a slope exceeding 20 degrees
   (b) within a separation distance (which may include forestry firebreaks and vehicle access tracks) of 50 metres of either of the following:
      (i) any dwelling including those on an adjoining allotment
      (ii) a reserve gazetted under the National Parks and Wildlife Act 1972 or Wilderness Protection Act 1992.

3 Forestry plantations should:
   (a) not involve cultivation (excluding spot cultivation) in drainage lines or within 20 metres of a major watercourse (a third order or higher watercourse)
   (b) incorporate artificial drainage lines (ie culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas
   (c) retain a minimum 5 metre width separation distance immediately to either side of a watercourse (a first or second order watercourse). This separation distance should contain native vegetation (including grasses) and unmodified topography to ensure water flow.

4 For the purposes of protecting water quantity, forestry plantations should incorporate a minimum separation distance of:
   (a) 50 metres between forestry plantations and Fleurieu swamps identified in the Environment Protection and Biodiversity Conservation Act 1999;
   (b) 20 metres between forestry plantations and the top banks of streams above Fleurieu swamps identified in the Environment Protection and Biodiversity Conservation Act 1999;
   (c) 2.5 metres between forestry plantations and the centre line of drainage lines above Fleurieu swamps identified in the Environment Protection and Biodiversity Conservation Act 1999.

5 Forestry plantations should incorporate:
   (a) 7 metre wide external boundary firebreaks for plantations of 40 hectares or less
   (b) 10 metre wide external boundary firebreaks for plantations of between 40 and 100 hectares
   (c) 20 metre wide external boundary firebreaks, or 10 metres with an additional 10 metres of fuel reduced plantation, for plantations of 100 hectares or greater.

6 Forestry plantations should incorporate vehicle access tracks:
   (a) within all firebreaks
   (b) of a minimum width of 7 metres with a vertical clearance of 4 metres
(c) that are aligned to provide straight through access at junctions, or if they are a no through access track they are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles

(d) that partition the plantation into units not exceeding 40 hectares in area.

7 Forestry plantations should ensure the clearances from power lines listed in the Table following are maintained when planting trees with an expected mature height of more than 6 metres:

<table>
<thead>
<tr>
<th>Voltage of transmission line</th>
<th>Tower or Pole</th>
<th>Minimum horizontal clearance distance between plantings and transmission lines (in metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 kV Tower</td>
<td>Tower</td>
<td>38</td>
</tr>
<tr>
<td>275 kV Tower</td>
<td>Tower</td>
<td>25</td>
</tr>
<tr>
<td>132 kV Tower</td>
<td>Tower</td>
<td>20</td>
</tr>
<tr>
<td>132 kV Pole</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>66 kV Pole</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>Less than 66 kV Pole</td>
<td>Pole</td>
<td>20</td>
</tr>
</tbody>
</table>
ATTACHMENT C

(Principles of Development Control – The Barossa Council)
Forestry plantations should not be undertaken if they will cause or require the clearance of valued trees or substantially intact strata of vegetation, or detrimentally affect the physical environment or scenic quality of the rural landscape.

Forestry plantations should not occur:

(a) on land with a slope exceeding 20 degrees

(b) within a separation distance (which may include forestry firebreaks and vehicle access tracks) of 50 metres of either of the following:

(i) any dwelling including those on an adjoining allotment

(ii) a reserve gazetted under the National Parks and Wildlife Act 1972 or Wilderness Protection Act 1992.

Forestry plantations should:

(a) not involve cultivation (excluding spot cultivation) in drainage lines or within 20 metres of a major watercourse (a third order or higher watercourse)

(b) incorporate artificial drainage lines (ie culverts, runoffs and constructed drains) integrated with natural drainage lines to minimise concentrated water flows onto or from plantation areas

(c) retain a minimum 5 metre width separation distance immediately to either side of a watercourse (a first or second order watercourse). This separation distance should contain native vegetation (including grasses) and unmodified topography to ensure water flow.

Forestry plantations should incorporate:

(a) 7 metre wide external boundary firebreaks for plantations of 40 hectares or less

(b) 10 metre wide external boundary firebreaks for plantations of between 40 and 100 hectares

(c) 20 metre wide external boundary firebreaks, or 10 metres with an additional 10 metres of fuel reduced plantation, for plantations of 100 hectares or greater.

Forestry plantations should incorporate vehicle access tracks:

(a) within all firebreaks

(b) of a minimum width of 7 metres with a vertical clearance of 4 metres

(c) that are aligned to provide straight through access at junctions, or if they are a no through access track they are appropriately signposted and provide suitable turnaround areas for fire-fighting vehicles

(d) that partition the plantation into units not exceeding 40 hectares in area.

Forestry plantations should ensure the clearances from power lines listed in the Table following are maintained when planting trees with an expected mature height of more than 6 metres:
<table>
<thead>
<tr>
<th>Voltage of transmission line</th>
<th>Tower or Pole</th>
<th>Minimum horizontal clearance distance between plantings and transmission lines (in metres)</th>
</tr>
</thead>
<tbody>
<tr>
<td>500 kV</td>
<td>Tower</td>
<td>38</td>
</tr>
<tr>
<td>275 kV</td>
<td>Tower</td>
<td>25</td>
</tr>
<tr>
<td>132 kV</td>
<td>Tower</td>
<td>20</td>
</tr>
<tr>
<td>132 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>66 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
<tr>
<td>Less than 66 kV</td>
<td>Pole</td>
<td>20</td>
</tr>
</tbody>
</table>